

**MINUTES OF THE MEETING OF THE JERSEY VILLAGE  
PLANNING AND ZONING COMMISSION**

November 21, 2022 – 6:00 p.m.

THE PLANNING AND ZONING COMMISSION OF THE CITY OF JERSEY VILLAGE, TEXAS, CONVENED ON NOVEMBER 21, 2022 AT 6:00 P.M. IN THE CIVIC CENTER MEETING ROOM, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS.

**A. The meeting was called to order in at 6:00 p.m. and the roll of appointed officers was taken.**

**Commissioners present were:**

Rick Faircloth, Chairman  
Eric Henao, Vice Chairman

Debra Mergel, Commissioner  
David L. Lock, Commissioner

Commissioners Ashley Brown, Courtney Standlee and Charles A. Butler, III were not present at this meeting.

Council Liaison, Drew Wasson, was present at this meeting.

Staff in attendance: Austin Bleess, City Manager; Robert Basford, Assistant City Manager; Joe Newton and Ian Knox, Building Official Representatives; and Maria Thorne, Administrative Assistant.

**B. CITIZENS' COMMENTS - Any person who desires to address the Planning and Zoning Commission regarding an item on the agenda will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and Commissioners are not allowed to discuss the subject. Each person is limited to five (5) minutes for comments to the Planning and Zoning Commission.**

There were no Citizens' Comments.

**C. Discuss and take appropriate action concerning a qualitative review of the City of Jersey Village's current Code of Ordinances pertaining to the commercial districts to identify potential code amendments required to ensure that City codes and regulations are in line with the goals and objectives established by the Jersey Village Comprehensive Plan.**

**BACKGROUND INFORMATION:**

On May 18, 2022, City Council agreed to engage BBG to do a Zoning Ordinance update as one of the goals in the Comprehensive Plan is to "Encourage quality Community-orientated Retail and Restaurants", "Encourage quality Community-orientated Entertainment", to update city codes to conform to the Comprehensive Plan, and to "Review existing development codes to identify incompatibility with the vision and desired uses (higher quality restaurants, services, and entertainment), and to protect residential neighborhoods."

Since May, BBG worked with City Staff, a Planning and Zoning Commission Subcommittee, and the Planning and Zoning Commission on a list of Residential Code Amendments, which were passed and approved by City Council on October 17, 2022.

The next phase of BBG's work is to identify potential Commercial Code amendments required to ensure that City codes and regulations are in line with the goals and objectives established by the Jersey Village Comprehensive Plan.

The Commission met on November 9, 2022, and began the review of the Commercial Code amendments, giving input to the BBG Consultants about suggested changes to their proposed amendments.

Accordingly, this item is to continue the review and discuss the proposed Commercial Code Amendments in order to confirm which updates should appear on a future Planning and Zoning Commission agenda that will begin the Ordinance amendment process outlined in Section 14-84 of the Code of Ordinances as follows:

- a. Planning and zoning commission preliminary report submitted to city council.
- b. Joint public hearing with the planning and zoning commission and city council.
- c. Planning and zoning commission final report to the city council.
- d. Action.

Building Official Representatives, Ian Knox and Joe Newton, introduced the item and gave a presentation that covered the proposed updates to the City's Code of Ordinance along with the updates mentioned in the November 9, 2022, Meeting, to include definitions for any added or amended uses. The proposed changes cover several major areas of the Code pertaining to Commercial Land Use and Building Setbacks as follows:

#### **Land Use**

- Consolidation of commercial uses into a unified table for all commercial districts.
- New Commercial Uses proposed and added to table.
- Recommendation to remove several current uses in specified commercial districts.
- Amended the wording of several currently existing uses.

#### **Building Setbacks (Location on lot)**

- Consolidation of building setback requirements into unified setback tables for each commercial district.
- Amended setback requirements in specified districts.

#### **Off-Street Parking**

- Amend off-street parking table to reference NAICS codes (more descriptive than SIC codes).
- Amend specified land uses to increase or reduce parking standards as required for optimum parking.

#### **General Regulations**

- Relocating General Regulations from Sec.14-88 to each Commercial District where applicable.

#### **Height**

- Discussion of current height standards in the Commercial Districts (FEMA Flood Maps).

The following discussions took place during the presentation:

Mr. Newton pointed out new regulations that were added for review since the last meeting. New things are Off-street Parking Standards, General Regulations, and Height for the commercial districts.

The use tables were reviewed, focusing on the updates/changes that were discussed during the last meeting.

The Commission engaged in discussion about the changes. They discussed auto body shops being located in District G. Repair Shops are located in District H. Some Commissioners wondered what will happen given the proposed change. Mr. Knox stated that it will not affect existing uses, but the change will affect any moving forward. The location of existing auto shops was discussed. The commission agreed to have auto body shops in District G with a Specific Use Permit (SUP).

Commercial vehicle repair shops are located in District H. Gasoline filling stations were discussed, including the consideration of have a minimum amount of feet to separate them so that they are not on every corner. The proposal is to locate them in every district with the exception of District H. The setting of a minimum distance to separate filling stations was discussed to include how such a rule would affect locating stations within the city if one is right on the border of the city limits on the outside of the city. The Commission was considering a minimum of 1500 feet as a separator for filling stations, but will revisit this minimum at their next meeting.

Locating bars was discussed and the proposal to have them located no closer than 200 feet from District A. Increasing the number was discussed. The Commission felt that 1000 feet was appropriate as opposed to 200 feet. How this minimum would be measured was discussed by the Commission. City Attorney Pruitt stated that definitions and any distances being proposed should be compared to what is required by TABC. After detailed discussion on the proposal to set a 200-foot locating distance from District A, the Commission wanted to make all alcoholic sales permitted only with a SUP; and therefore, the distance measurement was not needed.

Brew Pubs and Wine Tasting facilities should only be permitted with a SUP.

The list of all added uses was reviewed.

*Planning and Zoning Commission Chairman, Rick Faircloth, called a short recess at 6:45 p.m. in order to reassemble the Commission in the Council Chamber to conduct the Joint Public Hearing with City Council scheduled for 7 PM.*

**D. Conduct a Joint Public Hearing with the City Council for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.**

In addition to the Planning and Zoning Commission Members, the following members of the City of Jersey Village City Council and City Staff were present for this Joint Public Hearing:

Mayor, Bobby Warren  
Council Member, Drew Wasson

City Manager, Austin Bleess  
City Secretary, Lorri Coody

Council Member, Sheri Sheppard

City Attorney, Justin Pruitt

Council Member, Michelle Mitcham

Council Member, James Singleton participated in the joint public hearing via videoconference call.

Council Member, Jennifer McCrea participated in the joint public hearing via videoconference call.

Staff in attendance: Robert Basford, Assistant City Manager; Mark Bitz, Fire Chief; Kirk Riggs, Chief of Police; Isabel Kato, Finance Director; Abram Syphrett, Director of Innovation and Technology; Joe Newton and Ian Knox, Building Official Representatives; and Maria Thorne, Administrative Assistant.

Mayor Warren called the item and Chairman Rick Faircloth announced a quorum for the Planning and Zoning Commission. Mayor Warren opened the Joint Public Hearing at 7:21 p.m., for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses. Mayor Warren called for public comments.

With no one else signing up to speak at the hearing, Mayor Warren and Chairman Faircloth closed the joint public hearing at 7:22 p.m. and the Planning and Zoning Commission retired from the City Council meeting at 7:22 p.m. to conduct its posted meeting agenda and prepare a final report in connection with this joint public hearing.

*Chairman Faircloth reconvened the Planning and Zoning Commission Meeting, with a quorum of Members present, at 7:23 p.m. in the Civic Center Meeting Room. He returned to the regular order of items on the agenda and called the next item as follows:*

Since the Commission had not finished their discussion for Item C, the following discussion was had in connection with that item:

The Commissioners revisited the proposed additions and deletions from the use table and agreed to these updates. Mr. Knox and Mr. Newton then explained the multi letter acronyms such as TDLR and PSTN. With no further discussion on Item C, Chairman Faircloth called the next item on the agenda as follows:

**E. Discuss and take appropriate action regarding the preparation and presentation of the Final Report to City Council concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.**

Joe Newton and Ian Knox, Building Official Representatives, introduced the item. Background information is as follows:

A Joint public hearing was conducted at the November 21, 2022 City Council and P&Z Meetings for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.

Now that the joint public hearing has been conducted, consideration must be given to: (1) the directives of Council; (2) the discussions had concerning these issues at prior P&Z meetings; and (3) the comments made by the public during the public hearing.

After due consideration, prepare and vote on your Final Report concerning this amendment.

The Commission engaged in limited discussion about the proposed amendments to Section 14-5 definitions for certain uses.

With no further discussion on the matter, Commissioner Mergel moved to recommend that City Council amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses. Commissioner Lock seconded the motion. The vote follows:

Ayes: Commissioners Henao, Mergel, and Lock  
Chairman Faircloth

Nays: None

The motion carried.

*A copy of the Commission’s Final Report is attached to and made a part of these minutes as Exhibit “A.”*

**F. Adjourn**

There being no further business on the Agenda the meeting was adjourned at 7:52 p.m.

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Lorri Coody, City Secretary



# **EXHIBIT A**

## **Planning and Zoning Commission Minutes**

**November 21, 2022**

**Final Report**

**Chapter 14, Section 14-5 - Definitions**



**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION  
FINAL REPORT  
CHAPTER 14, SECTION 14-5 DEFINITIONS**

The Planning and Zoning Commission has met on October 24, 2022, and in its preliminary report recommended that City Council amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.

The preliminary report was submitted to the Jersey Village City Council at its October 27, 2022, meeting. The report was received, and the City Council ordered a Joint Public Hearing for November 21, 2022.

On November 21, 2022, the City Council and the Jersey Village Planning and Zoning Commission conducted a joint public hearing, which gave the public an opportunity to make comments concerning the proposed amendment.

The Planning and Zoning Commission after duly considering all the information before it including that gathered at the Joint Public Hearing with City Council on November 21, 2022, recommends that City Council amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.

The necessary amendments to the City’s zoning ordinance to effect this recommendation are more specifically detailed in the attached proposed ordinance marked as Exhibit “A.”

Respectfully submitted, this 21st day of November 2022.

s/Rick Faircloth, Chairman

**ATTEST:**

s/Lorri Coody, City Secretary

# Exhibit A

## Proposed Ordinance



**ORDINANCE NO. 2022-xx**

**AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT”, ARTICLE I “GENERAL”, SECTION 14-5 “DEFINITIONS” BY AMENDING DEFINITIONS FOR CERTAIN USES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council (the “Council”) of the City of Jersey Village, Texas (the “City”), determines it in the best interest of the health, safety, and welfare of the citizens of the City’s to amend the City’s Code of Ordinances related to Zoning Regulations (the “Code”); and

**WHEREAS**, the City’s Planning & Zoning Commission (the “Commission”) has issued its report and has recommended amendments to the Code to modify definitions for certain uses in Chapter 14 of the Code; and

**WHEREAS**, the Commission and the Council have conducted, in the time and manner required by law, a joint public hearing on such amendments; and

**WHEREAS**, the Council now deems that such requested amendment to the Code is in accordance with the City’s Comprehensive Plan and is appropriate to grant; and, **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE:**

**SECTION 1. THAT** the facts and matter set forth in the preamble of this Ordinance are hereby found to be true and correct.

**SECTION 2. THAT** Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions,” of the Code of Ordinances of the City of Jersey Village, Texas is hereby amended to read as follows (with added language being shown as underlined in bold and deleted language being shown as struck through, and with such amended language to be included in the appropriate alphabetical order within the existing portion of Section 14-5):

*“Hookah bar/lounge means an establishment used ~~primarily~~ for the sale of shisha for consumption on the premises or for sale or rental of accessories used for smoking shisha on the premises.”*

*“Junk or salvage yard means any location whose ~~primary~~ use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled, or handled, including, but not limited to, materials such as scrap metals, paper, rags, tires, and bottles.”*

*“Restaurant means an eating establishment whose ~~primary~~ function is the sale, dispensing or service of food, refreshments and beverages to customers, and which may sell alcoholic beverages as an accompaniment to meals served therein. All food must be prepared and cooked in a commercial kitchen on the premises. This may include such eating establishments as dining rooms, drive-in restaurants, fast food restaurants, cafes, cafeterias, and carryout restaurants, but specifically excludes bars, taverns, saloons, cabarets, or other similar establishments which derive 75 percent or more of the establishment’s gross revenue from the on-premises sale of alcoholic beverages.”*

**SECTION 3. THAT** in the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 4. THAT** all other ordinances or parts of ordinances in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed.

**SECTION 5. THAT** any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine as provided in Section 1-8.

**SECTION 6. THAT** this Ordinance shall be in full force and effect from and after its passage.

**PASSED, APPROVED, AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2022.**

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Bobby Warren, Mayor

**ATTEST:**

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Lorri Coody, City Secretary

