



**Planning & Zoning
Commission Meeting
May 14, 2019
7:00 p.m.**

W.K. (Trey) Hoffman, Chairman
Anne-Marie McMichael, Vice-Chair
Louise Richman, Secretary
Charles Calderwood

Patrick Johnson
John Lisenby, Alternate
Maryellen McGlothlin
Amy Winstead



AGENDA

City of Spring Valley Village
Planning & Zoning Commission Meeting
Council Chambers at City Hall
1025 Campbell Road, Spring Valley Village, Texas
Tuesday, May 14, 2019 at 7:00 P.M.

- 1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT**
- 2. APPROVAL OF MEETING MINUTES:** Regular Meeting on March 12, 2019
- 3. CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2019-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A”, OF EXHIBIT “A” OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET THE FRONT BUILDING LINE SETBACK FOR LOTS ADJOINING A MAJOR THOROUGHFARE OTHER THAN WESTVIEW DRIVE AT TWENTY-FIVE FEET (25’); PROHIBITING DRIVEWAY ENTRANCES ONTO SUCH MAJOR THOROUGHFARE IF THE LOT ALSO ADJOINS A MINOR STREET; PROVIDING A MINIMUM SETBACK OF THIRTY-EIGHT FEET (38’) FOR GARAGES FACING SUCH MAJOR THOROUGHFARE; BY AMENDING SUBSECTION .10, DRIVEWAY WIDTH, TRANSITION AND SEPARATION, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A” OF EXHIBIT “A” OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE DRIVEWAYS TO ACCESS LOTS OFF OF STREETS OTHER THAN BINGLE ROAD AND CAMPBELL ROAD WHERE POSSIBLE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.
 - A. Presentation of Proposed Ordinance by City Attorney

- B. Those In Favor
- C. Those Opposed
- D. Adjourn Public Hearing

4. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2019-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A”, OF EXHIBIT “A” OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET THE FRONT BUILDING LINE SETBACK FOR LOTS ADJOINING A MAJOR THOROUGHFARE OTHER THAN WESTVIEW DRIVE AT TWENTY-FIVE FEET (25’); PROHIBITING DRIVEWAY ENTRANCES ONTO SUCH MAJOR THOROUGHFARE IF THE LOT ALSO ADJOINS A MINOR STREET; PROVIDING A MINIMUM SETBACK OF THIRTY-EIGHT FEET (38’) FOR GARAGES FACING SUCH MAJOR THOROUGHFARE; BY AMENDING SUBSECTION .10, DRIVEWAY WIDTH, TRANSITION AND SEPARATION, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT “A” OF EXHIBIT “A” OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE DRIVEWAYS TO ACCESS LOTS OFF OF STREETS OTHER THAN BINGLE ROAD AND CAMPBELL ROAD WHERE POSSIBLE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

5. **CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2019-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT “A” OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT “A” OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO

BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

- A. Presentation of Proposed Ordinance by City Attorney
- B. Those In Favor
- C. Those Opposed
- D. Adjourn Public Hearing

6. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2019-XX – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT “A” OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT “A” OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

7. **DISCUSSION AND DIRECTION CONCERNING:** The Activities of the City Council During the April 23, 2019 Meeting Regarding Planning & Zoning Commission Matters.

8. **ADJOURNMENT**

Note: Per Chairman Hoffman, if a quorum is not made at the Planning & Zoning Commission meeting, the members present will meet as a sub-committee strictly to discuss the agenda items.

Posted this the 8th day of May, 2019 at 11:30 a.m. pursuant to the Open Meetings Act, Chapter 551, Texas Government Code.

Attest:



Roxanne Benitez, TRMC, CPM, CMCC
City Secretary

In compliance with the Americans with Disabilities Act, the City of Spring Valley Village will provide reasonable accommodations for persons attending public meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made no less than 48 hours prior to this meeting. Please contact the City Secretary's office at 713-465-8308 or email secretary@springvalleytx.com for further information.

Minutes

Planning & Zoning Commission Meeting Minutes
City of Spring Valley Village
Tuesday, March 12, 2019

1. **The Planning & Zoning Commission meeting was called to order by Chair Trey Hoffman at 7:01 p.m. in the Council Chambers of City Hall, 1025 Campbell Road, Houston, Texas.**

Planning & Zoning Members present:

Trey Hoffman, Chair
Charlie Calderwood
Maryellen McGlothlin
Patrick Johnson
Louise Richman

A quorum was present.

City Officials present:

Loren Smith, City Attorney
Oscar Arevalo, Building Official

2. **Approval of meeting minutes for regular meeting February 12, 2019**

Ms. McGlothlin made the motion to approve the minutes. Mr. Calderwood seconded the motion. The motion carried 5 to 0.

3. **Discussion and direction concerning:** Review of residential building line setback regulations along Campbell Road and Bingle Road, including existing conditions associated with each street and established patterns, options for revising building line setbacks, and impacts associated with each option.

Mr. Smith introduced this item saying that since Westview has been handled as to residential building line setbacks, City Council wants Campbell and Bingle Roads to be reviewed by Planning and Zoning.

Mr. Hoffman said that this review would probably take several meetings.

Tony Allender with Hawes Hill & Associates spoke about the analyses that had been done on Bingle and Campbell Roads which were similar to the work done on Westview. The most valuable graphics are the aerial views. There are more front facing homes along Bingle than Campbell. Along Campbell, a majority of homes are protected from the street by a fence or vegetation. Some sort of protection is important.

Comments and discussion from Planning and Zoning members followed.

- Three of the oldest homes on Campbell are facing the street.
- Mr. Calderwood: Comment and question, is development impeded on Campbell.
- Ms. McGlothlin: On the Houston side of Campbell, there is a mix of items with church, commercial, residential. Westview is more "home setting."

- Mr. Allender: Page 22 of report for Campbell has a front set back of 40 feet and a side set back of 25 feet. There are 14 feet from back of curb to property line.
- Mr. Calderwood and Ms. McGlothlin: Windsor Court has different setbacks. The codes for Windsor Court are different per ordinance.
- Mr. Allender recommends a 25 feet setback. He noted that the homes out of compliance with current ordinances were in compliance at the time they were built.
- Mr. Calderwood: Bingle and Campbell Roads can be a racetrack; concern for safety was expressed.
- Mr. Allender suggests that for side facing houses with fences, he would require masonry fences for safety.
- Mr. Calderwood: For new houses being built, require masonry fences.
- Mr. Arevalo said that there is almost 30 feet when you add the right of way. The state does not like solid barriers as driver could hurt himself if he drives off the road. Campbell and Bingle values are not as valuable. There have been no tear downs on these two streets since he has been Building Official with Spring Valley Village.
- Mr. Johnson: What is the compelling reason to change the ordinance?
- Mr. Smith: There is no compelling reason to change the ordinance, however should consider, is P&Z curing any legal issues and should look at safety. In a city like Spring Valley Village, there are always non-compliance with the current ordinances.
- Mr. Arevalo: Reconstruction if greater than 50% must comply with new ordinances.
- Mr. Hoffman: Lots 1224, 1218, 1214 are front facing on Campbell and are at least 10,000 square feet so there may not be an issue. Continuity of setbacks is important. Side setbacks can extend to 25 feet. When houses can be moved closer to the street, have to consider garage setbacks so that there can be two cars parked back to back without impeding pedestrians. Have sidewalks to consider.
- Mr. Calderwood: Talked about garages facing Campbell; may be a good design.
- Mr. Hoffman: No security gates for houses facing Campbell as traffic is an issue. There are no driveways on Campbell with side facing houses.
- Discussion regarding how many houses are in compliance with side set backs on Campbell.
- Mr. Johnson wants to hear from community.
- It was commented on that homes built in 1985 are being torn down south of IH-10 and in Bellaire.
- Mr. Calderwood asked if METRO could widen the street. Mr. Smith responded, "No."
- Barry Chaloupka, 1218 Campbell has a 34 feet side setback. He wants to know the goal.
- Mr. Hoffman said that need ability to move house back to 40 feet if house is rebuilt. He talked about the type and amount of remodeling that would require compliance with the ordinance.
- Mr. Hoffman asked for a straw poll for side and front setbacks: Ms. McGlothlin – 25 feet for front and 15 feet for sides; Mr. Johnson, Mr. Calderwood, Ms. Richman – 25 feet for front and 25 for side.
- Bingle Road was the next discussion point.
- Mr. Allender talked about screening for Bingle Road and how it is different from Campbell Road. One third of the homes do not meet the current code. His recommendation for Bingle is the same as for Campbell.
- Mr. Calderwood mentioned the two homes in Woodsborough that are out of compliance with respect to side setbacks.

- Mr. Hoffman noted the addresses that were in compliance: 1410, 1440, 1432, 1430, 1426, 1422, and 1418.
- Mr. Allender talked in general about left turn lanes.
- The preference is for 25 feet side and front setbacks on Bingle Road.
- Speakers:
 - o Jean-Michel Del Amo, 8600 Cedarspur had questions regarding side setbacks.
 - o Ronnie Adams, 8601 Merlin had question about how future ordinance would affect the roadway. It would not.
 - o John Kocurek, 1432 Bingle, likes the proposed changes.

Mr. Hoffman reviewed briefly noting that seven of the 19 front facing homes are challenged by lot size and will benefit from the 25 feet setbacks: front, side, rear. Must consider garages and sidewalks as to set backs.

- 4. Discussion and direction concerning:** The activities of the City Council during the February 26, 2019 meeting regarding Planning & Zoning Commission matters

Mr. Smith said that City Council passed and adopted without any change the porte cochere ordinance.

5. Adjournment

Mr. McGlothlin made a motion to adjourn. Mr. Calderwood seconded the motion. The motion carried 5 to 0. The meeting was adjourned at 9:04 p.m.

Signed: _____
W. K. (Trey) Hoffman, Chairman

Attest: _____
Louise Richman, Secretary

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: May 14, 2019

TOPIC:

CONDUCT A PUBLIC HEARING CONCERNING:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET THE FRONT BUILDING LINE SETBACK FOR LOTS ADJOINING A MAJOR THOROUGHFARE OTHER THAN WESTVIEW DRIVE AT TWENTY-FIVE FET (25'); PROHIBITING DRIVEWAY ENTRANCES ONTO SUCH MAJOR THOROUGHFARE IF THE LOT ALSO ADJOINS A MINOR STREET; PROVIDING A MINIMUM SETBACK OF THIRTY-EIGHT FEET (38') FOR GARAGES FACING SUCH MAJOR THOROUGHFARE; BY AMENDING SUBSECTION .10, DRIVEWAY WIDTH, TRANSITION, AND SEPARATION, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A" OF EXHIBIT "A" OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE DRIVEWAYS TO ACCESS LOTS OFF OF STREETS OTHER THAN BINGLE ROAD AND CAMPBELL ROAD WHERE POSSIBLE; A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

BACKGROUND:

In early 2018 and in response to a front building setback line issue on Westview Drive, the City Council directed the Planning and Zoning Commission to undertake a review of all of the building line setbacks applicable to properties along Westview Drive to determine whether it would be appropriate to revise those setbacks based on the development that has occurred along Westview Drive since the regulation was established in 1991.

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

City Council also directed the Commission to review and evaluate the residential building line setbacks for Campbell and Bingle Road. Planning Consultant Tony Allender with Hawes Hill and Associates along with City staff compiled the data for existing conditions on both Campbell and Bingle Road.

During the March 12, 2019 meeting, the Planning and Zoning Commission discussed the building line setbacks along Bingle and Campbell Road with Planning Consultant Tony Allender, City staff and members of the public, including a review of existing conditions, evaluating options for revising the building line setbacks, and identifying impacts associated with each option.

Mr. Allender showed the Commission that over time the majority of homes along both Campbell and Bingle Road were built approximately twenty five feet (25') from the front property line. His recommendation was to establish the front setback on Bingle and Campbell Road at twenty five feet (25') to be consistent with existing construction. The outcome of the discussion on March 12, 2019, was that no revisions to the side building line setback were needed but that revisions to the front building line setback would be appropriate considering the existing setbacks of the homes currently facing those streets.

The Commission requested that the City Attorney insert language into the ordinance that would prohibit a driveway entrance onto Bingle Road or Campbell Road if the lot also adjoined a minor street. The Commission also requested that a requirement be placed in the ordinance that required a minimum setback of thirty-eight feet (38') for garages that faced a major thoroughfare.

The City Attorney prepared a revised ordinance for consideration by the Planning and Zoning Commission. If the Commission is in favor of the revised ordinance it will be forwarded to City Council for their approval.

RECOMMENDATION: Not applicable for Public Hearing

ATTACHMENTS:

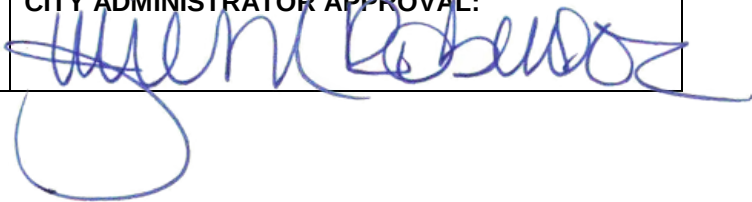
- Ordinance Number 2019-XX
- Copy of Public Hearing Notice
- Copy of List of and Letter Dated April 22, 2019 Mailed to Each Property Owner Along Bingle and Campbell
- Copy of Constant Contact message dated April 24, 2019
- Lot by Lot Analysis Spreadsheets and Maps

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
FINANCE VERIFICATION OF FUNDING: 	

SUBMITTING STAFF MEMBER: Oscar Arevalo, CBO, Building Official	CITY ADMINISTRATOR APPROVAL: 
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ACTIONS TAKEN		
APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER

ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET THE FRONT BUILDING LINE SETBACK FOR LOTS ADJOINING A MAJOR THOROUGHFARE OTHER THAN WESTVIEW DRIVE AT TWENTY-FIVE FEET (25'); PROHIBITING DRIVEWAY ENTRANCES ONTO SUCH MAJOR THOROUGHFARE IF THE LOT ALSO ADJOINS A MINOR STREET; PROVIDING A MINIMUM SETBACK OF THIRTY-EIGHT FEET (38') FOR GARAGES FACING SUCH MAJOR THOROUGHFARE; BY AMENDING SUBSECTION .10, DRIVEWAY WIDTH, TRANSITION AND SEPARATION, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A" OF EXHIBIT "A" OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE DRIVEWAYS TO ACCESS LOTS OFF OF STREETS OTHER THAN BINGLE ROAD AND CAMPBELL ROAD WHERE POSSIBLE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council finds that it is in the best interest of the health, safety and welfare of its citizens to set the front setback for residential structures facing a major thoroughfare other than Westview Drive at twenty-five feet (25'), prohibiting driveways on lots adjoining any major thoroughfare other than Westview Drive to enter onto such major thoroughfare if the lot also adjoins a minor street, and requiring a minimum setback of thirty-eight feet (38') for garages facing such major thoroughfares;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters contained in the preamble of this Ordinance are hereby found to be true and correct and are incorporated herein.

Section 2. Section 05:02.03.09.02.02, Front Building Line Setbacks Adjoining a Major Thoroughfare, of Chapter 12, Planning and Zoning, of the Code of Ordinances of the City of Spring Valley Village, Texas is hereby amended by adding the language underscored below and deleting therefrom the language struckthrough below, Section 05:02.03.09.02.02 to read as follows:

“Adjoining a Major Thoroughfare. For a lot adjoining a major thoroughfare, other than Westview Drive, the front building setback line shall be ~~forty feet (40’)~~ twenty-five feet (25’). All garages facing a major thoroughfare must be setback a minimum of thirty-eight feet (38’), measured from the inside edge of any public sidewalk nearest the associated front property line.”

Lots Adjoining Westview Drive. Except as provided herein, for a lot adjoining and facing Westview Drive the front building setback line shall be twenty-five feet (25’); provided, however, for a lot adjoining and facing Westview Drive on the north side of Westview Drive between Bracher Street and Bingle Road, the front building setback line shall be forty feet (40’). All garages must be setback a minimum of thirty-six feet (36’) from the inside edge of any public sidewalk”

Section 3. Section 05:02.03.10, Driveway Width, Transition, and Separation, of Chapter 12, Planning and Zoning, of the Code of Ordinances of the City of Spring Valley Village, Texas is hereby amended by adding the language underscored below, Section 05:02.03.10 to read as follows:

“.10 Driveway Width, Transition, and Separation.

- .10.01 Except as provided by subsection 10.04 below, the maximum driveway width at the line of intersection with the street pavement shall not exceed twenty-four feet (24’), plus the corner radii at each intersection and the maximum width of the driveway located within the right-of-way shall not exceed twenty-four feet (24’).
- .10.02 Residential access ways, or curb cuts, shall meet or exceed the minimum standards set by the City. (See, e.g., Article 3.1200—Regulations for the Cutting of Streets).
- .10.03 No curb cut shall be located within twenty-four feet (24’) of a street intersection.
- .10.04 Lots that are adjacent to Campbell Road or Bingle Road and a minor street shall have vehicular driveways connecting with the minor street only.

- .10.05 Where the driveway provides direct access to a garage containing more than two (2) parking spaces and the garage fronts a side-street, then the corresponding curb cut shall not exceed thirty-six feet (36').
- .10.06 Only one (1) curb cut is permitted per residence; provided, however, a second curb cut is permitted when connected to a circular driveway. Except as provided by subsection 10.04, the total width of all curb cuts per residence shall not exceed twenty-four feet (24') plus the corner radii at each intersection.
- .10.07 If more than one (1) curb cut (that is street transition) is constructed on the same lot, such curb cuts shall be separated (nearest edge to nearest edge as measured along the street curb) by a minimum distance of at least twenty feet (20'). The driveways corresponding to the two (2) curb cuts must interconnect as a circular driveway, and at least one (1) curb cut must correspond to a driveway to the dwelling unit's garage or alternative enclosed vehicle parking space.
- .10.08 A parking pad is permitted only if it is contiguous to the driveway, it is a paved surface, and it is located entirely outside the City right-of-way.
- .10.09 It shall be unlawful for any person to cause or permit the placement or construction of a vehicular driveway, or any portion thereof, which violates the provisions of this section.

Section 4. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 5. 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 Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any 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 6. All rights and remedies of the City of Spring Valley Village are expressly saved as to any and all violations of the provisions of any Ordinances affecting and which have accrued at the time of the effective date of this Ordinance;

and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 7. This Ordinance shall become effective upon passage, in accordance with law.

DULY PASSED, ADOPTED AND ORDAINED this _____ day of _____, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

DIVIDER PAGE

**PUBLIC NOTICE
CITY OF SPRING VALLEY VILLAGE, TEXAS
NOTICE OF PUBLIC HEARING**

Notice Is Hereby Given To Hear Comments And Testimony Concerning The Following Proposed Ordinance:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET THE FRONT BUILDING LINE SETBACK FOR LOTS ADJOINING A MAJOR THOROUGHFARE OTHER THAN WESTVIEW DRIVE AT TWENTY-FIVE FEET (25'); PROHIBITING DRIVEWAY ENTRANCES ONTO SUCH MAJOR THOROUGHFARE IF THE LOT ALSO ADJOINS A MINOR STREET; PROVIDING A MINIMUM SETBACK OF THIRTY SIX FEET (36') FOR GARAGES FACING SUCH MAJOR THOROUGHFARE; BY AMENDING SUBSECTION .10, DRIVEWAY WIDTH, TRANSITION AND SEPARATION, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A" OF EXHIBIT "A" OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE DRIVEWAYS TO ACCESS LOTS OFF OF STREETS OTHER THAN BINGLE ROAD AND CAMPBELL ROAD WHERE POSSIBLE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

The **Planning and Zoning Commission** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

Date: Tuesday, May 14, 2019

Time: 7:00 p.m.

Location: Council Chambers

Spring Valley Village City Hall

1025 Campbell Road

Houston, TX 77055

The **City Council** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

Date: Tuesday, May 21, 2019

Time: 6:00 p.m.

Location: Council Chambers

Spring Valley Village City Hall

1025 Campbell Road

Houston, TX 77055

For additional information regarding these public hearings, please contact the Building Official, Oscar Arevalo, at (713) 465-8308.

DIVIDER PAGE

Wallace/Marie Dillard
16060 Dillard Dr. Ste200
Jersey Village ,TX 77040

Grace Chapel Church
1055 Bingle
Houston ,TX 77055

Yesmeen Quadri
1118 Joshua Ln.
Houston ,TX 77055

Jaswant Sihra
1122 Joshua Ln.
Houston ,TX 77055

Robert Wertheimer
1126 Joshua Ln.
Houston ,TX 77055

Mohammed Uddin
1130 Joshua Ln.
Houston ,TX 77055

Tisha Krause
1134 Joshua Ln.
Houston ,TX 77055

John Stiff
1138 Joshua Ln.
Houston ,TX 77055

Scottie Wilcoxson
1151 Bingle
Houston ,TX 77055

Lynh Hua
1155 Bingle
Houston ,TX 77055

Jerry Simonton
1203 Bingle
Houston ,TX 77055

Daniela Garduno
8601 Cedarspur
Houston ,TX 77055

Michael Jean Del Amo
8600 Cedarspur
Houston ,TX 77055

Houston House Buyers
8601 Cedarbrake
Houston ,TX 77055

Rick Anderson
8602 Cedarbrake
Houston ,TX 77055

Ronnie Adams
8601 Merlin Dr.
Houston ,TX 77055

Tobiah Utter
8602 Merlin Dr.
Houston ,TX 77055

Kendall Crawford
8601 Lupton Ln.
Houston ,TX 77055

Rafael Hernandez
8602 Lupton Ln.
Houston ,TX 77055

Julio Garay
8601 Westview Dr.
Houston ,TX 77055

Stephen Kubik
8602 Westview Dr.
Houston ,TX 77055

Gregory Herbst
8603 Cedardale Ln.
Houston ,TX 77055

Isel Caballero
8602 Cedardale Ln.
Houston ,TX 77055

Eric/Cynthia Randolph
1441 Bingle Rd.
Houston ,TX 77055

Cory Christofferson
1440 Bingle Rd.
Houston ,TX 77055

John Kocurek
1432 Bingle Rd.
Houston ,TX 77055

Sean Salinas
1430 Bingle Rd.
Houston ,TX 77055

Karin Matthews
1426 Bingle Rd.
Houston ,TX 77055

Jeff Sasser/Eric Blakey
1422 Bingle Rd.
Houston ,TX 77055

John Burns
1418 Bingle Rd.
Houston ,TX 77055

Saul Delgado
1410 Bingle Rd.
Houston ,TX 77055

Thuong Le
1406 Bingle Rd.
Houston ,TX 77055

Huong Vo
8522 Westview Dr.
Houston ,TX 77055

Elizabeth Nguyen
8521 Westview Dr.
Houston ,TX 77055

Kim Hyun
11323 Rocky Mill Dr.
Cypress ,TX 77429

Elizabeth Vinh
1328 Bingle Rd.
Houston ,TX 77055

Thomas Soriero
1324 Bingle Rd.
Houston ,TX 77055

Dorli Bradshaw
1320 Bingle Rd.
Houston ,TX 77055

Chinyi Tsai
1318 Bingle Rd.
Houston ,TX 77055

Oscar Morales
8530 Merlin Dr.
Houston ,TX 77055

Mike Zabransky
8529 Merlin Dr.
Houston ,TX 77055

Joseph/Melissa Malouf
1240 Bingle Rd.
Houston ,TX 77055

Joshep Quoyeser
8519 Cedarbrake Dr.
Houston ,TX 77055

Matt Butler
8520 Cedarbrake Dr.
Houston ,TX 77055

Deborah Bryant
1202 Bingle Rd.
Houston ,TX 77055

Heath Novasad
8522 Burkhart Rd.
Houston ,TX 77055

Jeffrey Fuhrman
8529 Burkhart Rd.
Houston ,TX 77055

Greg Rako
8468 Winningham Dr.
Houston ,TX 77055

William O'Dell
18 Woodsborough Cr.
Houston ,TX 77055

Michael Ballases
20 Woodsborough Cr.
Houston ,TX 77055

Memorial MRI & Diagnostic
1346 Campbell Rd.
Houston ,TX 77055

Gina Kim
47 Windsor Ct.
Houston ,TX 77055

Kit Gebauer
42 Windsor Ct.
Houston ,TX 77055

Cecile Kinkle
9022 Lupton Ct.
Houston ,TX 77055

Dara Flinn
9023 Lupton Ct.
Houston ,TX 77055

Ashley Wetzel
9040 Larston St.
Houston ,TX 77055

Joe Holcomb
9045 Larston St.
Houston ,TX 77055

Dan Cobos
1224 Campbell Rd.
Houston ,TX 77055

Sherry Preston
9052 Elizabeth Dr.
Houston ,TX 77055

Salim Ahmed
9035 Elizabeth Dr.
Houston ,TX 77055

Barry Chaloupka
1218 Campbell Rd.
Houston ,TX 77055

Mark Upchurch
1214 Campbell Rd.
Houston ,TX 77055

Matt Camarillo
3 Village Oaks Ln.
Houston ,TX 77055

Ashley Sinkiewicz
2 Village Oaks Ln.
Houston ,TX 77055

Keith Streng
9046 Bace Dr.
Houston ,TX 77055

Federico Schoenhofer
9047 Bace Dr.
Houston ,TX 77055

Richard Brown
4 Cardwell Ct.
Houston ,TX 77055

Kenny/Nhu Truong
5 Cardwell Ct.
Houston ,TX 77055

Marc Trieu
3 Cardwell Ct.
Houston ,TX 77055

Speedy Printing
1028 Campbell Rd.
Houston ,TX 77055

YourTable, LLC
1024 Campbell Rd.
Houston ,TX 77055

Eric Brown
1022 Campbell Rd.
Houston ,TX 77055

Campbell Pizza Fino
1020 Campbell Rd.
Houston ,TX 77055

Campbell Nails
1018 Campbell Rd.
Houston ,TX 77055

Campbell Medical Clinic
12335 Kingsride Ln. Ste426
Houston ,TX 77024

Campbell Project Partners LLC
9801 Westheimer Rd. Ste250
Houston ,TX 77042

Grace Community Church
1021 Campbell Rd.
Houston ,TX 77055

Jeff Lindenberger
1 Pecan Trail Ln.
Houston ,TX 77055

Spring Branch Presb Church
1215 Campbell Rd.
Houston ,TX 77055



EST. 1955

SPRING VALLEY VILLAGE

April 22, 2019

Dear Property Owner:

On Tuesday, **May 14, 2019**, beginning at 7:00 pm in the City Council Chambers at Spring Valley Village City Hall, 1025 Campbell Road, Houston, Texas 77055, the Spring Valley Village **Planning and Zoning Commission** is scheduled to hold a public hearing and take action on proposed revisions to the City's current zoning regulations for the front and side building setbacks for properties located along Campbell and Bingle Road. Contingent upon receiving a recommendation from the Planning and Zoning Commission, the **City Council** is scheduled to hold a public hearing and take action on the proposed revisions on **May 21, 2019** beginning at 6:00 pm in the City Council Chambers at Spring Valley Village City Hall. Whether the proposed revisions to the current zoning regulations for properties located on Campbell and Bingle Road will move forward from the Planning and Zoning Commission to the City Council will not be known until the Planning and Zoning Commission takes action to make a recommendation to the City Council.

You are invited to attend the Planning and Zoning Commission and the City Council meetings to hear the discussion and provide feedback to the Commission related to the proposed revisions. Packets for the Planning and Zoning Commission and the City Council meetings will be posted to the City's website by the close of business on the Thursday prior to the meeting day. Once the packets have been posted, you will be able to download the packet to review the information that is included related to the proposed revisions on the City's website in the Agenda Center at <https://springvalleytx.com/AgendaCenter> by scrolling down to the Planning and Zoning Commission and/or City Council section(s).

The Planning and Zoning Commission, City Council, and City staff appreciate your participation in the zoning text amendment process. Should you have any questions concerning the meeting, please feel free to contact me via email to oarevalo@springvalleytx.com or telephone to (832) 910-8577.

Sincerely,

Oscar Arevalo
Chief Building/Zoning Official

DIVIDER PAGE

For Constant Contact/social media post:

SUBJECT: Public Hearing and Consideration of Revisions to Zoning Regulations Related to Front Yard Setbacks and Side Yard Setbacks Applicable to Campbell Road and Bingle Road by Planning & Zoning Commission – May 14, 2019 at 7:00 pm

The Planning & Zoning Commission will hold a public hearing and consider an ordinance revising the zoning regulations for the front and side building setbacks on Campbell Road and Bingle Road at the May 14, 2019 meeting. Based on the direction from the March 12 meeting, the Commission is considering reducing the front yard setback for residential properties on Campbell Road and Bingle Road from 40 feet to 25 feet.

Residents are invited to attend the Planning and Zoning Commission meeting to hear the discussion and provide feedback to the Commission related to this issue. The packet for the meeting will be posted by the close of business on Thursday, May 9, 2019, to the City's website in the Agenda Center, which you can find at <https://springvalleytx.com/AgendaCenter> and scrolling down to the Planning and Zoning Commission section. You will also be able to download the packet to review the information that is included related to this discussion item.

Until the Commission meets, we will not know what the recommendation will be to the City Council. If the Commission makes a recommendation, then the City Council will also hold a public hearing and consider an ordinance on May 21, 2019.

DIVIDER PAGE

BINGLE ROAD LOT BY LOT ANALYSIS

LstOrd	Address	Side of Bingle Road	Total Building Area (in sq. ft.)	Total Land Area (in sq. ft.)	Acreage	Percent of Lot Area	Year of Improvement	Total Market Value	Building Face	Lot Depth (in ft.)	Estimated Setback of Home (in ft.)	Zoning	Current Use
1400 Block of Bingle Road													
1	1440 Bingle Road	EAST	4,681	17,611	0.4043	0.2658	2010	\$ 1,040,000	Front	224	40.0	District A	Single Family Res
2	1432 Bingle Road	EAST	1,898	20,340	0.4670	0.0933	1950	\$ 460,000	Front	225	43.0	District A	Single Family Res
3	1430 Bingle Road	EAST	3,265	22,300	0.5120	0.1464	2007	\$ 1,049,700	Front	225	68.0	District A	Single Family Res
4	1426 Bingle Road	EAST	3,183	15,712	0.3607	0.2026	1991	\$ 743,000	Front	193	67.0	District A	Single Family Res
5	1422 Bingle Road	EAST	3,355	14,482	0.3325	0.2317	1991	\$ 837,142	Front	194	71.0	District A	Single Family Res
6	1418 Bingle Road	EAST	3,285	14,171	0.3254	0.2318	1992	\$ 790,578	Front	195	69.0	District A	Single Family Res
7	1410 Bingle Road	EAST	1,535	9,051	0.2078	0.1696	1953	\$ 379,065	Front	118	40.0	District A	Single Family Res
8	1406 Bingle Road	EAST	1,717	8,269	0.1898	0.2076	1953	\$ 340,100	Front	121	33.0	District A	Single Family Res
9	8522 Westview Drive	EAST	2,098	9,600	0.2204	0.2185	1953	\$ 385,000	Side	80	34.0	District A	Single Family Res
1	1441 Bingle Road	WEST	2,136	25,200	0.5785	0.0848	1980	\$ 534,000	Front	180	32.0	District A	Single Family Res
2	8602 Cedardale Drive	WEST	3,955	16,465	0.3780	0.2402	2002	\$ 1,010,000	Side	181	25.0	District A	Single Family Res
3	8603 Cedardale Drive	WEST	2,519	17,000	0.3903	0.1482	1984	\$ 620,000	Side	203	38.0	District A	Single Family Res
4	8602 Westview Drive	WEST	2,440	19,000	0.4362	0.1284	1983	\$ 507,343	Side	190	30.0	District A	Single Family Res
1300 Block of Bingle Road													
10	8521 Westview Drive	EAST	3,515	9,393	0.2156	0.3742	2008	\$ 884,400	Side	78	33.0	District A	Single Family Res
11	1332 Bingle Road	EAST	-	9,216	0.2116	0.0000	0	\$ 313,528	Front	123	0.0	District A	Unimproved Lot
12	1328 Bingle Road	EAST	1,857	9,000	0.2066	0.2063	1953	\$ 444,000	Front	124	27.0	District A	Single Family Res
13	1324 Bingle Road	EAST	1,950	9,000	0.2066	0.2167	1953	\$ 385,990	Front	124	28.0	District A	Single Family Res
14	1320 Bingle Road	EAST	2,105	9,000	0.2066	0.2339	1953	\$ 444,600	Front	129	40.0	District A	Single Family Res
15	1318 Bingle Road	EAST	1,501	9,000	0.2066	0.1668	1953	\$ 376,800	Front	129	37.0	District A	Single Family Res
16	8530 Merlin Drive	EAST	1,605	10,400	0.2388	0.1543	1953	\$ 444,300	Side	132	37.0	District A	Single Family Res
5	8601 Westview Drive	WEST	2,036	12,600	0.2893	0.1616	1955	\$ 421,500	Side	150	24.0	District A	Single Family Res
6	8602 Lupton Lane	WEST	2,014	11,050	0.2537	0.1823	1955	\$ 467,284	Side	128	18.0	District A	Single Family Res
7	8601 Lupton Lane	WEST	1,755	10,176	0.2336	0.1725	1952	\$ 440,878	Side	142	28.0	District A	Single Family Res
8	8602 Merlin Drive	WEST	2,568	10,176	0.2336	0.2524	1970	\$ 471,975	Side	100	22.0	District A	Single Family Res
1200 Block of Bingle Road													
17	8529 Merlin Drive	EAST	1,742	12,219	0.2805	0.1426	1968	\$ 500,000	Side	118	37.0	District A	Single Family Res

18 1240 Bingle Road	EAST	2,976	15,271	0.3506	0.1949	1998	\$ 763,000	Front	203	40.0	District A	Single Family Res
19 8519 Cedarbrake Drive	EAST	2,939	14,155	0.3250	0.2076	1989	\$ 892,746	Side	150	23.0	District A	Single Family Res
20 8520 Cedarbrake Drive	EAST	2,935	14,250	0.3272	0.2060	1985	\$ 846,000	Side	150	34.6	District A	Single Family Res
21 1202 Bingle Road	EAST	2,823	37,481	0.8605	0.0753	1992	\$ 1,091,100	Front	202	56.0	District A	Single Family Res
22 8522 Burkhart Road	EAST	3,915	12,525	0.2876	0.3126	1999	\$ 930,000	Side	130	33.0	District A	Single Family Res
9 8601 Merlin Drive	WEST	3,398	10,175	0.2336	0.3340	1998	\$ 901,057	Side	93	36.0	District A	Single Family Res
10 8602 Cedarbrake Drive	WEST	2,531	12,325	0.2830	0.2054	1965	\$ 528,000	Side	147	29.0	District A	Single Family Res
11 8601 Cedarbrake Drive	WEST	2,038	12,410	0.2849	0.1642	1965	\$ 605,271	Side	148	28.0	District A	Single Family Res
12 8600 Cedarspur Drive	WEST	2,640	12,600	0.2893	0.2095	1978	\$ 513,125	Side	151	21.0	District A	Single Family Res
13 8601 Cedarspur Drive	WEST	2,446	12,516	0.2874	0.1954	1979	\$ 568,811	Side	148	21.0	District A	Single Family Res
14 1203 Bingle Road	WEST	3,764	15,000	0.3444	0.2509	1999	\$ 709,000	Front	116	28.0	District A	Single Family Res
1100 Block of Bingle Road												
23 8529 Burkhart Road	EAST	4,843	23,457	0.5385	0.2065	1998	\$ 1,209,200	Side	261	29.0	District A	Single Family Res
24 8468 Winningham Lane	EAST	2,289	13,860	0.3182	0.1652	1979	\$ 526,898	Side	124	26.0	District A	Single Family Res
25 0 Winningham Lane	EAST	-	3,850	0.0884	0.0000	0	\$ 193	Side	52	0.0	District A	Unimproved Lot
26 18 Woodsborough Circle	EAST	3,243	19,487	0.4474	0.1664	1990	\$ 1,012,300	Side	164	22.0	District A	Single Family Res
27 20 Woodsborough Circle	EAST	3,062	11,458	0.2631	0.2672	1990	\$ 910,000	Side	129	17.0	District A	Single Family Res
15 1155 Bingle Road	WEST	2,579	12,325	0.2830	0.2092	1979	\$ 440,636	Front	150	46.0	District A	Single Family Res
16 1151 Bingle Road	WEST	2,442	12,810	0.2941	0.1906	1979	\$ 416,446	Front	149	30.0	District A	Single Family Res
17 1138 Joshua Lane	WEST	4,043	27,021	0.6203	0.1496	2000	\$ 1,312,500	Rear	139	31.0	District A	Single Family Res
18 1134 Joshua Lane	WEST	4,083	10,000	0.2296	0.4083	2002	\$ 1,201,975	Rear	140	27.0	District A	Single Family Res
19 1130 Joshua Lane	WEST	4,168	10,000	0.2296	0.4168	2002	\$ 1,100,000	Rear	139	31.0	District A	Single Family Res
20 1126 Joshua Lane	WEST	3,894	10,000	0.2296	0.3894	2000	\$ 1,023,000	Rear	139	31.0	District A	Single Family Res
21 1122 Joshua Lane	WEST	4,156	10,125	0.2325	0.4105	2000	\$ 1,030,000	Rear	145	20.0	District A	Single Family Res
22 1118 Joshua Lane	WEST	3,846	13,120	0.3012	0.2931	2000	\$ 1,047,908	Rear	206	25.0	District A	Single Family Res
23 1114 Joshua Lane	WEST	4,687	12,670	0.2909	0.3699	2001	\$ 1,243,000	Rear	206	58.0	District A	Single Family Res

Permitted Setback (in ft.)	Difference	Built Prior to Zoning	Meet Today's Code?	Currently Out of Compliance *	What do You See?
40	0.0	No	Yes	No	Home
40	3.0	Yes	Yes	No	Home
40	28.0	No	Yes	No	Home
40	27.0	No	Yes	No	Home
40	31.0	No	Yes	No	Home
40	29.0	No	Yes	No	Home
40	0.0	Yes	Yes	No	Home
40	-7.0	Yes	No	No	Home
25	9.0	Yes	Yes	No	Home
40	-8.0	Yes	No	No	Vegetation
25	0.0	No	Yes	No	Fence
25	13.0	No	Yes	No	Fence
25	5.0	No	Yes	No	Fence
25	8.0	No	Yes	No	Home
40	N/A	No	Yes	No	Home
40	-13.0	Yes	No	No	Home
40	-12.0	Yes	No	No	Home
40	0.0	Yes	Yes	No	Home
40	-3.0	Yes	No	No	Home
25	12.0	Yes	Yes	No	Fence
25	-1.0	Yes	No	No	Home
25	-7.0	Yes	No	No	Fence
25	3.0	Yes	Yes	No	Home
25	-3.0	Yes	No	No	Home
25	12.0	Yes	Yes	No	Fence

Setback Info				Insufficient to meet requirement	
Area	Average	High	Low	Number	Percent
1400 Block	45.38	71	25	2	15%
Front	51.44	71	32	2	22%
Side	31.75	38	25	0	0%
Rear	N/A	N/A	N/A	N/A	N/A
1300 Block	29.40	40	18	6	60%
Front	33.00	40	27	3	75%
Side	27.00	37	18	3	50%
Rear	N/A	N/A	N/A	N/A	N/A
1200 Block	32.2	56	21	4	33%
Front	41.33	56	28	1	33%
Side	29.18	37	21	3	33%
Rear	N/A	N/A	N/A	N/A	N/A
1100 Block	30.23	58	17	4	31%
Front	38.00	46	30	1	50%
Side	23.50	29	17	2	50%
Rear	31.86	58	20	1	14%

Recommendations
 Reduce Front Yard to 25 feet
 Allow Reduction of Side Yard to 15 feet if a Boundary Fence

40	0.0	No	Yes	No	Home
25	-2.0	No	No	Yes	Fence
25	9.6	No	Yes	No	Fence
40	16.0	No	Yes	No	Vegetation
25	8.0	No	Yes	No	Fence
25	11.0	No	Yes	No	Fence
25	4.0	Yes	Yes	No	Fence
25	3.0	Yes	Yes	No	Fence
25	-4.0	Yes	No	No	Fence
25	-4.0	Yes	No	No	Fence
40	-12.0	Yes	No	No	Home

25	4.0	No	Yes	No	Fence
25	1.0	Yes	Yes	No	Fence
25	N/A	No	Yes	No	N/A
25	-3.0	No	No	Yes	Fence
25	-8.0	No	No	Yes	Fence
40	6.0	Yes	Yes	No	Home
40	-10.0	Yes	No	No	Home
25	6.0	No	Yes	No	Fence
25	2.0	No	Yes	No	Fence
25	6.0	No	Yes	No	Fence
25	6.0	No	Yes	No	Fence
25	-5.0	No	No	Yes	Fence
25	0.0	No	Yes	No	Fence
25	33.0	No	Yes	No	Fence

Campbell Road Lot by Lot Analysis

LstOrd	Address	Side of	Total Building Area (in sq. ft.)	Total Land Area (in sq. ft.)	Acreage	Percent of Lot Area	Year of Improvement	Total 2018 Market Value	Estimated			
		Campbell Road							Building Face	Lot Depth (in ft.)	Setback of Home (in ft.)	Zoning
1	47 Windsor Court	East	4,257	8,146	0.1870	0.5226	2008	\$ 1,085,758	Side	132	12.4	C/WPADD
2	42 Windsor Court	East	3,689	6,705	0.1539	0.5502	2007	\$ 944,894	Side	76	14.6	C/WPADD
3	9022 Lupton Court	East	1,983	12,690	0.2914	0.1563	1970	\$ 666,000	Side	146	19.9	District A
4	9023 Lupton Court	East	1,946	11,703	0.2687	0.1663	1969	\$ 537,971	Side	138	18.3	District A
5	9036 Larston Street	East	2,434	10,800	0.2480	0.2254	1976	\$ 574,968	Rear	196	95.4	District A
6	9040 Larston Street	East	2,904	14,797	0.3397	0.1963	1976	\$ 852,028	Rear	196	26.2	District A
7	9045 Larston Street	East	2,195	15,000	0.3444	0.1463	1976	\$ 687,027	Rear	208	38.1	District A
8	1224 Campbell Road	East	1,842	15,000	0.3444	0.1228	1955	\$ 542,502	Front	161	28.7	District A
9	9052 Elizabeth Road	East	1,750	16,254	0.3732	0.1077	1973	\$ 573,982	Side	113	29.6	District A
10	9035 Ellizabeth Road	East	5,631	15,900	0.3650	0.3542	2015	\$ 1,620,600	Side	102	37.8	District A
11	1218 Campbell Road	East	2,712	15,000	0.3444	0.1808	1955	\$ 662,596	Front	154	34.0	District A
12	1214 Campbell Road	East	2,587	17,365	0.3987	0.1490	1950	\$ 507,832	Front	157	37.7	District A
13	3 Village Oaks Lane	East	4,486	24,584	0.5644	0.1825	1991	\$ 1,125,000	Side	123	42.2	District A
14	2 Village Oaks Lane	East	3,315	10,704	0.2458	0.3097	1995	\$ 877,586	Side	109	21.1	District A
15	9046 Bace Drive	East	1,596	14,570	0.3345	0.1095	1952	\$ 485,000	Side	155	5.1	District A
16	9047 Bace Drive	East	3,531	14,980	0.3439	0.2357	2014	\$ 1,242,900	Side	107	40.3	District A
17	4 Cardwell Court	East	3,973	10,007	0.2298	0.3970	2003	\$ 974,500	Side	131	18.3	District A
18	5 Cardwell Court	East	4,145	10,181	0.2338	0.4071	2009	\$ 1,263,400	Rear	118	21.5	District A
19	3 Cardwell Court	East	3,433	10,034	0.2304	0.3421	2002	\$ 1,152,342	Side	108	17.6	District A
20	1 Pecan Trail Lane	West	3,979	11,911	0.2735	0.3341	2000	\$ 1,031,382	Side	119	19.1	District A

* Analysis does not include the possibility of variances from setback requirements

** Excludes the highest and lowest setback in District A due to substantial deviation from other properties

Permitted Setback (in ft.)	Difference	Built Prior to Zoning	Meet Today's Code?	Currently Out of Compliance*	What do You See?
4	8.4	No	Yes	No	Fence
4	10.6	No	Yes	No	Fence
25	-5.1	Yes	No	No	Fence
25	-6.7	Yes	No	No	Fence
25	70.4	Yes	Yes	No	Fence
25	1.2	Yes	Yes	No	Fence
25	13.1	Yes	Yes	No	Fence
40	-11.3	Yes	No	No	Vegetation
25	4.6	Yes	Yes	No	Vegetation
25	12.8	No	Yes	No	Home
40	-6.0	Yes	No	No	Vegetation
40	-2.3	Yes	No	No	Vegetation
25	17.2	No	Yes	No	Vegetation
25	-3.9	No	No	Yes	Fence
25	-19.9	Yes	No	No	Fence
25	15.3	No	Yes	No	Fence
25	-6.7	No	No	Yes	Fence
25	-3.5	No	No	Yes	Fence
25	-7.4	No	No	Yes	Fence
25	-5.9	No	No	Yes	Fence

**Average Setback
of Home by
Category (in ft)**

**

- 13.5 C/WPADD
- 26.9 District A - Rear/Side
- 33.5 District A - Front

Recommendations

- Reduce Front Yard to 25 feet
- Allow Reduction of Side Yard to 15 feet if a Boundary Fence

SPRING VALLEY: CAMPBELL

Municipal Limits

Setback Type

- Front
- Side
- Rear



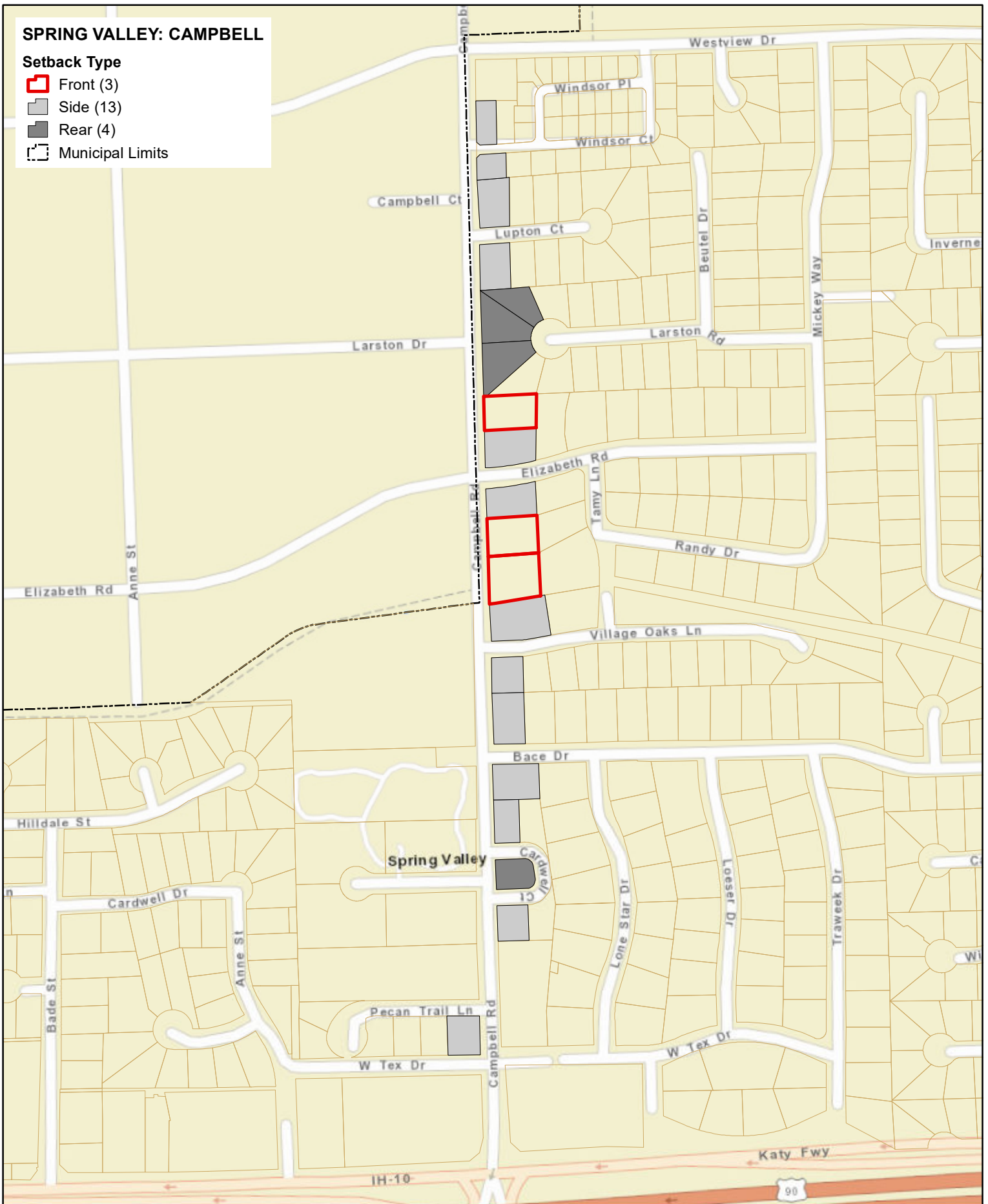
0 100 200 Feet



SPRING VALLEY: CAMPBELL

Setback Type

- Front (3)
- Side (13)
- Rear (4)
- Municipal Limits



0 100 200 Feet



SPRING VALLEY: CAMPBELL

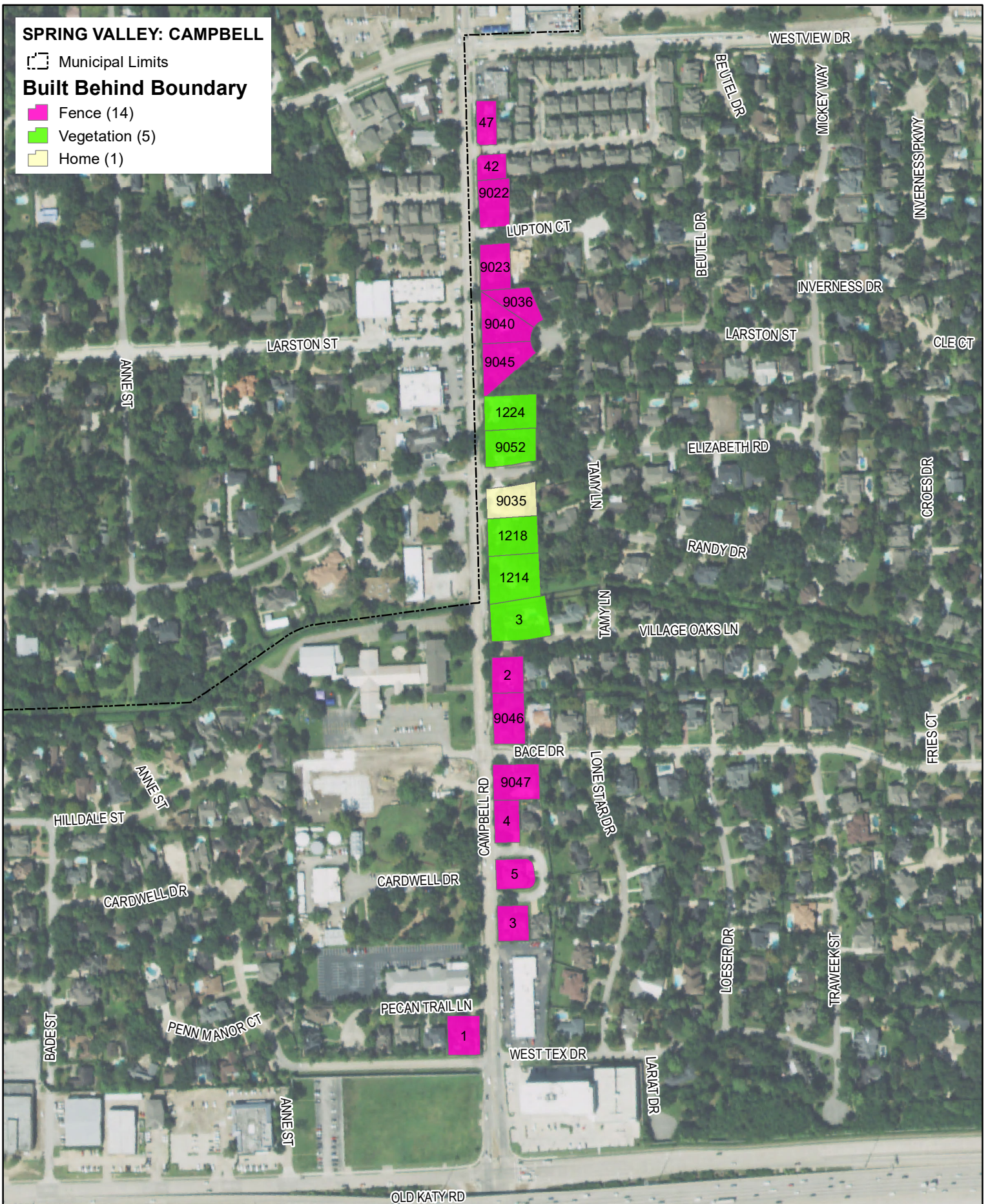
 Municipal Limits

Built Behind Boundary

 Fence (14)

 Vegetation (5)

 Home (1)



0 100 200 Feet



SPRING VALLEY: CAMPBELL

Year of Construction

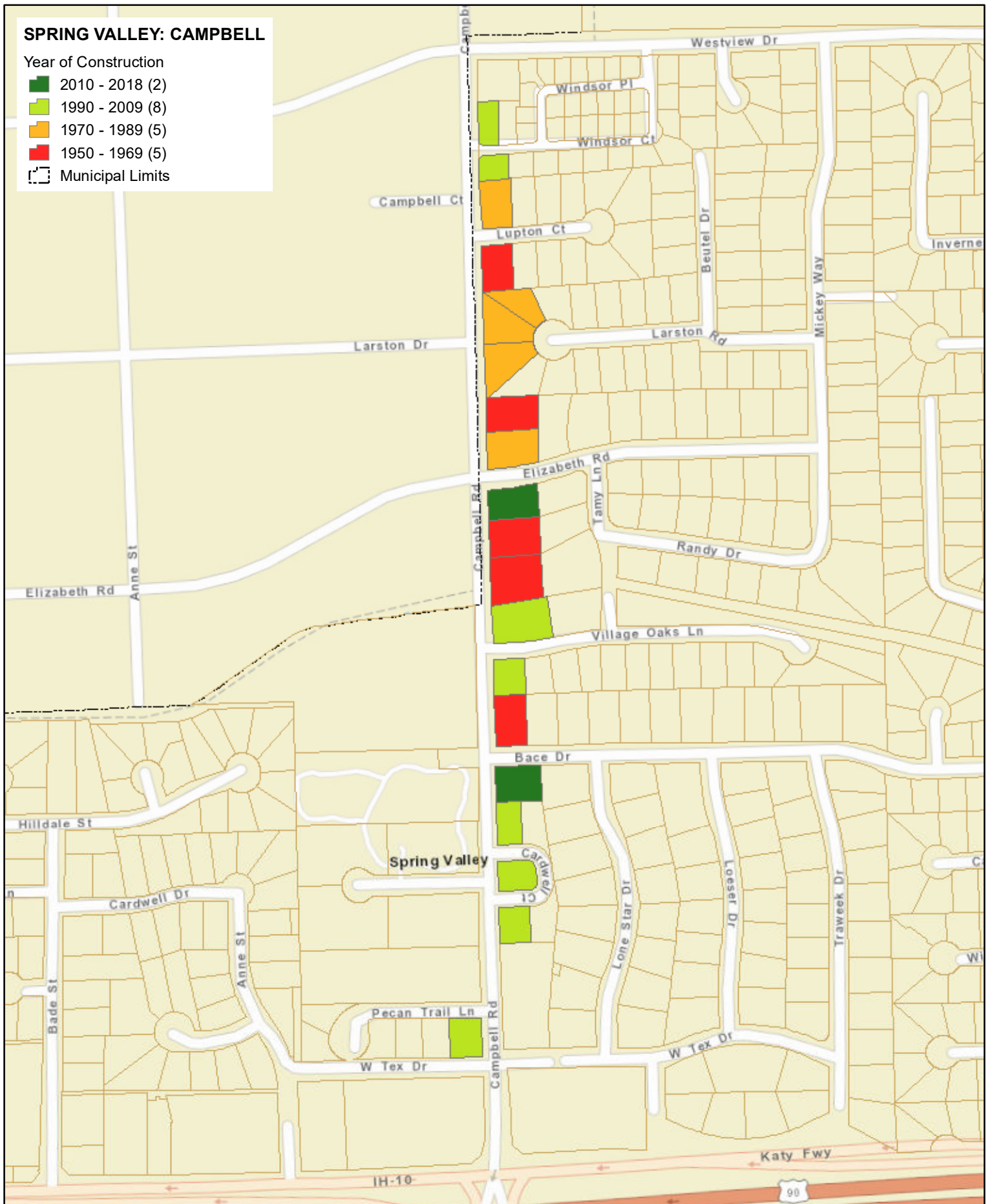
2010 - 2018 (2)

1990 - 2009 (8)

1970 - 1989 (5)

1950 - 1969 (5)

Municipal Limits



0 100 200 Feet



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community
Data Source: Google Maps 2016-2017, HCAD Oct-Nov 2018, TNIRIS

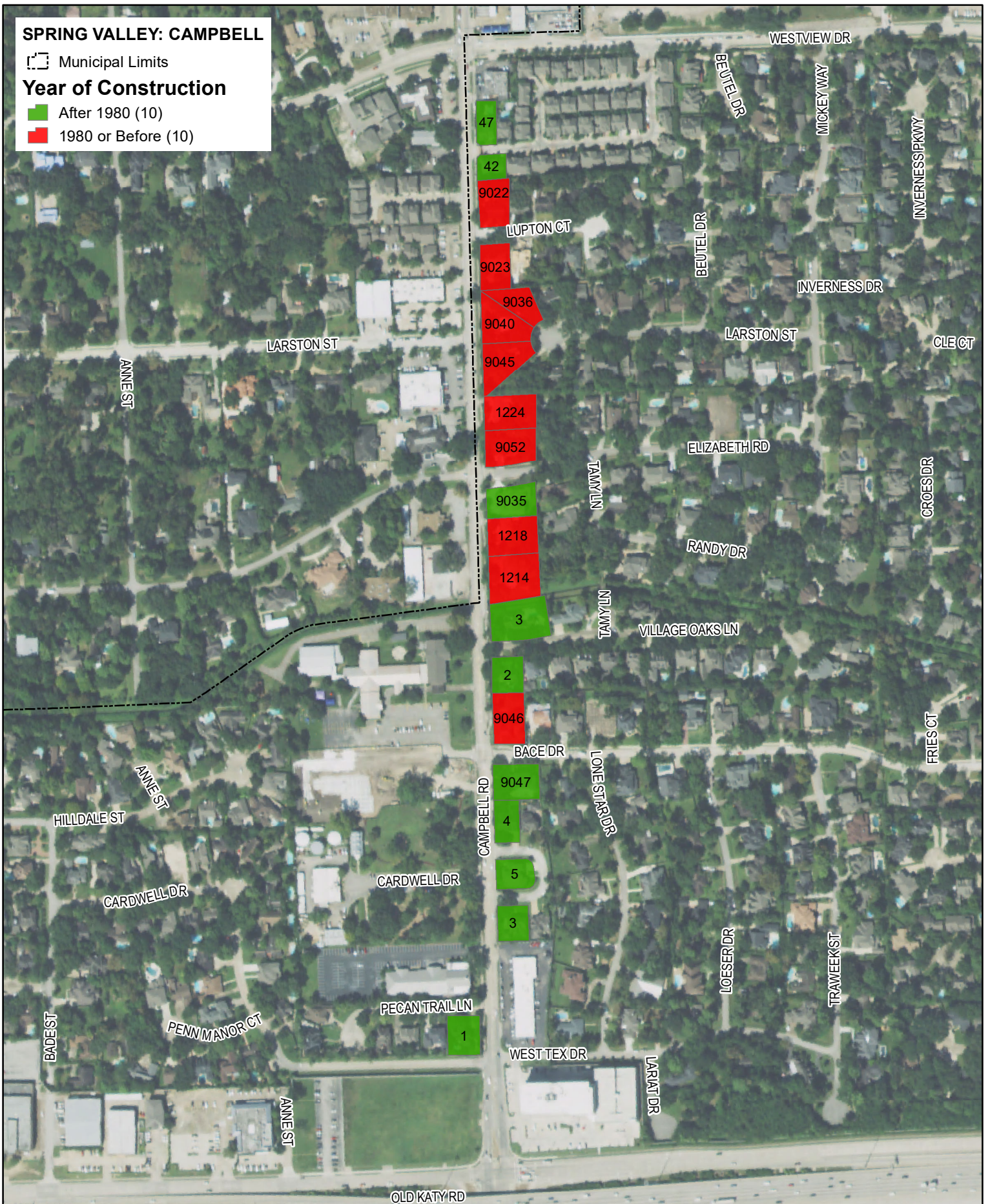
SPRING VALLEY: CAMPBELL

 Municipal Limits

Year of Construction

 After 1980 (10)

 1980 or Before (10)



0 100 200 Feet



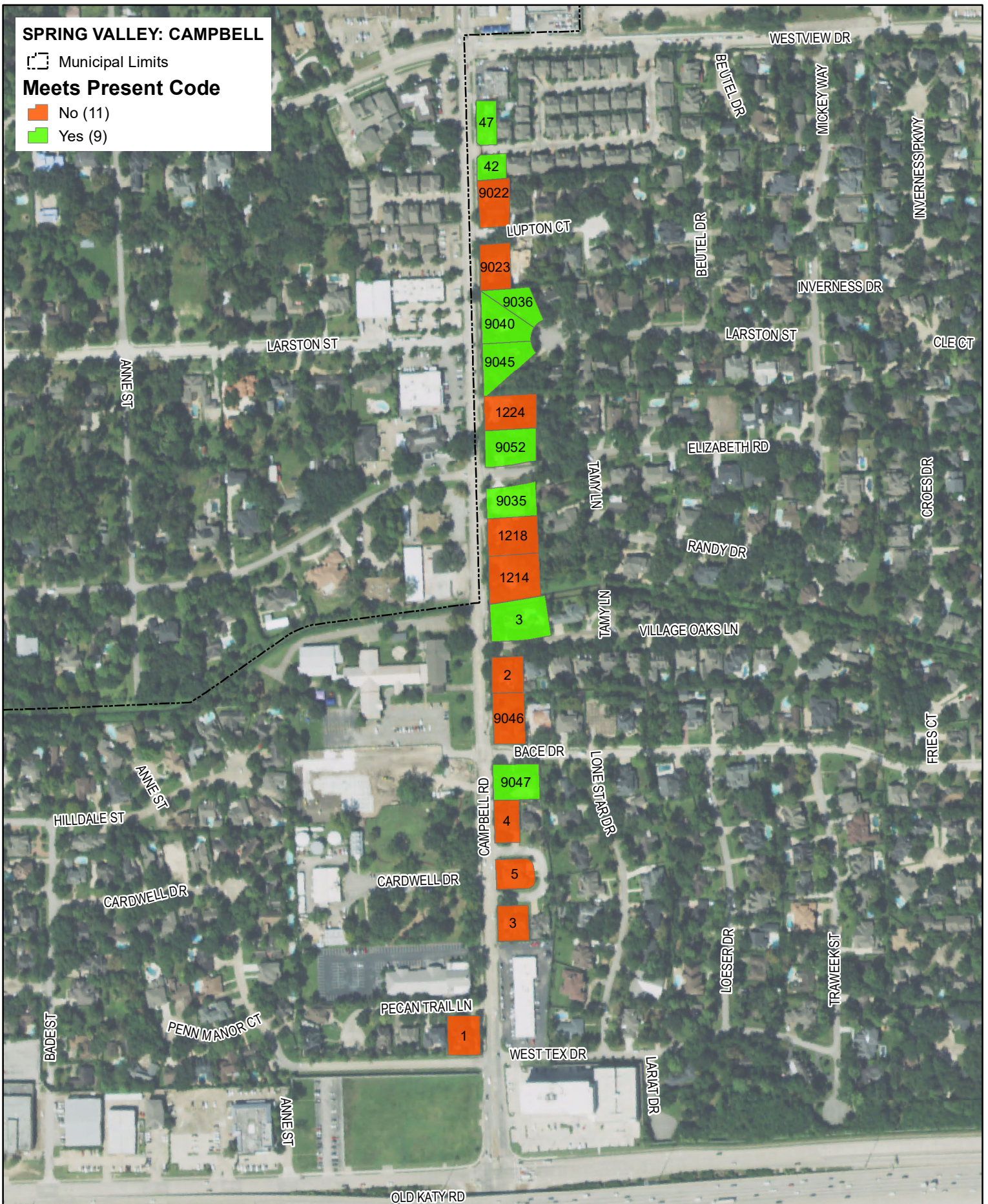
SPRING VALLEY: CAMPBELL

Municipal Limits

Meets Present Code

No (11)

Yes (9)



0 100 200 Feet

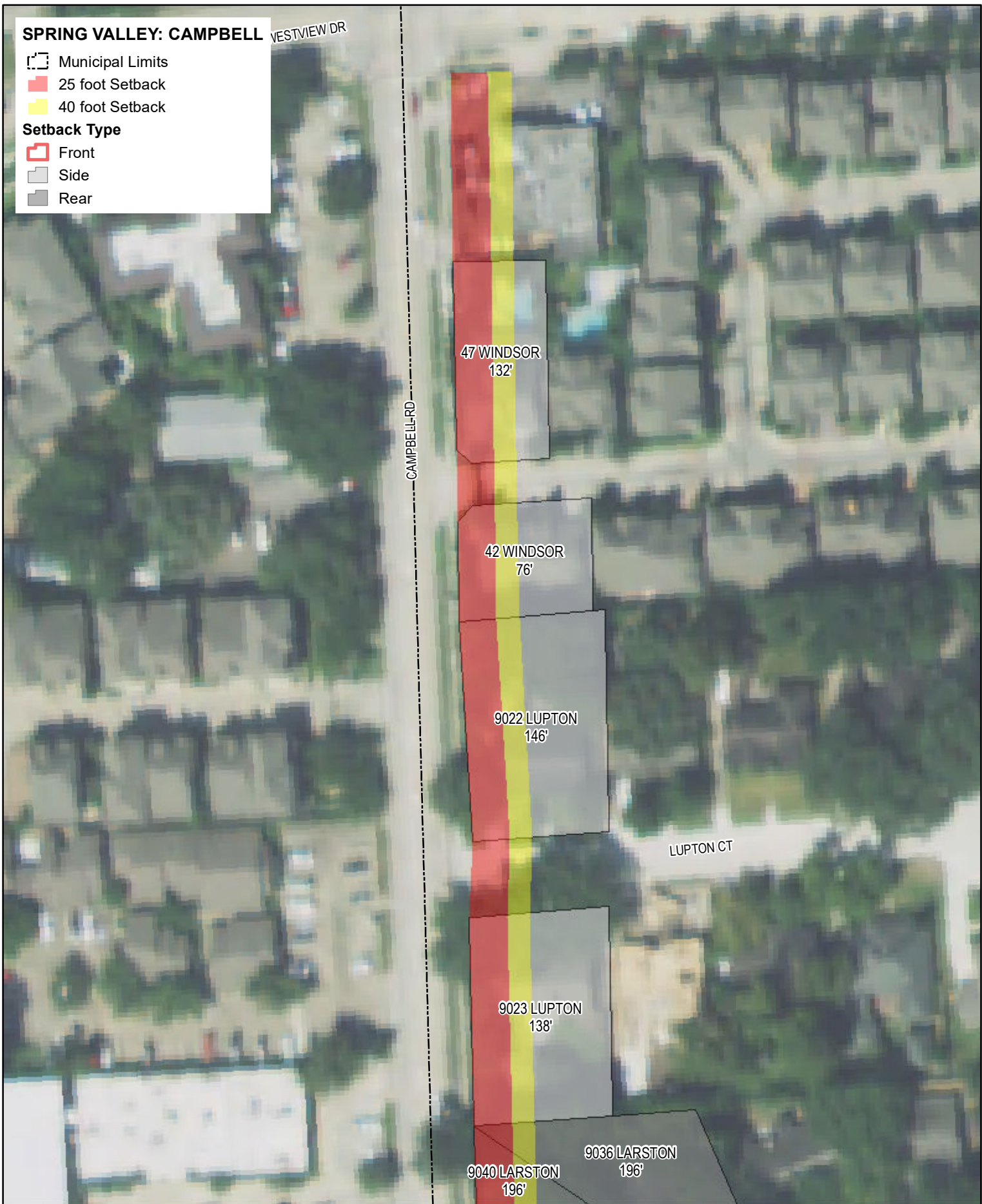


SPRING VALLEY: CAMPBELL

- Municipal Limits
- 25 foot Setback
- 40 foot Setback

Setback Type

- Front
- Side
- Rear

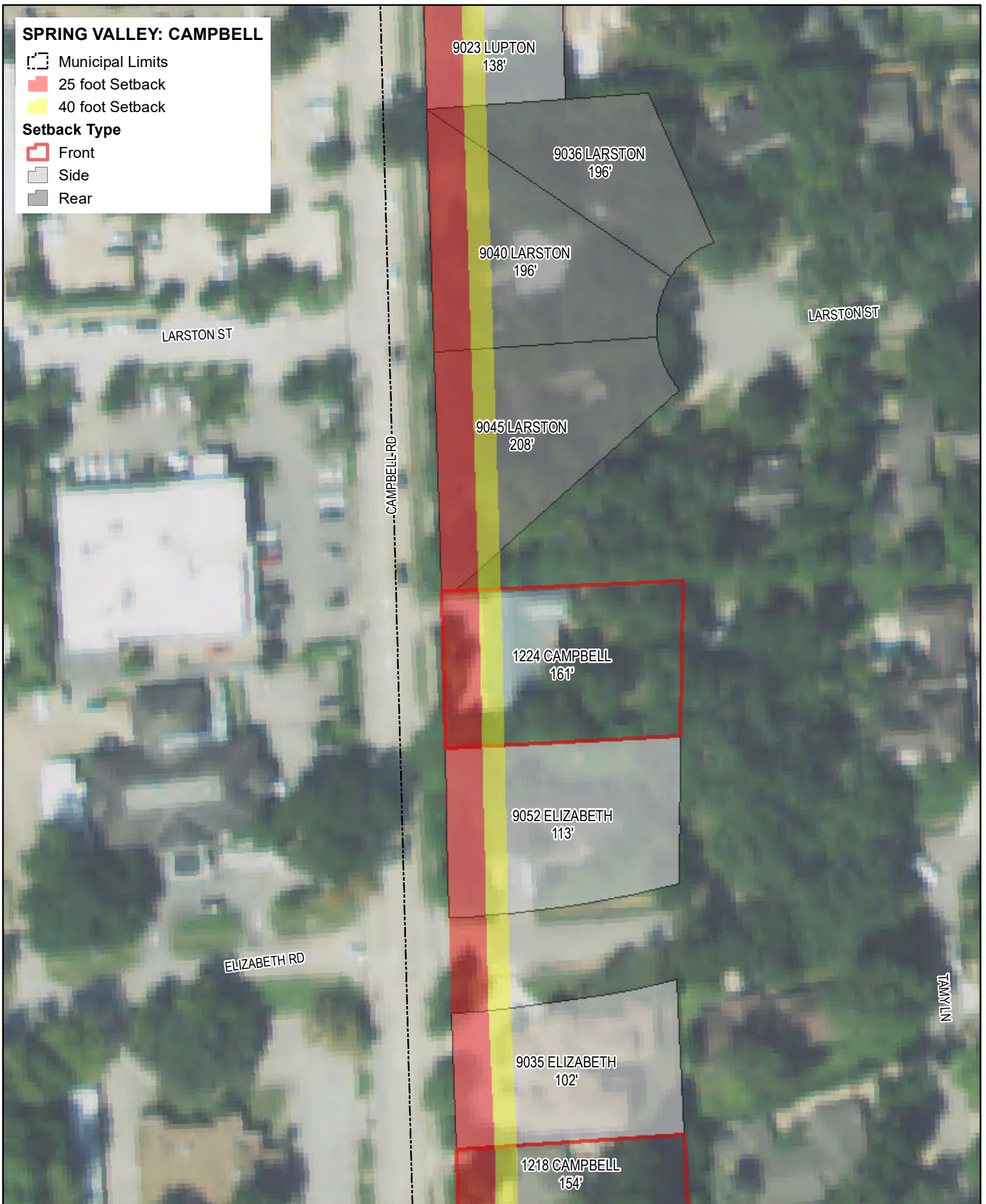


SPRING VALLEY: CAMPBELL

- Municipal Limits
- 25 foot Setback
- 40 foot Setback

Setback Type

- Front
- Side
- Rear



0 100 200 Feet



SPRING VALLEY: CAMPBELL

-  Municipal Limits
-  25 foot Setback
-  40 foot Setback

Setback Type

-  Front
-  Side
-  Rear



0 100 200 Feet

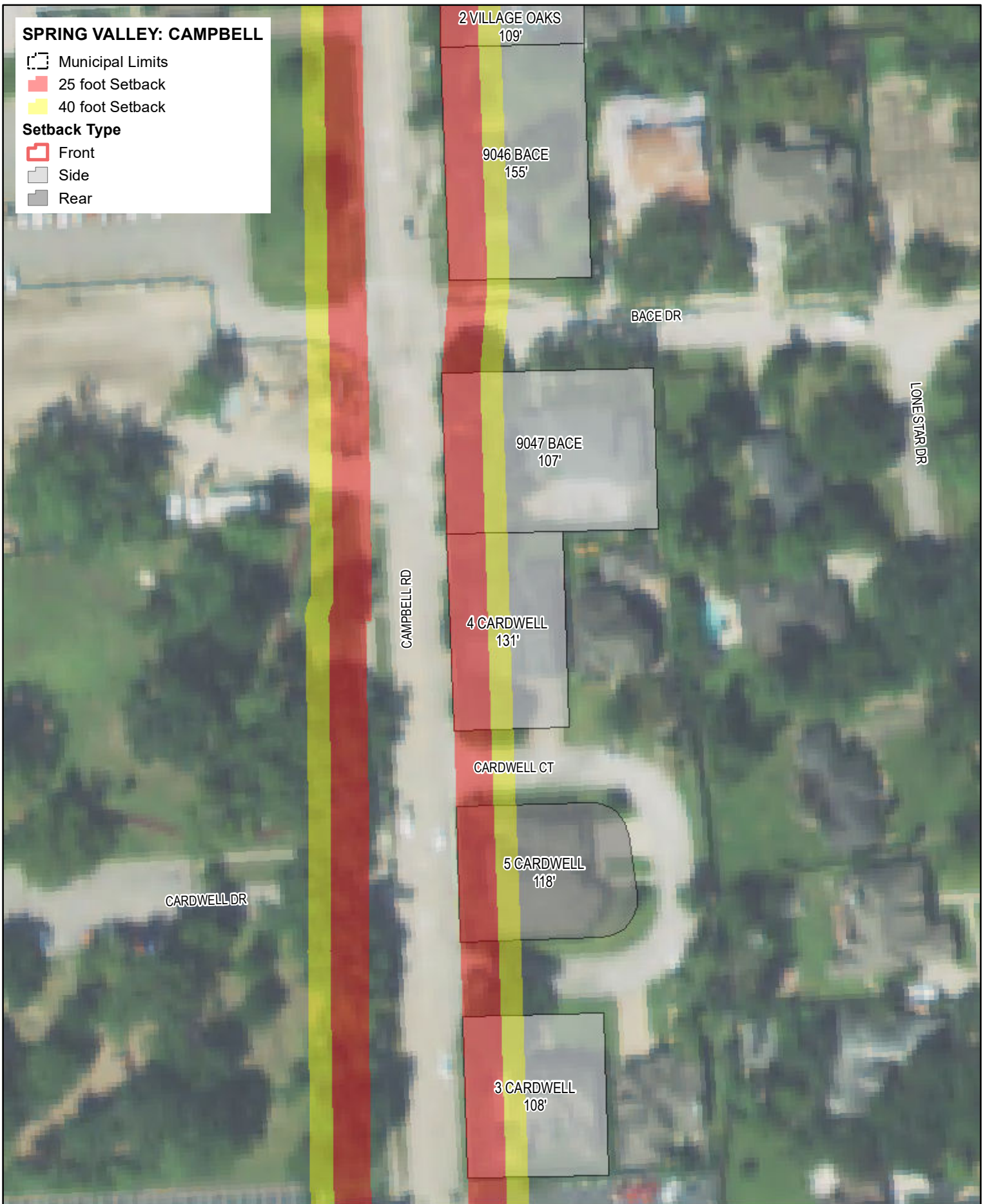


SPRING VALLEY: CAMPBELL

- Municipal Limits
- 25 foot Setback
- 40 foot Setback

Setback Type

- Front
- Side
- Rear



0 100 200 Feet

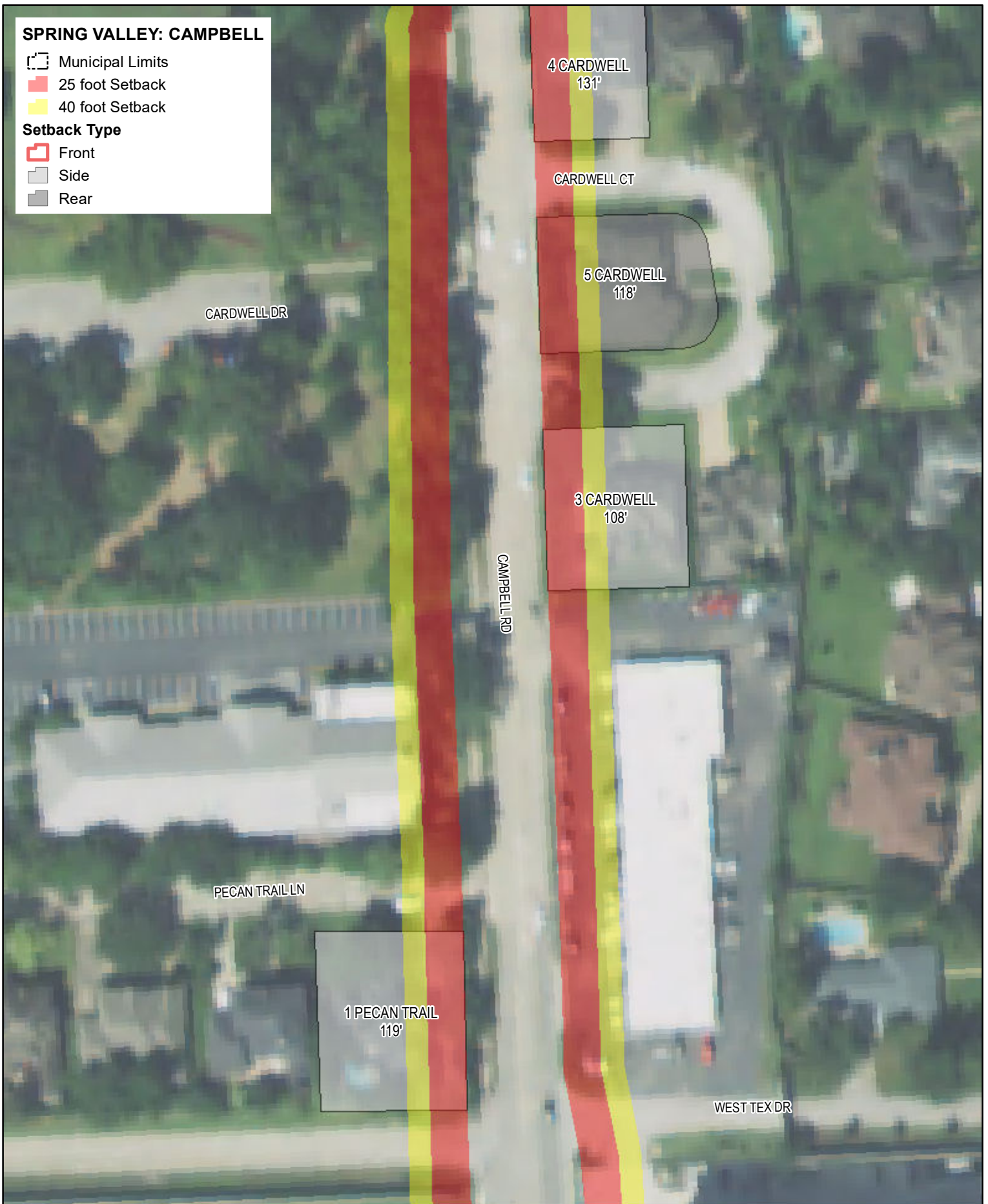


SPRING VALLEY: CAMPBELL

-  Municipal Limits
-  25 foot Setback
-  40 foot Setback

Setback Type

-  Front
-  Side
-  Rear



0 100 200 Feet



SPRING VALLEY: CAMPBELL

Property Class

- Commercial
- Commercial Vacant
- Exempt
- Single Family Residential
- Utility
- Vacant Lot
- Municipal Limits



0 100 200 Feet

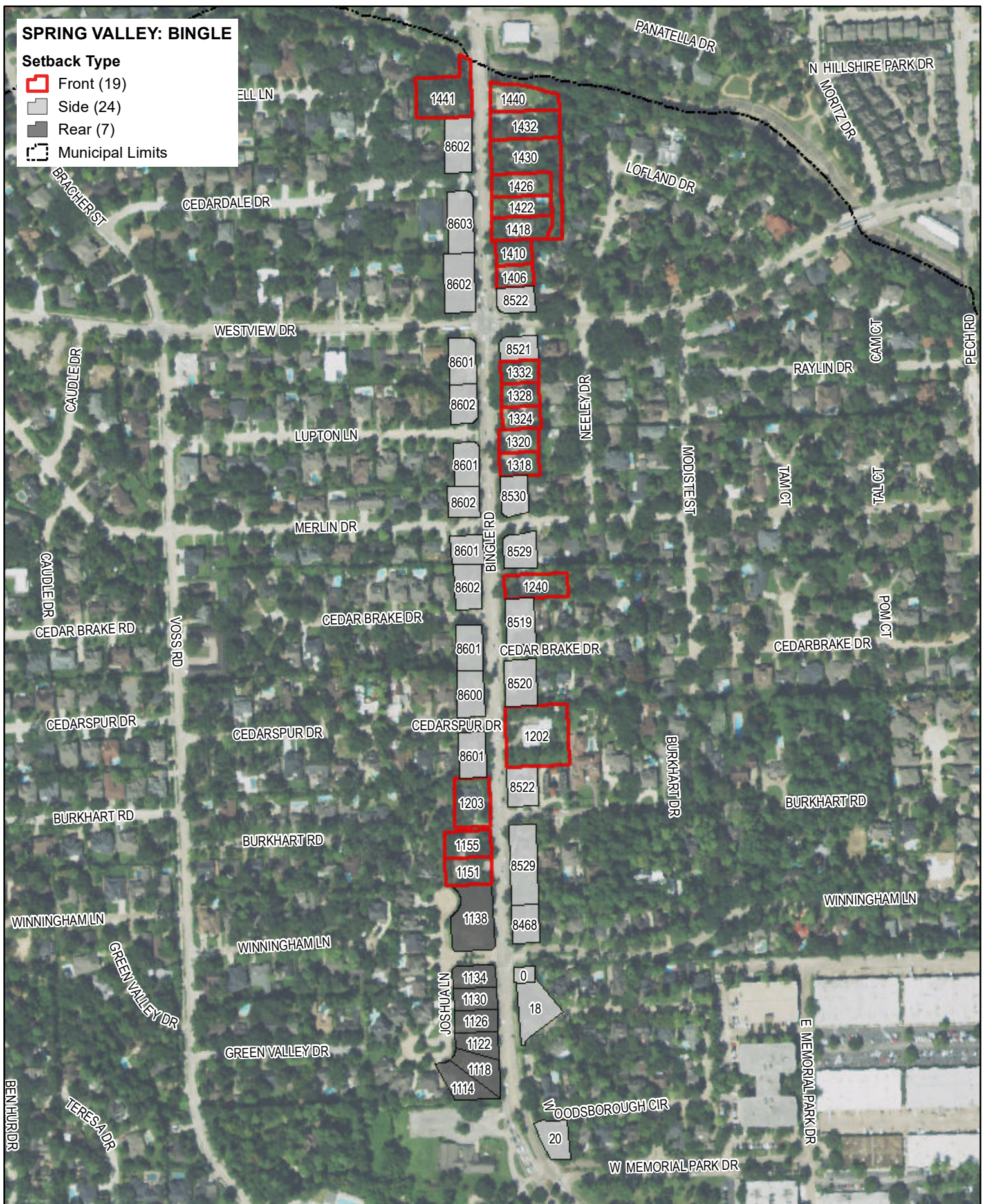


Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community
Data Source: Google Maps 2016-2017, HCAD Oct-Nov 2018, TNIRIS

SPRING VALLEY: BINGLE

Setback Type

- Front (19)
- Side (24)
- Rear (7)
- Municipal Limits



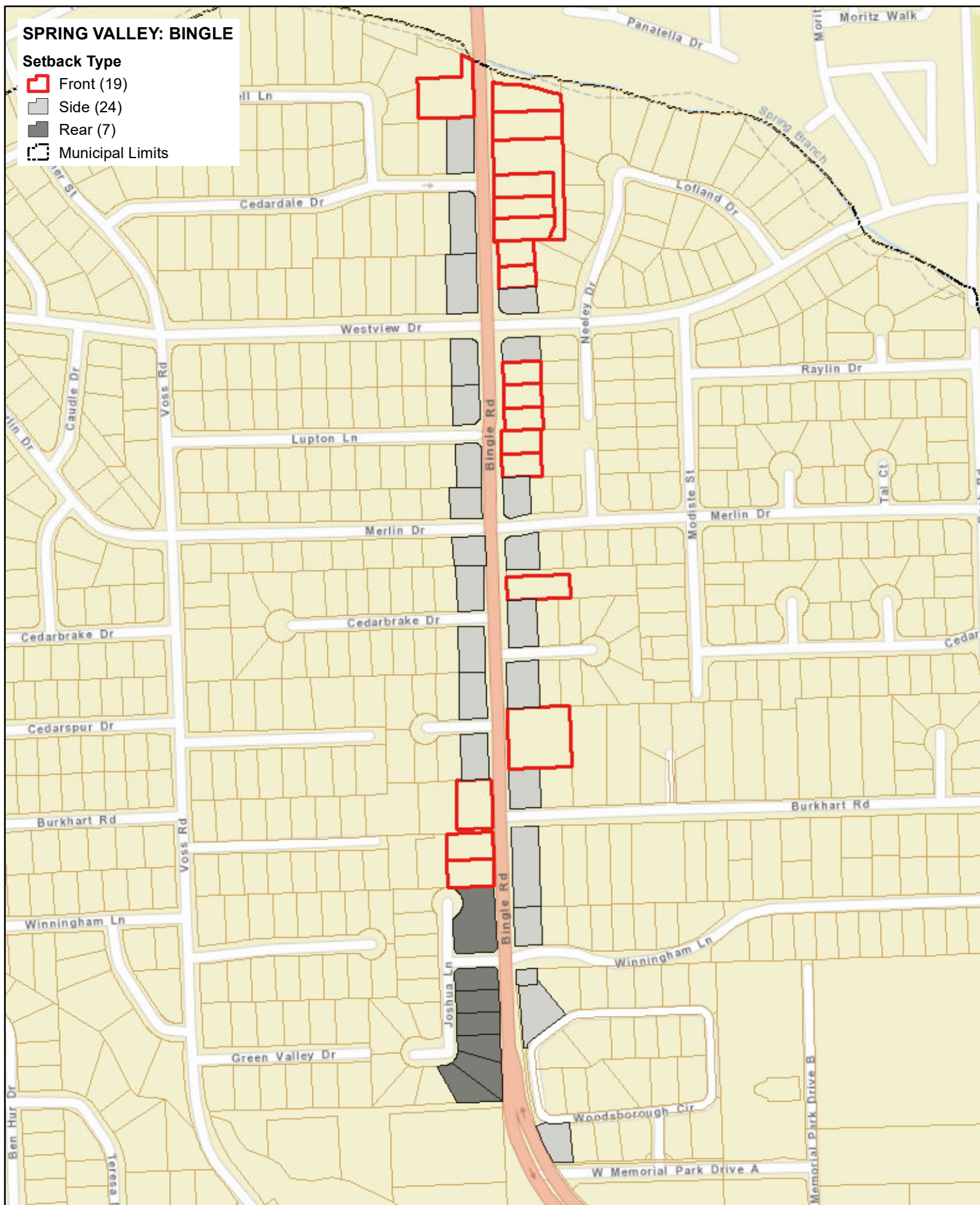
0 100 200 Feet



SPRING VALLEY: BINGLE

Setback Type

- Front (19)
- Side (24)
- Rear (7)
- Municipal Limits



0 100 200 Feet



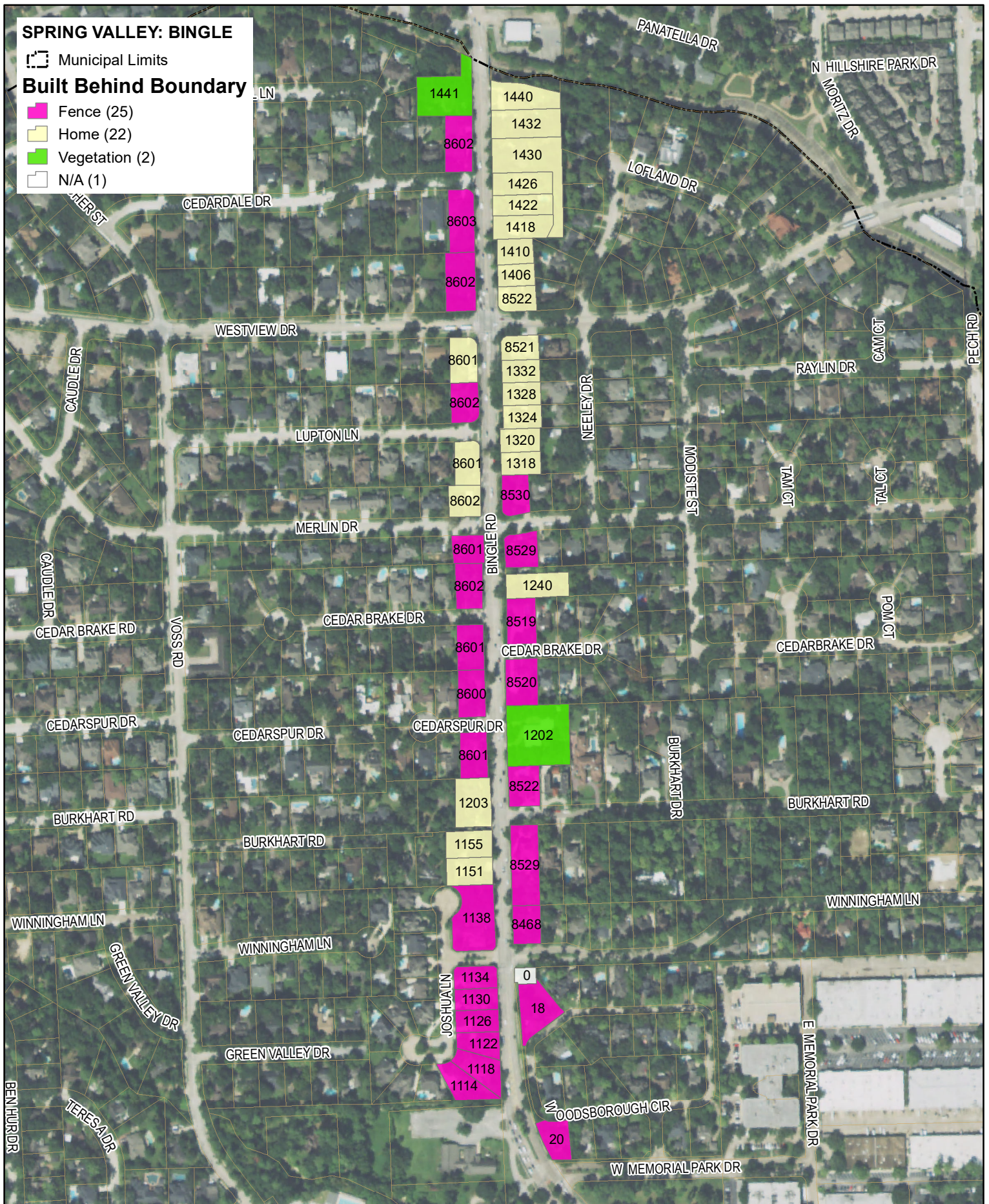
Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, OpenStreetMap contributors, and the GIS User Community
Data Source: Google Maps 2016-2017, HCAD Oct-Nov 2018, TNRI

SPRING VALLEY: BINGLE

Municipal Limits

Built Behind Boundary

- Fence (25)
- Home (22)
- Vegetation (2)
- N/A (1)



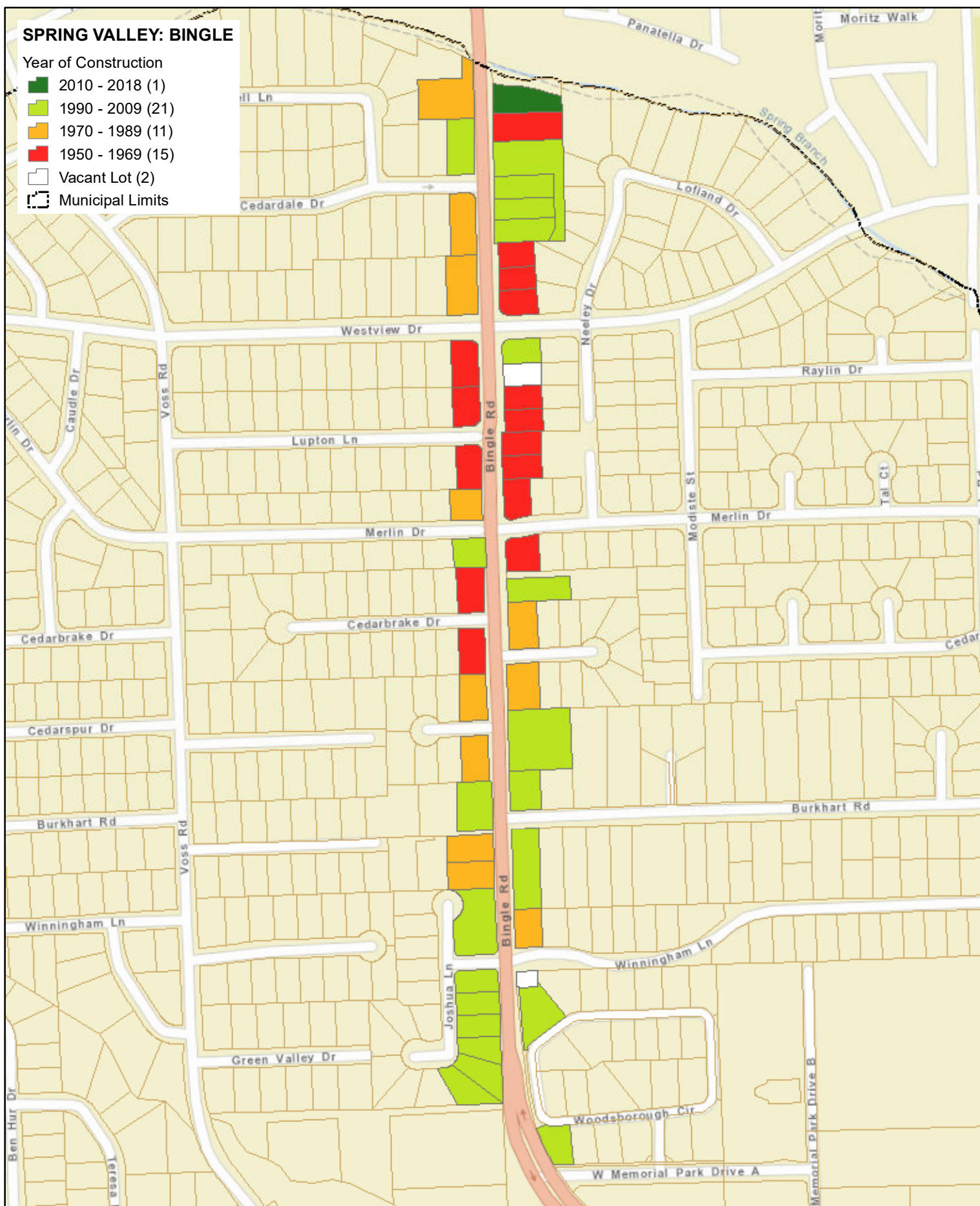
0 100 200 Feet



Service Layer Credits:
Data Source: Google Maps 2016-2017, HCAD Oct-Nov 2018, TNIRIS
StratMap 2013, USDA NAIP 2016
M47 Date: 1/18/2019

Year of Construction

- 2010 - 2018 (1)
- 1990 - 2009 (21)
- 1970 - 1989 (11)
- 1950 - 1969 (15)
- Vacant Lot (2)
- Municipal Limits



0 100 200 Feet



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community
Data Source: Google Maps 2016-2017, HCAD Oct-Nov 2018, TNIRIS

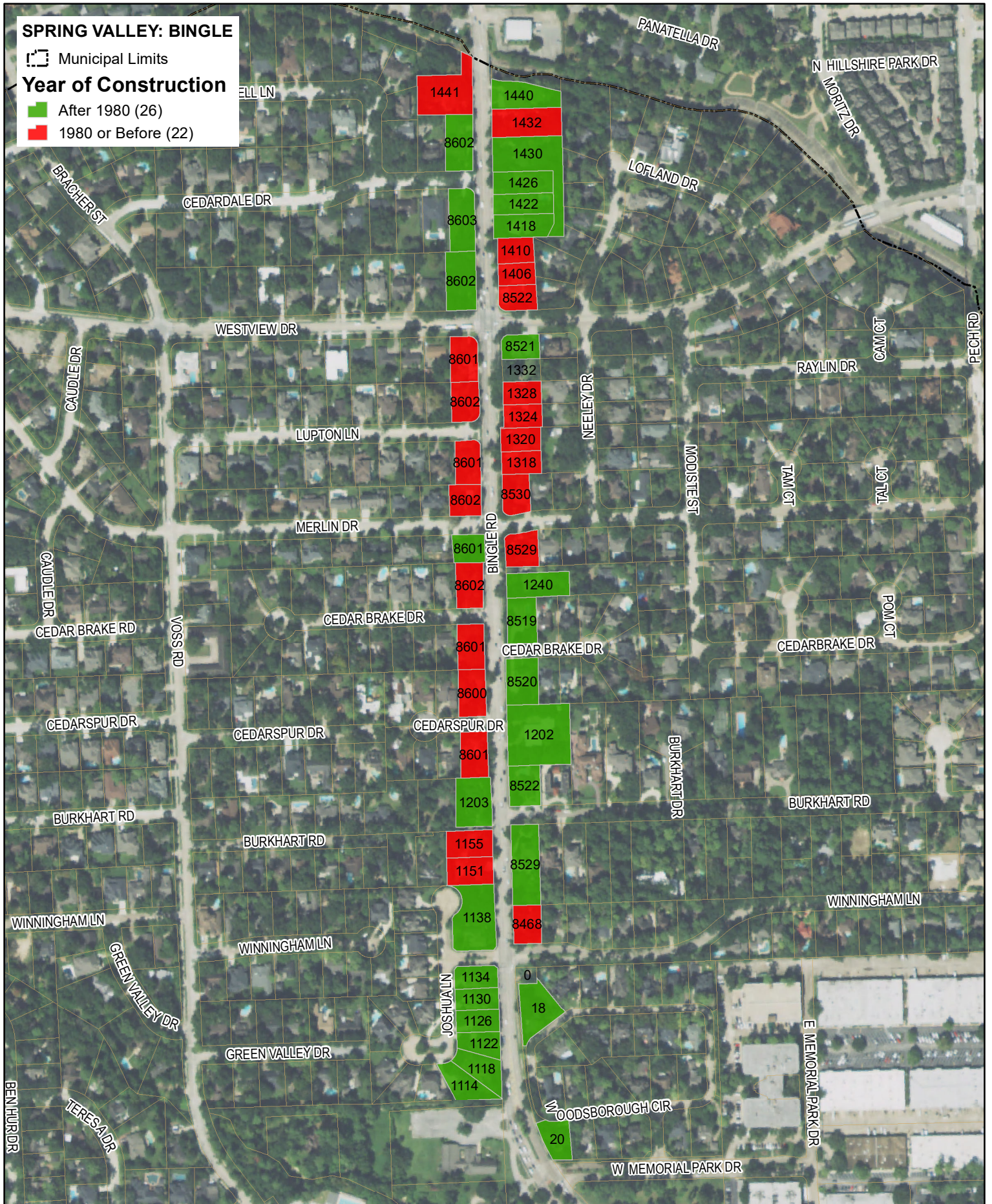
SPRING VALLEY: BINGLE

 Municipal Limits

Year of Construction

 After 1980 (26)

 1980 or Before (22)



0 100 200 Feet

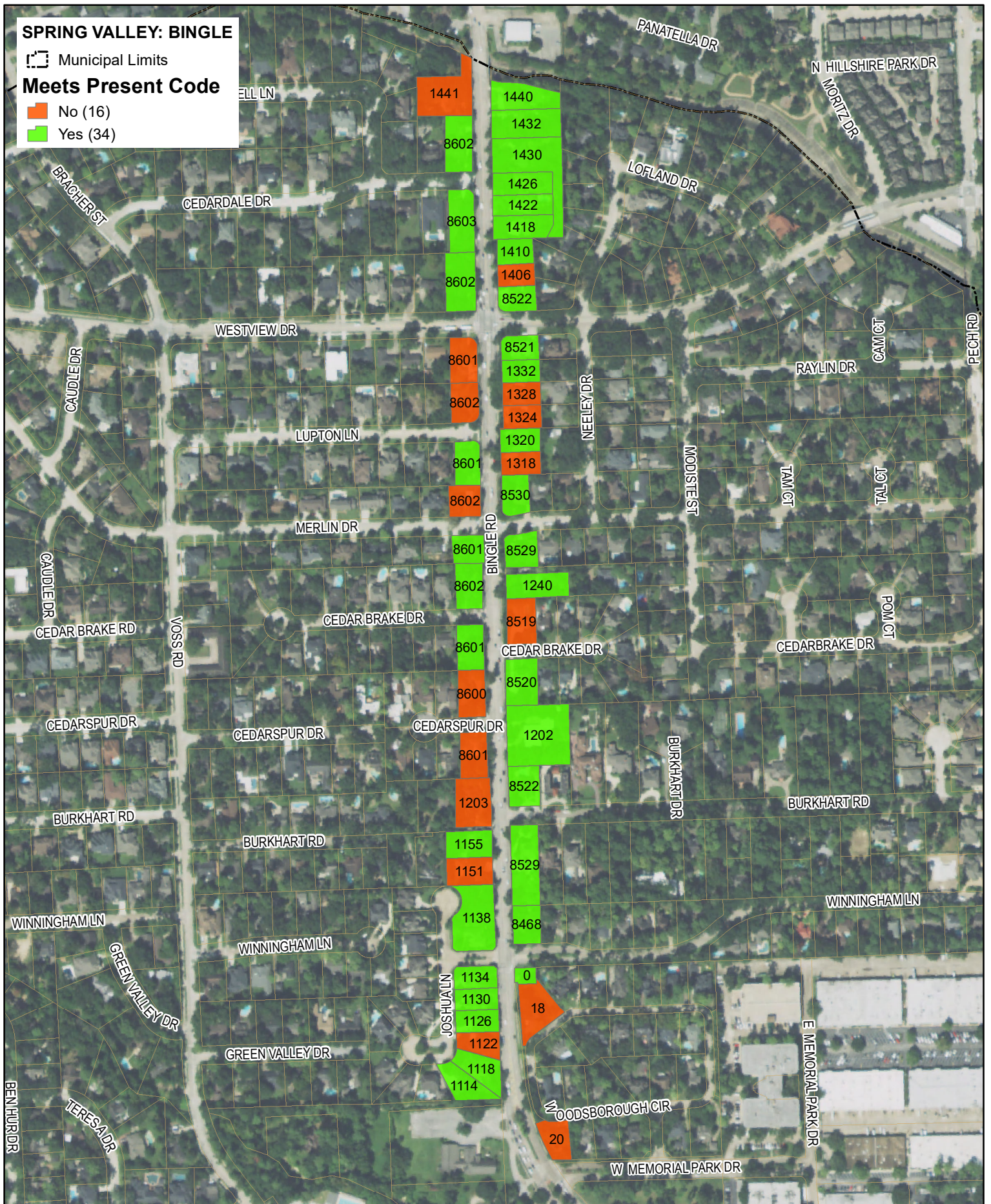


SPRING VALLEY: BINGLE

Municipal Limits

Meets Present Code

- No (16)
- Yes (34)



0 100 200 Feet

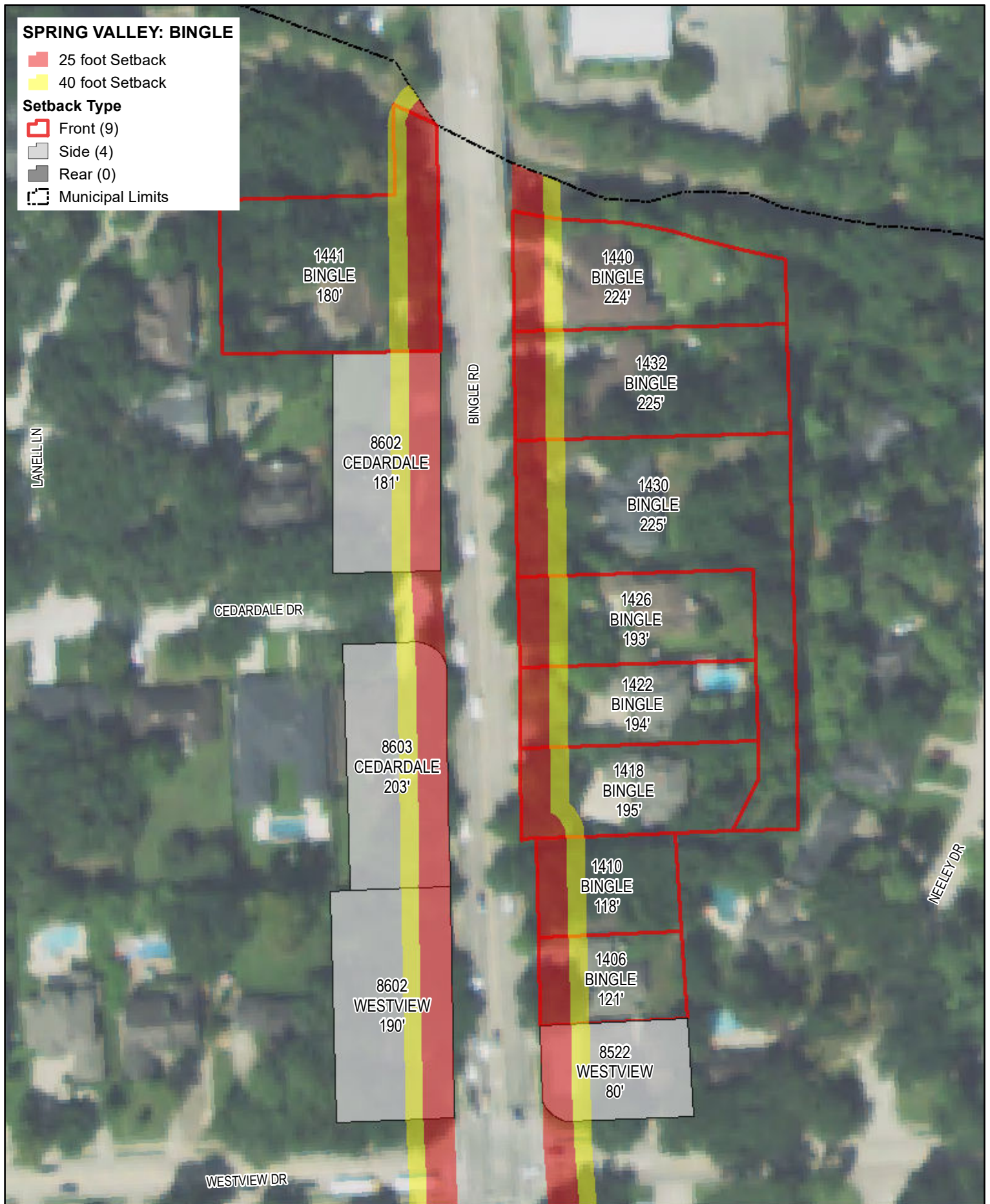


SPRING VALLEY: BINGLE

- 25 foot Setback
- 40 foot Setback

Setback Type

- Front (9)
- Side (4)
- Rear (0)
- Municipal Limits



0 100 200 Feet

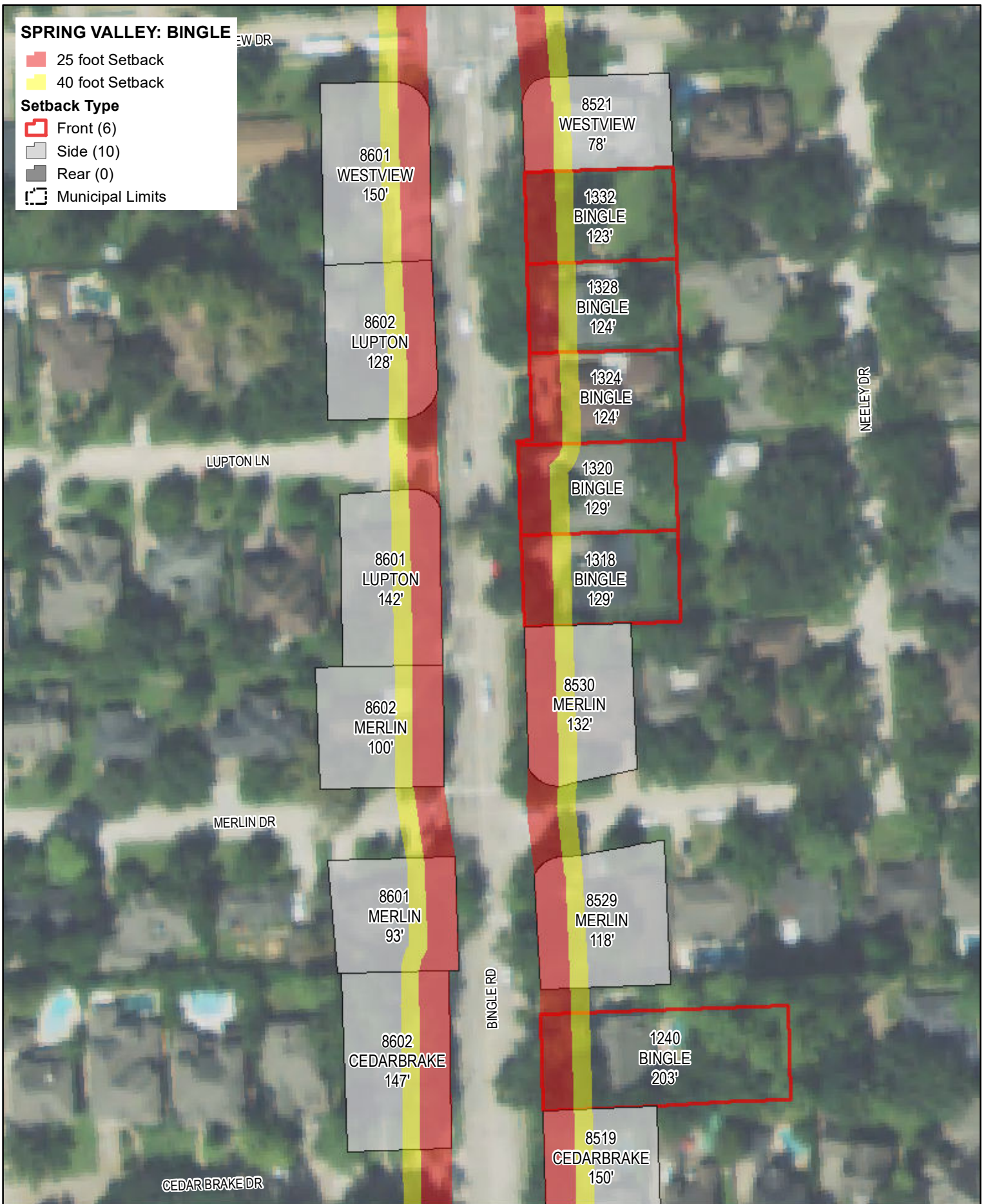


SPRING VALLEY: BINGLE

- 25 foot Setback
- 40 foot Setback

Setback Type

- Front (6)
- Side (10)
- Rear (0)
- Municipal Limits



0 100 200 Feet



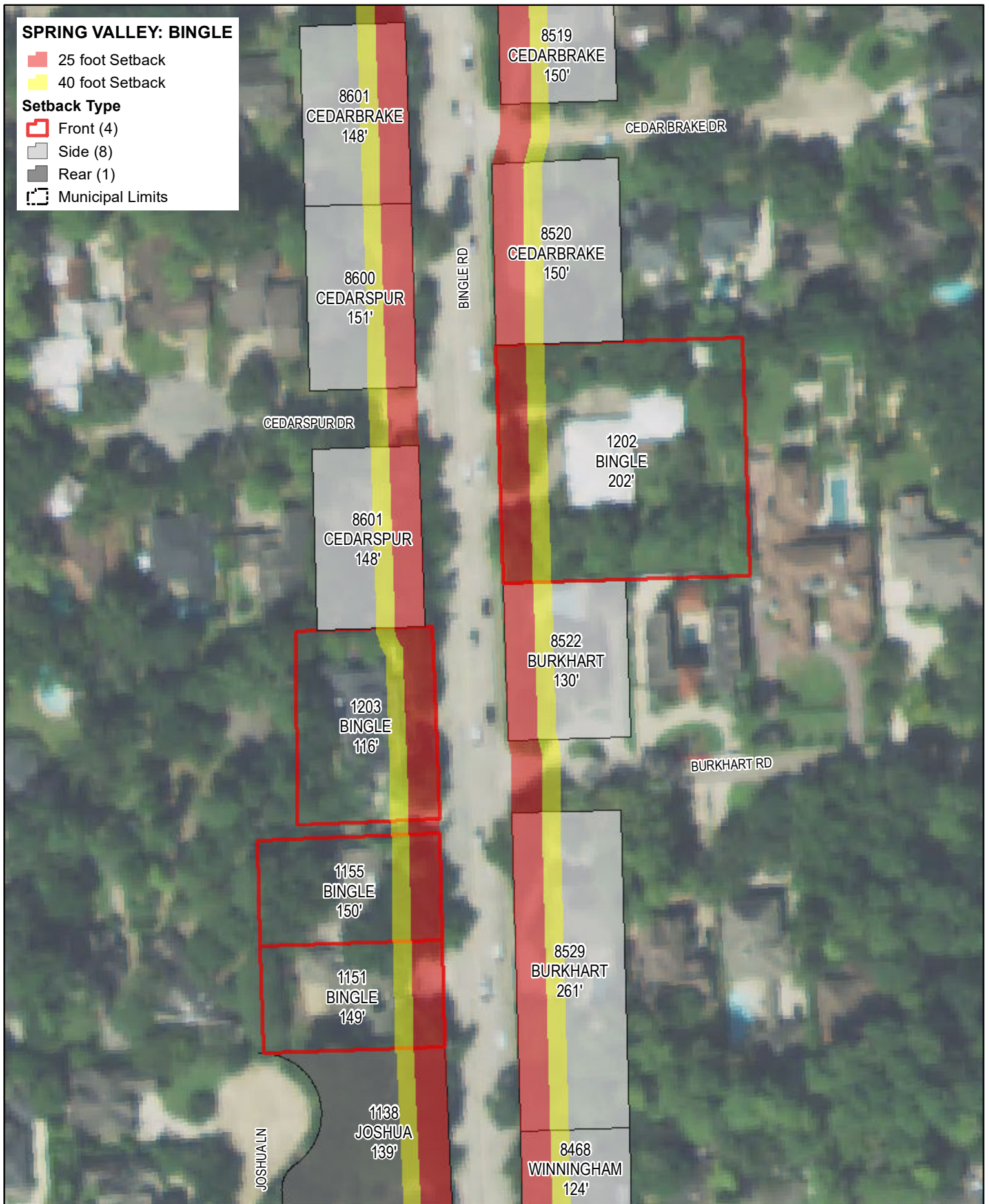
Service Layer Credits:
Data Source: Google Maps 2016-2017, HCAD Oct-Nov 2018, TNIRIS
StratMap 2013, USDA NAIP 2016
Ma52ate: 11/21/2018

SPRING VALLEY: BINGLE

- 25 foot Setback
- 40 foot Setback

Setback Type

- Front (4)
- Side (8)
- Rear (1)
- Municipal Limits



0 100 200 Feet

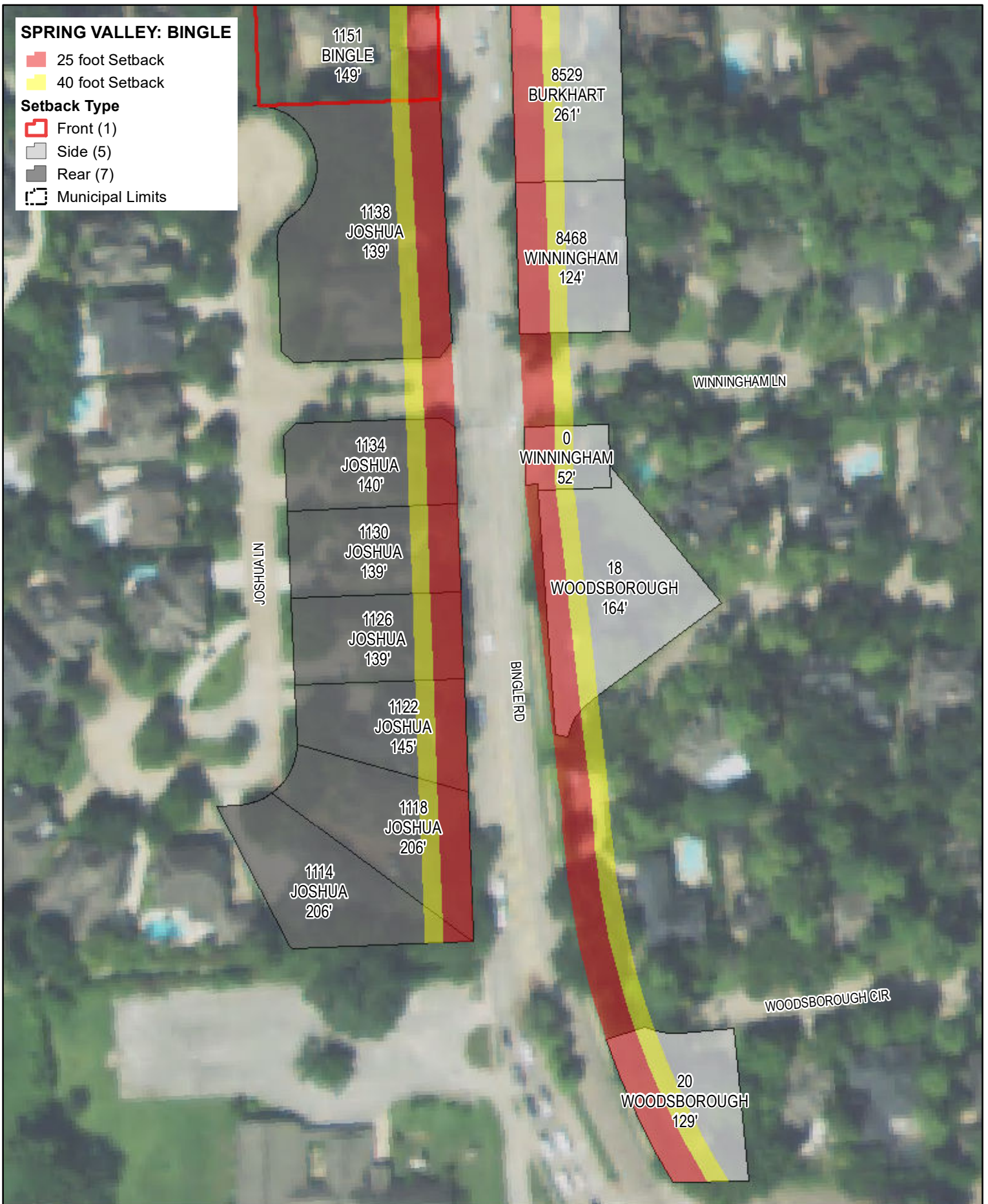


SPRING VALLEY: BINGLE

- 25 foot Setback
- 40 foot Setback

Setback Type

- Front (1)
- Side (5)
- Rear (7)
- Municipal Limits



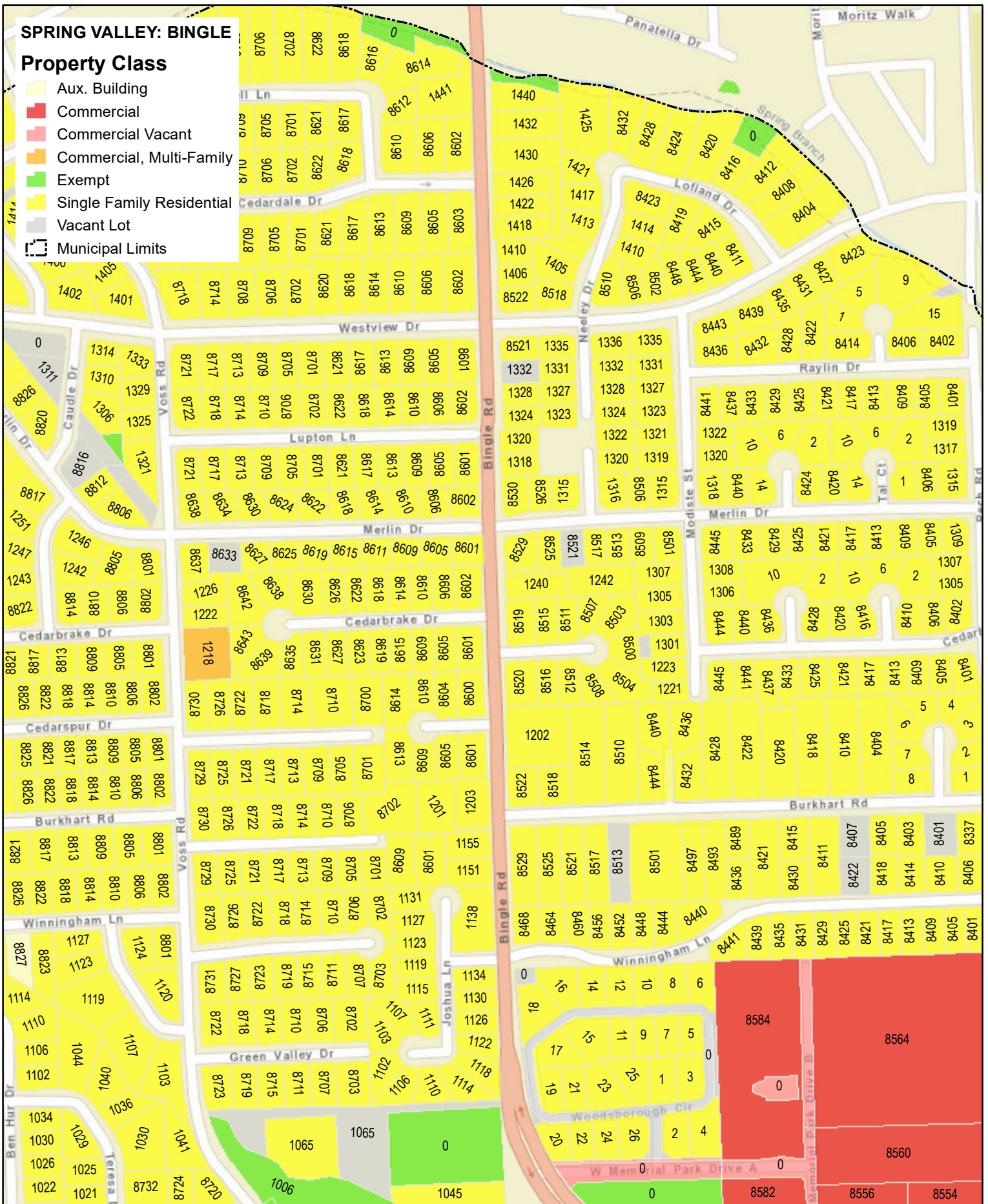
0 100 200 Feet



SPRING VALLEY: BINGLE

Property Class

- Aux. Building
- Commercial
- Commercial Vacant
- Commercial, Multi-Family
- Exempt
- Single Family Residential
- Vacant Lot
- Municipal Limits



0 100 200 Feet



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, OpenStreetMap contributors, and the GIS User Community
Data Source: Google Maps 2016-2017, HCAD Oct-Nov 2018, TNRS

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: May 14, 2019

TOPIC:	Ordinance No. 2019-XX AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET THE FRONT BUILDING LINE SETBACK FOR LOTS ADJOINING A MAJOR THOROUGHFARE OTHER THAN WESTVIEW DRIVE AT TWENTY-FIVE FET (25'); PROHIBITING DRIVEWAY ENTRANCES ONTO SUCH MAJOR THOROUGHFARE IF THE LOT ALSO ADJOINS A MINOR STREET; PROVIDING A MINIMUM SETBACK OF THIRTY-EIGHT FEET (38') FOR GARAGES FACING SUCH MAJOR THOROUGHFARE; BY AMENDING SUBSECTION .10, DRIVEWAY WIDTH, TRANSITION, AND SEPARATION, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION .05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A" OF EXHIBIT "A" OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE DRIVEWAYS TO ACCESS LOTS OFF OF STREETS OTHER THAN BINGLE ROAD AND CAMPBELL ROAD WHERE POSSIBLE; A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.
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BACKGROUND:	In the previous agenda item, the Planning and Zoning Commission held a public hearing considering the amendment of Subsection .02, Front Building Line Setbacks Adjoining A Major Thoroughfare, of Subsection .09, Building Line Setbacks, and Subsection .10, Driveway Width, Transition and Separation, both of which are found in Section .03, Size and Area Requirements, of Subsection .02, Limitations and Restrictions, of Section .05, Building and Use Restrictions in Dwelling District "A," of Exhibit "A" of Chapter 12, Planning and Zoning, of the City of Spring
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ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

Valley Village Code of Ordinances to: (1) Reduce front building line setbacks for residential properties on both Campbell Road and Bingle Road from 40 feet to 25 feet; and (2) Require a minimum setback of 38 feet for garages that face a major thoroughfare. (3) Prohibit a driveway entrance onto Campbell Road or Bingle Road if a lot adjoins a minor thoroughfare; and If approved, this ordinance would implement the proposed revisions to Chapter 12, Planning and Zoning, of the City's Code of Ordinances.
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RECOMMENDATION: None

ATTACHMENTS: • Ordinance Number 2019-XX
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FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
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FINANCE VERIFICATION OF FUNDING:


SUBMITTING STAFF MEMBER: Oscar Arevalo, CBO, Building Official	CITY ADMINISTRATOR APPROVAL: 
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ACTIONS TAKEN		
APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER

ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SUBSECTION .02, FRONT BUILDING LINE SETBACKS ADJOINING A MAJOR THOROUGHFARE, OF SUBSECTION .09, BUILDING LINE SETBACKS, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05 BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A", OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO SET THE FRONT BUILDING LINE SETBACK FOR LOTS ADJOINING A MAJOR THOROUGHFARE OTHER THAN WESTVIEW DRIVE AT TWENTY-FIVE FEET (25'); PROHIBITING DRIVEWAY ENTRANCES ONTO SUCH MAJOR THOROUGHFARE IF THE LOT ALSO ADJOINS A MINOR STREET; PROVIDING A MINIMUM SETBACK OF THIRTY-EIGHT FEET (38') FOR GARAGES FACING SUCH MAJOR THOROUGHFARE; BY AMENDING SUBSECTION .10, DRIVEWAY WIDTH, TRANSITION AND SEPARATION, OF SUBSECTION .03, SIZE AND AREA REQUIREMENTS, OF SUBSECTION .02, LIMITATIONS AND RESTRICTIONS, OF SECTION 05, BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A" OF EXHIBIT "A" OF CHAPTER 12, PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE DRIVEWAYS TO ACCESS LOTS OFF OF STREETS OTHER THAN BINGLE ROAD AND CAMPBELL ROAD WHERE POSSIBLE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council finds that it is in the best interest of the health, safety and welfare of its citizens to set the front setback for residential structures facing a major thoroughfare other than Westview Drive at twenty-five feet (25'), prohibiting driveways on lots adjoining any major thoroughfare other than Westview Drive to enter onto such major thoroughfare if the lot also adjoins a minor street, and requiring a minimum setback of thirty-eight feet (38') for garages facing such major thoroughfares;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters contained in the preamble of this Ordinance are hereby found to be true and correct and are incorporated herein.

Section 2. Section 05:02.03.09.02.02, Front Building Line Setbacks Adjoining a Major Thoroughfare, of Chapter 12, Planning and Zoning, of the Code of Ordinances of the City of Spring Valley Village, Texas is hereby amended by adding the language underscored below and deleting therefrom the language struckthrough below, Section 05:02.03.09.02.02 to read as follows:

“Adjoining a Major Thoroughfare. For a lot adjoining a major thoroughfare, other than Westview Drive, the front building setback line shall be ~~forty feet (40’)~~ twenty-five feet (25’). All garages facing a major thoroughfare must be setback a minimum of thirty-eight feet (38’), measured from the inside edge of any public sidewalk nearest the associated front property line.”

Lots Adjoining Westview Drive. Except as provided herein, for a lot adjoining and facing Westview Drive the front building setback line shall be twenty-five feet (25’); provided, however, for a lot adjoining and facing Westview Drive on the north side of Westview Drive between Bracher Street and Bingle Road, the front building setback line shall be forty feet (40’). All garages must be setback a minimum of thirty-six feet (36’) from the inside edge of any public sidewalk”

Section 3. Section 05:02.03.10, Driveway Width, Transition, and Separation, of Chapter 12, Planning and Zoning, of the Code of Ordinances of the City of Spring Valley Village, Texas is hereby amended by adding the language underscored below, Section 05:02.03.10 to read as follows:

“.10 Driveway Width, Transition, and Separation.

- .10.01 Except as provided by subsection 10.04 below, the maximum driveway width at the line of intersection with the street pavement shall not exceed twenty-four feet (24’), plus the corner radii at each intersection and the maximum width of the driveway located within the right-of-way shall not exceed twenty-four feet (24’).
- .10.02 Residential access ways, or curb cuts, shall meet or exceed the minimum standards set by the City. (See, e.g., Article 3.1200—Regulations for the Cutting of Streets).
- .10.03 No curb cut shall be located within twenty-four feet (24’) of a street intersection.
- .10.04 Lots that are adjacent to Campbell Road or Bingle Road and a minor street shall have vehicular driveways connecting with the minor street only.

- .10.05 Where the driveway provides direct access to a garage containing more than two (2) parking spaces and the garage fronts a side-street, then the corresponding curb cut shall not exceed thirty-six feet (36').
- .10.06 Only one (1) curb cut is permitted per residence; provided, however, a second curb cut is permitted when connected to a circular driveway. Except as provided by subsection 10.04, the total width of all curb cuts per residence shall not exceed twenty-four feet (24') plus the corner radii at each intersection.
- .10.07 If more than one (1) curb cut (that is street transition) is constructed on the same lot, such curb cuts shall be separated (nearest edge to nearest edge as measured along the street curb) by a minimum distance of at least twenty feet (20'). The driveways corresponding to the two (2) curb cuts must interconnect as a circular driveway, and at least one (1) curb cut must correspond to a driveway to the dwelling unit's garage or alternative enclosed vehicle parking space.
- .10.08 A parking pad is permitted only if it is contiguous to the driveway, it is a paved surface, and it is located entirely outside the City right-of-way.
- .10.09 It shall be unlawful for any person to cause or permit the placement or construction of a vehicular driveway, or any portion thereof, which violates the provisions of this section.

Section 4. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 5. 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 Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any 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 6. All rights and remedies of the City of Spring Valley Village are expressly saved as to any and all violations of the provisions of any Ordinances affecting and which have accrued at the time of the effective date of this Ordinance;

and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 7. This Ordinance shall become effective upon passage, in accordance with law.

DULY PASSED, ADOPTED AND ORDAINED this _____ day of _____, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: May 14, 2019

TOPIC:

CONDUCT A PUBLIC HEARING CONCERNING:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

BACKGROUND:

During the November 12, 2018 meeting, Staff presented the Commission with a recommendation to incorporate the utilization of signage on properties that are subject to a proposed zoning case as additional notice to the public. This recommendation resulted from one of the comments from a resident during the public hearing on the Wellington SRP PAD Amendment on October 9, 2018. As previously discussed, while it is not a requirement under State law or the City's current regulations, it is standard practice for cities to use or require the use of signage to notify the public about proposed zoning cases.

Additionally, the City Council has provided clear direction to City Staff that it wants to provide as much communication to our

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

residents about what is happening or being considered by the City in all areas in order to provide the residents with an opportunity to participate in the various projects and issues. The proposed Ordinance would provide an additional level of communication for the public and would meet the Council's directive.

The proposed Ordinance replaces the current sections of the Zoning Ordinance related to public notice for both the Board of Adjustment and the Planning and Zoning Commission and splits the public notice requirements into Mailing and Posting of Signs.

In the Mailing sections, the current language has been revised to:

- clarify that the property owners to whom the notices are mailed are obtained from the most recent approved municipal tax roll; and
- specify the content to be included in the letter notice to the property owners

The Posting of Signs sections are new to both the Board of Adjustment and the Planning & Zoning Commission sections and are identical in content. The proposed Ordinance provides specific requirements for Sign Design, Sign Placement, Proof of Posting, Sign Maintenance and Removal of Signs. The sign requirements are incumbent upon the applicant. These requirements are a combination of the requirements from the Cities of Frisco and McKinney.

In order to streamline the signage requirements and make it easy for applicants to understand, a Zoning Signage Criteria Submittal Packet has been developed and will be provided to all applicants for zoning cases to which the signage requirements apply. A copy of the Zoning Signage Criteria Submittal Packet is provided with this agenda item.

RECOMMENDATION: Not applicable for Public Hearing

ATTACHMENTS:

- Ordinance No. 2019-XX
- Zoning Signage Criteria Submittal Packet to be Provided to Applicants
- Copy of Public Hearing Notice
- Constant Contact and Social Media Post Dated May 2, 2019
- Copy of Letter Dated April 26, 2019 to All Residents

ACTIONS TAKEN

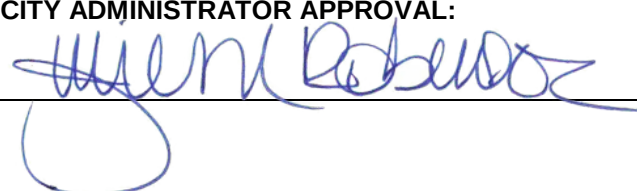
APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

Concerning Zoning Text Amendment

FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____
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FINANCE VERIFICATION OF FUNDING: 
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SUBMITTING STAFF MEMBER: Loren Smith, City Attorney	CITY ADMINISTRATOR APPROVAL: 
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ACTIONS TAKEN		
APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER

ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council of the City of Spring Valley Village, Texas desires to improve communications with its residents on matters related to changes to the zoning regulations of the City; and

WHEREAS, City Council understands that two of the more important times that residents need to be notified of pending changes to the zoning regulations are when the Planning and Zoning Commission or the Board of Adjustment holds a public hearing on an issue presented to them related to a specific property; and

WHEREAS, City Council finds it to be in the best interest of the citizens of the City of Spring Valley Village, Texas to require placement of signage on property subject to a

public hearing before the Planning and Zoning Commission or the Board of Adjustment as set forth below;

NOW, THEREFORE:

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. This ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the regulations, restrictions, terms and conditions provided for herein.

Section 3. Section 01:03:02, Board of Adjustment, of Subsection 01:03, Other Administrative Duties of the City of Spring Valley in Executing this Comprehensive Zoning Ordinance of Section One, Purpose and Administration, of Exhibit "A" of Chapter 12 Planning and Zoning, of the City's Code of Ordinances is hereby amended by deleting therefrom the language struck through below and adding thereto the language underscored below to read as follows:

~~"Board of Adjustment. The Board of Adjustment shall have the authority to grant Variances, Special Exceptions, and hear and decide appeals from any decision, determination or interpretation by the Office of the Building Official with respect to the provisions of this Comprehensive Zoning Ordinance. The Board shall also have the powers granted by and shall be controlled by the provisions of Chapter 211, Texas Local Government Code.~~

~~In exercising these powers, the Board of Adjustment shall give public notice of the hearing on same, and shall mail notices for such hearing, not less than fifteen (15) days prior to the date thereof, to the applicant for Special Exception or Variance and to the owners of property lying within two hundred (200) feet of any point of the Lot or tract of land or portion thereof, upon which a Variation or Special Exception to the provisions of this Ordinance is sought, and to all other owners and persons as shall be determined by the Board of Adjustment, and this provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Board of Adjustment in the United States mail. The Board of Adjustment shall adopt rules or procedures in accordance with the provisions of the Revised Civil Statutes of the State of Texas. The particular provisions governing appointment and membership on the Board of Adjustment, operating procedures, and elaboration of its express powers are set forth in Appendix One of this Ordinance and incorporated herein for all purposes.~~

“01:03:02 Board of Adjustment. The Board of Adjustment shall have the authority to grant variances, special exceptions, and hear and decide appeals from any decisions, determination or interpretation by the Office of the Building Official with respect to the provisions of this Comprehensive Zoning Ordinance. The Board shall also have the powers granted by and shall be controlled by the provisions of Chapter 211, Texas Local Government Code. The Board of Adjustment shall adopt rules or procedures in accordance with the provisions of the Revised Civil Statutes of the State of Texas. The particular provisions governing appointment and membership on the Board of Adjustment, operating procedures, and elaboration of its express powers are set forth in Appendix One of this Ordinance and incorporated herein for all purposes.

01:03:02:01 In exercising its powers, the Board of Adjustment shall give public notice of the hearing on the applications for variances or special exceptions. Public notice of hearings held before the Board of Adjustment, unless otherwise required by law, shall be provided as follows:

01:03:02:01:01 Mailing. Not less than fifteen (15) calendar days prior to the date of the public hearing, the Board of Adjustment shall mail written notice of the public hearing to each owner, as indicated by the most recent approved municipal tax roll, of real property lying within two hundred (200) feet of any point of the lot or tract of land or portion thereof, upon which a variance or special exception to the provisions of this Ordinance is sought, and to all other owners or persons as shall be determined by the Board of Adjustment. The mailed notice shall be given by U.S. mail, and shall be in letter form stating: (1) the time and place of the hearing; (2) a general description of the proposal; and (3) the legal description and general street location of the property subject to the public hearing; and (4) and a statement explaining that the public may be heard at the public hearing. This provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Board of Adjustment in the United States mail. Failure to receive mailed notice shall not invalidate any action taken on the application.

01:03:02:01:02 Posting of signs. Notice of required public hearings on applications for a variance or special exception (zoning change) shall also be provided by way of a sign posted at least fourteen (14) calendar days before the date of the public hearing on the property that is the subject of the application. The applicant shall be responsible for posting the required zoning change signage and for maintaining the required signage throughout the zoning change process.

Sign Design

- Signs shall be 4 feet by 4 feet.
- Signs shall be constructed in accordance with the City's design standards and verbiage for zoning signs which shall be provided to the applicant.
 - Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - Lettering on both sides of the sign.
 - Metal or wood posts shall be used.
 - Must include the City of Spring Valley Village official logo with a minimum size of 1 foot
 - Capital letters on the sign shall be no smaller than 3 inches tall using the bold Arial font style.

Sign Placement

- One sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street, with a maximum of three (3) signs required per street frontage.
- Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.
- Signs shall be no greater than twenty feet (20') from the property line and shall be a minimum of two feet (2') off the ground, unless otherwise directed by the Building Official or his/her designee.
- Signs shall be placed perpendicular to the roadway to enable reading from both sides.
- Signs shall be located so that the lettering is visible and may be clearly read from the street

Proof of Posting

- The applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing. **Failure to post the sign(s) a minimum of fourteen (14) calendar days prior to the public hearing by the Board shall result in the postponement of the zoning change consideration by the Board.** The applicant shall be subject

to an additional fee to republish and/or re-notify due to such postponement.

- The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- A minimum of seven (7) calendar days prior to the public hearing, the applicant shall file an affidavit, on a form provided by the city, with the Building Official verifying that the sign(s) was posted as required by this section.
- The provisions of this section shall not apply to any application initiated by the Board or the City Council.

Sign Maintenance.

- The applicant shall be responsible for maintaining all signs on the subject property throughout the zoning change process. The City of Spring Valley Village is not responsible for monitoring the required zoning change signs. Should the City of Spring Valley Village discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, the City of Spring Valley Village shall contact the applicant to investigate and, if needed, correct the situation. An affidavit from the applicant certifying that the applicant has corrected the sign(s) shall indicate that the intent of the posting requirement was met. Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to replace damages or missing signs upon notification.

Removal of Signs

- The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the Board.
- Failure to remove zoning signs within such timeframe will result in the issuance of a citation per sign and per day until removed.”

Section 4. Section 01:04:03, Public Hearing, Planning and Zoning Commission, of Subsection 01:04, Amendments of Section One, Purpose and Administration, of Exhibit “A” of Chapter 12 Planning and Zoning, of the City’s Code of Ordinances is hereby amended by deleting therefrom the language struck through below and adding thereto the language underscored below to read as follows:

~~“01:04.03 Public Hearing-Planning and Zoning Commission. The planning and Zoning Commission shall make a preliminary report and hold a public hearing thereon before submitting its final report. Written notice of all public hearings before the planning and Zoning Commission on proposed~~

~~changes in classification shall be sent to owners of real property lying within two hundred feet (200') of the property on which the change in classification is proposed, such notice is to be given not less than ten (10) days before the date set for hearing to all such owners who have rendered their said property for City taxes as the ownership appears on the last approved City tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the City post office.~~

"01:04:03 Public Hearing – Planning and Zoning Commission. The Planning and Zoning Commission shall make a preliminary report and hold a public hearing on zoning changes before submitting its final report to the City Council. The Commission shall give public notice of the hearing on an application for zoning change. Public notice of hearings held before the Planning and Zoning Commission, unless otherwise required by law, shall be provided as follows:

01:04:03:01 Mailing. Not less than ten (10) calendar days prior to the date of the public hearing, the Planning and Zoning Commission shall mail written notice of the public hearing to each owner, as indicated by the most recent approved municipal tax roll, of real property lying within two hundred (200) feet of any point of the lot or tract of land or portion thereof, upon which a change to the provisions of this Ordinance is sought. The mailed notice shall be given by U. S. mail, and shall be in letter form stating: (1) the time and place of the hearing; (2) a general description of the proposal; and (3) the legal description and general street location of the property subject to the public hearing; and (4) and a statement explaining that the public may be heard at the public hearing. This provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Planning and Zoning Commission in the United States mail. Failure to receive mailed notice shall not invalidate any action taken on the application.

01:04:03:02 Posting of signs. Notice of required public hearings on applications for a zoning change shall also be provided by way of a sign posted at least fourteen (14) calendar days before the date of the public hearing before the Planning and Zoning Commission on the property that is the subject of the application. The applicant shall be responsible for posting the required zoning change signage and for maintaining the required signage throughout the zoning change process.

Sign Design

- Signs shall be 4 feet by 4 feet.
- Signs shall be constructed in accordance with the City's design standards and verbiage for zoning signs which shall be provided to the applicant.
 - Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - Lettering on both sides of the sign.
 - Metal or wood posts shall be used.
 - Must include the City of Spring Valley Village official logo with a minimum size of 1 foot.
 - Capital letters on the sign shall be no smaller than 3 inches tall using the bold Arial font style.

Sign Placement

- One sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street, with a maximum of three (3) signs required per street frontage.
- Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.
- Signs shall be no greater than twenty feet (20') from the property line and shall be a minimum of two feet (2') off the ground, unless otherwise directed by the Building Official or his/her designee.
- Signs shall be placed perpendicular to the roadway to enable reading from both sides.
- Signs shall be located so that the lettering is visible and may be clearly read from the street.

Proof of Posting

- The applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing. Failure to post the sign(s) a minimum of fourteen (14) calendar days prior to the public hearing by the Commission shall result in the postponement of the zoning change consideration by the Commission. The applicant shall be subject to an additional fee to republish and/or re-notify due to such postponement.

- The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- A minimum of seven (7) calendar days prior to the public hearing before the Commission, the applicant shall file an affidavit, on a form provided by the city, with the Building Official verifying that the sign(s) was posted as required by this section.
- The provisions of this section shall not apply to any application initiated by the Commission.

Sign Maintenance.

- The applicant shall be responsible for maintaining all signs on the subject property throughout the zoning change process. The City of Spring Valley Village is not responsible for monitoring the required zoning change signs. Should the City of Spring Valley Village discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, the City of Spring Valley Village shall contact the applicant to investigate and, if needed, correct the situation. An affidavit from the applicant certifying that the applicant has corrected the sign(s) shall indicate that the intent of the posting requirement was met. Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to replace damages or missing signs upon notification.

Removal of Signs

- The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the City of Spring Valley Village.
- Failure to remove zoning signs within such timeframe will result in the issuance of a citation per sign and per day until removed."

Section 4. 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 Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any 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 5. Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 6. This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with section 52.011 of the Texas Local Government Code.

ADOPTED this ____ day of _____, 2019.

Tom Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

DIVIDER PAGE



CITY OF SPRING VALLEY VILLAGE

ZONING SIGNAGE CRITERIA SUBMITTAL PACKET

(Board of Adjustment)



ZONING SIGN CRITERIA

IF YOU HAVE ANY QUESTIONS, PLEASE CALL (713) 465-8308

A zoning sign is a sign erected on the property requested to publicize a Variance, Special Exception, or Appeal. **The number of signs and the placement of signs shall be determined by the Building Official at the time of submittal.** It is the responsibility of the owner/project representative to contact the Building Department to verify the number and location of signs needed.

Property owners/applicants may use any sign company to meet zoning sign criteria. To order zoning signs, the applicant should contact a sign company; the sign company will install the zoning sign(s) in the Building Official designated location(s).

ADHERE TO THE FOLLOWING INSTRUCTIONS:

SIGNS DESIGN

- ☐ Signs shall be a minimum of four (4) feet by four (4) feet.
- ☐ The sign shall be constructed in accordance with the City's design standards for zoning signs.
 - a. Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - b. Lettering on both sides of the sign.
 - c. Metal or wood posts shall be used.
 - d. Must include the City of Spring Valley Village official logo with a minimum size of one (1) foot.
 - e. Capital letters on that sign shall be no smaller than three (3) inches tall using the Bold Arial font style.
- ☐ The signs shall comply with the layout and dimensions on the attached Zoning Sign Design Diagram.

PLACEMENT

- ☐ One (1) sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street with a maximum of three (3) signs required per street frontage.
- ☐ Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- ☐ Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.

- ☐ Signs shall be no greater than twenty (20) feet from the property line and shall be a minimum of two (2) feet off the ground, unless otherwise directed by the Building Official or his/her designee.
- ☐ Signs shall be placed perpendicular to the roadway to enable reading from both sides.
- ☐ Signs shall be located so that the lettering is visible and may be clearly read from the street.

PROOF OF POSTING

- ☐ **The applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing.**
- ☐ The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- ☐ A minimum of seven (7) calendar days prior to the public hearing, the applicant shall file an affidavit, on a form provided by the City, with the Building Official verifying that the sign(s) was posted as required.

REMOVAL OF SIGNS

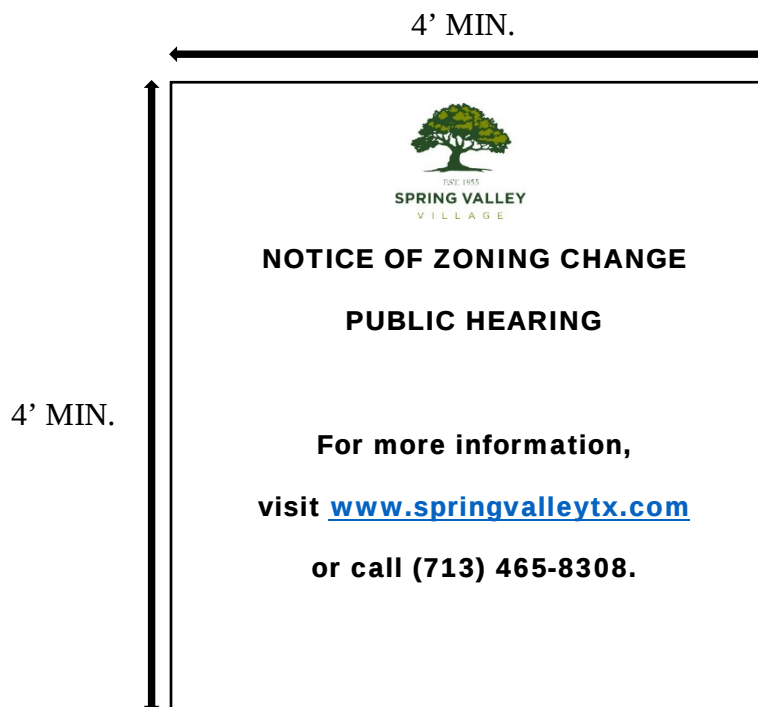
- ☐ **The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the Board.**

Preparer's Name: _____

Preparer's Signature: _____

NOTE: Violations of the sign ordinance will result in fines to the property owner and will delay the request for Zoning or Specific Use Permit. Failure to remove zoning signs per the sign ordinance will result in a citation of \$500 per sign/per day until removed.

CITY OF SPRING VALLEY VILLAGE ZONING SIGN DESIGN DIAGRAM



1' MIN (LOCK RATIO)



Capital letters on the sign shall be no smaller
than 3" tall using the bold Arial font style.

AFFIDAVIT OF SIGN POSTING



(Re)Zoning Case No. _____

Date of Board of Adjustment Meeting: _____

In accordance with the requirements of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I _____ hereby certify that I have posted or caused to be posted Zoning Change Notification sign(s) on the property subject to zoning change, located at _____

Said sign(s) meet the specifications of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Posting of said signs was accomplished on _____, 2_____, as provided for in Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s)-of-way along _____

I further certify that this affidavit was filed with the Building Department of the City of Spring Valley Village within the time provisions of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Executed this the _____ day of _____, 2_____.

Signature of Applicant or Authorized Representative for Zoning Case No. _____

Printed Name of Applicant or Authorized Representative for Zoning Case No. _____

Sworn and subscribed before me this the _____ day of _____, 2_____.

Notary Public

PLEASE NOTE: Failure to post the notification sign(s) on the property by the close of business (4:30 pm) fourteen (14) days prior to the Board of Adjustment public hearing shall result in the postponement of consideration by the Board.

STAFF USE ONLY:

Date/Time submitted: _____

Verified by: _____



SPRING VALLEY
VILLAGE

AFFIDAVIT OF SIGN MAINTENANCE

(Re)Zoning Case No. _____

Date of Board of Adjustment Meeting: _____

In accordance with the requirements of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I _____ hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at _____

Said sign(s) have been maintained in a manner consistent with the requirements contained in Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I further certify that this affidavit was filed with the Building Department of the City on _____, 2_____, within the time provisions of Section 01:03:02 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I understand that I am required to remove said signs within seven (7) calendar days of any final action on the application taken by the City of Spring Valley Village Board of Adjustment regarding the zoning change.

Executed this the _____ day of _____, 2_____.

Signature of Applicant or Authorized Representative for Zoning Case No. _____

Printed Name of Applicant or Authorized Representative for Zoning Case No. _____

Sworn and subscribed before me this the _____ day of _____, 2_____.

Notary Public

PLEASE NOTE: Failure to maintain the signs prior to the Board of Adjustment public hearing may result in postponement of consideration if the applicant has not attempted to replace damaged or missing signs upon notification by Staff.

FOR STAFF USE ONLY:

Date/Time submitted: _____

Verified by: _____



CITY OF SPRING VALLEY VILLAGE

ZONING SIGNAGE CRITERIA SUBMITTAL PACKET

(Planning & Zoning Commission)



ZONING SIGN CRITERIA

IF YOU HAVE ANY QUESTIONS, PLEASE CALL (713) 465-8308

A zoning sign is a sign erected on the property requested to publicize a Zoning Change, Variance, Special Exception, or Specific Use Permit. **The number of signs and the placement of signs shall be determined by the Building Official at the time of submittal.** It is the responsibility of the owner/project representative to contact the Building Department to verify the number and location of signs needed.

Property owners/applicants may use any sign company to meet zoning sign criteria. To order zoning signs, the applicant should contact a sign company; the sign company will install the zoning sign(s) in the Building Official designated location(s).

ADHERE TO THE FOLLOWING INSTRUCTIONS:

SIGNS DESIGN

- ☐ Signs shall be a minimum of four (4) feet by four (4) feet.
- ☐ The sign shall be constructed in accordance with the City's design standards for zoning signs.
 - a. Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - b. Lettering on both sides of the sign.
 - c. Metal or wood posts shall be used.
 - d. Must include the City of Spring Valley Village official logo with a minimum size of one (1) foot.
 - e. Capital letters on that sign shall be no smaller than three (3) inches tall using the Bold Arial font style.
- ☐ The signs shall comply with the layout and dimensions on the attached Zoning Sign Design Diagram.

PLACEMENT

- ☐ One (1) sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street with a maximum of three (3) signs required per street frontage.
- ☐ Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- ☐ Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.

- ☐ Signs shall be no greater than twenty (20) feet from the property line, and shall be a minimum of two (2) feet off the ground, unless otherwise directed by the Building Official or his/her designee.
- ☐ Sign shall be placed perpendicular to the roadway to enable reading from both sides.
- ☐ Signs shall be located so that the lettering is visible and may be clearly read from the street.

PROOF OF POSTING

- ☐ **The applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing.**
- ☐ The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- ☐ A minimum of seven (7) calendar days prior to the public hearing, the applicant shall file an affidavit, on a form provided by the City, with the Building Official verifying that the sign(s) was posted as required.

REMOVAL OF SIGNS

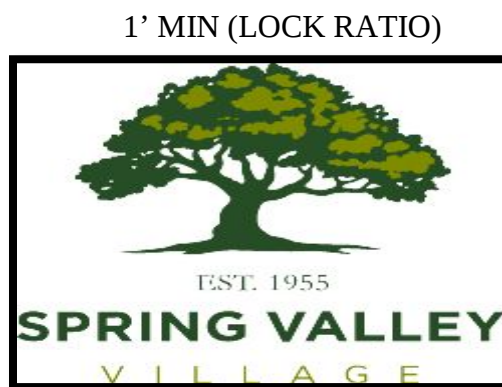
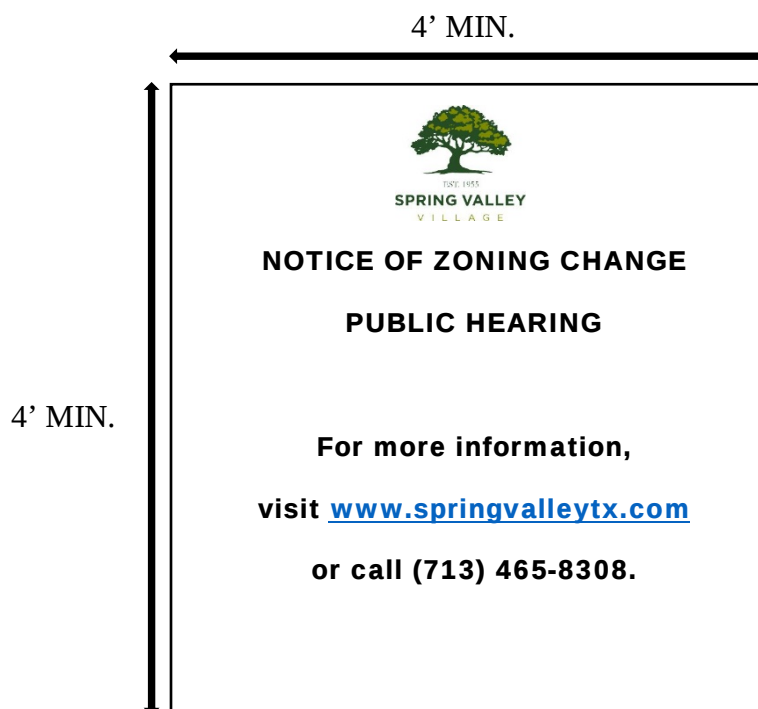
- ☐ **The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the City of Spring Valley Village.**

Preparer's Name: _____

Preparer's Signature: _____

NOTE: Violations of the sign ordinance will result in fines to the property owner and will delay the request for Zoning or Specific Use Permit. Failure to remove zoning signs per the sign ordinance will result in a citation of \$500 per sign/per day until removed.

CITY OF SPRING VALLEY VILLAGE ZONING SIGN DESIGN DIAGRAM



Capital letters on the sign shall be no smaller
than 3" tall using the bold Arial font style.



AFFIDAVIT OF SIGN POSTING

(Re)Zoning Case No. _____

Date of Planning and Zoning Commission Meeting: _____

In accordance with the requirements of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I _____ hereby certify that I have posted or caused to be posted Zoning Change Notification sign(s) on the property subject to zoning change, located at _____

Said sign(s) meet the specifications of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Posting of said signs was accomplished on _____, 2_____, as provided for in Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s)-of-way along _____

I further certify that this affidavit was filed with the Building Department of the City of Spring Valley Village within the time provisions of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

Executed this the _____ day of _____, 2_____.

Signature of Applicant or Authorized Representative for Zoning Case No. _____

Printed Name of Applicant or Authorized Representative for Zoning Case No. _____

Sworn and subscribed before me this the _____ day of _____, 2_____.

Notary Public _____

PLEASE NOTE: Failure to post the notification sign(s) on the property by the close of business (4:30 pm) fourteen (14) days prior to the Planning and Zoning Commission public hearing shall result in the postponement of consideration by the Commission.

STAFF USE ONLY:

Date/Time submitted: _____

Verified by: _____



AFFIDAVIT OF SIGN MAINTENANCE

(Re)Zoning Case No. _____

Date of City Council Meeting: _____

In accordance with the requirements of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village, Texas, I _____ hereby certify that Zoning Change Notification sign(s) have been maintained on the property subject to zoning change, located at _____

Said sign(s) have been maintained in a manner consistent with the requirements contained in Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I further certify that this affidavit was filed with the Building Department of the City on _____, 2_____, within the time provisions of Section 01:04:03 of Exhibit 'A' of Chapter 12 of the Code of Ordinances of the City of Spring Valley Village.

I understand that I am required to remove said signs within seven (7) calendar days of any final action taken by the City of Spring Valley Village regarding the zoning change.

Executed this the _____ day of _____, 2_____.

Signature of Applicant or Authorized Representative for Zoning Case No. _____

Printed Name of Applicant or Authorized Representative for Zoning Case No. _____

Notary Public

PLEASE NOTE: Failure to maintain the signs prior to the City Council public hearing may result in postponement of consideration if the applicant has not attempted to replace damaged or missing signs upon notification by Staff.

FOR STAFF USE ONLY:

Date/Time submitted: _____

Verified by: _____

DIVIDER PAGE

**PUBLIC NOTICE
CITY OF SPRING VALLEY VILLAGE, TEXAS
NOTICE OF PUBLIC HEARING**

Notice Is Hereby Given To Hear Comments And Testimony Concerning The Following Proposed Ordinance:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

The **Planning and Zoning Commission** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

Date: Tuesday, May 14, 2019
Time: 7:00 p.m.
Location: Council Chambers
Spring Valley Village City Hall
1025 Campbell Road
Houston, TX 77055

The **City Council** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

Date: Tuesday, May 21, 2019
Time: 6:00 p.m.
Location: Council Chambers
Spring Valley Village City Hall
1025 Campbell Road
Houston, TX 77055

For additional information regarding these public hearings, please contact the Building Official, Oscar Arevalo, at (713) 465-8308.

DIVIDER PAGE



EST. 1955

SPRING VALLEY VILLAGE

April 26, 2019

Dear Property Owner:

On Tuesday, **May 14, 2019**, beginning at 7:00 pm in the City Council Chambers at Spring Valley Village City Hall, 1025 Campbell Road, Houston, Texas 77055, the Spring Valley Village **Planning and Zoning Commission** is scheduled to hold a public hearing and take action on proposed revisions to the City's current zoning regulations to require the posting of signage in addition to all other public notification requirements for the public notice of hearings for meetings of the Planning and Zoning Commission or Board of Adjustment. Contingent upon receiving a recommendation from the Planning and Zoning Commission, the **City Council** is scheduled to hold a public hearing and take action on the proposed revisions on **May 21, 2019** beginning at 6:00 pm in the City Council Chambers at Spring Valley Village City Hall.

You are invited to attend the Planning and Zoning Commission and the City Council meetings to hear the discussion and provide feedback to the Commission related to the proposed revisions. Packets for the Planning and Zoning Commission and the City Council meetings will be posted to the City's website by the close of business on the Thursday prior to the meeting day. Once the packets have been posted, you will be able to download the packet to review the information that is included related to the proposed revisions on the City's website in the Agenda Center at <https://springvalleytx.com/AgendaCenter> by scrolling down to the Planning and Zoning Commission and/or City Council section(s).

The Planning and Zoning Commission, City Council, and City staff appreciate your participation in the zoning text amendment process. Should you have any questions concerning the meeting, please feel free to contact me via email to oarevalo@springvalleytx.com or telephone to (832) 910-8577.

Sincerely,

Oscar Arevalo
Chief Building/Zoning Official

DIVIDER PAGE

For Constant Contact/social media post on May 2, 2019:

SUBJECT: Public Hearing and Consideration by Planning & Zoning Commission of Revisions to Zoning Regulations Related to Public Notice Requirements to Incorporate Zoning Signage for Property-Specific Zoning Cases Submitted to Board of Adjustment and Planning & Zoning Commission – May 14, 2019 at 7:00 pm

The Planning & Zoning Commission will hold a public hearing and consider an ordinance revising the zoning regulations related to public notice requirements to incorporate the use of zoning signage for property-specific zoning cases submitted to the Board of Adjustment and Planning & Zoning Commission at the May 14, 2019 meeting.

Residents are invited to attend the Planning and Zoning Commission meeting to hear the discussion and provide feedback to the Commission related to this issue. The packet for the meeting will be posted by the close of business on Thursday, May 9, 2019, to the City's website in the Agenda Center, which you can find at <https://springvalleytx.com/AgendaCenter> and scrolling down to the Planning and Zoning Commission section. You will also be able to download the packet to review the information that is included related to this discussion item.

Until the Commission meets, we will not know what the recommendation will be to the City Council. If the Commission makes a recommendation, then the City Council will also hold a public hearing and consider an ordinance on May 21, 2019.

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: May 14, 2019

TOPIC:	ORDINANCE NO. 2019-XX AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.
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BACKGROUND:	In the previous agenda item, the Planning and Zoning Commission held a public hearing considering the amendment of Section 01:03:02, Board of Adjustment, of Subsection 01:03, Other Administrative Duties of the City of Spring Valley Village in Executing This Comprehensive Zoning Ordinance, and Section 01:04:03, Public Hearing – Planning and Zoning Commission, of Subsection 01:04, Amendments, both of which are found in Section One, Purpose and Administration, of Exhibit "A" of Chapter 12, Planning and Zoning, of the City of Spring Valley Village Code of Ordinances to require public notice of hearings held before the Board of Adjustment and the Planning and Zoning Commission to be provided by posting of signs in addition al all other public notification requirements.
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ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

If approved, this ordinance would implement the proposed revisions to Chapter 12, Planning and Zoning, of the City's Code of Ordinances.

RECOMMENDATION: Staff recommends approval of the Ordinance.

ATTACHMENTS: • Ordinance No. 2019-XX

FUNDING ISSUES:

☒ Not applicable – no dollars are being spent or received.

☐ Full amount already budgeted in Acct/Project# _____

☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:

☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____

☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____

☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____

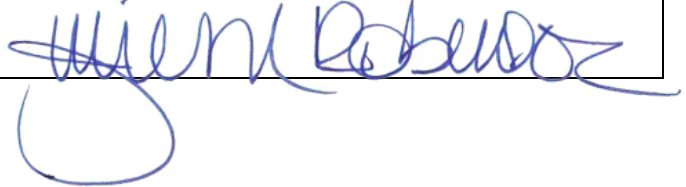
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Loren Smith, City Attorney

CITY ADMINISTRATOR APPROVAL:



ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
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ORDINANCE NO. 2019-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS BY AMENDING SECTION 01:03:02, BOARD OF ADJUSTMENT, OF SUBSECTION 01:03, OTHER ADMINISTRATIVE DUTIES OF THE CITY OF SPRING VALLEY IN EXECUTING THIS COMPREHENSIVE ZONING ORDINANCE OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE BOARD OF ADJUSTMENT TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; REVISING SECTION 01:04:03, PUBLIC HEARING – PLANNING AND ZONING COMMISSION, OF SUBSECTION 01:04, AMENDMENTS, OF SECTION ONE, PURPOSE AND ADMINISTRATION, OF EXHIBIT "A" OF CHAPTER 12 PLANNING AND ZONING, OF THE CODE OF ORDINANCES TO REQUIRE PUBLIC NOTICE OF HEARINGS HELD BEFORE THE PLANNING AND ZONING COMMISSION TO BE PROVIDED BY POSTING OF SIGNS IN ADDITION TO ALL OTHER PUBLIC NOTIFICATION REQUIREMENTS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council of the City of Spring Valley Village, Texas desires to improve communications with its residents on matters related to changes to the zoning regulations of the City; and

WHEREAS, City Council understands that two of the more important times that residents need to be notified of pending changes to the zoning regulations are when the Planning and Zoning Commission or the Board of Adjustment holds a public hearing on an issue presented to them related to a specific property; and

WHEREAS, City Council finds it to be in the best interest of the citizens of the City of Spring Valley Village, Texas to require placement of signage on property subject to a

public hearing before the Planning and Zoning Commission or the Board of Adjustment as set forth below;

NOW, THEREFORE:

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. This ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the regulations, restrictions, terms and conditions provided for herein.

Section 3. Section 01:03:02, Board of Adjustment, of Subsection 01:03, Other Administrative Duties of the City of Spring Valley in Executing this Comprehensive Zoning Ordinance of Section One, Purpose and Administration, of Exhibit "A" of Chapter 12 Planning and Zoning, of the City's Code of Ordinances is hereby amended by deleting therefrom the language struck through below and adding thereto the language underscored below to read as follows:

~~"Board of Adjustment. The Board of Adjustment shall have the authority to grant Variances, Special Exceptions, and hear and decide appeals from any decision, determination or interpretation by the Office of the Building Official with respect to the provisions of this Comprehensive Zoning Ordinance. The Board shall also have the powers granted by and shall be controlled by the provisions of Chapter 211, Texas Local Government Code.~~

~~In exercising these powers, the Board of Adjustment shall give public notice of the hearing on same, and shall mail notices for such hearing, not less than fifteen (15) days prior to the date thereof, to the applicant for Special Exception or Variance and to the owners of property lying within two hundred (200) feet of any point of the Lot or tract of land or portion thereof, upon which a Variation or Special Exception to the provisions of this Ordinance is sought, and to all other owners and persons as shall be determined by the Board of Adjustment, and this provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Board of Adjustment in the United States mail. The Board of Adjustment shall adopt rules or procedures in accordance with the provisions of the Revised Civil Statutes of the State of Texas. The particular provisions governing appointment and membership on the Board of Adjustment, operating procedures, and elaboration of its express powers are set forth in Appendix One of this Ordinance and incorporated herein for all purposes.~~

“01:03:02 Board of Adjustment. The Board of Adjustment shall have the authority to grant variances, special exceptions, and hear and decide appeals from any decisions, determination or interpretation by the Office of the Building Official with respect to the provisions of this Comprehensive Zoning Ordinance. The Board shall also have the powers granted by and shall be controlled by the provisions of Chapter 211, Texas Local Government Code. The Board of Adjustment shall adopt rules or procedures in accordance with the provisions of the Revised Civil Statutes of the State of Texas. The particular provisions governing appointment and membership on the Board of Adjustment, operating procedures, and elaboration of its express powers are set forth in Appendix One of this Ordinance and incorporated herein for all purposes.

01:03:02:01 In exercising its powers, the Board of Adjustment shall give public notice of the hearing on the applications for variances or special exceptions. Public notice of hearings held before the Board of Adjustment, unless otherwise required by law, shall be provided as follows:

01:03:02:01:01 Mailing. Not less than fifteen (15) calendar days prior to the date of the public hearing, the Board of Adjustment shall mail written notice of the public hearing to each owner, as indicated by the most recent approved municipal tax roll, of real property lying within two hundred (200) feet of any point of the lot or tract of land or portion thereof, upon which a variance or special exception to the provisions of this Ordinance is sought, and to all other owners or persons as shall be determined by the Board of Adjustment. The mailed notice shall be given by U.S. mail, and shall be in letter form stating: (1) the time and place of the hearing; (2) a general description of the proposal; and (3) the legal description and general street location of the property subject to the public hearing; and (4) and a statement explaining that the public may be heard at the public hearing. This provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Board of Adjustment in the United States mail. Failure to receive mailed notice shall not invalidate any action taken on the application.

01:03:02:01:02 Posting of signs. Notice of required public hearings on applications for a variance or special exception (zoning change) shall also be provided by way of a sign posted at least fourteen (14) calendar days before the date of the public hearing on the property that is the subject of the application. The applicant shall be responsible for posting the required zoning change signage and for maintaining the required signage throughout the zoning change process.

Sign Design

- Signs shall be 4 feet by 4 feet.
- Signs shall be constructed in accordance with the City's design standards and verbiage for zoning signs which shall be provided to the applicant.
 - Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - Lettering on both sides of the sign.
 - Metal or wood posts shall be used.
 - Must include the City of Spring Valley Village official logo with a minimum size of 1 foot
 - Capital letters on the sign shall be no smaller than 3 inches tall using the bold Arial font style.

Sign Placement

- One sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street, with a maximum of three (3) signs required per street frontage.
- Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.
- Signs shall be no greater than twenty feet (20') from the property line and shall be a minimum of two feet (2') off the ground, unless otherwise directed by the Building Official or his/her designee.
- Signs shall be placed perpendicular to the roadway to enable reading from both sides.
- Signs shall be located so that the lettering is visible and may be clearly read from the street

Proof of Posting

- The applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing. **Failure to post the sign(s) a minimum of fourteen (14) calendar days prior to the public hearing by the Board shall result in the postponement of the zoning change consideration by the Board.** The applicant shall be subject

to an additional fee to republish and/or re-notify due to such postponement.

- The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- A minimum of seven (7) calendar days prior to the public hearing, the applicant shall file an affidavit, on a form provided by the city, with the Building Official verifying that the sign(s) was posted as required by this section.
- The provisions of this section shall not apply to any application initiated by the Board or the City Council.

Sign Maintenance.

- The applicant shall be responsible for maintaining all signs on the subject property throughout the zoning change process. The City of Spring Valley Village is not responsible for monitoring the required zoning change signs. Should the City of Spring Valley Village discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, the City of Spring Valley Village shall contact the applicant to investigate and, if needed, correct the situation. An affidavit from the applicant certifying that the applicant has corrected the sign(s) shall indicate that the intent of the posting requirement was met. Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to replace damages or missing signs upon notification.

Removal of Signs

- The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the Board.
- Failure to remove zoning signs within such timeframe will result in the issuance of a citation per sign and per day until removed.”

Section 4. Section 01:04:03, Public Hearing, Planning and Zoning Commission, of Subsection 01:04, Amendments of Section One, Purpose and Administration, of Exhibit “A” of Chapter 12 Planning and Zoning, of the City’s Code of Ordinances is hereby amended by deleting therefrom the language struck through below and adding thereto the language underscored below to read as follows:

~~“01:04.03 Public Hearing-Planning and Zoning Commission. The planning and Zoning Commission shall make a preliminary report and hold a public hearing thereon before submitting its final report. Written notice of all public hearings before the planning and Zoning Commission on proposed~~

~~changes in classification shall be sent to owners of real property lying within two hundred feet (200') of the property on which the change in classification is proposed, such notice is to be given not less than ten (10) days before the date set for hearing to all such owners who have rendered their said property for City taxes as the ownership appears on the last approved City tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the City post office.~~

"01:04:03 Public Hearing – Planning and Zoning Commission. The Planning and Zoning Commission shall make a preliminary report and hold a public hearing on zoning changes before submitting its final report to the City Council. The Commission shall give public notice of the hearing on an application for zoning change. Public notice of hearings held before the Planning and Zoning Commission, unless otherwise required by law, shall be provided as follows:

01:04:03:01 Mailing. Not less than ten (10) calendar days prior to the date of the public hearing, the Planning and Zoning Commission shall mail written notice of the public hearing to each owner, as indicated by the most recent approved municipal tax roll, of real property lying within two hundred (200) feet of any point of the lot or tract of land or portion thereof, upon which a change to the provisions of this Ordinance is sought. The mailed notice shall be given by U. S. mail, and shall be in letter form stating: (1) the time and place of the hearing; (2) a general description of the proposal; and (3) the legal description and general street location of the property subject to the public hearing; and (4) and a statement explaining that the public may be heard at the public hearing. This provision for notice by mailing shall be deemed to have been substantially complied with when such written notice shall have been placed by the Planning and Zoning Commission in the United States mail. Failure to receive mailed notice shall not invalidate any action taken on the application.

01:04:03:02 Posting of signs. Notice of required public hearings on applications for a zoning change shall also be provided by way of a sign posted at least fourteen (14) calendar days before the date of the public hearing before the Planning and Zoning Commission on the property that is the subject of the application. The applicant shall be responsible for posting the required zoning change signage and for maintaining the required signage throughout the zoning change process.

Sign Design

- Signs shall be 4 feet by 4 feet.
- Signs shall be constructed in accordance with the City's design standards and verbiage for zoning signs which shall be provided to the applicant.
 - Two (2) sided ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - Lettering on both sides of the sign.
 - Metal or wood posts shall be used.
 - Must include the City of Spring Valley Village official logo with a minimum size of 1 foot.
 - Capital letters on the sign shall be no smaller than 3 inches tall using the bold Arial font style.

Sign Placement

- One sign shall be erected by the applicant adjacent to each street frontage on the property that is the subject of the application and for each two hundred feet (200') of frontage along a street, with a maximum of three (3) signs required per street frontage.
- Signs shall be placed in a location on private property and clearly visible from all streets adjacent to the property included in the application.
- Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application.
- Signs shall be no greater than twenty feet (20') from the property line and shall be a minimum of two feet (2') off the ground, unless otherwise directed by the Building Official or his/her designee.
- Signs shall be placed perpendicular to the roadway to enable reading from both sides.
- Signs shall be located so that the lettering is visible and may be clearly read from the street.

Proof of Posting

- The applicant shall erect the sign(s) on the property that is the subject of the application a minimum of fourteen (14) calendar days immediately preceding the date of the public hearing. Failure to post the sign(s) a minimum of fourteen (14) calendar days prior to the public hearing by the Commission shall result in the postponement of the zoning change consideration by the Commission. The applicant shall be subject to an additional fee to republish and/or re-notify due to such postponement.

- The applicant is responsible for maintaining the sign(s) on the property throughout the review process.
- A minimum of seven (7) calendar days prior to the public hearing before the Commission, the applicant shall file an affidavit, on a form provided by the city, with the Building Official verifying that the sign(s) was posted as required by this section.
- The provisions of this section shall not apply to any application initiated by the Commission.

Sign Maintenance.

- The applicant shall be responsible for maintaining all signs on the subject property throughout the zoning change process. The City of Spring Valley Village is not responsible for monitoring the required zoning change signs. Should the City of Spring Valley Village discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, the City of Spring Valley Village shall contact the applicant to investigate and, if needed, correct the situation. An affidavit from the applicant certifying that the applicant has corrected the sign(s) shall indicate that the intent of the posting requirement was met. Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to replace damages or missing signs upon notification.

Removal of Signs

- The applicant shall be responsible for removing the sign(s) from the property within seven (7) calendar days of the final action on the application by the City of Spring Valley Village.
- Failure to remove zoning signs within such timeframe will result in the issuance of a citation per sign and per day until removed."

Section 4. 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 Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any 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 5. Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 6. This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with section 52.011 of the Texas Local Government Code.

ADOPTED this ____ day of _____, 2019.

Tom Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas