



**Planning & Zoning
Commission Meeting
June 11, 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, June 11, 2019 at 7:00 P.M.

- 1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT**
- 2. APPROVAL OF MEETING MINUTES:** Regular Meeting on May 14, 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 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

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 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.
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 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 A MINIMUM SETBACK OF THIRTY EIGHT FEET (38’) FOR GARAGES FACING WESTVIEW; 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 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 A MINIMUM SETBACK OF THIRTY EIGHT FEET (38’) FOR GARAGES FACING WESTVIEW; 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. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Changing the Date of the Planning & Zoning Commission Meeting for December.
8. **DISCUSSION AND DIRECTION CONCERNING:** The Activities of the City Council During the May 21, 2019 Meeting Regarding Planning & Zoning Commission Matters.
9. **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 5th day of June, 2019 at 10:30 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, May 14, 2019

1. **The Planning & Zoning Commission meeting was called to order by Chair Trey Hoffman at 7:00 p.m. in the Council Chambers of City Hall, 1025 Campbell Road, Houston, Texas.**

Planning & Zoning Members present:

Trey Hoffman, Chair
Anne-Marie McMichael
Charlie Calderwood – arrived at 7:05 p.m.
Maryellen McGlothlin
Patrick Johnson
Louise Richman
Amy Winstead
John Lisenby, alternate

A quorum was present.

City Officials present:

Loren Smith, City Attorney
Oscar Arevalo, Building Official

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

Ms. McGlothlin made the motion to approve the minutes. Ms. McMichael seconded the motion. The motion carried 7 to 0, with Mr. Lisenby participating in the vote in light of Mr. Calderwood's absence until 7:05 p.m.

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 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 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

Mr. Hoffman introduced the item and opened the public hearing at 7:04 p.m. Tony Allender had reviewed the draft ordinance and said that it summarizes well what transpired at the March 12, 2019 Planning and Zoning meeting.

Mr. Hoffman asked for speakers from the audience. Janet Hernandez, 8602 Lupton said her house faces Lupton and was wondering about the masonry fence requirement. Kendall Crawford, 8601 Lupton said that his driveway has been on Bingle Road since 1952. John Kocurek, 1432 Bingle Road commented that the ordinance was moving in the right direction and that it should be applied everywhere in the city. Mr. Smith said that the ordinance would apply only to new construction and remodels greater than 50%. He also said that safety was a concern and that is why in the ordinance driveways will no longer be allowed to come off of Bingle Road and that side fences on Bingle Road must be masonry.

Mr. Hoffman closed the public hearing at 7:10 p.m.

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 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 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.

Mr. Hoffman explained the ordinance. Side setbacks are not included in this ordinance as there are no changes to the side setback distances. On page 2, Section 2, the front setback line goes to 25 feet from 40 feet. Mr. Hoffman explained that the 38 feet garage setback requirement is so that two cars could be lined up back to front and not impede on the sidewalk. He noted that in the section, “lots adjoining Westview Drive” it does not specify a starting measurement point and the 36 feet and 38 feet could be confusing.

Mr. Calderwood had several questions and comments. How was the 38 feet garage measurement determined; answer from Mr. Hoffman, a standard length of a Suburban is 19 feet times two equals 38 feet. Existing homes with the garage(s) out front are a setback issue. As this ordinance eliminates for new construction, driveways coming out onto a major thoroughfare from a house that faces a minor street, is not the city reducing the value of current lots with this ordinance. Ms.

Richman noted that Bingle was a two lane road when these houses were built. Mr. Lisenby said that it is always best to have egress and ingress off of minor streets versus major thoroughfares. Ms. McMichael asked why there could not be an amendment changing 36 feet to 38 feet. Mr. Smith said because that pertains to Westview and that ordinance has already been adopted. Mr. Smith will do cleanup on the 36 feet and 38 feet. Mr. Calderwood said that the city is getting more sidewalks and does this ordinance give enough setback for two cars. Mr. Hoffman and Mr. Smith said this ordinance pertains only for Bingle Road and for Campbell Road. Mr. Arevalo said that sidewalks are typically in the right of way. Mr. Smith asked about how to project future sidewalks. Mr. Allender said if one goes to the inside edge of property line, it is covered. Mr. Johnson had concerns about where to measure from. Mr. Smith will add some clarifying language.

Mr. Calderwood made the motion to approve the ordinance. Ms. McMichael seconded the motion. The motion carried 7 to 0.

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

Mr. Hoffman opened the public hearing at 7:37 p.m. Mr. Smith said that this item came as a request from City Council as part of improving communications for zoning changes and would include residential. Signs that announce the public hearings would stay up through Planning and Zoning and City Council public hearings. The size of signs at 4 feet by 4 feet is what other cities typically use. Mr. Hoffman asked if there was any discussion about the size of a project and its cost and who would pay for the signs. Mr. Calderwood said he was for the ordinance. There were no speakers from the public. Mr. Hoffman closed the public hearing at 7:45p.m.

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.

Mr. Calderwood is for the ordinance. Ms. McMichael asked why the city would not supply standard signs. She considers that the notification and intent are good. There is a lot of onus on the homeowner to supply signs. Mr. Smith said there would be different signs for different projects. Mr. Johnson said it was good to provide signs for residential. Mr. Calderwood was concerned about the cost, burden and rationale. Ms. Richman was not in favor of the residential signs. Ms. McMichael mentioned variance and zoning changes for residential. Mr. Lisenby said some residents would not know. Mr. Hoffman said it will insure compliance if city does it for residential. The Planning and Zoning Commissioners were not ready to take a vote on this item and felt it needed more time for discussion. Mr. Smith will take comments to City Council.

No vote was taken.

- 7. Discussion and direction concerning:** the activities of the City Council during the April 23, 2019 meeting regarding Planning & Zoning Matters.

Mr. Smith reported that there was no action taken as there had not been a Planning and Zoning meeting on April 9, 2019.

- 8. Adjournment**

Ms. McMichael made a motion to adjourn. Mr. Calderwood seconded the motion. The motion carried 7-0. The meeting was adjourned at 7:59 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: June 11, 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.
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BACKGROUND:	During the May 14, 2019 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. During the meeting, the Commission requested the following revisions to the proposed regulations: (1) The regulations with regard to the size and construction of the signage be made applicable to zoning matters involving non-residential properties only; and (2) The signs for residential properties shall be provided by the City. The residents shall be responsible for obtaining the signs
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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**

	from the City and ensuring placement and removal pursuant to the ordinance. Each of the revisions has been incorporated into the proposed Ordinance and are highlighted in yellow in the document provided with this agenda item. Once the Commission has approved the final regulations for the signage, the Zoning Signage Criteria Submittal Packet will be updated to incorporate the revisions.
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RECOMMENDATION:	Not applicable for Public Hearing
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ATTACHMENTS:	- Ordinance No. 2019-XX - Copy of Public Hearing Notice - Constant Contact and Social Media Post Dated May 31, 2019 - Copy of Letter Dated May 28, 2019 to All Residents Concerning Zoning Text Amendment
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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:	
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SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Loren Smith, City Attorney	

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.

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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 on the property that is the subject of the application in accordance with the requirements set forth herein. 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 for non-residential property. The following standards shall apply to non-residential property:

- 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.

Signs for residential properties shall be obtained from the City Secretary's Office.

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

- On non-residential property, 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. On residential property, the applicant shall erect the sign(s) on the property that is the subject of the application a minimum of seven (7) calendar days immediately preceding the date of the public hearing. Failure to post the sign(s) for the time periods specified 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 on the property that is the subject of the application in accordance with the requirements set forth herein. 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 for non-residential property. The following standards shall apply to non-residential property:

- 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.

Signs for residential properties shall be obtained from the City Secretary's Office.

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

- On non-residential property, 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. On residential property, the applicant shall erect the sign(s) on the property that is the subject of the application a minimum of seven (7) calendar days immediately preceding the date of the public hearing. Failure to post the sign(s) for the time periods specified shall result in the postponement of the zoning change consideration by the Commission or City Council. 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 or City Council, 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 or City.

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

**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, June 11, 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, June 25, 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

For Constant Contact/social media post on May 31, 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 – June 11, 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 June 11, 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, June 6, 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 June 25, 2019.

DIVIDER PAGE



EST. 1955

SPRING VALLEY VILLAGE

May 28, 2019

Dear Property Owner:

On Tuesday, **June 11, 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 **June 25, 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

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

MEETING DATE: June 11, 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# _____

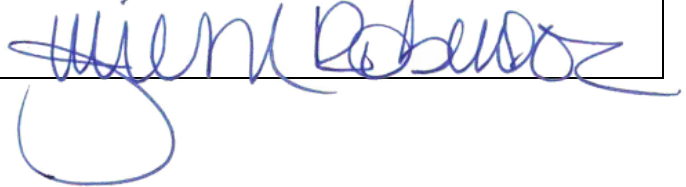
FINANCE VERIFICATION OF FUNDING:



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 on the property that is the subject of the application in accordance with the requirements set forth herein. 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 for non-residential property. The following standards shall apply to non-residential property:

- 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.

Signs for residential properties shall be obtained from the City Secretary's Office.

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.
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- 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

- On non-residential property, 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. On residential property, the applicant shall erect the sign(s) on the property that is the subject of the application a minimum of seven (7) calendar days immediately preceding the date of the public hearing. **Failure to post the sign(s) for the time periods specified 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.

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- 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.

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~~“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.~~

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- The provisions of this section shall not apply to any application initiated by the Commission or City.

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

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

MEETING DATE: June 11, 2019

TOPIC:	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 A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; 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 May 11, 2019 meeting, the Planning and Zoning Commission requested that a requirement be placed in the ordinance that required a minimum setback of thirty-eight feet (38') for garages that front on Westview Drive. The proposed Ordinance incorporates the 38 foot setback for garages that front on Westview Drive and will make the regulations consistent with those on Bingle and Campbell Roads.
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 Road
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

ACTIONS TAKEN

APPROVAL ☐ YES ☐ NO	READING PASSED	OTHER
--	------------------------------	---------------------

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

\$ _____ added to Expenditure Acct/Project# _____

FINANCE VERIFICATION OF FUNDING:

Jim Kelley

SUBMITTING STAFF MEMBER:

Loren Smith, City Attorney

CITY ADMINISTRATOR APPROVAL:

Wendy Robison

[Signature]

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 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 A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; 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 require a minimum setback of thirty-eight (38') for garages facing Westview Drive;

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 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 eight feet (368') from the inside edge of any public sidewalk nearest the associated front property line."

Section 3. 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 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 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. 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 6. 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 A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; 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, June 11, 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, June 25, 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

May 28, 2019

Dear Property Owner:

On Tuesday, **June 11, 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 garage setbacks for properties located along Westview Drive. 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 **June 25, 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

Anthony Wegmann
8423 Westview Drive
Houston, Texas 77055

Harry & Oralia Burks
8427 Westview Drive
Houston, Texas 77055

Nancy & Michael Rosenthal
8431 Westview Drive
Houston, Texas 77055

Guillaume & Bridgette Penel
8435 Westview Drive
Houston, Texas 77055

Victoria Harter & Phyllis Spisak
Family Trust
8439 Westview Drive
Houston, Texas 77055

Dustin Nguyen
8440 Westview Drive
Houston, Texas 77055

Current Owner
8443 Westview Drive
Houston, Texas 77055

Marc & Michelle Williams
8444 Westview Drive
Houston, Texas 77055

Gary Alfred
8448 Westview Drive
Houston, Texas 77055

Hal Green & Sherri Hooper
8502 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8502 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

Hal Green & Sherri Hooper
1508 Park Street
Houston, Texas 77019-5324

James Carothers
8506 Westview Drive
Houston, Texas 77055

James Zoes
8510 Westview Drive
Houston, Texas 77055

Humberto Leniek
8518 Westview Drive
Houston, Texas 77055

Current Owner
8521 Westview Drive
Houston, Texas 77055

Huong & Tuan Vo
8522 Westview Drive
Houston, Texas 77055

Julio Garay
8601 Westview Drive
Houston, Texas 77055

Stephen Kubik
8602 Westview Drive
Houston, Texas 77055

Elaine Hess
8605 Westview Drive
Houston, Texas 77055

Zenobia Martin
8606 Westview Drive
Houston, Texas 77055

James Young
8609 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8609 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

James Young
605 County Road 2540
Meridian, Texas 76665-4739

Michael & Maria Omer
8610 Westview Drive
Houston, Texas 77055

Ava Lewcun
8613 Westview Drive
Houston, Texas 77055

Current Owner
8614 Westview Drive
Houston, Texas 77055

EBS Investments LTD
8617 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8617 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

EBS Investments LTD
8445 Merlin Drive
Houston, Texas 77055

Irina Lavrentieva &
Sanjay Upmanyu
8618 Westview Drive
Houston, Texas 77055

Nadia & Douglas Knutzen
8620 Westview Drive
Houston, Texas 77055

Ketan & Bhavini Patel
8621 Westview Drive
Houston, Texas 77055

George Zoes
8701 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8701 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

George Zoes
P O Box 55721
Houston, Texas 77255

Marica Gassoway
8702 Westview Drive
Houston, Texas 77055

Marisela & Skipper Burrows
8705 Westview Drive
Houston, Texas 77055

Ming Yue & Min Xu
8706 Westview Drive
Houston, Texas 77055

John Rogers
8708 Westview Drive
Houston, Texas 77055

Mehmet & Crystal Bayanay
8709 Westview Drive
Houston, Texas 77055

Nancy Barton
8713 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8713 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

Nancy Barton
608 Crown Colony Drive
Arlington, Texas 76006-3600

Andrew & Sandra Irving
8714 Westview Drive
Houston, Texas 77055

Sandra Selmser
8717 Westview Drive
Houston, Texas 77055

Current Owner
8718 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8718 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

Current Owner
24730 Top Mark Court
Katy, Texas 77494

Alice Burroughs
8721 Westview Drive
Houston, Texas 77055

Ronald Nelson
8814 Westview Drive
Houston, Texas 77055

**THIS NOTICE IS IN REGARDS
TO PROPERTY LOCATED AT:
8814 WESTVIEW DRIVE
HOUSTON, TEXAS 77055**

Ronald Nelson
3803 Westerdale Drive
Fulshear, Texas 77441

Timothy & Elizabeth Conroy
8817 Westview Drive
Houston, Texas 77055

William & Denise Wilborn
8818 Westview Drive
Houston, Texas 77055

Edward Kelly
8819 Westview Drive
Houston, Texas 77055

Anne Kuo & Thong Phan
8821 Westview Drive
Houston, Texas 77055

Philip & Lisa Speros
8822 Westview Drive
Houston, Texas 77055

Current Owner
8825 Westview Drive
Houston, Texas 77055

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

MEETING DATE: June 11, 2019

TOPIC:	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 A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; 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:	At the May 14, 2019 meeting, the Commission determined that the language setting out the garage setbacks on Westview Drive should mirror the language for the garage setbacks on Bingle and Campbell Roads. Accordingly, this ordinance changes the Westview Drive garage setback requirements to match those on Bingle and Campbell Roads.
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

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 A MINIMUM SETBACK OF THIRTY EIGHT FEET (38') FOR GARAGES FACING WESTVIEW; 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 require a minimum setback of thirty-eight (38') for garages facing Westview Drive;

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 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 eight feet (368') from the inside edge of any public sidewalk nearest the associated front property line."

Section 3. 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 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 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. 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 6. This Ordinance shall become effective upon passage, in accordance with law.

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

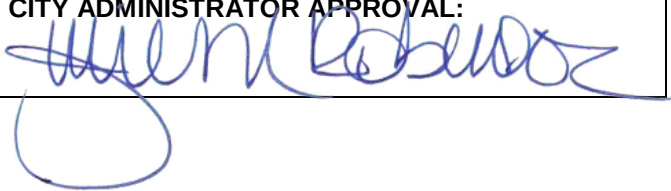
Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

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

**Spring Valley Village
Planning & Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: June 11, 2019

TOPIC:	Changing the Date of the Planning & Zoning Commission Meeting for December.
BACKGROUND:	Planning & Zoning Commission meetings are normally held on the 2nd Tuesday of every month. Based on the regular meeting schedule, the date for the December Commission meeting would be December 10, 2019. However, on May 21, 2019, the City Council changed their meeting date for December to the same date as the Commission's regular meeting due to the holidays. In the event that a re-plat or zoning case is filed that would need to be considered in December, it is recommended that the Commission determine an alternate date for December for scheduling purposes. Possible alternate dates include: • December 3rd • December 17th
RECOMMENDATION:	None
ATTACHMENTS:	• None
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:	CITY ADMINISTRATOR APPROVAL:
Roxanne Benitez, City Secretary	

ACTIONS TAKEN		
APPROVAL ☐ YES ☐ NO	READINGS PASSED ☐ 1 st ☐ 2 nd ☐ 3 rd	OTHER