

NOTICE OF APPROVAL – Notice is hereby given that at the August 1, 2013 City Council Meeting of the City of Jersey Village, Texas, the following ordinance, which may be viewed online at <http://www.jerseyvillage.info/>, was passed and approved:

ORDINANCE NO. 2013-28 - AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, THE JERSEY VILLAGE DEVELOPMENT CODE, BY AMENDING CHAPTER 14. *BUILDING AND DEVELOPMENT*, ARTICLE IV. *ZONING DISTRICTS*, DIVISION 3. *FORM BASED ZONING DISTRICTS*, SECTION 6.2 “SCHEDULE OF PERMITTED USES” BY AMENDING TABLE 6.1 TO ALLOW “WAREHOUSE” AS A PERMITTED USE, WITH AN APPROVED SPECIAL DEVELOPMENT PLAN; AMENDING TABLE 6.1 BY CHANGING REFERENCES OF “SPECIFIC USE PERMIT” TO “SPECIAL DEVELOPMENT PLAN”; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

Any person who shall violate any provision of these Ordinances shall be punished upon conviction as provided by Section 1-8 of the City of Jersey Village Code of Ordinances by a fine not to exceed \$2,000.00 provided, however, that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state, and each day such violation shall exist shall be a separate offense.

PASSED, APPROVED, AND ADOPTED this 1st day of August 2013. /s/Rod Erskine, Mayor
Attest: /s/ Lorri Coody, City Secretary, Jersey Village

Notice of Approval - Issued for publication on August 8, 2013 on this the 2nd day of August 2013.
/s/Lorri Coody, City Secretary, Jersey Village, Texas.

Posted to City Website – August 2, 2013 at 11:30 a.m.

ORDINANCE NO. 2013-28

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, THE JERSEY VILLAGE DEVELOPMENT CODE, BY AMENDING CHAPTER 14. *BUILDING AND DEVELOPMENT*, ARTICLE IV. *ZONING DISTRICTS*, DIVISION 3. *FORM BASED ZONING DISTRICTS*, SECTION 6.2 “SCHEDULE OF PERMITTED USES” BY AMENDING TABLE 6.1 TO ALLOW “WAREHOUSE” AS A PERMITTED USE, WITH AN APPROVED SPECIAL DEVELOPMENT PLAN; AMENDING TABLE 6.1 BY CHANGING REFERENCES OF “SPECIFIC USE PERMIT” TO “SPECIAL DEVELOPMENT PLAN”; 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 of the City of Jersey Village, Texas, determines it in the best interest of the health, safety, and welfare of the citizens of the City to amend the permitted uses of District D of the Zoning Ordinance to allow “Warehouse” as a permitted use, with an approved Special Development Plan; and

WHEREAS, the City Council of the City of Jersey Village, Texas, also determines it in the best interest of the health, safety, and welfare of the citizens of the City to amend table 6.1 of District D of the Zoning Ordinance to change references of “specific use permit” to “Special Development Plan” to provide consistency with the Zoning Ordinance; and

WHEREAS, the Planning & Zoning Commission has issued its report and approved this amendment to the Zoning Ordinance herein; and

WHEREAS, the Planning & Zoning Commission and City Council have conducted, in the time and manner required by law, a public hearing on such amendment to the zoning ordinance and find that the adoption of this ordinance is in the best interest of the citizens of Jersey Village; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS THAT:

Section 1. The Code of Ordinances of the City of Jersey Village, Texas, is hereby amended by amending Chapter 14. *Building and Development*, Article IV. *Zoning Districts*, Division 3. *Form Based Zoning Districts*, Section 6.2 “Schedule of Permitted Uses” by amending Table 6.1 to allow “Warehouse” as a permitted use, with an approved Special Development Plan and amending Table 6.1 by

changing references of “Specific Use Permit” and “SUP” to “Special Development Plan” and “SDP,” respectively, said amendments to read and provide as follows:

“Chapter 14 - BUILDING AND DEVELOPMENT

ARTICLE IV. – ZONING DISTRICTS

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DIVISION 3. FORM BASED ZONING DISTRICTS

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Sec. 6. – Schedule of Permitted Uses.

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6.2 Schedule of Uses:

Table 6.1

	Character Zone	District D Core	District D Mixed Use	Highway Mixed Use	District D Neighborhood	District D Transition
Land Use						
Commercial Uses (Office, Retail, Sales & Service Uses)						
Retail Sales or Service with <u>no drive through facility</u> (includes alcohol sales which shall meet Chapter 6, Alcoholic Beverages of the City of Jersey Village Code of Ordinances). Excluded from this use category is Auto-Retail Sales and Services (see Section 4 for Definition of Retail, Service Uses, and Auto-related Sales and Services)	P	P	P		P/C	P
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, with <u>no drive through facility</u> .	P	P	P		P/C	P
Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc.	P	P	P		P/C	P
Research laboratory headquarters, laboratories and associated facilities	P	P	P		NP	P
Food Service Uses such as full-service restaurants, cafeterias, bakeries and snack bars with <u>no drive through facilities</u> . Included in this category is café seating within a public or private sidewalk area with no obstruction of pedestrian circulation. Also included in this category is the sale of alcoholic beverages which meets Chapter 6 Alcoholic Beverages of the City of Jersey Village Code of Ordinances.	P	P	P		P/C	P
Any use with a drive through facility	P/C	P/C	P/C		NP	P/C
Auto-related Sales and Services	NP	NP	P/C		NP	P/C
Arts, Entertainment, and Recreation Uses						
Art galleries	P	P	P		P/C	P
Art, antique, furniture or electronics studio (retail, repair or fabrication; excludes auto and electronics sales or service)	P	P	P		NP	P
Games arcade establishments	P	P	P		NP	P
Theater, cinema, dance, music or other entertainment establishment	P	P	P		NP	P
Museums and other special purpose recreational institutions	P	P	P		NP	P
Fitness, recreational sports, gym, or athletic club	P	P	P		NP	P
Parks, greens, plazas, squares, and playgrounds	P	P	P		P	P
Educational, Public Administration, Health Care and Other Institutional Uses						
Business associations and professional membership organizations	P	P	P		P/C	P
Child day care and preschools	P	P	P		NP	P

Character Zone	District D Core	District D Mixed Use	Highway Mixed Use	District D Neighborhood	District D Transition
Schools, libraries, and community halls	P	P	P	NP	P
Universities and Colleges	P/C	P/C	P	NP	P
Hospital	P	P	P	NP	P
Civic uses	P	P	P	NP	P
Social and fraternal organizations	P	P	P	P/C	P
Social services and philanthropic organizations	P	P	P	P/C	P
Religious Institutions	P	P	P	NP	P
Funeral homes	P	P	P	NP	P
Residential Uses					
Home Occupations	P/A	P/A	P/A	P/A	P/A
Multi-family residential					
Ground Floor	P/C	P	P/C	P	P
Upper Floors	P	P	P	P	P
Residential Lofts	P	P	P	P	P
Single-family residential attached dwelling unit (Townhomes)	P/C	P/C	P/C	P	P
Live-work unit	P	P	P	P	P
Manufacturing, Transportation, Communication, and Utility Uses					
Wood, paper, and printing products manufacturing	NP	NP	NP	NP	P
Warehouse and storage	NP	NP	[NP] P/SDP	NP	P/A
Miscellaneous manufacturing (included in this category are jewelry, silverware, personal metal goods, flatware, dolls, toys, games, musical instruments, office supplies, and signs.)	NP	NP	NP	NP	P
Wholesale trade establishment	NP	NP	NP	NP	P
Publishing (newspaper, books, periodicals, software)	NP	P	P	NP	P
Motion picture and sound recording	NP	P	P	NP	P
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)	NP	NP	P	NP	P
Information services and data processing	NP	P	P	NP	P
Other Uses					
Model homes for sales and promotion**	P	P	P	P	P
Hotels	P	P	P	NP	P
Parking, surface (primary use of property)	NP	NP	P	NP	P
Parking, surface (accessory use of property)	P	P	P	P	P
Parking, structured	P	P	P	P	P
Private attached garage	NP	NP	NP	P	P
Private detached garage	NP	NP	NP	P	P
Sales from kiosks	P	P	NP	NP	NP
Veterinary clinic	NP	P	P	NP	P
Community garden	P	P	P	P	P
Antennas including cell, accessory, and mounted on top of buildings	P/A/C	P/A/C	P/A/C	NP	P/A/C
Wind energy equipment	[P/SUP] P/SDP	[P/SUP] P/SDP	[P/SUP] P/SDP	[P/SUP] P/SDP	[P/SUP] P/SDP
Solar energy equipment	P/A	P/A	P/A	P/A	P/A
Special Event	[P/SUP] P/SDP	[P/SUP] P/SDP	[P/SUP] P/SDP	[P/SUP] P/SDP	[P/SUP] P/SDP
Rain harvesting equipment	P/A/C	P/A/C	P/A/C	P/A	P/A
Utility equipment (includes electrical transformers, gas meters, etc.)	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C

** Model homes are limited to a time period until all the homes are sold in the neighborhood.

P= Permitted by right NP= Not Permitted P/C= Permitted with design criteria per Table 6.2 [P/SUP] P/SDP = Permitted with a [Specific Use] Special Development Plan P/A = Permitted Accessory Use NA= Not applicable

A = Accessory use to not exceed 25% of the primary use building square footage

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Section 2. **Severability.** 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 3. **Repeal.** All other ordinances or parts of ordinances in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed.

Section 4. **Penalty.** 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 of The City Code.

Section 5. **Effective Date.** This ordinance shall be in full force and effect from and after its passage.

PASSED, APPROVED, AND ADOPTED this 1st day of August, 2013.

S/Rod Erskine, Mayor

ATTEST:

S/Lorri Coody, City Secretary

