

Bobby Warren, Mayor  
Drew Wasson, Council Position No. 1  
Sheri Sheppard, Council Position No. 2  
Michelle Mitcham, Council Position No. 3  
James Singleton, Council Position No. 4  
Jennifer McCrea, Council Position No. 5



Austin Bless, City Manager  
Lorri Coody, City Secretary  
Justin Pruitt, City Attorney

## Jersey Village City Council - Regular Meeting Agenda

Notice is hereby given of a Regular Meeting of the City Council of the City of Jersey Village to be held on Wednesday, May 17, 2023, at 7:00 p.m. at the Civic Center Auditorium, 16327 Lakeview Drive, Jersey Village, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. A quorum of the City Council will be physically present at the meeting; however, some Council Members may participate in the meeting via videoconference call. The City Council reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

### **A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT**

### **B. INVOCATION, PLEDGE OF ALLEGIANCE**

1. Prayer and Pledge by: Drew Wasson

### **C. PRESENTATIONS**

1. Presentation of Outstanding Citizen Award to Patrick Mitcham. *Mark Bitz, Fire Chief*

### **D. ELECTION ITEMS**

1. Discussion with possible action to consider Ordinance No. 2023-11, canvassing the returns and declaring the results of the General Election held on May 06, 2023, for the purpose of electing a Mayor and two City Council Members (Place 2 and Place 3). *Bobby Warren, Mayor*
2. Issuance of Certificate of Election to Newly Elected Officials. *Lorri Coody, City Secretary*
3. Administer Oath of Office to Elected and newly Appointed Officials. *Lorri Coody, City Secretary*

### **E. JOINT PUBLIC HEARINGS**

1. Conduct a Joint Public Hearing with the Jersey Village Planning and Zoning Commission for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend Chapter 14 "Building and Development", by amending Sections 14-100 through 14-104 to allow for updates to residential development standards; and the proposal to amend Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards. *Mayor*

**F. CITIZENS' COMMENTS**

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their comments to the City Council. *Mayor*

**G. CITY MANAGER'S REPORT**

1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – March 2023, General Fund Budget Projections as of April 2023, and Utility Fund Budget Projections – April 2023
2. Fire Departmental Report and Communication Division's Monthly Report
3. Police Department Monthly Activity Report, Warrant Report, Staffing/Recruitment Report, and Police Open Records Requests
4. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Speeding and Stop Sign Citations within Residential Areas Report, and Court Proceeds Comparison Report
5. Public Works Departmental Status Report
6. Golf Course Monthly Report, Golf Course Financial Statement Report, Golf Course Budget Summary, and Parks and Recreation Departmental Report
7. Code Enforcement Report

**H. CONSENT AGENDA**

The following items are considered routine in nature by the City Council and will be enacted with one motion and vote. There will not be separate discussion on these items unless requested by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

1. Consider approval of the Minutes for the Regular Session Meeting held on April 17, 2023, and the Special Session Meeting held on April 24, 2023. *Lorri Coody, City Secretary*

**I. REGULAR AGENDA**

1. Consider Resolution No. 2023-17, appointing an alternate non-voting member to alternate position A3 on the Parks and Recreation Advisory Committee for the unexpired term ending September 30, 2023. *Lorri Coody, City Secretary*
2. Consider Resolution 2023-18, authorizing applications for the Harris County CDBG-MIT Program. *Austin Bleess, City Manager*
3. Consider Resolution 2023-19, stating the intent to annex a certain area of land into the corporate limits of the City, describing the area of land to be annexed, and describing the services to be provided to the area of land upon annexation. *Austin Bleess, City Manager*
4. Consider Resolution No. 2023-20, receiving the Planning and Zoning Commission's Final Report concerning the proposal to amend Chapter 14 "Building and Development", by amending Sections 14-100 through 14-104 to allow for updates to residential development standards. *Rick Faircloth, Planning and Zoning Commission Chairperson*
5. Consider Resolution No. 2023-21, receiving the Planning and Zoning Commission's Final Report concerning the proposal to amend Chapter 14 "Building and Development" by

amending Section 14-5 Definitions, Section 14-11 General Penalty, Continuing Violations, Section 14-88 Regulations applying to all Districts, Sections 105 thru 110 Commercial Use Regulations, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Landscaping Standards in order to allow for updates to commercial development standards. *Rick Faircloth, Planning and Zoning Commission Chairperson*

6. Consider Ordinance No. 2023-12, amending Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards. *Lorri Coody, City Secretary*
7. Consider Ordinance No. 2023-13, amending Chapter 14 “Building and Development”, by amending Section 14-5 “Definitions” to update the definitions used in Chapter 14; adding a Section 14-11 “General Penalty; Continuing Violations” to provide penalties for violations of Chapter 14; amending Section 14-88 “Regulations that apply to all Districts” to provide general commercial use regulations; amending Sections 14-105 through 14-110 to provide commercial use regulations; amending Section 14-244(b)(1)c regarding exceptions to required sign permits; amending Sections 14-252(2)b.1(a) and 14-252(2)c.1 regarding signs in commercial zones; amending Section 14-283 regarding off street parking standards; amending Section 14-309 regarding landscaping in commercial zones. *Lorri Coody, City Secretary*

#### **J. MAYOR AND COUNCIL COMMENTS**

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make a reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

#### **K. RECESS THE REGULAR SESSION**

**Recess the Regular Session to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.087 Deliberation Regarding Economic Development Negotiations, Sections 551.072 – Deliberations about Real Property and 551.071 – Consultations with Attorney.**

#### **L. EXECUTIVE SESSION**

1. Pursuant to the Texas Open Meeting Act Section 551.087 Deliberation Regarding Economic Development Negotiations, Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney a closed meeting to deliberate information from a business prospect that the City seeks to locate in Jersey Village TIRZ

Number 2 and economic development negotiations, including the possible purchase, exchange or value of real property, related thereto. *Austin Bleess, City Manager*

- 2. Pursuant to the Texas Open Meeting Act Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney, a closed meeting to deliberate the potential and possible sale, exchange or value of real property, located within TIRZ 3. *Austin Bleess, City Manager*

**M. ADJOURN EXECUTIVE SESSION**

**Adjourn the Executive Session, stating the date and time the Executive Session ended and Reconvene the Regular Session.**

**N. RECONVENE THE REGULAR SESSION**

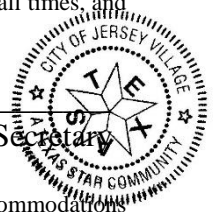
- 1. Discuss and take appropriate action on items discussed in the Executive Session regarding information from a business prospect that the City seeks to locate in Jersey Village TIRZ Number 2 and economic development negotiations, including the possible purchase, exchange or value of real property, related thereto. *Austin Bleess, City Manager*
- 2. Consider Resolution No. 2023-22, approving the sale of land in Tax Increment Reinvestment Zone Number 3 and authorizing the City Manager to sign any necessary documents to complete the sale. *Austin Bleess, City Manager*

**O. ADJOURN**

**CERTIFICATION**

I, the undersigned authority, do hereby certify in accordance with the Texas Open Meeting Act, the Agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located at City Hall, 16327 Lakeview, Jersey Village, TX 77040, a place convenient and readily accessible to the general public at all times, and said Notice was posted on May 11, 2023 at 5:00 p.m. and remained so posted until said meeting was convened.

\_\_\_\_\_  
Lorri Coody, TRMC, City Secretary



In compliance with the Americans with Disabilities Act, the City of Jersey Village will provide for reasonable accommodations for persons attending City Council meetings. Request for accommodation must be made to the City Secretary by calling 713 466-2102 forty-eight (48) hours prior to the meetings. Agendas are posted on the Internet Website at [www.jerseyvillage.info](http://www.jerseyvillage.info).

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**B. INVOCATION, PLEDGE OF ALLEGIANCE**

1. Prayer and Pledge by: Drew Wasson, Council Member Place 1

**CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM:** C1

**AGENDA SUBJECT:** Outstanding Citizen Award

**Dept./Prepared By:** Mark Bitz, Fire Chief

**Date Submitted:** May 8, 2023

**EXHIBITS:** Outstanding Citizen Award

**BACKGROUND INFORMATION:**

On April 12, 2023, a medical emergency occurred in the 16000 block of Dillard just outside the Senate Avenue Brewery doors. Construction work was occurring on the second floor above Senate Avenue Brewery. While sitting inside the brewery, studying and minding his own business, a construction worker on the roof of this building fell off the roof. A worker in the store told Mr. Patrick Mitcham of the situation. Without hesitation, Mr. Mitcham left his seat, grabbed a medical bag and quickly made his way to the person in distress. Upon arrival, the area was not calm and was a horrific site. Other Bystanders watched as Mr. Patrick Mitcham began to control the scene. He calmed the bystanders, he checked for a pulse, and then began CPR to help sustain this individual's life. Although the construction succumbed to his injuries later at the hospital, it is this selfless act of kindness and heroism that we present the Outstanding Citizen Award to Mr. Patrick Mitcham.

**RECOMMENDED ACTION:** Present Award

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**

# OUTSTANDING CITIZEN AWARD



PRESENTED TO

**PATRICK MITCHAM**



JERSEY VILLAGE FIRE DEPARTMENT

IS PLEASED TO HONOR

PATRICK MITCHAM

FOR HIS SELFLESS ACT IN AN ATTEMPT

TO SAVE A FELLOW HUMAN'S LIFE.

APRIL 12, 2023



PRESENTED THIS 17<sup>TH</sup> DAY OF MAY 2023

**CITY COUNCIL - CITY OF JERSEY VILLAGE, TEXAS - AGENDA REQUEST**

**AGENDA DATE:** May 17, 2023                      **AGENDA ITEM:** D1

**AGENDA SUBJECT:** Discussion with possible action to consider Ordinance No. 2023-11, canvassing the returns and declaring the results of the General Election held on May 06, 2023, for the purpose of electing a Mayor and two City Council Members (Place 2 and Place 3).

**Department/**  
**Prepared By:** Lorri Coody, City Secretary                      **Date Submitted:** May 7, 2023

**EXHIBITS:** Ordinance No. 2023-11  
2023 Precinct Returns – Not available at time of Packet Distribution  
2023 Cumulative Report – Not available at time of Packet Distribution  
2023 Canvass Report – Not available at time of Packet Distribution  
Summary of Precinct Returns  
Script for Canvass

**BACKGROUND INFORMATION:**

The canvass is an official meeting of the canvassing authority (city council) for the purpose of making the election results official. The duty to conduct the canvass is a mandatory, ministerial duty and not subject to the discretion of the governing body.

Pursuant to the Texas Election Code Section 67.004, the procedure for canvass is as follows:

1. The precinct returns shall be delivered sealed to the authority.
2. The authority shall open the returns and canvass them by:
  - a. preparing a tabulation stating for each candidate and for and against each measure:
    - i. the report of early voting votes by precinct;
    - ii. the total number of votes received; and
    - iii. the sum of the precinct totals.

Given that we contracted with Harris County to conduct our election, they will not have the Precinct Returns ready by the time this packet is delivered. We have been told that the Precinct Return will be ready by May 15 but no later than May 17. Once the Precinct Return has been received, the City’s website will be updated with this information in accordance with the Election Code.

A summary of the Precinct Return information will be included with Ordinance 2023-11 in order that the Ordinance indicates the votes cast for each of the candidates.

Once Ordinance No. 2023-11 has been approved and adopted declaring the returns official, a certificate of election will be presented by the Mayor to each of the elected candidates.

**RECOMMENDED ACTION:**

**MOTION:** To approve Ordinance No. 2023-11, canvassing the returns and declaring the results of the General Election held on May 06, 2023, for the purpose of electing a Mayor and two City Council Members (Place 2 and Place 3).

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023



**ORDINANCE NO. 2023-11**

**AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 06, 2023, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO CITY COUNCIL MEMBERS (PLACE 2 AND PLACE 3).**

\* \* \* \* \*

**WHEREAS**, a general municipal election was held in the City of Jersey Village, Texas, on May 06, 2023, for the purpose of electing a Mayor and two council members; and

**WHEREAS**, said election was duly and legally held in conformity with the election laws of the State of Texas, and the results of said election have been verified and returned by the proper judges and clerks; and

**WHEREAS**, unofficial results show a total of **XXXX** votes were cast in such election; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS;**

**Section 1.** The facts set forth in the preamble of this Ordinance are hereby found to be true and correct and incorporated herein for all purposes.

**Section 2.** The official canvass of the returns of the general election held on May 06, 2023; reflect that the following persons received the number of votes set opposite their names in the respective positions to be filled:

**Mayor**

<b><u>Candidate</u></b>	<b><u>Votes Received</u></b>
Bobby Warren	xxx
James Fields	xxx

**Council Member, Place 2**

<b><u>Candidate</u></b>	<b><u>Votes Received</u></b>
Sheri Sheppard	xxx

**Council Member, Place 3**

<b><u>Candidate</u></b>	<b><u>Votes Received</u></b>
Michelle Mitcham	xxx

**Section 3.** The official canvass of the returns of the general election held on May 06, 2023, reflects that the following persons were duly elected to the respective positions shown:

**Mayor**

Bobby Warren

**Council Member, Place 2**

Sheri Sheppard

**Council Member, Place 3**

Michelle Mitcham

**PASSED, APPROVED AND ADOPTED THIS** 17th day of May 2023.

\_\_\_\_\_  
Bobby Warren, Mayor

**ATTEST:**

\_\_\_\_\_  
Lorri Coody, City Secretary



**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**



# CITY OF JERSEY VILLAGE, TEXAS

16327 Lakeview Drive, Jersey Village, TX 77040

713-466-2102 (office) 713-466-2177 (fax)

## SUMMARY OF RETURNS

I, the undersigned, the presiding officer of the canvassing authority for the General Election, held on the 6<sup>th</sup> day of May 2023, Jersey Village, Texas, do hereby certify that the following is a total of all votes received by each candidate as shown by the precinct returns, with a total of XXX votes polled.

<i>Name of Candidate</i>	<i>Mail</i>	<i>Early</i>	<i>Election Day</i>	<i>Total</i>
<b>Mayor</b>				
Bobby Warren				
James Fields				
<b>Councilmember Place No. 2</b>				
Sheri Sheppard				
<b>Councilmember Place No. 3</b>				
Michelle Mitcham				

DATED, this 17th day of May, 2023

\_\_\_\_\_  
Bobby Warren, Mayor City of Jersey Village



## Mayor's Script for Election Matters

1. Call Election Item #D1 to canvass the votes for the General Election held on May 6, 2023.
2. Open envelope and instruct Council to do the same
3. Review the totals from the Precinct Report to prepare a Tabulation Summary Report
4. Read ALL THE TOTALS from the Summary of the Precinct Report aloud as follows:

<i>Name of Candidate</i>	<i>Mail</i>	<i>Early</i>	<i>Election Day</i>	<i>Total</i>
<b>Mayor</b>				
Bobby Warren				
James Fields				
<b>Councilmember Place No. 2</b>				
Sheri Sheppard				
<b>Councilmember Place No. 3</b>				
Michelle Mitcham				

5. Upon completing the reading, and once members have completed their review of the canvass materials state the following:

The official canvass of the returns of the general election held on May 6, 2023, reflects that the following persons were duly elected to the respective positions:

### Mayor

Bobby Warren

### Council Member, Place 2

Sheri Sheppard

### Council Member, Place 3

Michelle Mitcham

6. Call for a motion to approve Ordinance No. 2023-11 canvassing the returns and declaring the results of the General Election held May 6, 2023 official.
7. After the Ordinance is passed, state the following:  
This completes the canvass of the General Election held on May 06, 2023, for the City Jersey Village with a total of XXX voters.
8. State that the next two items on the agenda (Items 2 and 3) will be taken together.
9. Ask the elected Councilmembers to meet in front of the council dais to receive election certificates and take their oaths, which will be given by the City Secretary.
10. Council Members will be sworn in together.
11. Oaths will be signed.
12. Call the next item on the agenda

**CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST DISCUSSION FORM**

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM:** D2

**AGENDA SUBJECT:** Certificates of Election

**Department/**

**Prepared By:** Lorri Coody

**Date Submitted:** May 7, 2023

**EXHIBITS:**

<b>BUDGETARY IMPACT:</b>	Required Expenditure:	\$	0,000.00
	Amount Budgeted:	\$	0,000.00
	Appropriation Required:	\$	0,000.00

**CITY MANAGER APPROVAL:**

**BACKGROUND INFORMATION:**

Section 67.016 of the Election Code outlines the process for preparation and distribution of the Certificate of Election. After the canvass is complete, the presiding officer of the local canvassing authority shall prepare a certificate of election for each candidate who is elected.

A certificate of election must contain:

- (1) The candidate's name;
- (2) The office to which the candidate is elected;
- (3) A statement of election to an unexpired term, if applicable;
- (4) The date of the election;
- (5) The signature of the officer preparing the certificate; and
- (6) Any seal used by the officer preparing the certificate to authenticate documents that the officer executes or certifies.

The authority preparing a certificate of election shall promptly deliver it to the person for whom it is prepared.

**RECOMMENDED ACTION:**

Deliver Certificates of Election to newly elected officials.

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM: E1**

**AGENDA SUBJECT:** Conduct a Joint Public Hearing with the Jersey Village Planning and Zoning Commission for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards; and the proposal to amend Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards.

**Department/Prepared By:** Lorri Coody, City Secretary **Date Submitted:** April 18, 20223

**EXHIBITS:** EX A - Public Hearing Notice  
EX B - P&Z Preliminary Report – Residential Code Amendments  
EX C – P&Z Preliminary Report – Commercial Code Amendments  
EX D – PH Script

**BACKGROUND INFORMATION:** In connection with the Residential Code amendments, the Planning and Zoning Commission met on March 27, 2023, and recommended that City Council amend Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards.

In connection with the Commercial Code amendments, the Planning and Zoning Commission met on November 9, 2022, November 21, 2022 and March 27, 2023 and recommended that City Council amend Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards.

The preliminary reports were submitted to the Council at its April 17, 2023, meeting, and Joint Public Hearings were ordered for May 17, 2023. A joint public hearing must be conducted by the City Council and the Planning and Zoning Commission in accordance with the requirements of the Code of Ordinances of the City of Jersey Village - Section 14-84.

The purpose of this hearing is to receive oral comments from any interested person(s) concerning the proposal to amend Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards; and the proposal to amend Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards.

**RECOMMENDED ACTION:** Conduct a Joint Public Hearing with the Jersey Village Planning and Zoning Commission for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards; and the proposal to amend Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards.

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**

## NOTICE OF JOINT PUBLIC HEARINGS

NOTICE is hereby given that the City of Jersey Village City Council and the Planning and Zoning Commission of the City of Jersey Village, Texas will conduct joint public hearings at 7:00 p.m., Wednesday, May 17, 2023, at the Civic Center Auditorium, 16327 Lakeview, Jersey Village, Texas, for the purpose of receiving oral comments from any interested person(s) concerning the following proposals:

The proposal to amend Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards; and

The proposal to amend Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards.

A copy of the Planning and Zoning Commission’s Preliminary Reports concerning these proposed ordinance changes, which are the subject of these public hearings, may be examined online at [https://www.jerseyvillagetx.com/page/pz.ags\\_mins\\_current\\_year](https://www.jerseyvillagetx.com/page/pz.ags_mins_current_year) and on the City’s Posting Bulletin Board.

The City of Jersey Village public facilities are wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact ADA Coordinator at (713) 466-2102 or FAX (713) 466-2177 for further information.

Lorri Coody, City Secretary  
City of Jersey Village





**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION  
PRELIMINARY REPORT  
RESIDENTIAL CODE AMENDMENTS**

The Planning and Zoning Commission has previously met several times in order to discuss amendments to Chapter 14 “Building and Development”, by amending Section 14-5 “Definitions” to include a definition for home occupation; by adding Section 14-100 “Residential Permitted Use Table” to Chapter 14 “Building and Development”; by repealing and replacing Sections 14-101 through 14-104 of Chapter 14 “Building and Development” to allow for updates to residential development standards; and by removing Section 104-103.1 in its entirety. In connection with same, The City Council accepted the Commission’s Final Report on October 17, 2022, and approved their recommendations under Ordinance 2022-39.

Since that time, it has come to the Commission’s attention that additional amendments are required. Accordingly, the Commission met on March 27, 2023, to further review the City’s Residential Code in order to identify areas where additional amendments are needed.

After review and discussion, the Commissioners preliminarily proposed that the Code of Ordinances of the City of Jersey Village, Texas, be amended to reflect residential code amendments that are in line with the goals and objectives established by the Jersey Village Comprehensive Plan.

These preliminary changes to the City’s comprehensive zoning ordinance are more specifically detailed in the proposed ordinance attached as Exhibit “A.”

The next step in the process as required by Section 14-84(c)(2)(b) of the Jersey Village Code of Ordinances is for Council to call a joint public hearing with the Planning and Zoning Commission.

Respectfully submitted, this 27<sup>th</sup> day of March 2023.

s/Rick Faircloth, Chairman



**ATTEST:**

s/Lorri Coody, City Secretary

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

# Exhibit A

## Proposed Ordinance

**ORDINANCE NO. 2023-xx**

**AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT”, BY AMENDING SECTIONS 14-100 THROUGH 14-104 TO ALLOW FOR UPDATES TO RESIDENTIAL DEVELOPMENT STANDARDS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the Planning & Zoning Commission (the “Commissions”) has issued its report and has recommended amendments to the Code to add and amend portions of Chapter 14 of the Code to allow for updated development standards related to residential development; and

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

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

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

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

**SECTION 2. THAT** Section 14-100 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**Sec. 14-100. Residential Permitted Use Table.**

<b>USE</b>	<b>District A</b>	<b>District B</b>	<b>District C</b>	<b>District M</b>
Churches or other places of worship and related schools	PC <sup>(1)</sup>	PC <sup>(1)</sup>		
Electric Power Lines and Substations	PC <sup>(2)</sup>	PC <sup>(2)</sup>		
Golf Courses and Country Clubs	P	P		
Home Occupations	PC <sup>(3)</sup>	PC <sup>(3)</sup>	PC <sup>(3)</sup>	PC <sup>(3)</sup>
Model Homes	PC <sup>(4)</sup>	PC <sup>(4)</sup>	PC <sup>(4)</sup>	

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**

Multi-family Dwellings				PC <sup>(5)</sup>
Municipal Government Buildings, Police Stations, Fire Stations, and Public Libraries	P	P		
Patio Homes		P	P	
Public Parks and Playgrounds, Public Recreational Facilities, Public Schools, Community Buildings and Public Museums not operated for profit	P	P		
Short-term Rentals	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>
Single-Family Dwelling	P	P		
Townhouses		PC <sup>(7)</sup>	PC <sup>(7)</sup>	
Water Supply Reservoirs, Filter Beds, Towers, Surface or Below Surface Tanks, Artesian Wells, Water Pumping Plants and Water Wells	P	P		
Additional Structures. Accessory uses and freestanding structures in addition to a single-family dwelling:				
Accessory Quarters	PC <sup>(8)</sup>	PC <sup>(8)</sup>		
Cabana/Dressing Room	A	A	A	A
Detached Carport	A	A		A
Detached Private Garage (1 per building site)	A	A		
Gazebo	A	A	A	A
Greenhouse	A	A	A	A
Hobby Structure	A	A	A	A
Pet House	A	A		
Playhouse	A	A		
Pool	A	A	A	A

Pool Cover	A	A	A	A
Utility Structure	A	A		
PC Notes.				
<p><i>Note 1:</i> Churches or other places of worship which shall:</p> <p>(1) Contain not less than four thousand square feet (4,000 sq ft) of ground floor area.</p> <p>(2) No church or other place of worship shall be constructed on a lot having less than five (5) acres of total area.</p>				
<p><i>Note 2:</i> Power lines and substations may include accessory uses customarily incidental thereto; provided such accessory uses shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibration, noise, emission of odor, dust, smoke, or pollution.</p>				
<p><i>Note 3:</i> To operate a home occupation, the following standards shall be met:</p> <p>(1) The home occupation must be clearly incidental to the use of the dwelling as a residence;</p> <p>(2) No outdoor sign, display or storage of materials, goods, supplies or equipment shall be allowed;</p> <p>(3) There shall be no change to the exterior of the building nor any visible evidence or signs that the residence contains a home occupation;</p> <p>(4) A home occupation shall not generate a nuisance such as traffic, on-street parking, noise, and electrical interference or hazards;</p> <p>(5) The maximum area devoted to a home occupation shall be twenty-five percent (25%) of the gross floor area of the dwelling unit; and</p> <p>(6) The home occupation shall not use employees who do not reside on the premises.</p>				
<p><i>Note 4:</i> Provided that a builder may have no more than one model home in a subdivision. A model home must have a temporary certificate of occupancy and may be open for business only between the hours of six o'clock (6:00) a.m. and nine o'clock (9:00) p.m. Use of a structure as a model home shall terminate on the first of the following events to occur:</p> <p>(1) Thirty (30) days after building permits have been issued for ninety percent (90%) of the lots in the subdivision;</p> <p>(2) Thirty (30) days after building permits have been issued for all lots owned by the builder in the subdivision; or</p> <p>(3) One hundred eighty (180) days after issuance of the latest building permit to the builder for a lot in the subdivision.</p>				
<p><i>Note 5:</i> New multi-family dwelling districts shall contain less than one hundred (100) acres of land.</p>				
<p><i>Note 6:</i> No short-term rental home shall be permitted within a five thousand foot (5,000') radius, measured from property line to property line, from any other previously established short-term rental home.</p>				
<p><i>Note 7:</i> No "flats" or apartment style building shall be constructed in single-family townhouse style dwelling units in a unified development.</p>				
<p><i>Note 8:</i> Accessory quarters shall comply with all the following standards:</p> <p>(1) Accessory quarters (may include a full kitchen) must be located on the same building site as a principal building containing a single-family dwelling (detached) use;</p> <p>(2) Must include no more than six hundred square feet (600sqft) of gross floor area; unless located on the second story of a garage, in which case the maximum gross floor area is the footprint of the garage; and</p>				

(3) An existing private garage structure shall not be converted to habitable space for the purpose of constructing accessory quarters.

<b>Legend</b>
P = Permitted Use
A = Accessory Use
PC = Permitted Use with Conditions

**SECTION 3. THAT** Sections 14-101(a) through (c) of the Code of Ordinances, City of Jersey Village, Texas are hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-101. Regulations for district A (single-family dwelling district).**

(a) Use regulations. No building or land shall be used, and no building shall be hereafter erected, moved or altered in district A except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-101A: Setbacks (feet) for Single-Family Residential and Related Structures</b>	
<b>Single-Family Residential</b>	
Front <sup>(2),(3),(4)</sup>	Twenty-five feet (25') to front lot line
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
<b>Freestanding Structures ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Detached Private Garages ( ≥ 70' to front lot line)</b>	
Front	Seventy feet (70') to front lot line
Rear	Ten feet (10') to rear lot line

Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Attached Private Garages</b>	
Front	Twenty-five feet (25') behind front façade wall closest to front lot line
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street line
<b>Attached Carports</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Detached Carports ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Notes</b>	

(1) Where one or more lots have frontage on a street, all other lots in that block with side lot lines on the same street shall have a side-street setback requirement of twenty-five feet (25') (all structures).

(2) Single-family residences shall be constructed with a front yard setback of twenty-five feet (25') from the property line, except for Lots 6-11 Block 20, Lots 1-14 Block 21, Lots 1-25 Block 25, Lots 1-41 Block 26, Lots 1-22 Block 27, Lots 1-24 Block 28, Lots 1-36 Block 30, Lots 23-44 Block 31, Lots 6-13 Block 32, Lots 1-28 Block 33, Lots 6-8 Block 36, Lots 1-15 Block 38, Lots 1-3 Block 41, Lot 5 Block 41, Lots 1-21 Block 42, Lots 25-48 Block 42, Lots 1-4 Block 43, Lots 1-7 Block 47, Lots 1-31 Block 48, Lots 1-21 Block 49, Lots 1-11 Block 50, Lots 2-6 Block 53, Lots 10-12 Block 54, Lots 1-25 Block 55, Lots 1-19 Block 56, Lots 1-27 Block 61, Lots 1-39 Block 62, Lots 1-29 Block 63, Lots 1-20 Block 64, Lots 1-15 Block 65, which shall have an increased setback from the property line as noted on the recorded plat of Jersey Village.

(3) Single-family residences shall be constructed with a front yard setback of twenty-five feet (25') from the property line, except for Tracts 1-11A Block 19, Tracts 1-5 Block 20, Lots 26-44 Block 25, Lots 1-9 Block 54, Lots 1-14 Block 59, Lots 1-8 Block 60, and Lots 1-21 Block 69 which shall have an increased setback from the property line as noted on the recorded plat of Jersey Village Country Club Estates.

(4) Single-family residences shall be constructed with a front yard setback of twenty-five feet (25') from the property line, except for Lots 22-24 Block 42 which shall have an increased setback from the property line as noted on the recorded partial replat of Lots 22-24 Block 42 of Jersey Village; except for Lots 1-9 Block 37A and Lots 18-26 Block 43 which shall have an increased setback from the property line as noted on the second recorded replats of Lots 1-9 Block 37A and Lots 18-26 Block 43 of Jersey Village; except for Tracts 1 & 1A Block 53 which shall have an increased setback from the property line as noted on the amended recorded replat of Tracts 1 & 1A Block 53 of Jersey Village; except for Lot 1 Lakeside which shall have an increased setback from the property line as noted on the recorded plat of Estates-Cy-Fair.

<b>Table 14-101B: Setbacks (feet) for Non-Residential Buildings</b>	
<b>Non-Residential Buildings</b>	
Front	Twenty-five feet (25') to front lot line
Side	Twenty-five feet (25') to side lot line
Rear	Twenty-five feet (25') to rear lot line

(c) Height.

1) Single-family residences shall not exceed two and one half (2½) stories in height, except for Blocks 26, 38, 41, 42 and 47, which shall not exceed one and one half (1½) stories.

a. The maximum height of a two and one half (2½) story home shall be thirty-five feet (35').

b. The maximum height of a one and one half (1½) story home shall be twenty-five feet (25').



- 2) Nonresidential structures shall not exceed thirty-five feet (35') in height.
- 3) Calculating maximum height in district A. The maximum height for a single-family dwelling, structure, or accessory structure shall be calculated from the minimum flood elevation protection standards enumerated in Article IX "Storm Drainage and Flood Damage Prevention".
- 4) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void."

**SECTION 4. THAT** Section 14-101(j)(3)a. of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

"a. Exceed eight (8) feet in height, except for chain-link fencing;"

**SECTION 5. THAT** Section 14-102(a) through (d) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**"Sec. 14-102. Regulations for district B (townhouse/patio home district).**

(a) Use regulations. No building or land shall be used and no building shall be hereafter erected, moved or altered in district B except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-102A</b>	
<b>Setbacks for Single-Family Residential, Townhouses, Patio Homes, and Related Structures</b>	
<b>Single-Family Residential</b>	
Front	Twenty-five feet (25') to front lot line
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
<b>Townhouses and Patio Homes<sup>(2)</sup></b>	
Front	Twenty-five feet (25') to front lot line
Rear <sup>(3)</sup>	Sixteen feet (16') to rear lot line

Side <sup>(4)</sup>	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
<b>Freestanding Structures ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Detached Private Garages ( ≥ 70' to front lot line)</b>	
Front	Seventy feet (70') to front lot line
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Attached Private Garage</b>	
Front	Twenty-five feet (25') to front wall of the dwelling
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Attached Carports</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Detached Carports ( ≥ 70' to front lot line)</b>	

Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Notes</b>	
<p>(1) Where one (1) or more lots have frontage on a street, all other lots in that block with side lot lines on the same street shall have a side-street setback requirement of twenty-five feet (25') (all structures).</p> <p>(2) For townhouse lots, the setbacks are modified as follows when required:</p> <ul style="list-style-type: none"> <li>a. Buildings that do not abut a building on an adjacent lot with a common firewall between them shall not be closer than five feet (5') to a side lot line on that side.</li> <li>b. Abutting buildings shall have a common firewall that complies with current city building codes.</li> <li>c. A series of abutting buildings shall not have a combined width of greater than three hundred feet (300').</li> <li>d. Each group of abutting buildings shall be separated on the side by an open space of not less than ten feet (10') to the next side lot line.</li> </ul> <p>(3) Excluding fencing.</p> <p>(4) Zero feet (0') for townhouses and one (1) side of patio homes.</p>	

<b>Table 14-102B: Setbacks (feet) for Non-Residential Buildings</b>	
<b>Non-Residential Buildings</b>	
Front	Twenty-five feet (25') to front lot line
Side	Twenty-five feet (25') to side lot line
Rear	Twenty-five feet (25') to rear lot line

(c) Building area. For townhouses and patio homes: The building area shall be not less than one thousand four hundred (1,400) square feet.

(d) Height.

1) For single-family detached residences, the maximum height of a two and one-half (2½) story home shall be thirty-five (35) feet.

- 2) For townhouses and patio homes: The height of buildings shall not exceed two (2) stories and thirty (30) feet.
- 3) For other uses: Buildings shall not exceed twenty-five (25) feet in height.
- 4) Nonresidential structures shall not exceed thirty-five (35) feet in height.
- 5) Calculating the maximum height in district B. The maximum height for a single-family dwelling, townhouse, patio home, structure, or accessory structure shall be calculated from the minimum flood elevation protection standards enumerated in Article IX “Storm Drainage and Flood Damage Prevention”.
- 6) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.”

**SECTION 6. THAT** Section 14-102(j)(1) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(j) Fences and walls.

1) Fences and walls in district B shall not:

- a. Exceed eight (8) feet in height, except for chain-link fencing.
- b. Chain-link fencing shall be a maximum of six (6) feet in height.
- c. Be topped with barbed or razor wire.
- d. Be electrified.
- e. Be constructed of (or modified with) any fencing material(s) intended to be injurious or malicious in nature (such as, but not limited to, broken glass or metal spikes) that have the potential to cause bodily harm or injury.”

**SECTION 7. THAT** Section 14-103(a) through (d) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-103. Regulations for district C—Townhouse/patio home district.**

(a) Use regulations. No building or land shall be used and no building shall be hereafter erected, moved or altered in district C except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-103: Setbacks (feet) for Townhouses, Patio Homes, and Related Structures</b>	
<b>Townhouses and Patio Homes<sup>(3)</sup></b>	
Front	Twenty-five feet (25') to front lot line
Rear <sup>(1)</sup>	Sixteen feet (16') to rear lot line
Side <sup>(2)</sup>	Seven and one-half feet (7.5') to side lot line
Side Street	Ten feet (10') to side street lot line
<b>Freestanding Structures (≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street	Ten feet (10') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Detached Private Garages (≥ 70' to front lot line)</b>	
Front	Seventy feet (70') to front lot line
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street	Twenty feet (20') to side street lot line
<b>Attached Private Garages</b>	
Front	Twenty-five feet (25') to front wall of the dwelling
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Attached Carports</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line

Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Detached Carports ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Notes</b>	
<p>(1) Excluding fencing.</p> <p>(2) Zero feet (0') for townhouses and one side of patio homes.</p> <p>(3) For townhouse lots, the setbacks are modified as follows when required:</p> <ul style="list-style-type: none"> <li>a. Building that do not abut a building on an adjacent lot with a common firewall between them shall not be closer than five feet (5') to a side lot line on that side.</li> <li>b. Abutting building shall have a common firewall that complies with current city building codes.</li> <li>c. A series of abutting buildings shall not have a combined width of greater than three hundred feet (300') feet.</li> <li>d. Each group of abutting building shall be separated on the side by an open space of not less than ten feet (10') to the next side lot line.</li> </ul>	

(c) Building area for townhouses and patio homes shall be not less than one thousand four hundred (1,400) square feet.

(d) Height.

1) For single-family detached residences, the maximum height of a two and one half (2½) story home shall be thirty-five (35) feet.

2) For townhouses and patio homes: The height of buildings shall not exceed two (2) stories and thirty (30) feet.

3) For other uses: Buildings shall not exceed twenty-five (25) feet in height.

4) Calculating the maximum height in district C. The maximum height for a single-family dwelling, townhouse, patio home, structure, or accessory structure shall be calculated from the minimum flood elevation protection standards enumerated in Article IX “Storm Drainage and Flood Damage Prevention”.

5) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.”

**SECTION 8. THAT** Section 14-103(i) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(i) Fences and hedges.

1) No fence in district C shall be permitted in the front yard, extending past the building setback line. For side street fencing, where one or more lots have frontage on the street, wrought iron style fencing may be installed to within two (2) feet of the public sidewalk and shall not encroach beyond the side lot line.

2) Fences and hedges in district C may not be erected or planted directly on a property line without the express agreement of the property owners on both sides of the property line.

3) Fences in district C shall not:

a. Exceed eight (8) feet in height, except for chain-link fencing.

b. Be topped with barbed or razor wire.

c. Be electrified.

d. Be constructed of (or modified with) any fencing material(s) intended to be injurious or malicious in nature (such as, but not limited to, broken glass or metal spikes) that have the potential to cause bodily harm or injury.

4) Fences in district C shall be constructed of the following materials, such as:

a. Chain-link

i. All chain-link fencing to be a minimum of four (4) feet in height, a maximum of six (6) feet in height, and shall be a minimum of eleven (11) gauge galvanized material

ii. All chain-link fencing higher than four (4) feet shall be a minimum of nine (9) gauge galvanized material.

b. Redwood

c. Cedar

d. Wrought iron

e. Brick or other approved material of equal quality.”

**SECTION 9. THAT** Section 14-104(a) through (d) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-104. Regulations for district M (multifamily dwelling district).**

(a) Use regulations. No building or land shall be used and no building shall be hereafter erected, moved or altered in district M except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-104: Setbacks (feet) for Single-Family Residential and Related Structures</b>	
<b>Multi-Family Residential</b>	
Front	Twenty-five feet (25') to front lot line
Rear <sup>(1)</sup>	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(2)</sup>	Ten feet (10') to side street lot line
<b>Detached Carports (≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Notes</b>	
(1) Where one (1) or more lots have frontage on a street, all other lots in that block with side lot lines on the same street shall have a setback requirement of twenty-five feet (25').	
(2) Excluding fencing.	

(c) Building area.

1) Multi-family buildings shall contain not less than two thousand (2,000) square feet nor more than twenty-one thousand (21,000) square feet of ground floor area.

2) Accessory buildings shall contain not less than one hundred (100) square feet nor more than fifteen thousand (15,000) square feet of ground floor area. Accessory structures shall be constructed of permanent material.



3) Portable buildings of a temporary nature are prohibited.

(d) Height.

1) No building shall exceed fifty (50) feet or three (3) stories in height.

2) Calculating the maximum height in district M. The maximum height for a multi-family dwelling shall be calculated from the minimum flood elevation standards specified in Article IX “Storm Drainage and Flood Damage Prevention”.

3) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.”

**SECTION 10. THAT** Section 14-104(i) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(i) Screening/Fencing Standards..

1) Screening. Refuse containers or like equipment outside of an enclosed space shall be screened from public view, either from adjacent buildings or adjacent property, both private and public. Such screens shall be permanent and opaque and of wood, metal or masonry material and shall be at least as high as the screened object, and in no case shall be less than six (6) feet in height.

2) Interior fences in district M shall be a maximum of eight (8) feet in height, shall be permanent and must be of the following types:

a. Redwood;

b. Cedar;

c. Wrought iron;

d. Brick or masonry; or,

e. Chain-link (sport court enclosures only) shall be maximum of twelve (12) feet in height and shall be a minimum of nine (9) gauge galvanized material.

3) No fence in district M shall:

a. Be topped with barbed or razor wire.

b. Be electrified.

c. Be constructed of (or modified with) any fencing material(s) intended to be injurious or malicious in nature (such as, but not limited to, broken glass or metal spikes) that have the potential to cause bodily harm or injury.”

**SECTION 11. THAT** in the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 12. THAT** all other ordinances or parts of ordinances in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed.

**SECTION 13. THAT** any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine as provided in Section 1-8.

**SECTION 14. THAT** this Ordinance shall be in full force and effect from and after its passage.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2023.

**FOR THE CITY:**

\_\_\_\_\_  
**BOBBY WARREN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Lorri Coody, City Secretary**



**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION  
PRELIMINARY REPORT  
COMMERCIAL CODE AMENDMENTS**

The Planning and Zoning Commission has met on November 9, 2022, November 21, 2022, and March 27, 2023, in order to conduct a qualitative review of the City of Jersey Village’s current Code of Ordinances pertaining to the commercial districts in order to identify potential code amendments required to ensure that City codes and regulations are in line with the goals and objectives established by the Jersey Village Comprehensive Plan and, if appropriate, prepare for presentation to Council on April 17, 2023, a Preliminary Report in connection with any suggested amendments.

After review and discussion, the Commissioners preliminarily proposed that the Code of Ordinances of the City of Jersey Village, Texas, be amended to reflect commercial code amendments that are in line with the goals and objectives established by the Jersey Village Comprehensive Plan.

These preliminary changes to the City’s comprehensive zoning ordinance are more specifically detailed in the attached Exhibit “A.”

The next step in the process as required by Section 14-84(c)(2)(b) of the Jersey Village Code of Ordinances is for Council to call a joint public hearing with the Planning and Zoning Commission.

Respectfully submitted, this 27<sup>th</sup> day of March 2023.

S/Rick Faircloth, Chairman



**ATTEST:**

S/Lorri Coody, City Secretary

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**

## Exhibit A

### Proposed Ordinance Amendments

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**Sec. 14-5. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*AE* means areas of the base (one percent or 100-year) flood where base flood elevations have been determined.

*Accessory building* means a building or structure customarily incidental and subordinate to the principal structure and located on the same lot as the principal building.

*Accessory use of a building* means a subordinate use or building customarily incident to and located on the lots occupied by the main use or building.

*Adult entertainment* means an adult cabaret, adult encounter parlor, adult lounge, adult modeling studio, adult bookstore, adult movie theater, or any establishment whose business is the offering to customers of a product or service which is intended to provide sexual stimulation or sexual gratification to such customers, and which is distinguished by or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical areas. See also Chapter 18, Article II, Section 18-31.

*Advertising* means to seek the attraction, or to direct the attention, of the public to any goods, services, merchandise, purpose or cause.

*Agriculture* means any land or building used for pasturage, floriculture, dairying, horticulture, forestry and livestock or poultry husbandry.

*Alley* means a legally established private access easement affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

*Alluvial fan flooding* means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

*Alter* means to change, rearrange, enlarge, extend or reduce any structure or part thereof on the same site.

*Alterations* means any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls or partitions, columns, beams or girders; or any change which may be referred to in this chapter as "altered" or "reconstructed."

*Apartment* means a dwelling unit in a multiple-family dwelling.

*Apex* means a point on an alluvial fan or similar landform below which the low path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

*Apparel manufacturing* means a facility for the manufacture of garments.

*Appeal* means, for floodplain management purposes, a request for a review of the floodplain administrator's interpretation of any provision of this chapter or a request for a variance.

*Appurtenant structure*, for floodplain management purposes, means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

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*Area of future conditions flood hazard* means the land area that would be inundated by the one percent annual chance (100 year) flood based on future conditions hydrology hydrological conditions.

*Area of shallow flooding* means a designated AO, AH, AR/AO, AR/AH or VO zone on a community's flood insurance rate map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

*Area of special flood hazard (ASFH)—also referred to as a special flood hazard area (SFHA)* — means the land in the floodplain within a community subject to a 0.2 percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-30, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/A, VO, V1-30, VE, V or X Shaded Zones.

*Art gallery* means a room or building used for the display or sale of works of art.

*As-built documents* means (s) means legal papers documents prepared by a registered professional engineer and confirming that the public improvements are constructed as shown.

*Assembling* means a facility where previously manufactured parts are put or fit together for final assembly.

*Auto body shop* means any shop or garage, other than a private garage, where bodywork and painting are performed.

*Automobile repair shop* means a facility used for the repair or replacement of engines, transmissions, differentials, drivetrains, or any parts thereof, in addition to the replacement of parts, service, and incidental repairs to private passenger vehicles. A private passenger vehicle is defined as automobiles, motorcycles, station wagons, vans, SUVs, or pickup trucks reserved for personal use.

*Bail bond service* means an establishment that makes available to the public undertakings of bail in connection with judicial proceedings.

*Bail bond service* means an establishment that offers to act as a surety and pledges money or property as bail for the appearance of a defendant in court.

*Bakery (industrial)* means an establishment that is permitted for the production and/or wholesaling of baked goods, but where over the counter or other retail dispensing of baked goods shall be allowed incidental to the main use.

*Bank, financial institution, and insurance service institution* means an institution that is licensed to accept checking and savings deposits, make loans, and provide insurance.

*Bar* means an establishment that derives fifty-one (51) percent or more of its income from the sale of alcoholic beverages. Such beverages are intended for consumption on the premises.

*Barber, beauty store, or salon* means an establishment that offers goods and services related to barbering, cosmetology, and hairdressing.

*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year.

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*Base flood elevation (BFE) or base flood level* means the elevation above mean sea level that floodwaters have been calculated to reach during the base flood at a specific location.

*Basement*, for floodplain management purposes, means any area of the building having its floor subgrade (below ground level) on all sides.

*Beer and wine sales* means an establishment that sells beer and wine not to exceed 17 percent alcohol by volume. This type of establishment can be stand-alone, or function as an ancillary use to a retail establishment.

*Berm* means a manmade, formed, earth mound of definite height and width used for obscuring purposes; the intent of which is to provide a transition between uses of differing intensity.

*Billboard* means an off-premises sign.

*Block* means a tract or parcel of land designated as such on a subdivision plat surrounded by streets or other physical obstructions.

*Blockface* means the properties abutting on one side of a street between the two nearest intersecting streets or other physical features, such as a watercourse or unsubdivided land, that defines the end of the block.

*Bookstore* means a retail establishment that, engages in the sale, rental, or other charge-for-use of books, magazines, newspapers, greeting cards, postcards, videotapes, computer software, or any other printed or electronically conveyed information or media, excluding any “adult bookstore,” “adult theater,” “theater,” or “studio theater.”

*Boundary sewer line* means a sewer line installed in a street bounding a development or faced on only one side by a development, which can also serve property not included in the development on the opposite side of the street.

*Boundary water line* means a water line, installed in a street bounding a development or faced on only one side by a development, which can also serve property not included in the development on the opposite side of the street.

*Breakaway wall* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

*Brew pub* means an establishment that is authorized to brew, bottle, can, package, and label beer, and sell or offer without charge, on the premises to ultimate consumers for consumption on or off those premises, malt beverages produced by the holder, in or from a lawful container to the extent the sales or offers are allowed under the holder's other permits or licenses. Food may also be served at this establishment.

*Broadcasting studio* means commercial and public communications uses, including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings.

*Buffer* means the area, space or physical means which is established to protect or insulate one land use or one building from another. Generally, buffering will be the use of landscaping (other than mere grass on a flat terrain) or the use of landscaping along with berms, walls or decorative fences that at least partially and periodically obstruct the view from the street and adjacent property in a continuous manner, of vehicular use areas, parking lots and their parked cars, and/or detention ponds.

*Buffer yard* means a strip of land, including any specified type and amount of planting or structures which may be required to protect one type of land use from another, or minimize or eliminate conflicts between them.

*Build* means to convert, enlarge, reconstruct or alter a building or structure.

*Building*. See the definitions within the adopted building codes.

*Building area* means ground floor area computed by using calculating the outside dimensions of exterior walls, excluding the floor area of garages, open or screened porches, basements or semifurnished storage rooms not used for residential purposes.

*Building contractor and related activities* means a facility used for conducting business related to the construction of buildings, either residential or commercial, including but not limited to the storage and operation of machinery and materials, fabrication of building-related products, and the provision of services.

*Building height* means the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on a sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

*Building line* means a line parallel to the front lot line. A minimum building line is the same as the minimum required front setback line.

*Building materials, sales, and storage* means any location used for the sale and storage of materials used for the construction of various building-related projects, including but not limited to: residential and commercial structures, and site improvements.

*Building, principal* means a building in which is conducted the main or principal use of the lot on which such building is located.

*Business frontage* means the linear measurement from outer wall to outer wall of the side of the building which faces or fronts a street and which generally contains the primary entrance to the building.

*Business purposes* means the erection or use of any property, building, structure, permanent or temporary, for the primary purpose of conducting in such building or structure or on such property a lawful commercial enterprise in compliance with all ordinances and regulations of the city governing such activity. The term "business purpose" shall not include any property, building or structure erected or used for the primary purpose of securing a permit to erect a sign.

*Cabana or dressing room* means a small structure for use as a bathhouse adjacent to a swimming pool.

*Cafe and cafeteria* means a restaurant or dining room located in part of a business in which customers serve themselves or are served from a counter and pay before eating.

*Cannabidiol shop (CBD shop)*. A business establishment for which more than 15 percent of sales are derived from the retail sale of products related to or derived from CBD oil (cannabidiol) or hemp. This includes, but is not limited to, oils, vitamins, supplements, food, personal care, and garments.



*Car wash facility* means a facility of the tunnel unit type intended for washing and cleaning of passenger vehicles which allows washing of multiple vehicles in a tandem arrangement while moving through the structure, to include detail areas, vacuum areas and a lobby.

*Carport* means a permanent structure that is attached to a residence or private garage, that covers a driveway, and that consists of a roof and one or more sides.

*Cell phone and computer repair business* means a business that provides small-scale electronic repair services for items of the general public, including, but not limited to: cellphone repair~~z~~ computer repair~~z~~ and~~z~~ other related minor repairs.

*Certificate of compliance* means a certificate issued by the city to a party intending to initiate any work or change any use of property in the city.

*Child-care center* means a facility licensed by the State of Texas to provide care at a location other than the permit holder's home, for seven or more children under 14 years of age, for less than 24 hours per day, but at least two hours a day, three or more days per week (40 TAC § 745.37(2)(D)).

*Child day-care operation (licensed child-care centers and school-age program centers)* means a facility licensed, certified, or registered by the Department of Family and Protective Services to provide assessment, care, training, education, custody, treatment, or supervision for a child who is not related by blood, marriage, or adoption to the owner or operator of the facility for all or part of the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers.

*Cigar shop/lounge* means a retail cigar establishment that excludes minors that in some cases includes an enclosed area within or attached to the establishment to be used as private cigar smokers' lounge.

*City of Jersey Village: water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants, and water wells* means any water system provided and maintained by the city of Jersey Village or a utility company that the city agency has specifically approved as acceptable.

*Cleaners (clothing), tailor, and retail laundry* means an establishment that washes, adjusts, and repairs personal clothing items.

*Clinic* means the office of one or more licensed doctors who may or may not be associated in the practice of their profession.

*Clinic* means a building, other than a hospital as herein defined, used by one or more licensed physicians for the purpose of receiving and treating patients.

*Clothing boutique* means a small retail establishment that sells fashionable clothing or accessories.

*Club* means an organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics or similar activities, but not operated for profit and open only to members and not the general public.

*Cold storage plant* means a facility where, for compensation or reward received or promised, wildlife or fish or parts of them are processed and stored, either fresh or frozen, for later consumption.

*Commercial building* means any building other than a single-family residence.

*Commercial message* means a message placed or caused to be placed before the public by a person directly involved in the manufacture or sale of the products, property, accommodations, services, attractions or activities or possible substitutes for those things which are the subject of the message; and that refers to the offer for sale or existence for sale of products, property, accommodations, services, attractions or activities that are offered or exist for sale or for hire; or that attracts attention to a business or to products, property, accommodations, services, attractions or activities that are offered or exist for sale or for hire.

*Commercial vehicle* means any motor vehicle, trailer, or semi-trailer designed or used to carry freight, passengers for a fee, or merchandise in the furtherance of any commercial enterprise and having a gross weight of more than 10,000 pounds.

*Commercial vehicle repair shop* means a facility used for the repair or replacement of engines, transmissions, differentials, drivetrains, or any parts thereof, in addition to the replacement of parts, service, and incidental repairs to commercial vehicles.

*New Computer and electronics store* means a retail establishment focused on the sale of new computers and computer-related products, and electronic components and devices.

*Concrete products manufacturer* means a plant for the manufacture or mixing of concrete, cement, and concrete and cement products, including any apparatus and uses incident to such manufacturing and mixing.

*Concrete product manufacturer* means a facility in which concrete products are constructed for the purposes of decoration or artistic expression for sale off-premises.

*Condominium.* See *Unified development*.

*Conveyance* means, unless otherwise determined by the city engineer, the flow of water during the base flood with a velocity that is greater than one foot per second or a depth that is greater than one foot.

*Courts* means an open space, bounded on more than two sides by the walls of a building. An inner court is a court entirely surrounded by the exterior walls of a building. An outer court has one side open to a street or alley, yard or other permanent open space.

*Credit access business (payday loan/auto title)* means an establishment providing loans to individuals in exchange for personal checks as collateral.

*Credit access business* means a business that obtains credit for a consumer from an independent third-party lender in the form of a deferred presentment transaction or a motor vehicle title loan.

*Critical facilities* means those facilities essential to the preservation of life and property, including, but not limited to schools, nursing homes, blood banks, health care facilities including those storing vital medical records, housing likely to contain occupants who may not be sufficiently mobile to avoid death or injury during a flood, hospitals, police, fire and emergency response installations, facilities used for the storage of critical records, and commercial installations which produce, use or store hazardous materials or hazardous waste as referenced in the high-hazard group (group H) of the adopted International Building Code and International Fire Code.

*Critical feature* means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

*Curbline* means an imaginary line drawn along the edge of the pavement on either side of a public street.

*Dancing studio, exercise class, and martial arts facility* means a facility in which students are instructed and educated on the particulars of a physical art form. This does not include adult uses such as adult cabaret.

*Density* means the average number of dwelling units per acre for the entire development, including streets.

*Department store* means a retail establishment that conducts business under a single owner's name wherein a variety of unrelated merchandise and services are housed and are exhibited and sold directly to the customer for whom the goods and services are furnished.

*Design flood elevation (DFE)* means the elevation above base flood elevation (BFE) that the community requires - also referred to as freeboard.

*Developer* means any person who improves or subdivides a tract of land or improves or takes any action preparatory to the erection, improvement or movement of any building or structure on a tract of land.

*Development*, for floodplain management purposes, means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

*Distribution* means any location where goods are received and/or stored for delivery to the ultimate customer at remote locations.

*District* means an area of land for which there are uniform zoning regulations governing the use of buildings and premises, density of development, yard requirements and height regulations.

*Double-faced sign* means a single sign with two parallel sign faces back-to-back.

*Drug store and pharmacy* means a retail establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.

*Dry cleaning and laundry plant (industrial)* means a facility used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in volatile solvents including, but not by way of limitation, solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and the processes incidental thereto.

*Dwelling, multiple-family* means a building used or designed as a residence for three or more families living together independently of each other.

*Dwelling, single-family* means a detached building, designed for, or occupied exclusively by one family.

*Dwelling, two-family* means a detached building, designed for, or occupied by two families living independently of each other.

*Dwelling unit* means one or more rooms with bathroom and principal kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking and sleeping purposes.

*Easement, utility* means a right held by the city to make use of the land of another for a limited purpose, such as right of passage.

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*Educational institution, service, and learning center means any public, parochial, private, charitable, or nonprofit school, junior college, or university.*

*Electrical sign* means a sign containing electrical wiring or utilizing electric current, but not a sign illuminated by an exterior light source.

*Elevated building* means, for insurance purposes, a non-basement building, which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns.

*Elevation certificate* means a statement from an engineer or surveyor licensed by the State of Texas on the most current FEMA form certifying that the lowest floor of the structure has been elevated at least as high as required by this chapter, as well as the elevation of equipment and adjacent grade.

*Erected* means built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage and the like shall be considered a part of erection.

*Excavation* means any breaking of ground, except common household gardening, general farming and ground care.

*Existing construction* means, for the purposes of determining flood insurance rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. The term "existing construction" may also be referred to as "existing structures."

*Existing manufactured home park or subdivision*, for floodplain management purposes, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

*Expansion to an existing manufactured home park or subdivision*, for floodplain management purposes, means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

*Family* means:

- (1) One person, or a group of two or more persons living together and related by blood, marriage or legal adoption, living together as a single housekeeping unit. The person thus constituting a family may also include gratuitous guests and domestic servants.
- (2) A group of individuals not related by blood, marriage or legal adoption, but living together as a single housekeeping unit. For controlling of residential density, each such group of four individuals shall constitute of a family.
- (3) A group of not more than eight individuals, not related by blood, marriage or legal adoption, which group is comprised of individuals with disabilities protected under the Fair Housing Act, and where the group is not established within one-half mile of an existing like group.

- (4) A group of not more than six persons with disabilities and two supervisors residing in a qualified community home, as defined by the Texas Community Homes for Disabled Persons Location Act.

*Farm implement machinery sales and storage means a facility that focuses on the sale and sales-related storage of farm implements and machinery together with the attachments, special service tools, or repair parts for such implements and machinery.*

*Farmers market means a food market temporary in nature at which local vendors sell various fruits, vegetables, meats, cheese, baked goods, and handmade items directly to consumers.*

*Filling* means the depositing or dumping of any matter into or onto the ground except common household gardening and general maintenance.

*Filling stations* means any building or premises used for the dispensing, sale or offering for sale or retail of any automobile fuels or oils. If the dispensing, sale or offering for sale is incidental to a public garage, the premises shall be classified as a public garage.

*Firewall* means a wall made of fireproof material to prevent the spread of a fire from one part of a building to another.

*Flag lot* means a lot which has minimum frontage on a public street, which is reached via a private drive or lane whose width some distance back from the street right-of-way, meets all ordinance requirements.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Flood elevation study* means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

*Flood insurance rate map (FIRM)* means an official map of a community, on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazards areas (SFHA)/areas of special flood hazards (ASFH) and the risk premium zones applicable to the community.

*Flood insurance study (FIS).* See *Flood elevation study*.

*Flood protection system* means those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

*Floodplain development permit* means a permit issued under the provisions of this chapter for any development of a site located within a Jersey Village special flood hazard area (SFHA)/area of special flood hazards (ASFH).

*Floodplain management* means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

*Floodplain management regulations* means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

*Flood proofing* means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodproofing certificate* means a certificate issued by a registered professional engineer licensed in the State of Texas which states that he has developed and/or reviewed the structural design, specifications, and plans for the construction of a structure or improvement covered by the certificate and that the design and methods of construction are in accordance with accepted standards of practice for meeting the following requirements:

- (1) The floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2 percent chance flood; and
- (2) Together with attendant utility and sanitary facilities, the structures are designed so that below the 0.2 percent chance flood level the structures are watertight with walls impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

*Floodway.* See *Regulatory floodway*.

*Florist and flower shop* means a retail establishment whose principal activity is the selling of plants that are not grown on the site and conducting business within an enclosed building.

*Food processing and packaging, with the exception of slaughtering* means a facility that prepares, processes, or cans and packages food products.

*Food truck* means a mobile vehicle equipped with facilities for cooking and selling food.

*Food truck park* means a property where two or more food trucks congregate to offer food or beverages for sale to the public.

*Freeboard.* See *Design flood elevation*.

*Freestanding structure* means any building for the support, shelter or enclosure of persons, animals, chattels or moveable property of any kind and surrounded by yards or open space and not containing permanent provisions for living, sleeping or cooking.

*Functionally dependent use* means, for floodplain management purposes, a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Furniture manufacturing means a facility that manufactures or assembles articles such as tables, chairs, desks, or cabinets for use indoor or outdoor.

*Garage, front load*, means a private garage where the vehicle access doors to the garage face toward and are generally visible from a public view.

*Garage, J-swing* means a garage upon which the entry point from the street is located in front of the house and the garage door is perpendicular to the front of the house. A J-swing garage must have at least two windows, each 12 square feet or greater, oriented toward the front or the lot.

*Garage, private* means a garage intended for private use by the resident family with a ground floor capacity for not more than four automobiles or trucks of which not more than one vehicle shall be used for commercial purposes.

*Garage, private, detached* means a private garage constructed as a freestanding structure.

~~Garage, public means a building, or portion thereof, other than a private or storage garage, designed or used for servicing, repairing, equipping, hiring, selling or storing motor driven vehicles.~~

Garage, public means a structure used for the short-term parking of vehicles.

*Garage, sideloaded* means a private garage where the vehicle access doors to the garage are perpendicular to the front lot line and, therefore, are generally not visible from a public way, unless the lot is a corner lot and the garage loads to a side street.

Gasoline filling station means an establishment or portion thereof used partly or entirely for storing or dispensing flammable liquids, combustible liquids, liquified flammable gas, or flammable gas into the fuel tanks of motor vehicles.

General retail means a shop or establishment for the sale of goods or merchandise from a fixed location, such as a department store, boutique, or kiosk, in small or individual lots for direct consumption by the purchaser. Retail shops or retail trade specifically excludes: pawnshops, head/smoke shops, and hookah bars/lounges.

Golf course, country club, and driving range means a tract of land laid out with a least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, a driving range, and shelters as accessory uses.

*Grade* means a ground elevation established for the purpose of controlling the number of stories and the height of any structure. The building grade shall be determined by the level of the ground adjacent to the walls of any structure if the finished grade is level. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the structure.

*Grand opening* means the commencement of operation by a business in a new location or the assumption of ownership of an existing business by a new owner or group of owners.

Grocery store means a retail establishment for the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

*Ground sign* means a sign which is a pole sign, a monument sign or a nonconforming billboard which exists on the effective date of the ordinance. See Figure 14-19.

*Habitable floor* means, for the purpose of flood hazard regulation, any floor usable for the following purposes which include working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used for storage purposes only is not a habitable floor.

*Half-street* means a vehicular accessway created if only a portion of the required right-of-way width or pavement width is dedicated and/or constructed.

*Hardware store* means a retail establishment where items such as plumbing, heating, and electrical supplies, sporting goods, and paints are sold.

*Head/smoke shop* means any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store, or similar retail use that only sells conventional cigars, cigarettes, or tobacco as an ancillary sale shall not be defined as a "smoke shop and tobacco store" and shall not be subject to the restrictions in this chapter.

*Health club*, also includes the terms *athletic club, gym, fitness studio, and fitness center*, means a place of business which provides a place for a variety of physical exercises including facilities or studios for personal training, physical fitness training, weight and aerobic training, free weights, spinning/cycling, circuit training, yoga, Pilates, racquetball/squash courts, group fitness classes, boxing, wrestling, martial arts training, basketball courts, swimming pools and swimming lessons.

*Heating, plumbing and air conditioning, sale and repair* means a facility that offers parts, maintenance, and repair services for heating, ventilation, air conditioners, and related plumbing.

*Highest adjacent grade* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic structure* means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
  - a. by an approved state program as determined by the Secretary of the Interior or;
  - b. Directly by the Secretary of the Interior in states without approved programs.

*Home good store* means a retail establishment that offers the sale of furniture, linens, cooking products, art, and other home accessories.

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



Hospital means an institution, licensed by the state department of health, providing primary health services and medical or surgical care to persons suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.

Hotel and motel means a building in which members of the public obtain sleeping accommodations for consideration.

*Industrial* means a business, plant or enterprise for production of goods, merchandise or machines.

Instrument and meter manufacturing means a facility for the manufacturing of electronic instruments and meters for measuring the amount of electricity consumed by a residence, a business, or an electrically powered device.

*Integrated business development* means commercial development such as a strip center, mall, multitenant office building, commercial center or industrial complex in which two or more separate businesses occupy a single structure or multiple structures which share on-site parking facilities and common driveways.

*Jewelry and watch manufacturing* means a facility for the manufacturing or assembling of jewelry or watches.

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

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

*Levee* means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

*Levee system* means a flood protection system which consists of a levee or levees and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Library and museum means any location that engages in the loan, or display of books, paintings, sculptures, or other works of art.

Liquor store (excluding drive-up or pick-up services) means a retail establishment permitted by the Texas Alcoholic Beverage Commission (TABC) to sell liquor, malt, and vinous liquors on-premises to consumers for off-premise consumption.

*Logo sign* means a sign operated and maintained by the state department of highways and public transportation within the public right-of-way along a country toll road which bears the name and trademark design of a business.

*Lot* means an undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement.

*Lot depth* means the distance on a horizontal plane between the midpoint of the front lot line and the midpoint of the rear lot line.

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*Lot lines* means the lines bounding a lot as follows:

- (1) *Lot line, front* means, for interior lots, a line separating the lot from the street; for corner lots, a line separating the narrowest street frontage of the lot from the street, except in those cases where the deed restrictions specify another line as the front lot line. In all cases the front lot line of a nonresidential lot shall be that side adjacent to the highest volume street.
- (2) *Lot line, rear* means a lot line opposite and most distant from the front lot line.
- (3) *Lot line, side* means any lot line not a front line or rear lot line.

*Lot of record* means a lot which is part of a platted subdivision, the plat of which is recorded in the office of the county clerk; a parcel or lot the deed for which was recorded in the office of the county clerk prior to March 1, 1982, and which has not been partitioned in any manner since that time.

*Lot width* means the distance on a horizontal plane between the midpoint of the side lot lines.

*Lowest floor* means, for floodplain management purposes, the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

*Machining means a manufacturing process that creates the desired shape by removing unwanted material from a larger piece of material.*

*Manufacture of printed material means a facility involved in the manufacturing and publishing of periodicals, books, or other printed materials.*

*Manufactured home* means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailer, travel trailers and other similar vehicles placed on a site for greater than 190 consecutive days. For insurance purposes the term "manufactured home" does not include a "recreational vehicle."

*Manufactured home park or subdivision*, for floodplain management purposes, means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

*Marquee* means a roof-like structure of a permanent nature projecting from the wall of a building.

*Marquee sign* means a sign on a marquee. See Figure 14-19.

*Masonry* means that form of construction composed of stone, brick, concrete, hollow clay tile, decorative concrete block or tile, glass block or other similar building units or materials or a combination of these materials laid up unit by unit and set in mortar. For the purposes of this definition, true stucco is considered masonry.

*Massage establishment* means a structure in which massage therapy is advertised for, provided, supported, or allowed. A massage establishment shall be licensed under V.T.C.A., Occupations Code ch. 455. A massage establishment shall in no way advertise for, provide, support, or allow any activity that is contemplated under chapter 18, article II of this Code.

*Massage therapy* means the services contemplated in V.T.C.A., Occupations Code ch. 455. Massage therapy includes, but is not limited to, the business of manipulation of the human body by hand or through a mechanical or electrical apparatus, and includes stroking, kneading, percussion, compression, vibration, friction, nerve strokes, and other similar actions. Massage therapy includes, but is not limited to, massage, therapeutic massage, massage technology, myotherapy, body massage, and body rubbing. Massage therapy includes reflexology only when such reflexology involves work on the hands and feet and no other part of the human body is touched. Where massage therapy is permitted under this Code and under V.T.C.A., Occupations Code ch. 455, it shall in no way permit the advertisement for, provision, support, or allowance of any activity that is contemplated under chapter 18, article II of this Code.

*Mean sea level* means, for purposes of the National Flood Insurance Program, the North American Vertical Datum of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

*Medical and dental office* means an establishment used exclusively by physicians, dentists, chiropractors, acupuncturists, physical therapists, and other health-related offices. No overnight patients occupy the premises.

*Medical research and development* means a facility that conducts biology, chemistry, pharmacology, and toxicology research, development, and controlled production of medicines, medical procedures, or improving the application of those already available.

*Mini storage lot* means any structure designed or built with compartments to be used for individual storage of household items or business inventory by two or more clients on a lease or rental basis. In no case may storage spaces be used in a retail, wholesale, business, or service function, nor shall the storage spaces be used for workshops, hobby shops, manufacturing, or similar uses or functions.

*Mini-storage facilities* means any structure designed or built with compartments to be used for individual storage of household items or business inventory by two or more clients on a lease or rental basis. In no case may storage spaces be used in a retail, wholesale, business, or service function, nor shall the storage spaces be used for workshops, hobby shops, manufacturing, or similar uses or functions.

*Miniature golf course* means an establishment providing a novelty golf game played with a putter on a miniature course usually having tunnels, bridges, sharp corners, and obstacles.

*Minimum flood protection* elevation is the community's design flood elevation in any given area, and specifically means the 0.2 percent flood elevation, plus two feet, or three feet for critical facilities and floodway locations. See table 14-5 in section 14-222(5).

*Mobile home* means a movable or portable dwelling structure which is constructed to be towed on its own chassis, is capable of being connected to public utilities, and is designed for year-round living as a single-family dwelling unit without the necessity of a permanent foundation. The term "mobile home" shall not include pickup campers, travel trailers, motor homes, converted buses, tent trailers or other transportable structures designed for temporary use (see also *Manufactured home*).

*Mobile (manufactured) home park* means a parcel of land under single ownership on which two or more mobile (manufactured) homes are occupied as residences. Any mobile (manufactured) home facility where two or more units are intended for long-term residential use (beyond 90 days) is considered a mobile (manufactured) home park for purposes of applying development standards.

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*Model home* means a single-family residential structure used temporarily as an office for the sale of single-family residential structures in the same platted subdivision.

*Monument sign* means a ground sign supported by a solid base which is equal to but not more than 15 percent larger than the sign face base which contains no commercial message and is not attached to any building. See Figure 14-19.

~~*Motor vehicle sales* means the use of a site for sale or rental of automobiles, trucks, motorcycles, motor homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. This use includes new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.~~

~~*Motor vehicle sales* means an establishment used for the sale or rental of automobiles, trucks, motorcycles, motor homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. This use includes new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.~~

*Multifaced sign* means a single sign with two or more faces which are not parallel or back-to-back.

~~*Multi-family housing for senior citizens* means a multi-family development intended for the sole occupancy of senior citizens.~~

~~*Multi-purpose entertainment complex* means an establishment that may include food and drink sales and provides the general public with amusement or activities, including but not limited to bowling alleys, laser tag, mini-golf, bumper cars, skating rinks, trampoline parks, theatres, or similar activities.~~

~~*Municipal and governmental buildings, police stations and fire stations* means Government offices including but not limited to, accounting, auditing and bookkeeping services; engineering and planning; attorneys; court services; technology services; public safety services; public works; utilities; administrative office facilities; management, public relations services; and related government uses.~~

~~*Musical instrument shops and supply store.* A retail establishment focused on the sale of musical instruments, equipment, and related components.~~

*Nameplate* means a sign which denotes only the name of the person occupying the premises.

*New construction* means, for the purpose of determining flood hazard insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commences on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

*New manufactured home park or subdivision*, for floodplain management purposes, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

*Noncommercial message* means a message that is not a commercial message.

*Noncommercial sign* means a sign directing attention to a purpose or cause not created or existing for the generation of profit or for the remuneration of individuals including, but not limited to, religious, charitable, civic or educational purposes or causes.

*Nonconforming building (nonconforming structure)* means a building or structure (or portion thereof) lawfully existing at the time of adoption of the ordinance from which this chapter derives, or subsequent amendment thereto, that does not conform to the provisions of this chapter relative to height, bulk, area, placement or yards for the district in which it is located.

*Nonconforming use* means the use of a building or structure or of a parcel or tract of land, lawfully existing at the time of adoption of this chapter or subsequent amendment thereto, that does not conform to the regulations of the district in which it is situated.

*Nursing care center* means a facility that provide nursing services and custodial care on a 24-hour basis for three or more unrelated individuals who for reasons of illness, physical infirmity, or advanced age, require such services.

*Off-premises sign* means a sign which identifies a use, facility or service which is not located on the premises where such sign is displayed; identifies a product which is not produced, sold or manufactured on the premises where such sign is displayed; or advertises or otherwise directs attention to a product, service, activity, person, institution, facility or business which may or may not be identified by a brand name and which occurs or is primarily conducted, sold, manufactured, produced or offered elsewhere than on the premises where such sign is displayed.

*Office supply store* means a retail establishment focusing on the sale of machines, equipment, stationery, and other items found in personal and business offices.

*Oil, gas, and minerals; extraction, production, drilling operations, etc.* includes and shall mean any hole or bore, to any sand, formation, strata or depth, which is drilled, bored, sunk, dug, or put down for the purpose of either exploring for or ascertaining the existence of oil, gas, liquid hydrocarbon, or for the purpose of producing and recovering any oil, gas, liquid hydrocarbon, or wellbores for disposal of saltwater or other oil and gas waste. All technical or oil and gas industry words or phrases used in this article and not specifically defined herein or in the Texas Railroad Commission Rules for Oil, Gas and Geothermal Operations or Pipeline Safety Rules shall have the meaning customarily attributable thereto by prudent operators in the oil and gas industry.

*On-premises sign* means a sign which identifies the name of the owner or occupant of the premises on which the sign is located; identifies a use, facility or service located on the premises where such sign is displayed; identifies a product which produced, sold or manufactured on the premises where the sign is located; or advertises or otherwise directs attention to a product, service, activity, person, institution, facility or business which may or may not be identified by a brand name and which occurs or is primarily conducted, sold, manufactured, produced or offered on the premises where the sign is located.

*Optical goods manufacturing* means a facility that manufactures eyeglasses, contact lenses, or any related items (i.e. contact solution, cases, etc.).

*Owner* means any owner, authorized agent or contractor who constructs, enlarges, alters, repairs, moves or changes the occupancy of a building or structure.

*Parking lot* means any location that is used for the short-term outdoor storage of passenger motor vehicles.

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*Pavement width* means the portion of the surface of the street available for vehicular traffic; if curbed, it is that portion of the street between the back of the curb and back of the curb.

*Pawnshop* shall have the meaning set out in V.T.C.A., Finance Code § 371.003.

*Permanent Produce market* means a specified land area managed by a single operator who leases space/stalls for the outdoor sales of fresh fruit and produce foods products; meat and fish items; plants and flowers; or, bakery goods, dairy products, delicatessen, and grocery items. Does not include a temporary event farmers market.

*Person* means an individual, firm, partnership, corporation, company, association, joint stock association or governmental entity. It includes a trustee, receiver, assignee or similar representative of any of them.

*Pet and pet supply store* means a retail establishment that sells animals and pet care resources to the public.

*Church-Place of worship* means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such purpose.

*Planned unit development (PUD)*. See *Unified development*.

*Plant Nursery* means an establishment where plants are propagated and grown to a desired size for sale to the public, businesses, and commercial gardeners.

*Pool supply store* means a retail establishment that sells equipment and chemical treatments for pools and hot tubs.

*Portable sign* means a sign designed or constructed to be easily moved from one location to another, including signs mounted upon, or designed to be mounted upon, a trailer, bench, wheeled carrier or other motorized or nonmotorized mobile structure or vehicle, whether or not its wheels have been removed. For the purpose of this chapter, trailer signs and signs on benches are portable signs.

*Precious metal dealer (gold exchange)* means a person licensed to engage in the business of purchasing and selling crafted precious metal.

*Precious metal dealer* means any natural person, partnership, or corporation, either as principal or agent engaging in the business of buying secondhand items containing precious metal, including, but not limited to jewelry, watches, eating utensils, candlesticks, and religious and decorative objects.

*Principal use* means the main use to which the premises are devoted and the principal use for which the premises exist.

*Private street* means a vehicular accessway under private ownership and maintenance providing access to building units in the interior of a lot.

*Professional and technical services* means an establishment that specializes in performing professional and technical activities for others. Activities performed include, but are not limited to, legal advice and representation; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; consulting services; advertising services; photographic services; translation and interpretation services; and other professional and technical services.

Professional office and business office means professional and business offices including accounting, auditing and bookkeeping services; advertising agencies; architectural, engineering, planning, and surveying services; attorneys; counseling services; court reporting services; data processing and computer services; detective agencies and similar services; employment, stenographic, secretarial, and word processing services; administrative office facilities; photography and commercial art studios; writers and artists offices outside the home. Does not include medical offices or offices that are incidental and accessory to another business or sales activity that is the principal use. Incidental offices that are customarily accessories to another use are allowed as part of an approved principal use.

*Projecting sign* means a sign which is affixed to a building wall or structure and which extends beyond the building wall or structure more than 12 inches.

*Public improvement* means one or more of the following: water lines and appurtenances, sewer lines and appurtenances, streets and/or drainage facilities.

Public park and playground, public recreational facility, and community building means any public location managed by the city for use by the residents.

*Public right-of-way* means any part of a right-of-way, not privately owned or controlled, which the city or other governmental agency is responsible for maintaining.

*Public street* means the entire width between property lines of any road, street, way, alley, bridge or other similar thoroughfare, not privately owned or controlled, which is open to the public for vehicular traffic and which the city or other governmental agency is responsible for maintaining.

*Public utility* means any person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telephone, telegraph, transportation or water.

Railroad and related facilities means public or private right-of-way on which tracks for trains are constructed. Railroad yards and stations shall be classified as cargo or passenger terminals and are a permitted incidental use.

*Reader panel* means a permanently constructed changeable copy bulletin board, lighted or unlighted, with detachable precut letters and figures.

Real estate, rental, and leasing office means an establishment that arranges the sale, renting, or management of homes, land, and buildings for their owners or their clients.

*Recreational vehicle* means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Regulatory floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

*Reserve* means a tract of land created within a plat that is not divided into lots or proposed for development at the time of platting.

*Residential* means a tract of land designed for or used exclusively to contain a dwelling unit. A primary residential area shall mean a street in which a majority of the total front footage is used for residential purposes.

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

~~*Restaurant and delicatessen* means an establishment that serves food and may offer any alcoholic beverage (beer, wine, ale, and distilled spirits) to customers for consumption on premises and may not derive more than fifty-one (51) percent of its sales from alcoholic beverages.~~

*Retail establishment selling or offering for sale any alcoholic beverage* means a store which sells or offers to sell alcoholic beverages for off-premises consumption.

*Right-of-way* means a street, alley or other thoroughfare or easement permanently established for passage of persons, vehicles or the location of utilities. The right-of-way is delineated by legally established lines or boundaries.

*Riverine* means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

*Roof sign* means a sign erected or maintained above or on the sloped roof of any building or above the parapet wall or the mansard roof of a flat-roof building.

*Roofline* means the height above finished grade of the upper beam, rafter, ridge or purlin of any building.

*School-age program center* means a facility licensed by the State of Texas providing supervision and recreation, skills instruction, or skills training for at least two hours a day and three days a week to children attending pre-kindergarten through grade six. A school-age program operates before or after the customary school day and may also operate during school holidays, the summer period, or any other time when school is not in session (40 TAC § 745.37(2)(H)).

~~*Scientific research and development* means a facility in which scientific research, investigation, testing, or experimentation is conducted, but not including the manufacturing or sales of products, except as incidental to the main purpose of the laboratory.~~

*Screening* means fences, walls, trees, shrubbery and other landscape elements used to conceal or interfere with the view and reduce noise impact thereof from adjacent properties and public rights-of-way at street level in accordance with the standards set forth in this chapter.

*Service centers* means a one-story building containing a minimum of 25 percent office space. The remaining space shall be used for other business functions governed by use regulations for District J.

*Setback* means the minimum unoccupied distance between the lot line and the principal and accessory buildings, as required in this chapter.



*Setback, front* means the minimum unoccupied distance, extending the full lot width, between the principal and accessory buildings and the front lot line.

*Setback, rear* means the minimum required unoccupied distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front lot line.

*Setback, side* means the minimum required unoccupied distance, extending from the front setback to the rear setback, between the principal and accessory buildings and the side lot line.

*Sheet metal processing* means a facility that processes sheet metal (usually below 6 millimeters), this includes, but is not limited to, shearing, blanking, bending, welding, riveting, molding, and surface treatment.

*Short-term rental* means the rental of all or part of a residential property to a person who is not a permanent resident, and who does not have the right to use or possess the property for at least 30 consecutive days.

*Sign* means any structure, part thereof or device of inscription which is located upon, attached to, or painted or represented on any land or on the outside of any building or structure, or on an awning, canopy, marquee or similar appendage, or displayed or shown so as to be seen from the outside of the building or structure, and which displays or includes any numeral letter, work model, banner, emblem, insignia, symbol, device, monogram, heraldry, trademark, light or other representation used as or in the nature of an announcement, advertisement, attention arrester, direction warning or designation of any person, industry or activity, or any combination thereof.

*Sign and architectural graphic manufacturing* means a facility where signs and graphics are manufactured for sale for the purpose of advertising, delivering messages, or decoration.

*Sign area* means the total square footage of all sign faces, including that portion of the sign structure or trim which contains any wording, symbols, identifying color or pictures; provided, however, that in the case of a double-faced sign, the sign area shall be the total square footage of one face.

*Sign face* means the sign face area of any sign upon, against or through which the message is displayed or illustrated; provided, however, that the sign face area of a sign on which the words, letters or symbols are independently mounted shall be that of the smallest regular geometric form that will wholly contain all of the message. See Figure 14-19.

*Sign structure* means a structure which supports or is capable of supporting a sign. A sign structure may be a single pole and may or may not be an integral part of a building.

*Single-family dwelling* means a building containing only one dwelling unit and/or occupied by only one family or group of individuals included within the definition of family.

*Single-occupant detached commercial or industrial building* means a commercial or industrial building which contains a single occupant and which is not a part of an integrated business development or which is located in a reserve that is part of, but is physically separated by a distance of more than 50 feet from any other structure in, an integrated business development.

*Site plan* means a plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this chapter.

*Special flood hazard area (SFHA).* See *Area of special flood hazard*.

*Specialty food store* means an establishment that offers premium food products including baked goods, candy and chocolate, snacks, dairy products, coffee, tea, soft drinks, and gourmet foods.

*Spectacular sign* means a sign that has one or more of the following as elements in its physical structure:

- (1) Automatically changing advertising that changes more often than once every five minutes (not including date, time, temperature);
- (2) Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating or spot lights, or similar devices;
- (3) Lights or colored elements creating a continuously moving, shimmering or prismatic effect; or
- (4) Rotating or moving parts.

*Sporting good sales* means a retail establishment that offers for sale sporting goods, equipment, athletic apparel, and other merchandise that reflects a sports theme.

*Stadium* means a building with tiers of seats designed to accommodate spectator sports and other types of public amusement and entertainment.

*Start of construction* [for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)], for flood hazard management purposes, includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways, nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

*Story* means that part of a building between the surface of a floor and the ceiling immediately above.

*Story, half* means that which covers a floor area of not more than 50 percent of the floor area and the ceiling immediately above.

*Street* means any public or private street or easement used for access.

*Street, arterial* means roads of regional importance or the main roads of a community. Direct access is primarily limited to significant land uses.

*Street, collector* means that which provides access to nonresidential land uses and connects residential streets to the system's arterial streets.

*Street, expressway* means a road intended to serve interstate or high speed, high volume urban traffic. Access to an expressway is limited to other expressways and major streets.

*Street frontage* means the length of a lot or tract of land which is adjacent to a public or private street.

*Streetline* means the line establishing the outer most boundary of the street right-of-way.

*Street, local* means a street which provides access to adjacent land; characterized by low volume and low speeds.

*Structural alterations* means any change in the supporting members of a structure, such as bearing walls, columns, beams or girders.

*Structure* means anything constructed or erected, which requires location on the ground or attached to something having a location on the ground including, but not limited to, buildings of all types, advertising signs and billboards, but excluding basketball goals and ornamental yard lights. (See also the adopted building codes.)

*Structure*, for floodplain management purposes, means a walled and roofed building or structure, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. This includes a fence or a wall per the adopted building codes.

*Subdivision plat* means a map or drawing of a proposed subdivision prepared in a manner suitable for recording in the county records and containing accurate and detailed engineering and survey data, dimensions, dedicatory statements and certificates.

- (1) Preliminary plat: See section 14-55(1).
- (2) Final plat: See section 14-55(2).

*Substantial damage*, for flood hazard management purposes, means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial improvement*, for flood hazard management purposes, means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

*Tattoo parlor and body modification shop* means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of placing designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. This use does not include permanent make-up associated with an accessory use in an established salon.

*Telecommunication tower* means a facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or

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receipt of such signals, telecommunication towers, or similar structures supporting said equipment, equipment buildings, parking areas, and other accessory development.

Telephone switching facility means a facility housing a telecommunications system used in the public switched telephone network (PSTN) or in large enterprises.

*Temporary building* means a building used for a temporary period of time in connection with construction on the premises of which it is located, real estate sales, and educational, municipal or church functions.

*Temporary sign* means a sign constructed of cloth, canvas, light fabric, cardboard, wallboard or other light material. A portable sign shall not be considered a temporary sign.

Theater means an establishment for showing live performances, movies, and motion pictures. This does not include adult entertainment.

*Townhouse* means a structure which is one of a series of dwelling units designed and used for only single-family occupancy, ground to sky, with no entrances or exits to or from the adjoining structures, if any.

*Truck terminal* means any premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.

*Underground shelter* means any structure built primarily below ground level.

*Unified development* means the separate ownership of single units or apartments in a multiple unit structure with common elements. (See Vernon's Ann. Civ. St. art. 1301a.)

*Use* means the purpose or activity for which any land or building is designed, arranged or intended, or for which it is so occupied or maintained, and shall include any manner of such activity with respect to the standards of this chapter.

*Utility structure* means any structure built primarily for the storage of tools, such as garden and lawn equipment, or for projects and hobby activities, such as carpentry.

Utility substation and power lines means electric power lines and electric substations, including accessory uses customarily incidental thereto; provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind. The height and area, construction, and other regulations provided by this section shall not apply to uses allowed in the subpart.

*Variance*, for flood hazard management purposes, means a grant of relief by a community from the terms of a floodplain management regulation (For full requirements see section 60.6 of the National Flood Insurance Program.)

Veterinarian services means a facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases wherein the animals are limited to dogs, cats, or other comparable household pets and wherein the overnight care of said animals is prohibited except when necessary in the medical treatment of the animal.

*Violation*, for flood hazard management purposes, means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A

structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 14-225 and in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program is presumed to be in violation until such time as that documentation is provided.

*Wall line* means the surface that connects the foundation to the roof.

*Wall sign* means a flat sign, either of solid face construction or individual letters, symbols or pictures, erected, installed or printed, which is placed against the exterior wall of any building or structure and which does not extend more than eight inches from the exterior wall and does not extend above the wall line.

*Water surface elevation* means the height, in relation to the North American Vertical Datum (NGVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

*Watercourse* means a definite channel of a stream in which water flows within a defined bed and banks, originating from a definite source. The water may flow continuously or intermittently, and if the latter, with some degree of regularity, depending on the characteristics of the source.

*Wholesale or warehousing business* means an establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use.

*Wine tasting rooms/facility. An establishment that sells or gives free samples of wine to customers for consumption on premises.*

*Woodworking shop, artisanal means a facility that manipulates wood to produce articles for sale of artistic quality or effect or handmade workmanship.*

*X shaded zone* means areas subject to a 0.2 percent chance of flooding in any given year; areas of 1.0 percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees from one percent annual chance flood.

*X unshaded zone* means areas of minimal flood hazard, outside of the 0.2 percent chance of flood.

*Yard, front* means the space enclosed by the front lot line, the side lot lines and a line parallel to the front lot line and even with the main building or any projections thereof, other than steps, or planter box.

*Yard, rear* means the space unoccupied, except for freestanding buildings between the rear of the main building (dwelling) and the rear lot line.

*Yard, side* means the open space between a building and the side lot lines, but not including any part of the front or rear yards.

*Zero property line housing* means housing commonly known as patio homes. It is a detached living unit constructed on a smaller lot in which one side of the unit is placed on the property line without openings. This concept utilizes the entire lot with a living unit that has a private side and rear yard. The front yard of the unit is reduced in size to contain the auto ingress and egress area along with the guest entry area.

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*Zoning district map* means the map incorporated into this chapter and made a part of this chapter by reference thereto.

(Ord. No. 95-04, § 1(art. 12), 2-20-95; Ord. No. 98-24, § 1, 11-16-98; Ord. No. 99-04, § 1, 2-15-99; Ord. No. 99-17, § 2, 8-16-99; Ord. No. 00-11, §§ 1, 2, 3-20-00; Ord. No. 00-16, § 1, 5-15-00; Ord. No. 00-17, § 1, 5-9-00; Ord. No. 00-21, §§ 1, 2, 6-19-00; Ord. No. 01-30, § 10, 10-15-01; Ord. No. 02-33, § 1, 12-16-02; Ord. No. 03-24, § 1, 6-16-03; Ord. No. 2006-9, § 1, 2-20-06; Ord. No. 2009-22, § 3, 5-18-09; Ord. No. 2010-40, § 1, 8-23-10; Ord. No. 2010-55, § 1, 12-13-10; Ord. No. 2011-28, § 1, 6-20-11; Ord. No. 2013-10, § 1, 3-18-13; Ord. No. 2013-45, § 1, 12-16-13; Ord. No. 2013-46, § 1(Exh. A), 12-16-13; Ord. No. 2014-35, § 2, 10-20-14; Ord. No. 2017-28, § 2(Exh. A), 7-17-17; Ord. No. 2018-31, § 2(Exh. A), 12-17-18; Ord. No. 2020-28, § 2(Exh. A), 12-21-20; Ord. No. 2021-32, § 1, 7-19-21; Ord. No. 2022-14, § 2, 4-18-22; Ord. No. 2022-31, § 2, 7-18-22)

Cross reference(s)—Definitions generally, § 1-2.

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**Sec. 14-11. – Reserved General penalty; continuing violations.****(a) Continuing violations.**

- (1) Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punished by a fine of not exceeding \$2,000.00 for violations of all such provisions that govern building fire safety, zoning, or public health and sanitation, including but not limited to graffiti, dumping of refuse, and not exceeding \$500.00 for all other violations; provided, however, that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense.
- (2) The owner or owners of any building, premises, improvements, implement, thing or part thereof, where anything is a violation of this Code, or any person, architect, builder, contractor, subcontractor, corporation, director, officer, agent, servant or employee who may have assisted in the commission of any such violation, shall be guilty of a separate offense and, upon conviction thereof, shall be fined as provided herein.
- (3) The City Manager and/or their designee are authorized and empowered to issue a citation for any violations of the City Code known to have occurred or to be occurring as provided in subsections (a) or (b) of this section. Such citation shall be enforceable through the Municipal Court of the City of Jersey Village, Texas.
- (4) The City Manager and/or their designee are authorized and empowered to post signage indicating the violation on the property in question. If no part of the subject property is visible from a public right-of-way, the signage shall be posted along the nearest street right-of-way in a location that does not obstruct sight lines that are necessary for public safety. The inadvertent removal of the posted signage shall be subject to citation.
- (5) It is an affirmative defense in any proceeding to enforce any portion of this Code that relates to zoning or any ordinance of the city that relates to zoning that the condition or activity in question is: (i) controlled by the city itself or its officers, agents, employees, or contractors, in the course of their duties for the city, and (ii) approved by the city council.

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## Sec. 14-88. Regulations that apply to all districts.

### (a) General regulations.

- (1) No use of private or public property, whether it be residential, business, commercial or industrial, shall be permitted if that use is so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.
- (2) No use of public street right-of-way or public sidewalk or adjacent property, either private or public, shall be permitted if that use inhibits or hinders the movement of normal traffic on that street or sidewalk.
- (3) City maintenance personnel must be allowed free access to utility easement and street rights-of-way so they can perform maintenance and repair of utility systems.
  - a. No buildings or structures of any type or size, other than fences, shall be permitted on utility easements.
  - b. If fences are located on utility easements, city maintenance personnel may remove such fences at any time for the purpose of gaining access to utility systems, and no liability will be incurred for damages to, repair of or replacement of such fences.
- (4) Any building which has been damaged by fire or other causes to the extent of more than 50 percent of its value shall be rebuilt in conformity with this article, as though it were a new building, or removed. This shall not apply to damaged structures outside the 100-year (one percent probability) floodplain, in regards to slab height, where the footprint of a structure is not modified and the slab is intact. The building shall be secured from entrance by any unauthorized persons within 24 hours after all embers are extinguished. A building permit is required before removal, repair or reconstruction commences which shall be started within 60 days of the date the damage occurs and shall be completed within a reasonable time, but not later than 150 days after the damage occurs. Before occupancy will be permitted a certificate of occupancy shall be required.
- (5) Whenever any street is abandoned, the boundaries of any districts that lie along one side of each street are automatically extended to the centerline of such street.
- ~~(6) Vehicles held for sale, lease or rental in any business or industrial district shall not be parked or stored on unpaved surfaces.~~
- ~~(6 7)~~ No platted lot shall be reduced in size and no lot area shall be reduced or diminished so that the lot size or the yards shall be smaller than prescribed by this chapter. These regulations shall not apply in District D.
- ~~(7 8)~~ No individual water well or piping for such system shall be connected in any way to any public water supply system.
- ~~(9) No oil, gas or other mineral exploration, production or drilling operations for minerals of any kind shall be conducted on any lot or parcel of land within the city except in zoning district H (industrial district).~~
- ~~(8 10)~~ Add-on construction. After a certificate of occupancy has been issued for a building in accordance with section 14-7(b), no add-on type of construction such as patio covers, carports, balconies, stoops, porches or any structural alteration of the building shall be made unless a new building permit is first obtained from the development officer in accordance with Chapter 14. The plans must be submitted to and approved by the development officer. Requests for a building permit to allow add-on type construction or structural alteration of a building shall indicate that the proposed construction will be in harmony with the style of the original building.



~~(9 11)~~ No permit for the erection, alteration, reconstruction, conversion or use of any building shall be issued by the development officer unless the plan required by Chapter 14 provides for a sidewalk to be constructed on all street sides of such building. This subsection shall apply to all districts of the city, with the exception of Block 42.

~~(12) Buffering. Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below. Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas. Bufferyards shall be provided according to the standards provided in Example 14-7. See also sections 14-310 and 14-311 for landscaping standards. These regulations shall not apply in District D.~~

~~(13) Screening.~~

- ~~a. For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.~~
- ~~b. All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.~~
- ~~c. No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.~~
- ~~d. The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.~~
- ~~e. Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.~~
- ~~f. Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.~~
- ~~g. If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.~~
- ~~h. The use of barbed wire, razor wire or any other similar material is not allowed.~~

~~These regulations shall not apply in District D.~~

- (10 14) Lighting of off-street parking areas and/or for external illumination of any building and grounds shall be arranged so that the source of light is concealed or shielded from public view and from adjacent residential properties and does not interfere with traffic. These regulations shall not apply in District D.
- (11 15) Temporary buildings shall be permitted only in connection with construction on the premises on which located, which buildings shall be removed upon completion or abandonment of the construction; real estate sales offices during development of residential subdivision in which they are located and limited to sales of property in such subdivisions; and educational, municipal or church functions operated for the benefit of the public. It shall be unlawful for any person to erect, construct, enlarge, place, locate or relocate any temporary building on premises within the city, or cause the same to be done, without first obtaining a building permit therefor in accordance with section 14-114. It shall be unlawful for any person to use or occupy a temporary building without first obtaining a certificate of occupancy therefor in accordance with section 14-7(b). A certificate of occupancy shall be limited to the duration of the intended use not to exceed one year; provided, however, that the certificate of occupancy may be extended as follows:
- Where the temporary building is used for the contractors' offices, equipment storage, model homes and real estate sales offices for residential projects, the certificate of occupancy may be extended at one-year intervals until the project is 90 percent constructed; and
  - Where the temporary building is for a use other than described in subsection (21)a of this section, the certificate of occupancy may be extended for one additional one-year period.

A temporary building shall be in compliance with the terms of the building code and all other applicable laws and ordinances. A temporary building shall not be used in any manner constituting a nuisance or interfering with the quiet enjoyment of the neighborhood. These regulations shall not apply in District D.

~~(16) Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.~~

~~(17) Garbage and refuse containers in commercial and industrial zoning districts shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high. These regulations shall not apply in District D.~~

~~(18) Fencing standards. Where chain link fencing is constructed within the city, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11 gauge galvanized material and all fencing higher than four feet shall be a minimum of nine gauge galvanized material. The use of barbed wired, razor wire or similar material shall not be allowed in residential zoning districts. Barbed wire and razor wire may be used in commercial and industrial districts in combination with the above approved fencing material and shall be installed on top of the fence with the total height above ground not to exceed seven feet. These regulations shall not apply in District D.~~

- (12 19) A nonresidential building may not be erected on a lot abutting a subdivision containing residential structures closer to the subdivision than 50 feet for a one-story building, 100 feet for a two-story building, or 150 feet for a three or more-story building. These regulations shall not apply in District D.
- (13 20) No sleeping quarters other than those within a permanent residential structure, hotel or motel shall be used for longer than seven days within a 30-day period; provided that a recreational vehicle or portable building may be used for temporary housing and sleeping quarters by a person whose residence is uninhabitable as a result of flood, fire or environmental conditions if parked on a paved

surface on a private property and with appropriate sewer and electrical connections. No person shall occupy a recreational vehicle or portable building for temporary housing and sleeping quarters without first receiving a permit for such use from the building official. The building official shall issue a permit if the conditions set forth herein are met. The permit shall be valid for the period of time necessary to restore the residence to habitability, as determined by the building official, but not to exceed 120 days. Any extension to such permit will require approval of the building official and director of public works. These regulations shall not apply in District D.


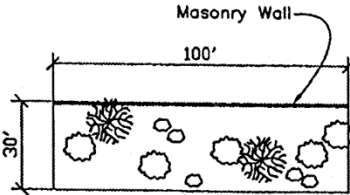

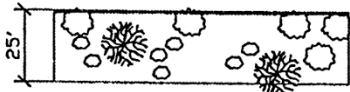


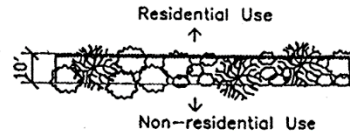
(14 24) Any finished floor that is elevated more than 12 inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.

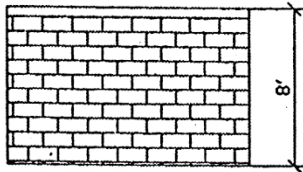
(b) *Building setbacks.* Unless otherwise specifically provided elsewhere in this article, all buildings and structures located in a district within the city shall conform to the following setbacks (as measured from the property line):

Lot Line	Setback (In Feet)	Modifier
Front	25	—
Rear	25	(1) Excluding fencing
Side street	10	(1) 25 feet where one or more lots have frontage on the street.
Side	7½	(2) Zero feet for townhouses and one side of patio homes.

(Ord. No. 95-04, § 1(302), 2-20-95; Ord. No. 96-08, § 2, 6-17-96; Ord. No. 97-04, §§ 1, 2, 4-21-97; Ord. No. 99-05, §§ 2—4, 2-15-99; Ord. No. 99-31, §§ 2—5, 11-15-99; Ord. No. 00-26, § 1, 8-21-00; Ord. No. 01-30, §§ 3, 7, 10-15-01; Ord. No. 02-16, § 1, 7-15-02; Ord. No. 03-17, §§ 1, 2, 4-21-03; Ord. No. 04-06, § 1, 3-15-04; Ord. No. 04-08, § 2, 5-17-04; Ord. No. 04-25, § 1, 12-20-04; Ord. No. 2006-5, § 1, 3-20-06; Ord. No. 2006-8, § 1, 2-20-06; Ord. No. 2008-22, § 1, 7-21-08; Ord. No. 2009-22, §§ 1, 2, 5-18-09; Ord. No. 2011-14, § 1(Exh. A), 3-21-11; Ord. No. 2011-25, §§ 9—11, 5-23-11; Ord. No. 2013-46, § 2(Exh. A), 12-16-13; Ord. No. 2017-55, § 2, 12-18-17; Ord. No. 2019-29, § 2, 6-17-19)

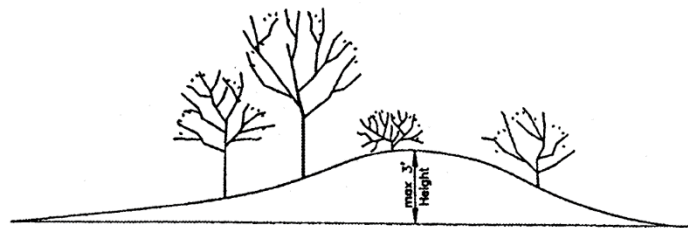
# BUFFERYARD STANDARDS

<u>REQUIRED PLANT UNITS/100'</u>		Plant Unit Multiplier	
3 Canopy Trees		.6	
6 Understory Trees		.8	
9 Shrubs		.9	
<b>Note:</b> To determine the total number of required plant units per 100 yard of bufferyard take the plant unit multiplier appropriate for the width of the bufferyard and multiply by number required for each plant type. Always round to the nearest whole number.		1	
<b>Example:</b> To determine number of required canopy trees for 100' long and 25' wide bufferyard: 0.8 x 3 = 2.4 Assume 2 canopy trees.			



Masonry Wall (Obscuring Wall)  
(Common or face brick, decorative block, etc., decorative side facing residential lots)

## BERMS



Example  
14 - 7

Example 14-7 Bufferyard Standards

**Sec. 14-105. Commercial Permitted and Conditional Use Tables.**

**a. Table 14-105(A). – Commercial Permitted Uses**

<b><u>KEY/LEGEND</u></b>	
<b><u>P = Permitted Use</u></b>	
<b><u>PC = Permitted with Conditions</u></b>	
<b><u>SUP = Special Use Permit</u></b>	
<b><u>District F</u></b>	<b><u>First Business District</u></b>
<b><u>District G</u></b>	<b><u>Second Business District</u></b>
<b><u>District H</u></b>	<b><u>Industrial District</u></b>
<b><u>District J</u></b>	<b><u>Third Business District</u></b>
<b><u>District J-1</u></b>	<b><u>Fourth Business District</u></b>
<b><u>District K</u></b>	<b><u>Fifth Business District</u></b>
<b><u>MVSOD</u></b>	<b><u>Motor Vehicles Sales Overlay District</u></b>

<u>USE</u>	<u>District F</u>	<u>District G</u>	<u>District H</u>	<u>District J</u>	<u>District J-1</u>	<u>District K</u>	<u>MVSOD</u>
<u>Apparel manufacturing.</u>			<u>PC<sup>(1)</sup></u>				
<u>Art gallery.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Assembling.</u>				<u>PC<sup>(2)</sup></u>	<u>PC<sup>(2)</sup></u>	<u>PC<sup>(2)</sup></u>	
<u>Auto body shop.</u>		<u>SUP</u>					
<u>Automobile repair shop.</u>			<u>PC<sup>(3)</sup></u>				
<u>Bail bond service.</u>			<u>SUP</u>				
<u>Bakery (industrial).</u>			<u>PC<sup>(4)</sup></u>				
<u>Bank, financial, and insurance service institution.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Barber, beauty store, or salon.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Bar.</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Beer and wine sales.</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Book store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Brew pub.</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	

<u>USE</u>	<u>District F</u>	<u>District G</u>	<u>District H</u>	<u>District J</u>	<u>District J-1</u>	<u>District K</u>	<u>MVSOD</u>
<u>Broadcasting Studio.</u>				<u>P</u>	<u>P</u>	<u>P</u>	
<u>Building contractor and related activities.</u>			<u>P</u>				
<u>Building materials, sales, and storage.</u>			<u>P</u>			<u>P</u>	
<u>Cafe and cafeteria.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Carwash.</u>		<u>SUP</u>	<u>SUP</u>				
<u>Cannabidiol shop (CBD shop).</u>					<u>P</u>		
<u>Cell phone and computer repair business.</u>			<u>SUP</u>				
<u>Child day-care operation (licensed child-care centers and school-age program centers).</u>	<u>SUP</u>	<u>SUP</u>				<u>SUP</u>	
<u>Cigar shop/lounge.</u>	<u>SUP</u>			<u>SUP</u>	<u>SUP</u>		
<u>City of Jersey Village: water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Cleaners (clothing), tailor, and retail laundry.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Clinic.</u>		<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Clothing boutique.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Cold storage plant.</u>			<u>P</u>				
<u>Commercial vehicle repair shop.</u>			<u>PC<sup>(5)</sup></u>				
<u>Concrete product manufacturer.</u>			<u>SUP</u>				
<u>Credit access business.</u>			<u>SUP</u>				
<u>Customarily incidental use.</u>	<u>PC<sup>(6)</sup></u>	<u>PC<sup>(6)</sup></u>	<u>PC<sup>(6)</sup></u>	<u>PC<sup>(6)</sup></u>	<u>PC<sup>(6)</sup></u>	<u>PC<sup>(6)</sup></u>	
<u>Dancing studio, exercise class, and martial arts facility.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Department store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Distribution and warehousing.</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Drug store and pharmacy.</u>	<u>SUP</u>	<u>SUP</u>		<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Dry cleaning and laundry plant (industrial).</u>			<u>SUP</u>				
<u>Educational institution, services, and learning center.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	

<u>USE</u>	<u>District F</u>	<u>District G</u>	<u>District H</u>	<u>District J</u>	<u>District J-1</u>	<u>District K</u>	<u>MVSOD</u>
<u>Farm implement machinery sales and storage.</u>			<u>P</u>				
<u>Farmers market.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Florist and flower shop.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Food processing and packaging, with the exception of slaughtering.</u>			<u>SUP</u>				
<u>Food truck park.</u>				<u>P</u>			
<u>Furniture manufacturing.</u>			<u>PC<sup>(7)</sup></u>				
<u>Garage, public.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Gasoline filling station.</u>	<u>PC<sup>(8)</sup></u>	<u>PC<sup>(8)</sup></u>	<u>PC<sup>(8)</sup></u>	<u>PC<sup>(8)</sup></u>	<u>PC<sup>(8)</sup></u>	<u>PC<sup>(8)</sup></u>	
<u>General retail.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Golf course, country club, and driving range.</u>	<u>SUP</u>			<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Grocery store.</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Hardware store.</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Head/smoke shop.</u>			<u>SUP</u>				
<u>Health club.</u>	<u>P</u>			<u>P</u>	<u>P</u>	<u>P</u>	
<u>Heating, plumbing and air conditioning, sale, and repair.</u>			<u>PC<sup>(9)</sup></u>				
<u>Home good store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Hookah bar/lounge.</u>			<u>SUP</u>				
<u>Hospital.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Hotel and motel.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Instrument and meter manufacturing.</u>			<u>PC</u>				
<u>Jewelry and watch manufacturing.</u>			<u>SUP</u>				
<u>Junk or salvage yard.</u>			<u>SUP</u>				
<u>Library and museum.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Liquor store (excluding drive-up or pick-up services).</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Machining.</u>			<u>PC<sup>(10)</sup></u>				
<u>Manufacture of printed material.</u>			<u>PC<sup>(11)</sup></u>	<u>PC<sup>(11)</sup></u>	<u>PC<sup>(11)</sup></u>	<u>PC<sup>(11)</sup></u>	

<u>USE</u>	<u>District F</u>	<u>District G</u>	<u>District H</u>	<u>District J</u>	<u>District J-1</u>	<u>District K</u>	<u>MVSOD</u>
<u>Massage establishment.</u>	<u>SUP</u>						
<u>Medical and dental office.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Medical research and development.</u>			<u>SUP</u>				
<u>Mini-storage lot.</u>			<u>SUP</u>				
<u>Mini-storage facility.</u>			<u>SUP</u>			<u>SUP</u>	
<u>Miniature golf course.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Motor vehicle sales.</u>							<u>PC<sup>(12)</sup></u>
<u>Multi-family housing for senior citizens.</u>		<u>SUP</u>					
<u>Multi-purpose entertainment complex .</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Municipal and governmental buildings, police stations and fire stations.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Musical instrument shop and supply store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Nursing care center.</u>				<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Office supply store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Oil, gas, and minerals; extraction, production, drilling operations, etc.</u>			<u>PC<sup>(13)</sup></u>				
<u>Optical goods manufacturing.</u>			<u>PC<sup>(14)</sup></u>				
<u>Parking lot.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Pawnshop.</u>					<u>P</u>		
<u>Permanent produce market.</u>			<u>SUP</u>				
<u>Pet and pet supply store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Place of worship.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Plant nursery.</u>			<u>P</u>			<u>P</u>	
<u>Pool supply store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Precious metal dealer.</u>			<u>SUP</u>				
<u>Professional office and business office.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Professional and technical services.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Public park and playground, public recreational facility, and community building.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	



<u>USE</u>	<u>District F</u>	<u>District G</u>	<u>District H</u>	<u>District J</u>	<u>District J-1</u>	<u>District K</u>	<u>MVSOD</u>
<u>Real estate, rental, and leasing office.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Railroad and related facilities.</u>			<u>P</u>				
<u>Restaurant and delicatessen.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Scientific research and development.</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Sheet metal processing.</u>			<u>PC<sup>(15)</sup></u>				
<u>Sign and architectural graphic manufacturing.</u>			<u>PC<sup>(16)</sup></u>	<u>PC<sup>(16)</sup></u>	<u>PC<sup>(16)</sup></u>	<u>PC<sup>(16)</sup></u>	
<u>Specialty food store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Sporting good sales.</u>	<u>PC<sup>(17)</sup></u>	<u>PC<sup>(17)</sup></u>		<u>PC<sup>(17)</sup></u>	<u>PC<sup>(17)</sup></u>	<u>PC<sup>(17)</sup></u>	
<u>Stadium</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Tattoo parlor and body modification shop.</u>			<u>SUP</u>				
<u>Telecommunication tower.</u>		<u>SUP</u>	<u>P</u>				
<u>Telephone switching facility.</u>	<u>SUP</u>	<u>SUP</u>				<u>SUP</u>	
<u>Temporary building.</u>			<u>PC<sup>(18)</sup></u>				
<u>Theater.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Truck terminal.</u>			<u>SUP</u>				
<u>Utility substation and power lines.</u>	<u>PC<sup>(19)</sup></u>		<u>PC<sup>(19)</sup></u>	<u>PC<sup>(19)</sup></u>	<u>PC<sup>(19)</sup></u>	<u>PC<sup>(19)</sup></u>	
<u>Veterinarian services.</u>	<u>SUP</u>	<u>SUP</u>		<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Wholesale or warehousing.</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Wine tasting room/facility.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Woodworking shop, artisanal.</u>			<u>PC<sup>(20)</sup></u>				

**b. Table 14-105(B). – Commercial Conditional Uses**

<u>#</u>	<u>Conditional Uses</u>	<u>Zoning District</u>	<u>Conditions</u>
<u>1</u>	<u>Apparel manufacturing.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>2</u>	<u>Assembling.</u>	<u>J, J-1, K</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>3</u>	<u>Automobile repair shop.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>4</u>	<u>Bakery (industrial).</u>	<u>H</u>	<u>Provided that such use be not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of emission of odor, gases, and/or fumes.</u>
<u>5</u>	<u>Commercial vehicle repair shop.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>6</u>	<u>Customarily incidental use.</u>	<u>F, G, H, J, J-1, K</u>	<u>Must be customarily incidental to a permitted principal use located on the same building site and listed in Table 14-105(A), provided that such use is not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke, or pollution of any kind.</u>

#	<u>Conditional Uses</u>	<u>Zoning District</u>	<u>Conditions</u>
<u>7</u>	<u>Furniture manufacturing.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>8</u>	<u>Gasoline filling station.</u>	<u>F, G, H, J, J-1, K</u>	<u>Must have a minimum separation distance of 3,000 feet measured from property line to property line from any currently existing gasoline filling station.</u> <u>Provided that all storage tanks for gasoline shall be below the surface of the ground.</u>
<u>9</u>	<u>Heating, plumbing and air conditioning, sales, and repair.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>10</u>	<u>Machining.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>11</u>	<u>Manufacture of printed material.</u>	<u>H, J, J-1, K</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>12</u>	<u>Motor vehicle sales</u>	<u>MVSOD</u>	<u>Vehicles held for sales, lease, or rental in any business or industrial district shall not be parked or stored on unpaved surfaces.</u>
<u>13</u>	<u>Oil, gas, and minerals; extraction, production, drilling operations, etc.</u>	<u>H</u>	<u>No oil, gas or other mineral exploration, production or drilling operations for minerals of any kind shall be conducted on any lot or parcel of land within the city except in zoning district H</u>

#	<u>Conditional Uses</u>	<u>Zoning District</u>	<u>Conditions</u>
<u>14</u>	<u>Optical goods manufacturing.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>15</u>	<u>Sheet metal processing.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>16</u>	<u>Sign and architectural graphic manufacturing.</u>	<u>H, J, J-1, K</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>17</u>	<u>Sporting good sales.</u>	<u>F, G, J, J-1, K</u>	<u>Sporting goods sales, not including boats, boat motors, mopeds, recreational vehicles, ATVs, golf carts, motorcycles, or motor bikes.</u>
<u>18</u>	<u>Temporary building.</u>	<u>H</u>	<u>Must be incidental to the construction of buildings permitted in the district and which shall be removed when work is complete.</u>
<u>19</u>	<u>Utility substation and power lines.</u>	<u>F, H, J, J-1, K</u>	<u>Provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind.</u>
<u>20</u>	<u>Woodworking shop, artisanal.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>

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**Sec. 14-~~105~~ 106. Regulations for district F (first business district).**

- (a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district F except for ~~one or more of the following uses:~~ as provided in Sec. 14-105.
- ~~(1) Townhouses and patio homes.~~
  - ~~(2) Banks.~~
  - ~~(3) Barber and beauty shops.~~
  - ~~(4) Professional offices and business offices.~~
  - ~~(5) Educational institutions.~~
  - ~~(6) Hospitals, clinics and nursing care centers.~~
  - ~~(7) Churches and other places of worship.~~
  - ~~(8) Hotels and motels.~~
  - ~~(9) Public parks and playgrounds, public recreational facilities and community buildings.~~
  - ~~(10) Municipal and governmental buildings, police stations and fire stations.~~
  - ~~(11) Parking lots.~~
  - ~~(12) Gasoline filling stations, provided that all storage tanks for gasoline shall be below the surface of the ground.~~
  - ~~(13) Restaurants, cafes and cafeterias.~~
  - ~~(14) Stores and shops for retail sales and personal service shops.~~
  - ~~(15) Theaters.~~
  - ~~(16) Water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.~~
  - ~~(17) Garages, public.~~
  - ~~(18) Accessory uses customarily incident to any of the above uses, provided that such use is not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.~~
  - ~~(19) Golf courses, country clubs, miniature golf courses, and driving ranges.~~
  - ~~(20) Electric power lines and electric substations, including accessory uses customarily incidental thereto; provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind. The height and area, construction, and other regulations provided by this section shall not apply to uses allowed in the subpart.~~
  - ~~(21) The following uses are permitted in district F with a specific use permit:~~
    - ~~a. Telephone switching facilities;~~
    - ~~b. Child day care operations (licensed child care centers and school age program centers);~~
    - ~~c. Car wash facilities.~~
    - ~~d. Retail establishment selling or offering for sale any alcoholic beverage.~~
    - ~~e. Massage establishment.~~
  - ~~(22) Model homes as permitted in district A.~~
  - ~~(23) Grocery store.~~
  - ~~(24) Health club.~~

(b) Setbacks.

<u>Setbacks (feet) for District F (first business district)</u>	
<u>Nonresidential buildings (See note 1)</u>	
<u>Front</u>	<u>25' to the front property line</u>
<u>Rear</u>	<u>10' to the rear property line</u>
<u>Side street</u>	<u>10' to the side street line</u>
<u>Side</u>	<u>10' to the side property line</u>
<u>Notes:</u>	
<u>Note 1: Any nonresidential building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for a three- or four-story.</u>	

~~(b c)~~ *Height and area regulations.* The heights of buildings, the minimum area of buildings, and the minimum lot size ~~and the minimum dimensions of yards~~ upon any lot or parcel of land in district F shall be as follows:

- (1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height. Buildings shall not exceed 56 feet in height except gasoline filling stations shall not exceed one story in height. For townhouse and patio homes, the height and area regulations provided in subsection 14-103(b) shall apply.
- (2) *Building area.* The building area of each building shall be not less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area. ~~For townhouse and patio homes, the height and area regulations provided in subsection 14-103(b) shall apply.~~
- ~~(3) *Location on lot.* For townhouse and patio home lots, the setbacks established in subsection 14-103(b) shall apply. Any nonresidential building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for a three- or four-story. For nonresidential buildings the setbacks established in subsection 14-88(b) are modified as follows: Buildings or structures shall not be located closer than 25 feet to the front property line, or ten feet to a side lot line or street line or ten feet to a rear lot line.~~
- ~~(4 3)~~ *Lot size.* The minimum lot size as established in Sec. 14-137. Table 14-2 shall apply.
- ~~(5 4)~~ *Open area.*
  - a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.
  - b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking areas.

(e d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible.

(e) Buffering.

- (1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.
- (2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.
- (3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.
- (4) See also Sections 14-310 and 14-311 for landscaping standards.

(f) Screening.

- (1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
- (2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
- (3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
- (4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
- (5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
- (6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
- (7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

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(g) Commercial waste enclosures.

(1) Garbage and refuse containers in district F shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) Fencing standards.

(1) Fences in district F shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district F, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.



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**Sec. 14-~~106~~ 107. Regulations for district G (second business district).**

- (a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district G except for ~~one or more of the following uses:~~ as provided in Sec. 14-105.
- ~~(1) Banks.~~
  - ~~(2) Barber and beauty shops.~~
  - ~~(3) Professional offices and business offices.~~
  - ~~(4) Educational institutions.~~
  - ~~(5) Hospitals, clinics and nursing care centers.~~
  - ~~(6) Churches and other places of worship.~~
  - ~~(7) Hotels and motels.~~
  - ~~(8) Restaurants, cafes and cafeterias.~~
  - ~~(9) Stores and shops for retail sales and personal service shops.~~
  - ~~(10) Theaters.~~
  - ~~(11) Gasoline filling stations, provided that all storage tanks for gasoline shall be below the surface of the ground.~~
  - ~~(12) Mini-warehouse storage facilities on lots of eight acres or more.~~
  - ~~(13) Garages, public.~~
  - ~~(14) Parking lots.~~
  - ~~(15) Water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.~~
  - ~~(16) Public parks and playgrounds, public recreational facilities and community buildings.~~
  - ~~(17) Municipal and governmental buildings, police stations and fire stations.~~
  - ~~(18) Accessory uses customarily incident to any of the above uses, provided that such use is not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.~~
  - ~~(19) The following uses are permitted in district G with a specific use permit:~~
    - ~~a. Telephone switching facilities.~~
    - ~~b. Multifamily housing for senior citizens.~~
    - ~~c. Telecommunication towers.~~
    - ~~d. Auto body shops.~~
    - ~~e. Child day care operations (licensed child care centers and school age program centers).~~
    - ~~f. Retail establishment selling or offering for sale any alcoholic beverage.~~

(b) Setbacks.

<u>Setbacks (feet) for District G (second business district)</u>	
<u>Building or structures (See Notes 1, 2)</u>	
<u>Front</u>	<u>25' to the front property line</u>
<u>Rear</u>	<u>10' to the rear property line</u>
<u>Side street</u>	<u>10' to the side street property line</u>
<u>Side</u>	<u>10' to the side property line</u>
<u>Notes:</u>	
<u>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</u>	
<u>Note 2: Buildings and other structures may abut adjacent buildings or other structures at the side lot line, provided that they are separated by a firewall which complies with current city building codes. Each group of abutting buildings shall be separated on the side by an open space of not less than ten feet to the next side lot line or side street line.</u>	

~~(b c)~~ *Height and area regulations.* The heights of buildings, the minimum area of buildings, and the minimum lot size ~~and the minimum dimensions of yards~~ upon any lot or parcel of land in district G shall be as follows:

- (1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height. Buildings shall not exceed 56 feet in height except gasoline filling stations shall not exceed one story in height.
- (2) *Building area.* The building area of each building shall be not less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.
- ~~(3) *Location on lot.* The setbacks established in subsection 14-88(b) are modified as follows: Buildings or structures shall not be located closer than 25 feet to the front property line, or ten feet to a side street line or ten feet to a rear lot line except when abutting a residential lot. Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story. Buildings and other structures may abut adjacent buildings or other structures at the side lot line, provided that they are separated by a firewall which complies with current city building codes. Each group of abutting buildings shall be separated on the side by an open space of not less than ten feet to the next side lot line or side street line.~~
- ~~(4 3)~~ *Lot size.* The minimum lot size shall be as established for nonresidential lots in Sec. 14-137, Table 14-2, Lot Standards in this Code.
- ~~(5 4)~~ *Open area.*
  - a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

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- b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking areas.
- (e d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible.
- (e) *Buffering.*
- (1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.
  - (2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.
  - (3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.
  - (4) See also sections 14-310 and 14-311 for landscaping standards.
- (f) *Screening.*
- (1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
  - (2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
  - (3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
  - (4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
  - (5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
  - (6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
  - (7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and

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welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(g) Commercial waste enclosures.

(1) Garbage and refuse containers in district G shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) Fencing standards.

(1) Fences in district G shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district G, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.

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**Sec. 14-~~107~~ 108. Regulations for district H (industrial district).**

- (a) *Use regulation.* ~~No building or land shall be used, and no building shall be erected moved or altered in district H except for as provided in Sec. 14-105. This district is established to provide locations for manufacturing and assembly plants and warehouses. All the uses permitted in this district shall have their operations conducted entirely within enclosed buildings and shall not emit any dust, smoke, odor or fumes outside of the building housing the operation or produce a noise level at the property line that is greater than the average noise level occurring on the adjacent street.~~

~~(1) Permitted uses:~~

- ~~a. Apparel manufacturing.~~
- ~~b. Automobile and truck repair and rebuilding shop.~~
- ~~c. Bakery.~~
- ~~d. Building contractor and related activities.~~
- ~~e. Building materials, sales and storage.~~
- ~~f. Cabinet making.~~
- ~~g. Carwash.~~
- ~~h. Cold storage plant.~~
- ~~i. Dry cleaning and laundry plant.~~
- ~~j. Electrical equipment assembly.~~
- ~~k. Farm implement machinery sales and storage.~~
- ~~l. Furniture manufacturing.~~
- ~~m. Grocery store.~~
- ~~n. Heating, plumbing and air conditioning, sales and repair.~~
- ~~o. Instrument and meter manufacturing.~~
- ~~p. Mixing plants for concrete or paving materials.~~
- ~~q. Optical goods manufacturing.~~
- ~~r. Printing and publishing.~~
- ~~s. Professional offices.~~
- ~~t. Railroad and related facilities.~~
- ~~u. Retail sales.~~
- ~~v. Restaurant.~~
- ~~w. Service station.~~
- ~~x. Sheet metal processing.~~
- ~~y. Signs: Advertising, business, occupancy, and temporary.~~
- ~~z. Telecommunications towers.~~
- ~~aa. Temporary building which is incidental to the construction of buildings permitted in the district and which shall be removed when work is complete.~~
- ~~bb. Woodworking shop.~~

(b) Setbacks.

<u>Setbacks (feet) for District H (industrial district)</u>	
<u>Buildings or structures (See Note 1)</u>	
<u>Front</u>	<u>25' to the front property line</u>
<u>Rear</u>	<u>25' to the rear property line</u>
<u>Side street</u>	<u>25' to the side street property line</u>
<u>Side</u>	<u>25' to the side property line</u>
<u>Notes:</u>	
<u>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</u>	

(b c) Height and area regulations.

- (1) Height. No limitation Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.
- (2) Building area. No limitations.
- ~~(3) Location lot. All buildings and structures shall conform to the setback standards established in subsection 14-88(b).~~

(e d) Construction. No limitations.

~~(d) Specific use. The following uses are permitted in district H with a specific use permit:~~

- ~~(1) Bail bond service;~~
- ~~(2) Cell phone and computer repair business;~~
- ~~(3) Concrete products manufacture;~~
- ~~(4) Credit access business;~~
- ~~(5) Food processing and packaging, with the exception of slaughtering;~~
- ~~(6) Head/smoke shops;~~
- ~~(7) Hookah bars/lounge;~~
- ~~(8) Jewelry and watch manufacturing;~~
- ~~(9) Junk or salvage yard;~~
- ~~(10) Mini storage lots;~~
- ~~(11) Precious metal dealer;~~
- ~~(12) Produce market;~~
- ~~(13) Retail establishment selling or offering for sale any alcoholic beverage;~~
- ~~(14) Tattoo shop;~~

- ~~(15) Truck terminal; and~~  
~~(16) Wholesale or warehousing.~~

(e) Buffering.

- (1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.
- (2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.
- (3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.
- (4) See also Secs. 14-310 and 14-311 for landscaping standards.

(f) Screening.

- (1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
- (2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
- (3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
- (4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
- (5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
- (6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
- (7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

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(g) Commercial waste enclosures.

(1) Garbage and refuse containers in district H shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) Fencing standards.

(1) Fences in district H shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district H, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.



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**Sec. 14-109. Regulations for district J (third business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district J except for ~~one or more of the following uses:~~ as provided in Sec. 14-105.

~~(1) All uses permitted in district F except townhouses and patio homes.~~

~~(2) Service centers limited to the following uses:~~

~~a. Assembling.~~

~~b. Communications.~~

~~c. Data processing.~~

~~d. Distribution.~~

~~e. Food service.~~

~~f. General administration.~~

~~g. Jobbing.~~

~~h. Light storage.~~

~~i. Nonretail sales.~~

~~j. Office.~~

~~k. Professional.~~

~~l. Research and development.~~

~~m. Servicing.~~

~~n. Wholesaling.~~

~~o. Light manufacturing. The following uses are acceptable under light manufacturing and any other use of a similar kind so long as it does not produce noise, odor, pollution or other features that are no greater or more objectionable to a reasonable person than the following uses:~~

~~1. Precision instrument machining.~~

~~2. Electronic and mechanical assembly.~~

~~3. Sign and architectural graphic manufacturing.~~

~~4. Manufacture of printed material.~~

~~p. Or combination of such uses.~~

(b) Setbacks.

<u>Setbacks (feet) for District J (third business district)</u>	
<u>Buildings or structures (See Notes 1, 2)</u>	
<u>Front</u>	<u>25' to the front lot line</u>
<u>Rear</u>	<u>10' to a rear lot line</u>
<u>Side street</u>	<u>10' to the side street lot line</u>
<u>Side</u>	<u>10' to the side lot line</u>
<u>Notes</u>	
<u>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</u>	
<u>Note 2: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.</u>	

(b c) Height and area regulations for district J.

- (1) Height. Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.
  - a. ~~Office buildings shall not exceed four stories with a maximum height of 56 feet, except gasoline filling stations shall not exceed one story in height.~~
  - b. ~~For service centers, the height of the buildings shall not exceed 16 feet and shall not exceed one story.~~
  - c. ~~For service centers height shall be measured from the ground finished floor to the highest point of the roof deck.~~
  - d. ~~Office buildings, education buildings, retail stores, parking garages, hospitals and hotels which exceed four stories in height shall be permitted north of U.S. 290, and west of Jones Road.~~
- (2) Building area. The building area of each building shall not be less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.
- ~~(3) Location on lot. The setbacks established in section 14-88(b) are modified as follows: Buildings or structures shall not be located closer than 25 feet to the front property line, or 25 feet to a side lot line or ten feet to a rear lot line. Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.~~

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- (4 3) *Open area.*
- a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.
  - b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.
- (e d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible. Service center front elevation shall consist of a minimum of 15 percent glass.
- (d e) *Other regulations in district J Outside storage.*
- ~~(1) Screening. Refuse containers or like equipment outside of an enclosed space shall be screened from public view, either from adjacent buildings or adjacent property, both private and public. Such screens shall be permanent and opaque and of wood, metal or masonry material and shall be at least as high as the screened object, and in no case shall be less than six feet in height.~~
  - (2 1) *Outside storage.* There shall be no outside storage except as permitted under subsection (j h)(1) of this section ~~of these J district provisions.~~
- (e) ~~Specific use. The following uses are permitted in district J with a specific use permit: Retail establishment selling or offering for sale any alcoholic beverage.~~
- (f) *Buffering.*
- (1) ~~Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.~~
  - (2) ~~Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.~~
  - (3) ~~Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.~~
  - (4) ~~See also sections 14-310 and 14-311 for landscaping standards.~~
- (g) *Screening.*
- (1) ~~For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.~~
  - (2) ~~All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face~~

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concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

- (3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
- (4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
- (5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
- (6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
- (7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(h) Commercial waste enclosures.

- (1) Garbage and refuse containers in district J shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(i) Fencing standards.

(1) Fences in district J shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district J, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.

**Sec. 14-109.1. Regulations for district J-1 (fourth business district).**

(a) ~~Use regulations.~~ No building or land shall be used and no building shall be erected, moved, or altered in district J-1 except for ~~one or more of the following uses:~~ as provided in Sec. 14-105.

~~(1) All uses permitted in district J;~~

~~(2) Pawnshops; and~~

~~(3) CBD shop.~~

~~(b) Specific use.~~ The following uses are permitted in district J-1 with a specific use permit: Retail establishment selling or offering for sale any alcoholic beverage.

(b) Setbacks.

<u>Setbacks (feet) for District J-1 (fourth business district)</u>	
<u>Buildings or structures (See Note 1)</u>	
<u>Front</u>	<u>25' to the front lot line</u>
<u>Rear</u>	<u>10' to the rear lot line</u>
<u>Side street</u>	<u>10' to the side street lot line</u>
<u>Side</u>	<u>25' to the side lot line</u>
<u>Notes</u>	
<u>Note 1: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.</u>	

(c) Height and area regulations for district J-1.

(1) Height. Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) Building area. The building area of each building shall not be less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.

(3) Open area.

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

b. Building fronts. An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.

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(d) Buffering.

- (1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.
- (2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.
- (3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.
- (4) See also sections 14-310 and 14-311 for landscaping standards.

(e) Screening.

- (1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
- (2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
- (3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
- (4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
- (5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
- (6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
- (7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(f) Commercial waste enclosures.

- (1) Garbage and refuse containers in district J-1 shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

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(g) Fencing standards.

(1) Fences in district J-1 shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district J-1, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.

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**Sec. 14-110. Regulations for district K (fifth business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district K except for ~~one or more of the following uses:~~ as provided in Sec. 14-105.

~~(1) All uses permitted in district F, first business district.~~

~~(2) Service centers limited to the following uses (25 percent office space):~~

~~a. Assembling.~~

~~b. Communications.~~

~~c. Data processing.~~

~~d. Distribution.~~

~~e. Food service.~~

~~f. General administration.~~

~~g. Jobbing.~~

~~h. Light storage.~~

~~i. Nonretail sales.~~

~~j. Office.~~

~~k. Professional.~~

~~l. Research and development.~~

~~m. Servicing.~~

~~n. Wholesaling.~~

~~o. Light manufacturing. The following uses are acceptable under light manufacturing and any other use of a similar kind so long as it does not produce noise, odor, pollution or other features that are no greater or more objectionable to a reasonable person than the following uses:~~

~~1. Precision instrument machining.~~

~~2. Electronic and mechanical assembly.~~

~~3. Sign and architectural graphic manufacturing.~~

~~4. Manufacture of printed material.~~

~~p. Combinations of the above-listed uses.~~

~~(3) Distribution warehouses limited to the following uses:~~

~~a. Assembling.~~

~~b. Communication.~~

~~c. Data processing.~~

~~d. Food service.~~

~~e. General administration.~~

~~f. Jobbing.~~



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- ~~g. Warehousing.~~
  - ~~h. Nonretail sales.~~
  - ~~i. Office.~~
  - ~~j. Professional.~~
  - ~~k. Research and development.~~
  - ~~l. Service.~~
  - ~~m. Wholesaling.~~
  - ~~n. Distribution.~~
  - ~~o. Manufacturing. The following uses are acceptable under manufacturing any other use of a similar kind so long as it does not produce noise, odor, pollution or other features that are no greater or more objectionable to a reasonable person than the following uses:
    - ~~1. Precision instrument machining.~~
    - ~~2. Electronic and mechanical assembly.~~
    - ~~3. Sign and architectural graphic manufacturing.~~
    - ~~4. Manufacture of printed material.~~
    - ~~5. Computer component assembly.~~~~
  - ~~p. Combinations of the above listed uses.~~
  - ~~q. Uses specifically prohibited are:
    - ~~1. Stamping;~~
    - ~~2. Drop forging; or~~
    - ~~3. Other uses of similar kind that would produce noise, odor, pollution or other features that are objectionable to a reasonable person.~~~~
  - ~~(4) The following uses are permitted in district K with a specific use permit:
    - ~~a. Telephone switching facilities.~~
    - ~~b. Mini-storage facilities.~~
    - ~~c. Child day care operations (licensed child care centers and school-age program centers).~~
    - ~~d. Retail establishment selling or offering for sale any alcoholic beverage.~~~~

(b) Setbacks.

<u>Setbacks (feet) for District K (fifth business district)</u>	
<u>Nonresidential buildings</u>	
<u>Front</u>	<u>25' to the front lot line</u>
<u>Rear</u>	<u>25' to the rear lot line</u>
<u>Side street</u>	<u>25' to the side street lot line</u>
<u>Side</u>	<u>25' to the side lot line</u>
<u>Notes</u>	
<u>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</u>	
<u>Note 2: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.</u>	

(b c) Height and area regulations in district K.

- (1) Height. Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.
  - a. ~~Gasoline filling stations shall not exceed one story in height.~~
  - b. ~~The height of service center buildings shall not exceed 16 feet and shall not exceed one story. Height shall be measured from the ground finished floor to the highest point of the roof deck.~~
  - c. ~~Office buildings, education buildings, retail stores, parking garages, hospitals and hotels which exceed four stories in height shall be permitted if located not less than 425 feet from the southern boundary of district A.~~
  - d. ~~The height of distribution warehouse buildings shall not exceed 40 feet and shall not exceed two stories. Building height shall be measured from the finished floor, regardless of whether the floor is at dock height or ground level, to the height of the roof deck. No second story windows may face district A unless located at least 225 feet from district A.~~
- (2) Building area. The building area of each building shall not be less than 1,000 square feet of ground floor area, provided that gasoline filling stations shall contain not less than 500 square feet of ground floor area.
- ~~(3) Location on lot. The setbacks established in subsection 14-88(b) are modified as follows: Buildings or structures shall not be located closer than 25 feet to the front property line, or 25 feet to a side lot line or ten feet to a rear lot line. Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.~~

(4.3) *Open area.*

- a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped. See article XII of this chapter.
- b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.
- c. Notwithstanding anything to the contrary contained in this section, distribution warehouse subdivisions in excess of 70 acres shall have a minimum of ten percent total open area including stormwater detention and utility easement area.

(e.d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible. Service center front elevation shall consist of a minimum of 15 percent glass.

(d.e) *Outside storage regulations in district K.*

~~(1) *Screening.* Refuse containers or like equipment outside enclosed spaces shall be screened from public view, from adjacent buildings or from adjacent property, both private and public. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet in height.~~

~~(2) *Unscreened containers.* Notwithstanding anything to the contrary contained in this section, distribution warehouse subdivisions in excess of 70 acres may have unscreened refuse containers located adjacent to the distribution warehouse buildings, provided they are at a minimum distance of 120 feet from any street right-of-way.~~

(3.1) *Outside storage.* There shall be no outside storage except as permitted under subsection (d.h)(2.1) of this section. Distribution warehouse subdivisions in excess of 70 acres may have associated outside storage of inventories, machinery and other similar materials within the project if screened from the view of adjacent properties by:

- a. Opaque fencing made of wood, metal or masonry material not less than six feet in height nor more than ten feet in height;
- b. Fencing not less than six feet in height nor more than ten feet in height with dense opaque landscaping of not less than three feet in width and capable of attaining five to ten feet in height within 18 months of planting; or
- c. Existing buildings, provided that the total area devoted to outside storage shall not exceed ten percent of the building area.

(f) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also sections 14-310 and 14-311 for landscaping standards.

(g) Screening.

- (1) Notwithstanding anything to the contrary contained in this section, distribution warehouse subdivisions in excess of 70 acres may have unscreened refuse containers located adjacent to the distribution warehouse buildings, provided they are at a minimum distance of 120 feet from any street right-of-way.
- (2) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
- (3) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
- (4) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
- (5) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
- (6) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
- (7) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
- (8) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(h) Commercial waste enclosures.

- (1) Garbage and refuse containers in district K shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

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(i) Fencing standards.

(1) Fences in district K shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district K, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.

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## Sec. 14-244. Permits and fees.

- (a) *Permit required.* It shall be unlawful for any person to construct, reconstruct, alter or use a sign, or for any owner or occupant of land to allow the construction, reconstruction, alteration, or use of a sign on land owned or occupied by such person, without first having secured a written permit from the city to do so, subject to the exceptions set forth in subsection (b) of this section. It is an affirmative defense to prosecution under this subsection that a sign is excepted under subsection (b) of this section from the requirement of a project.
- (b) *Exceptions.*
- (1) Permits shall not be required under this article for on-premises signs of the following descriptions:
    - a. The repainting, cleaning or maintenance of a sign;
    - b. Signs painted on glass surfaces or windows or doors which do not cover more than 50 percent of the total surface area;
    - c. Wall signs not over ~~25~~ 5 square feet in area;
    - d. Signs erected by governmental agencies and their lessees;
    - e. Railroad signs;
    - f. Legal notices and noninternally illuminated house numbers not less than two inches nor more than six inches in height;
    - g. A sign not greater than 32 square feet in area setting forth information concerning a building or other structure under repair or construction or advertising the sale or rental of the premises as permitted by section 14-252;
    - h. Any sign:
      1. Erected or maintained pursuant to and in discharge of any governmental function;
      2. Required by law, ordinance or governmental regulation; or
      3. Located on property owned, leased or under the control of a governmental entity.
    - i. Signs on private property not greater than four square feet in area and four feet in height that contain no advertising (except logo) and that direct the movement of traffic, warn of obstacles or overhead clearances or that control parking, including entrance and exit signs.
    - j. National, state, municipal, religious, and corporate flags; provided that the total flag display allowed is equal to or less than one-third of the flagpole height. The maximum number of flagpoles allowed for a single occupant detached business and integrated business developments shall be three. The maximum size of any one flag shall be ten feet by 19 feet.
    - k. Historical and commemorative plaques of recognized historical societies and organizations not greater than 15 square feet in area.
    - l. Decorations clearly incidental, customary and commonly associated with a national, local, ethnic or religious holiday; provided, however, that such decorations are displayed for only the length of time that such holiday or event is normally and customarily celebrated by the public.
    - m. Nameplates, not exceeding two square feet in area, for residents or occupants of commercial, industrial and professional buildings or dwellings, apartments, boardinghouses or roominghouses or other similar facilities.

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- n. Protection or security signs, not exceeding four square feet in area, erected by the occupant of a premises denoting security devices or no trespassing.
  - o. Signs located in the interior of a building which are designed and located to be viewed by patrons within the building and not by persons outside the building.
  - p. Signs on vehicles required by any governmental agency.
  - q. Signs on licensed commercial vehicles, including trailers; provided, however, that such vehicles shall not be used as parked or stationary outdoor signs and further provided that such vehicles or trailers are not designed or constructed for the primary purpose of providing an advertising medium.
  - r. Director signs, menu boards and the like which are designed to be read from a distance no greater than ten feet. (i.e. fast food drive thru menus.)
- (c) *Application.* An application for a construction permit shall be submitted on a form provided by the city and shall be accompanied by plans, drawn to scale, which shall include the following:
- (1) The dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached;
  - (2) The dimensions of the sign's supporting members;
  - (3) The proposed location of the sign in relation to the face of the building, on, in front of which it is to be located;
  - (4) The proposed location of the sign in relation to the boundaries of the lot or parcel of land upon which it is to be located;
  - (5) The location of all electrical transmission lines within 30 feet of any part of the proposed sign or sign structure;
  - (6) Plans and specifications if applicable for the electrical system of the sign;
  - (7) The dimensions and location of all existing signs whether exempt from these guidelines or permitted under them on the premises;
  - (8) The address or location of the proposed sign;
  - (9) The names and signatures of sign owners, landowners, sign erector;
  - (10) The area of the sign face; and
  - (11) Business frontage (if integrated business development/shopping center).
- (d) *Operating permits.* Operating permits expire December 31 of each year and shall be renewed within 60 days prior to the expiration date. Failure to renew the operating permit by the established deadline shall result in the assessment of late fees as detailed in the adopted fee schedule of the city. It shall be unlawful for any person to maintain or use, or to permit or suffer the use of on premises owned by or under the control of such person, a sign for which a permit is required by subsection (a) of this section without securing an annual operating permit from the city.
- (e) *Operating permits for existing signs.*
- (1) The building official shall not issue an operating permit for an existing sign that was erected in violation of any law or ordinance in effect at the time of its erection or for an existing sign that does not comply with the provisions of section 14-248.
  - (2) Nonconforming signs. Existing signs that were erected in compliance with all laws and ordinances in effect at the time of their erection must conform with the provisions of this article when an operating

permit is issued after January 1, 2005. Existing signs that were erected in violation of any law or ordinance in effect at the time of their erection must conform to the provisions of this article prior to issuance of an operating permit. The conformity dates for the removal or modification of those signs for which the conformity date is required to be extended or for which the city is required to compensate the owner or operator by the state or federal law shall be extended for so long as the conformity date extension or compensation is required by state or federal law. When any sign or a substantial part thereof is blown down or otherwise destroyed, or taken down or removed for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on such sign, it shall not be re-erected, reconstructed, repaired, or rebuilt, except in full conformance with this article. For purposes of this section and section 14-259, a sign or substantial part thereof is considered to have been destroyed only if the cost of repairing the sign is more than 60 percent of the cost of erecting a new sign of the same type at the same location.

- (f) *Subterfuge.* A permit secured before or after the effective date of this article which has been secured through subterfuge and not in full compliance with the provisions of this article shall be revoked by the building official in accordance with the procedures for revocation provided by this article.
- (g) *Construction permit effectiveness; removal permit.* A permit for construction of a sign shall become null and void unless construction of the sign is completed within 180 days from issuance. A permit may be renewed one time for a period not to exceed 180 days.
- (h) *Fees.* Each application shall be accompanied by the payment of a fee in accordance with the duly adopted schedule of fees.
- (i) *No refund of fees.* The applicant for, or holder of, a permit shall not be entitled to a refund of any fee paid.
- (j) *Deposit or bond.* When any work on a sign structure is to be done on the pavement side of the curblin or on or over public property which may cause the city to sustain loss, damage or injury to public property, or to be put to expense in correcting conditions resulting therefrom, the building official shall require the person proposing to do such work to furnish a bond in the amount of \$25,000.00 in a form satisfactory to the city attorney, or to post a deposit of a like amount, to indemnify the city against any cost that may be incurred or any loss, damage or injury that may be sustained by the city because of such work, and as a guaranty of compliance with this and other applicable laws and ordinances. Such required bond or deposit shall be furnished or posted before a permit is issued for the work.

(Ord. No. 00-16, § 2, 5-15-00; Ord. No. 03-24, § 4, 6-16-03; Ord. No. 2010-46, § 1, 10-18-10)



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## Sec. 14-252. Signs in commercial and industrial zoning districts.

The following signs are permitted in commercial and industrial zoning districts when maintained in good condition:

- (1) *Temporary signs.*
  - a. *For sale, rental or lease signs for commercial lots or structures.* One nonilluminated temporary on-premises ground sign not exceeding 64 square feet shall be allowed for each commercial unit or vacant lot in a platted commercial development in order to give information concerning leasing, renting or selling of such while the unit or lot is actually available for lease, rent or sale. The sign may be located anywhere on the premises; provided, however, that such sign shall not project beyond the property line and shall not have a height greater than eight feet above the natural ground level. No permit shall be required for the erection of such signs.
  - b. *Under construction or to be constructed signs.* Temporary ground signs, not to exceed eight feet in height and 32 square feet in size, are allowed for commercial or industrial developments which are under construction in addition to permanent signs as provided by this section in order to give information concerning leasing, renting, selling, financing and/or contracting. The temporary "under construction" sign shall be removed 12 months from the date of its erection or when the construction of the development is completed, whichever first occurs. The sign shall be placed a minimum of ten feet behind the street right-of-way and not in the clear view triangle. See Figure 14-5. No permit shall be required for the erection of such signs.
  - c. *Banner signs.*
    1. *Grand opening signs.* One wall sign, in the form of a banner no greater than 32 square feet in area, advertising a grand opening celebration is allowed for a period not to exceed 30 days. Such 30-day period shall begin on the date of erection of the sign, and the sign shall be removed prior to the expiration of the thirtieth day. A grand opening sign shall comply with the location and height standards for wall signs contained in subsection (2)b.1 of this section. No permit shall be required for the erection of such signs.
    2. *Special event signs.* One wall sign, in the form of a banner not to exceed 32 square feet in area, advertising special events such as activities, sales or special consignments may be displayed for a period not to exceed one calendar month (i.e. from the date first displayed through the date minus one day of the next month) and shall be removed not later than one day after such activity or sale is completed. Each commercial or industrial establishment shall be limited to not more than four special even signs per calendar year. Such signs shall not be painted directly on the window glass and shall not utilize fluorescent paint or any type of reflectors. Each such sign must be permitted at least three business days prior to the erection or placement of the sign.
      - (a) *Location and height.* The location and height of such signs will be in accordance with the standards for wall signs contained in subsection (2)b.1 of this section; provided, however, that where such required wall is not available, the special event sign may be suspended by means of ropes or cables between two vertical poles, stakes or freestanding supports. The location of banners shall not obstruct pedestrian traffic or be within the clear view triangle. See Figure 14-5.
      - (b) *Pennants and ribbon streamers.* In the case of a special event consisting of more than one activity occurring at the same time, pennant and ribbon streamers may be used to outline the area of each activity, to separate each activity from the other, to provide a designated path for those attending the

event or move from one activity to another without confusion, and to designate a proper parking area for those attending the event. Pennant and ribbon streamers shall not be erected more than four feet above ground level.

3. *Changing display signs.* One wall sign, in the form of a banner, with a maximum surface area of 200 square feet or two wall signs, in the form of a banner, with a maximum total surface area of 200 square feet advertising special sales opportunities may be displayed on buildings located on lots fronting U.S. Highway 290. No banner shall exceed 50 percent of the area of the wall on which the sign is displayed nor be mounted within 12 inches of any corner, change of elevation, change of building facade material, glass, or other signage. A banner shall not extend above the roofline or over a glass area, or wrap around a corner of a building. A banner shall be attached with not less than four attachment points, one for each corner, and shall have an attachment point a minimum of every 48 inches on all sides. All banners shall be mounted parallel and level with the ground. All banners shall be professionally constructed. For the purpose of this section, the area of the wall is defined as the wall surface on which the banner is mounted, bounded by any change of surface such as corners, changes of elevation of the structure, changes of building facade material, glass or other signage. An annual permit is required. The city shall be notified in writing, on a form provided by the city, of any change in the permitted signage.

(2) *Permanent signs.*

- a. *Commercial and industrial subdivisions.* A commercial or industrial subdivision containing not less than 40 acres of land may have one permanent identification monument type ground sign not to exceed eight feet in height and not to exceed 32 square feet in surface area at each major street entrance to the subdivision.
- b. *Single-occupant detached commercial and industrial buildings.* Single-occupant detached commercial and industrial buildings may have the following signs:
  1. *Wall signs.*
    - (a) *Size and number.* Wall signs are permitted for each single-occupant detached building ~~with an aggregate allowable sign area of one square foot for each linear foot of street frontage not to exceed the lesser of 25% of the elevation where the signs are located or 1,000 square feet. Only the street frontage that contains the main entrance shall be used for sign size calculations. No more than 50 percent of any wall may be covered with wall sign(s).~~
    - (b) *Location and height.* A wall sign may not project above the wall line of a building except for buildings with parapet walls, in which case the sign shall be flush with the wall and shall not project above the parapet. Signs placed on mansard roofs must be perpendicular to the ground with all permanent structural supports covered from view. Wall signs may be placed on the front or sides but not on the rear of buildings.
  2. *Ground signs.*
    - (a) *Size and number.* A single-occupant detached commercial or industrial building, may have one ground sign. A pole or monument type ground sign not more than 50 square feet in area is permitted for each lot or tract of land with a street frontage of 100 linear feet or more on which a single-occupant detached building is located;
    - (b) *Location and height.* A ground sign shall not exceed eight feet in height and shall be set back not less than ten feet from the street right-of-way and not less

than 25 feet from interior or rear property lines. A ground sign shall not be located within 100 feet of another ground sign, measured from the closest points of the signs; provided however the 100-foot separation does not apply to additional signs permitted elsewhere in this article for signs on the same property.

- (c) *[Commercial property.]* Any lot on which a commercial building may be legally constructed shall be allowed to have a ground, monument type, sign not to exceed 25 square feet in sign face area and not to exceed four feet in height. The sign shall be located as close to the center of the lot's street frontage as possible and at least ten feet from the street right-of-way in front of the structure. This will not effect [affect] the location of any other ground sign allowed by this article with regards to the 100-foot separation requirement in subsection (b) above.

3. *Canopy signs.*

- (a) *Size and number.* The allowable sign face area for canopy signs shall not exceed 50 percent of the canopy surface. This sign face area shall be included in the total signage allowed for wall signs, see subsection (2)b.1. of this section.
- (b) *Location and height.* Canopy signs must be an integral part of the canopy, i.e. painted or sewn and must not extend above the wall line.

- c. *Signs permitted in integrated business developments.* It shall be the responsibility of the integrated business development owner/leasing manager to advise the tenants of, and monitor compliance with, the sign ordinance. No signs shall be allowed in integrated business developments except as follows:

1. *Wall signs.*

- (a) *Size and number.* Each business establishment in an integrated business development may have a wall sign ~~age not to exceed 50 percent of the wall fascia area designated for that establishment not to exceed the lesser of 25% of the elevation where the signs are located or 1,000 square feet. Individual letters shall not exceed 24 inches in height. See Figure 14-20.~~
- (b) *Location and height.* A wall sign may not project above the wall line of a building except for buildings with parapet walls, in which case the sign shall be flush with the wall and shall not project above the parapet. Signs placed on mansard roofs must be perpendicular to the ground with all structural supports covered from view. Wall signs identifying businesses in an integrated business development may only be placed on any wall of the building in which the business is located except the rear wall the front building elevation, unless the business is located on a corner of such a development, in which case, side elevation signs are permitted.

2. *Ground signs.*

- (a) *Size and number.* The aggregate sign area for all ground signs in an integrated business development shall not exceed 400 square feet and shall not exceed one square foot of sign area for each 300 square feet of gross leasable area or square footage of the buildings; provided, however, that each sign must meet spacing, size and height requirements contained in this subsection. Each integrated business development shall be allowed one 32 square foot ground sign on each street frontage.

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- (b) *Location and height.* A ground sign shall not exceed eight feet in height and shall be set back not less than ten feet from street rights-of-way and not less than 50 feet from interior or rear property lines. A ground sign shall not be located within 100 feet of another ground sign, measured from the closest points of the two signs. If consistent with the above location and setback requirements, a ground sign allowed for a tract may be placed on any street frontage.

3. *Canopy signs.*

- (a) *Size and number.* The allowable sign face area for canopies shall not exceed 50 percent of the canopy surface. This sign face area shall be included in the total signage allowed for wall signs, see subsection (2)b.1.(a) of this section.
- (b) *Location and height.* Canopy signs must be an integral part of the canopy, i.e. painted or sewn and shall not extend above the wall line.

(Ord. No. 00-16, § 2, 5-15-00; Ord. No. 03-24, § 3, 6-16-03; Ord. No. 04-04, § 1, 2-16-04)

**Sec. 14-283. Table 14-11 off-street parking standards.**

OFF-STREET PARKING STANDARDS

<u>SIC-Group</u> <u>NAICS Codes</u>	Land Use Category	Off-Street Parking Standards	Special Provisions
<del>20-39</del> <u>31-33</u>	MANUFACTURING:	1 parking space per <del>1,000</del> square-feet of gross-leasable area <u>max # of workers on any one shift.</u>	
<del>40-49</del> <u>48/51/22</u>	TRANSPORTATION/COMMUNICATIONS/UTILITIES:		
<del>41</del> <u>48</u>	Bus terminals/airports	To be determined by the planning commission	
<del>42</del> <u>48</u>	Motor freight terminals/warehousing	1 parking space per <del>1,000</del> square-feet of gross-leasable area <u>max # of workers on any one shift.</u>	
<del>50-51</del> <u>42</u>	WHOLESALE TRADE:	3.3 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 2
<del>52-59</del> <u>44-45</u>	RETAIL TRADE:		
<del>53</del> <u>45</u>	General merchandise	<del>5</del> <u>4</u> parking spaces per 1,000 square feet of gross leasable area	
<del>55</del> <u>44</u>	Automotive stores	1 parking space per 800 square feet of floor area plus site area	
<del>58</del> <u>72</u>	Eating/drinking places	1 parking space per <del>2</del> <u>4</u> seats	
<del>60-67</del> <u>52/52/53</u>	GENERAL OFFICE (FINANCE/INSURANCE/REAL ESTATE, ETC.):	5 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 3

<del>70-89</del> <u>54, 56, 61, 72, 81</u>	SERVICES:		
<del>70</del> <u>72</u>	Hotel, motel	1 parking space per bedroom	
<del>72</del> <u>56, 81</u>	Personal services	<del>5</del> <u>4</u> parking spaces per 1,000 square feet of gross leasable area	
<del>726</del> <u>81</u>	Funeral homes	1 parking space per 4 seats	Minimum spaces: 3
<del>73</del> <u>54</u>	Business services	3.3 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 3
<del>75</del> <u>81</u>	Automotive repair services	<del>4</del> <u>parking spaces per service bay</u> <u>1 parking space per 375 square feet of gross floor area plus</u> <u>4 spaces per repair bay</u>	Minimum spaces: 4
<del>78-79</del> <u>71</u>	Amusement and recreation	1 parking space per 4 seats	
<del>80</del> <u>62</u>	Health services	4 parking spaces per 1,000 square feet of gross floor area	
<del>805</del> <u>62</u>	Personal care facility	1 parking space per 6 beds	
<del>806</del> <u>62</u>	Hospital	1 parking space per 2 beds	
<del>81</del> <u>54</u>	Legal	5 parking spaces per 1,000 square feet of gross floor area	Minimum spaces: 3
<del>82</del> <u>61</u>	Elementary school	2 parking spaces per classroom	

<del>82</del> <u>61</u>	Secondary school	10 parking spaces per classroom	
<del>83</del> <u>62</u>	Childcare services	1 parking space per 7 children	Minimum spaces: 5
<del>84</del> <u>71</u>	Museums, cultural centers	3.3 parking spaces per 1,000 square feet of floor area	Minimum spaces: 10
<del>86</del> <u>81</u>	Religious organizations	1 parking space per 4 seats	
<del>N/C</del> <u>2361</u>	RESIDENTIAL:		
<u>2361</u>	1 and 2 family dwellings	2 parking spaces per dwelling unit	
<u>2361</u>	Multifamily:		
<u>2361</u>	1 bedroom	1.5 parking spaces per dwelling unit	<sup>(1)</sup>
<u>2361</u>	2 bedrooms	2.5 parking spaces per dwelling unit	<sup>(1)</sup>
<u>2361</u>	3 or more bedrooms	3.5 parking spaces per dwelling unit	<sup>(1)</sup>
<u>2361</u>	Roominghouse/boardinghouse	1 parking space per 2 beds	
<u>2361</u>	Congregate housing	1 parking space per 2 beds	

<sup>(1)</sup> For multifamily complexes with ten or more units, the required number of guest parking spaces will be determined by multiplying the total number of parking spaces otherwise required for such apartment complex by 0.05.

<sup>(2)</sup> Parking for office areas shall be provided according to the standards for office uses in this table.

(Ord. No. 95-04, § 1(table 10-1), 2-20-95; Ord. No. 97-32, § 4, 12-15-97)

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## Sec. 14-309. Specific standards.

### (a) Residential lots.

- (1) Residential lots shall have landscaped areas which in the aggregate include not less than 50 percent of the area contained within the building setbacks.
- (2) A minimum of two trees (either existing or planted) measuring one inch or greater in diameter four feet above the ground at time of planting or measurement (if existing) are required within the front or side street setback areas.
- (3) Landscaping shall be in harmony with the surrounding area adequate to minimize visual monotony and barrenness.

### (b) Nonresidential lots.

- (1) At least ten percent of the total area within a lot shall contain landscaped areas. Multi-family lots shall dedicate an additional twenty percent of total area within a lot to landscaped areas.
- (2) A landscaped area ten feet in width shall be provided adjacent to each street right of way. Drives and sidewalks shall not be included in the required landscaped area except to the extent to which they may be required to cross the buffer to provide access.
- (3) All open, unpaved space including, but not limited to, front, side and rear building setback areas shall be landscaped.
- (4) An average of at least ten feet and a minimum of five feet shall be a landscaped area and walkway between the building and parking areas.
- (5) Trees required. Trees, either existing or planted, measuring a minimum of two inches average diameter measured four feet above ground level at the time of planting or measurement (if existing) shall be provided according to the following standards:
  - a. In lots containing 20,000 square feet or less, one tree per 2,000 square feet, or fraction thereof;
  - b. In lots containing more than 20,000 square feet, but less than 100,000 square feet, ten trees, plus one tree per 2,500 square feet or fraction thereof in excess of 10,000 square feet;
  - c. In lots containing more than 100,000 square feet, 46 trees plus one tree per 5,000 square feet, or fraction thereof, over 100,000 square feet;
  - d. A minimum of 25 percent of the trees required by this section shall be canopy trees with the remainder in noncanopy trees.

Each tree planted shall be in a planting area with a radius not less than three feet measured from tree trunk to the near edge of the landscaped area. All tree plantings shall be encompassed with an approved curb barrier to prevent access by vehicular traffic.

- (6) Tree removal. The clearance of any land and/or the removal of one or more trees with a caliper size greater than 10 inches (measured at 4 feet above ground level) in the course of developing a commercial lot, shall require an equivalent total replacement caliper to be provided by the planting of replacement trees. The following documents must be provided prior to removal:

- a. Tree Survey/Landscape Plan:

1. Existing trees on the site;
2. Tree proposed for removal;
3. Locations indicated for replacement tree; and



4. Note indicating how irrigation will be provided to new plantings.

b. Tree Disposition/Protection Plan:

1. Tree Table:

i. Caliper size (inches);

ii. Quantity; and

iii. Species.

(7) Tree replacement. When required to replace one or more trees, it is permitted to provide the equivalent total caliper by planting several smaller replacement trees in lieu of one larger replacement tree. Trees determined to be in undesirable or poor health by an Arborist are not subject to this section.

a. Due to the heavily wooded nature of some vacant lots, there may be instances in which it is not feasible to reasonably develop the property while preserving existing trees or matching their aggregated caliper size. In these instances, prospective developers may submit an alternative plan for tree preservation and replacement, which may be approved by the City Manager and/or their designee. If, after reviewing the plan, the official determines that reasonable efforts to preserve or replace trees have not been exhausted, the official's decision may be appealed to the city council, which shall have the final decision.

(8) Permitted replacement trees. Replacement trees shall be selected from the species listed below:

a. Oak, Pine, Elm, Hickory, Maple, Ash, Magnolia; or

b. Alternative replacement tree(s). A request for alternative species shall be subject to approval by the City Manager and/or their designee.

(6 9) Ground signs. A landscaped area not less than ten feet in width shall be located around the supporting structure of each ground sign and extending not less than three feet beyond each end. A hedge or other durable planting, which is not less than one foot in height at the time of planting and which will attain an average height of at least three feet shall extend the entire length and width of the required landscaped setup. Two flowering trees, not less than eight feet in height, shall be located within the required landscape setup. The remainder of the landscaped setup may be in grass or a decorative ground cover.

(7 10) Parking lots and other vehicular areas. Vehicular use areas, parking areas, parking lots, and their parked vehicles shall have effective buffering from the street view. A minimum amount of the total area of all vehicular use areas and parking areas of a lot shall be devoted to landscaped islands, peninsulas, or medians. The minimum total area in such islands, peninsulas, and medians shall be 90 square feet for each 12 parking spaces therein. No parking space shall be located further than 50 feet from a permeable landscaped island, peninsula or median or tree. All islands, peninsulas and medians required in the areas stated above, shall be more or less evenly distributed throughout such parking areas, respectively; however, the distribution and location of landscaped islands, peninsulas, and medians may be adjusted to accommodate existing trees or other natural features so long as the total area requirement for landscaped islands, peninsulas, and medians for the respective parking areas above is satisfied.

(Ord. No. 00-15, § 4, 5-15-00)

Editor's note(s)—Ord. No. 00-15, § 4, adopted May 15, 2000, repealed § 14-309, which pertained to procedures, and derived from Ord. No. 95-04, § 1(1103), adopted Feb. 20, 1995. Section 4 of said Ord. No. 00-15 adopted new provisions to read as herein set out.

**MAYOR OR MAYOR PRO tem**

**Script for Joint Public Hearing on May 17, 2023**

**Announce the Item on the Council Agenda - then:**

**ACKNOWLEDGE P&Z CHAIRMAN / VICE CHAIRMAN  
CONFIRM QUORUM OF P&Z**

**CONFIRM THAT ALL POSTING REQUIREMENTS HAVE BEEN  
MET then say:**

I now call to order this joint public hearing with the Planning and Zoning Commission at \_\_\_\_ p.m. Everyone desiring to speak should complete a public hearing comment card and present the card to the City Secretary. Each speaker will be given 5 minutes to present information concerning the proposal to amend Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards; and the proposal to amend Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards.

**Before calling anyone to speak, call upon Evan Duvall, the Building Official Representative to give a presentation concerning the changes that are the subject of the joint public hearings.**

**(Call the first person signing up to speak).**

**(After everyone has spoken . . . or if no one desires to speak, finish the meeting with the following)**

There being no one (else) desiring to speak, I now close this joint public hearing on the proposal to amend Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards; and the proposal to amend Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards at \_\_\_\_ p.m.

**F. CITIZENS' COMMENTS**

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their comments to the City Council.



Jersey Village, TX

# Fund Balance Report

As Of 04/30/2023

Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
01 - GENERAL FUND	4,488,470.70	12,309,090.03	8,413,532.07	8,384,028.66
02 - UTILITY FUND	11,531,067.09	2,887,682.22	2,706,840.89	11,711,908.42
03 - DEBT SERVICE FUND	314,819.18	1,420,034.07	1,435,000.00	299,853.25
04 - IMPACT FEE FUND	608,030.95	74,761.91	0.00	682,792.86
05 - MOTEL TAX FUND	234,211.85	89,999.68	10,575.00	313,636.53
06 - ASSET FORFEITURE FUND	19,700.38	503.51	6,897.50	13,306.39
07 - CAPITAL REPLACEMENT	8,837,814.59	276,394.14	818,869.47	8,295,339.26
10 - CAPITAL IMPROVEMENTS FUND	7,538,992.69	730,605.09	4,009,456.65	4,260,141.13
11 - GOLF COURSE FUND	-4,934,980.45	1,320,284.42	1,138,098.63	-4,752,794.66
12 - COURT RESTRICTED FEE FUND	38,826.37	0.00	5,421.76	33,404.61
13 - CDBG - GRANT	-4,564,791.53	483,436.98	0.00	-4,081,354.55
14 - TIRZ - 2	-42,000.00	0.00	0.00	-42,000.00
15 - TIRZ -3	-382.98	0.00	732,692.62	-733,075.60
49 - JV FIRE CONTROL PREV & EMERGENCY MEDICAL SERV	0.00	1,598,547.54	0.00	1,598,547.54
50 - JV CRIME CONTROL	5,107,773.44	1,715,716.87	0.00	6,823,490.31
<b>Report Total:</b>	<b>29,177,552.28</b>	<b>22,907,056.46</b>	<b>19,277,384.59</b>	<b>32,807,224.15</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023



Jersey Village, TX

# Income Statement Account Summary

For Fiscal: 2022-2023 Period Ending: 04/30/2023

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Fund: 02 - UTILITY FUND</b>					
<b>Department: 40 - REVENUES</b>					
<b>Category: 85 - FEE &amp; CHARGES FOR SERVICE</b>					
<a href="#">02-40-8541</a> WATER SERVICE	3,275,400.00	3,275,400.00	245,797.46	1,700,664.74	1,574,735.26
<a href="#">02-40-8542</a> SEWER SERVICE	1,637,700.00	1,637,700.00	139,298.66	986,054.22	651,645.78
<a href="#">02-40-8543</a> METER FEES	0.00	0.00	360.00	2,530.14	-2,530.14
<b>Category: 85 - FEE &amp; CHARGES FOR SERVICE Total:</b>	<b>4,913,100.00</b>	<b>4,913,100.00</b>	<b>385,456.12</b>	<b>2,689,249.10</b>	<b>2,223,850.90</b>
<b>Category: 96 - INTEREST EARNED</b>					
<a href="#">02-40-9601</a> INTEREST EARNED	20,000.00	90,000.00	15,074.03	82,115.98	7,884.02
<b>Category: 96 - INTEREST EARNED Total:</b>	<b>20,000.00</b>	<b>90,000.00</b>	<b>15,074.03</b>	<b>82,115.98</b>	<b>7,884.02</b>
<b>Category: 98 - MISCELLANEOUS REVENUE</b>					
<a href="#">02-40-9840</a> PENALTIES & ADJUSTMENTS	30,000.00	30,000.00	2,309.01	23,388.73	6,611.27
<a href="#">02-40-9899</a> MISCELLANEOUS	30,000.00	30,000.00	1,891.82	13,760.09	16,239.91
<b>Category: 98 - MISCELLANEOUS REVENUE Total:</b>	<b>60,000.00</b>	<b>60,000.00</b>	<b>4,200.83</b>	<b>37,148.82</b>	<b>22,851.18</b>
<b>Category: 99 - OTHER AGENCY REVENUES</b>					
<a href="#">02-40-9906</a> SEATTLE STREET WATER LINE GRANT	624,835.00	624,835.00	0.00	0.00	624,835.00
<a href="#">02-40-9911</a> TDEM GRANT	0.00	0.00	0.00	79,168.32	-79,168.32
<b>Category: 99 - OTHER AGENCY REVENUES Total:</b>	<b>624,835.00</b>	<b>624,835.00</b>	<b>0.00</b>	<b>79,168.32</b>	<b>545,666.68</b>
<b>Department: 40 - REVENUES Total:</b>	<b>5,617,935.00</b>	<b>5,687,935.00</b>	<b>404,730.98</b>	<b>2,887,682.22</b>	<b>2,800,252.78</b>

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 45 - WATER &amp; SEWER</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">02-45-3001</a>	SALARIES	202,328.26	202,328.26	15,865.03	103,610.42	98,717.84
<a href="#">02-45-3003</a>	LONGEVITY	432.12	432.12	4.62	122.79	309.33
<a href="#">02-45-3007</a>	OVERTIME	30,000.00	30,000.00	1,452.62	10,960.33	19,039.67
<a href="#">02-45-3010</a>	INCENTIVES	719.94	719.94	46.16	300.03	419.91
<a href="#">02-45-3051</a>	FICA/MEDICARE TAXES	15,558.57	15,558.57	1,298.57	8,501.91	7,056.66
<a href="#">02-45-3052</a>	WORKMEN'S COMPENSATION	9,500.00	9,500.00	0.00	8,107.48	1,392.52
<a href="#">02-45-3053</a>	UNEMPLOYMENT INSURANCE	1,020.35	1,020.35	33.12	73.89	946.46
<a href="#">02-45-3054</a>	RETIREMENT	33,640.58	33,640.58	2,491.78	16,244.44	17,396.14
<a href="#">02-45-3055</a>	HEALTH INSURANCE	63,478.48	63,478.48	1,634.90	18,746.90	44,731.58
<a href="#">02-45-3056</a>	LIFE INS	281.84	281.84	14.55	96.45	185.39
<a href="#">02-45-3057</a>	DENTAL	3,223.48	3,223.48	86.85	967.30	2,256.18
<a href="#">02-45-3058</a>	LONG-TERM DISABILITY	744.46	744.46	106.37	579.80	164.66
<a href="#">02-45-3060</a>	VISION INSURANCE	521.04	521.04	20.60	192.62	328.42
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>361,449.12</b>	<b>361,449.12</b>	<b>23,055.17</b>	<b>168,504.36</b>	<b>192,944.76</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">02-45-3502</a>	POSTAGE/FREIGHT/DEL. FEE	13,000.00	13,000.00	1,513.33	11,029.92	1,970.08
<a href="#">02-45-3503</a>	OFFICE SUPPLIES	2,000.00	2,000.00	235.00	2,539.95	-539.95
<a href="#">02-45-3504</a>	WEARING APPAREL	5,000.00	5,000.00	0.00	734.10	4,265.90
<a href="#">02-45-3506</a>	CHEMICALS	39,110.00	39,110.00	2,823.82	14,226.46	24,883.54
<a href="#">02-45-3510</a>	BOOKS & PERIODICALS	600.00	600.00	0.00	470.00	130.00
<a href="#">02-45-3520</a>	FOOD	2,400.00	2,400.00	0.00	194.27	2,205.73
<a href="#">02-45-3523</a>	TOOLS/EQUIPMENT	4,000.00	4,000.00	0.00	2,172.39	1,827.61
<a href="#">02-45-3534</a>	PARTS AND MATERIALS	20,000.00	20,000.00	0.00	8,578.53	11,421.47
<a href="#">02-45-3535</a>	SHOP SUPPLIES	2,000.00	2,000.00	0.00	0.00	2,000.00
<b>Category: 35 - SUPPLIES Total:</b>		<b>88,110.00</b>	<b>88,110.00</b>	<b>4,572.15</b>	<b>39,945.62</b>	<b>48,164.38</b>
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC</b>						
<a href="#">02-45-4001</a>	BUILDINGS AND GROUNDS	5,000.00	5,000.00	0.00	0.00	5,000.00
<a href="#">02-45-4041</a>	WATER SYSTEM MAINTENANCE	100,000.00	100,000.00	9,244.47	39,611.30	60,388.70
<a href="#">02-45-4042</a>	SEWER SYSTEM MAINTENANCE	50,000.00	50,000.00	0.00	15,922.68	34,077.32
<a href="#">02-45-4043</a>	WATER PLANTS MAINTENANCE	40,000.00	40,000.00	2,644.13	66,335.65	-26,335.65
<a href="#">02-45-4044</a>	LIFT STATIONS MAINTENANCE	36,000.00	36,000.00	23,791.82	70,138.67	-34,138.67
<a href="#">02-45-4045</a>	SEWER PLANT MAINTENANCE	45,000.00	45,000.00	2,625.00	39,826.44	5,173.56
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC Total:</b>		<b>276,000.00</b>	<b>276,000.00</b>	<b>38,305.42</b>	<b>231,834.74</b>	<b>44,165.26</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">02-45-4504</a>	COMPUTER SOFTWARE	7,400.00	7,400.00	0.00	3,193.75	4,206.25
<b>Category: 45 - MAINTENANCE Total:</b>		<b>7,400.00</b>	<b>7,400.00</b>	<b>0.00</b>	<b>3,193.75</b>	<b>4,206.25</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">02-45-5012</a>	PRINTING	1,800.00	1,800.00	0.00	1,247.82	552.18
<a href="#">02-45-5015</a>	LAB TESTS	35,000.00	35,000.00	3,026.70	15,783.62	19,216.38
<a href="#">02-45-5017</a>	UTILITIES	140,000.00	140,000.00	18,081.46	116,461.05	23,538.95
<a href="#">02-45-5019</a>	W.O.B. DISPOSAL-O&M CONTR	350,000.00	350,000.00	36,473.40	243,751.57	106,248.43
<a href="#">02-45-5020</a>	COMMUNICATIONS	8,439.88	8,439.88	232.30	3,326.29	5,113.59
<a href="#">02-45-5022</a>	RENTAL OF EQUIPMENT	1,460.00	1,460.00	0.00	0.00	1,460.00
<a href="#">02-45-5025</a>	PUBLIC NOTICES	800.00	800.00	0.00	0.00	800.00
<a href="#">02-45-5027</a>	MEMBERSHIPS	1,000.00	1,000.00	0.00	45.00	955.00
<a href="#">02-45-5029</a>	TRAVEL/TRAINING	13,000.00	13,000.00	0.00	113.75	12,886.25
<b>Category: 50 - SERVICES Total:</b>		<b>551,499.88</b>	<b>551,499.88</b>	<b>57,813.86</b>	<b>380,729.10</b>	<b>170,770.78</b>
<b>Category: 54 - SUNDRY</b>						
<a href="#">02-45-5405</a>	PERMITS, FEES, CREDIT CD FEES	53,000.00	53,000.00	4,100.19	47,099.22	5,900.78
<a href="#">02-45-5411</a>	WATER-PURCHASED	1,678,900.00	1,678,900.00	290,561.46	960,995.76	717,904.24
<a href="#">02-45-5412</a>	WATER AUTHORITY FEES	150,000.00	150,000.00	110,408.90	315,047.89	-165,047.89
<b>Category: 54 - SUNDRY Total:</b>		<b>1,881,900.00</b>	<b>1,881,900.00</b>	<b>405,070.55</b>	<b>1,323,142.87</b>	<b>558,757.13</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">02-45-5501</a>	AUDITS/CONTRACTS/STUDIES	10,000.00	10,000.00	10,000.00	10,000.00	0.00
<a href="#">02-45-5510</a>	ENGINEERING SERVICES	150,000.00	150,000.00	0.00	7,786.44	142,213.56

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<a href="#">02-45-5515</a>	CONSULTANT SERVICES	50,000.00	50,000.00	7,420.00	40,069.18	9,930.82
	<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>	<b>210,000.00</b>	<b>210,000.00</b>	<b>17,420.00</b>	<b>57,855.62</b>	<b>152,144.38</b>
	<b>Category: 60 - OTHER SERVICES</b>					
<a href="#">02-45-6001</a>	INSURANCE-VEHICLES	19,000.00	19,000.00	0.00	15,475.57	3,524.43
<a href="#">02-45-6003</a>	LIABILITY-FIRE & CASUALTY	10,000.00	10,000.00	0.00	10,482.48	-482.48
	<b>Category: 60 - OTHER SERVICES Total:</b>	<b>29,000.00</b>	<b>29,000.00</b>	<b>0.00</b>	<b>25,958.05</b>	<b>3,041.95</b>
	<b>Category: 97 - INTERFUND ACTIVITY</b>					
<a href="#">02-45-9751</a>	TRANSFER TO GENERAL FUND	630,000.00	630,000.00	0.00	0.00	630,000.00
<a href="#">02-45-9753</a>	TRANSFER TO DEBT SERVICE FUND	113,573.00	113,573.00	0.00	0.00	113,573.00
<a href="#">02-45-9772</a>	TECHNOLOGY USER FEE	875.00	875.00	0.00	0.00	875.00
<a href="#">02-45-9791</a>	EQUIPMENT USER FEE	113,433.00	113,433.00	0.00	0.00	113,433.00
	<b>Category: 97 - INTERFUND ACTIVITY Total:</b>	<b>857,881.00</b>	<b>857,881.00</b>	<b>0.00</b>	<b>0.00</b>	<b>857,881.00</b>
	<b>Department: 45 - WATER &amp; SEWER Total:</b>	<b>4,263,240.00</b>	<b>4,263,240.00</b>	<b>546,237.15</b>	<b>2,231,164.11</b>	<b>2,032,075.89</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 46 - UTILITY CAPITAL PROJECT</b>						
<b>Category: 70 - CAPITAL IMPROVEMENTS</b>						
<a href="#">02-46-7019</a>	AUTOMATED METER READING	110,000.00	110,000.00	0.00	13,050.30	96,949.70
<a href="#">02-46-7020</a>	SEATTLE BOOSTER PUMP REPLACEMENT	150,000.00	236,207.16	0.00	0.00	236,207.16
<a href="#">02-46-7032</a>	Sanitary Sewer Lines Inspections	250,000.00	250,000.00	0.00	0.00	250,000.00
<a href="#">02-46-7077</a>	SEWERLINE REPLAC STREET PROJ	583,400.00	583,400.00	0.00	0.00	583,400.00
<a href="#">02-46-7087</a>	SEWER REHABILITATION	250,000.00	250,000.00	0.00	0.00	250,000.00
<a href="#">02-46-7091</a>	WOB Sewer Plant Rehabilitation	490,000.00	490,000.00	0.00	0.00	490,000.00
<a href="#">02-46-7111</a>	SEATTLE - WELL REPAIR	70,000.00	70,000.00	0.00	40,000.00	30,000.00
<a href="#">02-46-7114</a>	WATER LINE IMP - WITH STREET PROJECT	1,155,468.00	1,155,468.00	0.00	0.00	1,155,468.00
<a href="#">02-46-7128</a>	VILLAGE WATER PLANT GENERATOR	0.00	0.00	0.00	22,965.34	-22,965.34
<a href="#">02-46-7130</a>	LIFT STATION REHABILITATION REPAIR	500,000.00	500,000.00	4,000.00	158,611.00	341,389.00
<a href="#">02-46-7131</a>	REPAIRS FOR LIFT STATION ROAD	126,526.00	229,026.00	198,128.79	241,050.14	-12,024.14
<a href="#">02-46-7132</a>	CASTLEBRIDGE DIFUSERS	350,000.00	350,000.00	0.00	0.00	350,000.00
<a href="#">02-46-7135</a>	WATER VALVE, EXERCISE, REPAIR	500,000.00	500,000.00	0.00	0.00	500,000.00
<b>Category: 70 - CAPITAL IMPROVEMENTS Total:</b>		<b>4,535,394.00</b>	<b>4,724,101.16</b>	<b>202,128.79</b>	<b>475,676.78</b>	<b>4,248,424.38</b>
<b>Department: 46 - UTILITY CAPITAL PROJECT Total:</b>		<b>4,535,394.00</b>	<b>4,724,101.16</b>	<b>202,128.79</b>	<b>475,676.78</b>	<b>4,248,424.38</b>
<b>Fund: 02 - UTILITY FUND Surplus (Deficit):</b>		<b>-3,180,699.00</b>	<b>-3,299,406.16</b>	<b>-343,634.96</b>	<b>180,841.33</b>	

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	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Fund: 04 - IMPACT FEE FUND</b>					
<b>Department: 43 - 43</b>					
<b>Category: 85 - FEE &amp; CHARGES FOR SERVICE</b>					
<a href="#">04-43-8547</a> WATER DISTRIBUTION	50,000.00	50,000.00	63.00	32,491.00	17,509.00
<a href="#">04-43-8548</a> SEWER PLANT CAPACITY	25,000.00	25,000.00	63.00	105.00	24,895.00
<a href="#">04-43-8551</a> SEWER COLLECTION	0.00	0.00	0.00	17,849.00	-17,849.00
<b>Category: 85 - FEE &amp; CHARGES FOR SERVICE Total:</b>	<b>75,000.00</b>	<b>75,000.00</b>	<b>126.00</b>	<b>50,445.00</b>	<b>24,555.00</b>
<b>Category: 96 - INTEREST EARNED</b>					
<a href="#">04-43-9601</a> INTEREST EARNED	2,000.00	2,000.00	4,076.09	24,316.91	-22,316.91
<b>Category: 96 - INTEREST EARNED Total:</b>	<b>2,000.00</b>	<b>2,000.00</b>	<b>4,076.09</b>	<b>24,316.91</b>	<b>-22,316.91</b>
<b>Department: 43 - 43 Total:</b>	<b>77,000.00</b>	<b>77,000.00</b>	<b>4,202.09</b>	<b>74,761.91</b>	<b>2,238.09</b>
<b>Fund: 04 - IMPACT FEE FUND Total:</b>	<b>77,000.00</b>	<b>77,000.00</b>	<b>4,202.09</b>	<b>74,761.91</b>	

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Fund: 11 - GOLF COURSE FUND</b>						
<b>Department: 80 - 80</b>						
<b>Category: 85 - FEE &amp; CHARGES FOR SERVICE</b>						
<a href="#">11-80-8551</a>	GREEN FEES	1,600,000.00	1,600,000.00	150,038.12	825,560.91	774,439.09
<a href="#">11-80-8553</a>	RANGE FEES/CLUB RENTALS	210,000.00	210,000.00	22,857.86	128,784.93	81,215.07
<a href="#">11-80-8554</a>	CLUB RENTALS	6,000.00	6,000.00	945.00	5,900.00	100.00
<a href="#">11-80-8555</a>	TOURNAMENT GREENS FEES	140,000.00	140,000.00	24,806.13	124,690.97	15,309.03
<a href="#">11-80-8560</a>	MISCELLANEOUS FEES	20,000.00	20,000.00	1,290.00	26,769.74	-6,769.74
<a href="#">11-80-8567</a>	MERCHANDISE	180,000.00	180,000.00	21,585.53	124,343.48	55,656.52
<a href="#">11-80-8568</a>	SPECIAL ORDER MERCHANDISE	40,000.00	40,000.00	3,499.98	15,973.33	24,026.67
<a href="#">11-80-8572</a>	CONCESSION FEES	55,500.00	55,500.00	7,659.70	39,808.33	15,691.67
<a href="#">11-80-8575</a>	MEMBERSHIPS	48,000.00	48,000.00	5,352.00	27,590.00	20,410.00
<a href="#">11-80-8579</a>	CASH OVER/UNDER	0.00	0.00	60.87	126.93	-126.93
<b>Category: 85 - FEE &amp; CHARGES FOR SERVICE Total:</b>		<b>2,299,500.00</b>	<b>2,299,500.00</b>	<b>238,095.19</b>	<b>1,319,548.62</b>	<b>979,951.38</b>
<b>Category: 96 - INTEREST EARNED</b>						
<a href="#">11-80-9601</a>	INTEREST EARNED	2,800.00	2,800.00	123.33	735.80	2,064.20
<b>Category: 96 - INTEREST EARNED Total:</b>		<b>2,800.00</b>	<b>2,800.00</b>	<b>123.33</b>	<b>735.80</b>	<b>2,064.20</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">11-80-9751</a>	TRANSFER FROM GENERAL FUND	214,483.71	214,483.71	0.00	0.00	214,483.71
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>214,483.71</b>	<b>214,483.71</b>	<b>0.00</b>	<b>0.00</b>	<b>214,483.71</b>
<b>Department: 80 - 80 Total:</b>		<b>2,516,783.71</b>	<b>2,516,783.71</b>	<b>238,218.52</b>	<b>1,320,284.42</b>	<b>1,196,499.29</b>

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 81 - CLUB HOUSE</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">11-81-3001</a>	SALARIES	317,712.83	317,712.83	19,925.27	140,780.90	176,931.93
<a href="#">11-81-3002</a>	WAGES	180,873.99	180,873.99	21,545.15	141,507.86	39,366.13
<a href="#">11-81-3003</a>	LONGEVITY	1,344.20	1,344.20	152.32	967.03	377.17
<a href="#">11-81-3007</a>	OVERTIME	3,000.00	3,000.00	116.55	1,983.83	1,016.17
<a href="#">11-81-3051</a>	FICA/MEDICARE TAXES	33,927.39	33,927.39	3,100.17	21,157.32	12,770.07
<a href="#">11-81-3052</a>	WORKMEN'S COMPENSATION	7,000.00	7,000.00	0.00	6,129.97	870.03
<a href="#">11-81-3053</a>	UNEMPLOYMENT INSURANCE	2,017.24	2,017.24	131.58	410.51	1,606.73
<a href="#">11-81-3054</a>	RETIREMENT	46,359.15	46,359.15	3,529.84	25,158.69	21,200.46
<a href="#">11-81-3055</a>	INSURANCE	94,367.52	94,367.52	5,482.10	39,705.51	54,662.01
<a href="#">11-81-3056</a>	LIFE INS	422.76	422.76	35.10	257.40	165.36
<a href="#">11-81-3057</a>	DENTAL INSURANCE	5,543.72	5,543.72	372.46	2,690.23	2,853.49
<a href="#">11-81-3058</a>	LONG-TERM DISABILITY	1,565.03	1,565.03	240.38	1,086.67	478.36
<a href="#">11-81-3060</a>	VISION INSURANCE	640.12	640.12	50.28	372.89	267.23
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>694,773.95</b>	<b>694,773.95</b>	<b>54,681.20</b>	<b>382,208.81</b>	<b>312,565.14</b>
<b>Category: 34 - COST OF SALES</b>						
<a href="#">11-81-3401</a>	MERCHANDISE	144,000.00	144,000.00	9,896.22	103,876.04	40,123.96
<a href="#">11-81-3415</a>	RANGE BALLS	14,000.00	14,000.00	0.00	12,778.81	1,221.19
<a href="#">11-81-3416</a>	RENTAL CLUBS	2,500.00	2,500.00	0.00	0.00	2,500.00
<a href="#">11-81-3419</a>	SPECIAL ORDER MERCHANDISE	25,000.00	25,000.00	1,549.01	8,955.75	16,044.25
<b>Category: 34 - COST OF SALES Total:</b>		<b>185,500.00</b>	<b>185,500.00</b>	<b>11,445.23</b>	<b>125,610.60</b>	<b>59,889.40</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">11-81-3502</a>	POSTAGE/FREIGHT/DEL.FEE	600.00	600.00	0.00	397.25	202.75
<a href="#">11-81-3503</a>	OFFICE SUPPLIES	6,000.00	6,000.00	95.94	1,578.93	4,421.07
<a href="#">11-81-3504</a>	WEARING APPAREL	2,000.00	2,000.00	0.00	1,352.27	647.73
<a href="#">11-81-3510</a>	BOOKS & PERIODICALS	500.00	500.00	0.00	0.00	500.00
<a href="#">11-81-3523</a>	TOOLS/EQUIPMENT	1,000.00	1,000.00	0.00	689.30	310.70
<a href="#">11-81-3529</a>	REPAIR PARTS	250.00	250.00	0.00	0.00	250.00
<a href="#">11-81-3605</a>	MISCELLANEOUS SERVICE FEES	7,000.00	7,000.00	0.00	4,150.00	2,850.00
<b>Category: 35 - SUPPLIES Total:</b>		<b>17,350.00</b>	<b>17,350.00</b>	<b>95.94</b>	<b>8,167.75</b>	<b>9,182.25</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">11-81-4501</a>	FURN, FIXTURE/EPT MAINTENANCE	750.00	750.00	0.00	595.80	154.20
<a href="#">11-81-4504</a>	COMPUTER SOFTWARE	750.00	750.00	0.00	0.00	750.00
<a href="#">11-81-4506</a>	CART MAINTENANCE	7,000.00	7,000.00	365.19	1,016.63	5,983.37
<a href="#">11-81-4520</a>	EQUIPMENT MAINTENANCE/OUTSOURC	750.00	750.00	0.00	0.00	750.00
<a href="#">11-81-4599</a>	MISCELLANEOUS EQUIPMENT	1,200.00	1,200.00	0.00	25.98	1,174.02
<b>Category: 45 - MAINTENANCE Total:</b>		<b>10,450.00</b>	<b>10,450.00</b>	<b>365.19</b>	<b>1,638.41</b>	<b>8,811.59</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">11-81-5012</a>	PRINTING	3,500.00	3,500.00	945.00	1,639.20	1,860.80
<a href="#">11-81-5020</a>	COMMUNICATIONS	8,180.12	8,180.12	78.46	4,585.62	3,594.50
<a href="#">11-81-5023</a>	LEASE EQUIPMENT	750.00	750.00	258.00	2,306.00	-1,556.00
<a href="#">11-81-5027</a>	MEMBERSHIPS/SUBSCRIPTIONS	1,000.00	1,000.00	0.00	1,050.00	-50.00
<a href="#">11-81-5029</a>	TRAVEL/TRAINING	2,000.00	2,000.00	0.00	447.18	1,552.82
<a href="#">11-81-5043</a>	ADVERTISING/PROMOTION	23,000.00	23,000.00	1,301.50	12,592.83	10,407.17
<b>Category: 50 - SERVICES Total:</b>		<b>38,430.12</b>	<b>38,430.12</b>	<b>2,582.96</b>	<b>22,620.83</b>	<b>15,809.29</b>
<b>Category: 54 - SUNDRY</b>						
<a href="#">11-81-5403</a>	BANK COSTS	0.00	0.00	0.00	174.60	-174.60
<a href="#">11-81-5405</a>	CREDIT CARD CHARGES	70,000.00	70,000.00	5,168.90	38,664.72	31,335.28
<a href="#">11-81-5410</a>	SECURITY	2,600.00	2,600.00	0.00	1,315.53	1,284.47
<a href="#">11-81-5413</a>	TOURNAMENT FEES EXPENSE	1,800.00	1,800.00	0.00	0.00	1,800.00
<a href="#">11-81-5498</a>	MISCELLANEOUS EXPENSE	3,000.00	3,000.00	0.00	1,586.19	1,413.81
<b>Category: 54 - SUNDRY Total:</b>		<b>77,400.00</b>	<b>77,400.00</b>	<b>5,168.90</b>	<b>41,741.04</b>	<b>35,658.96</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">11-81-5515</a>	CONSULTANT FEES	3,500.00	3,500.00	0.00	0.00	3,500.00
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>3,500.00</b>	<b>3,500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3,500.00</b>

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<b>Category: 60 - OTHER SERVICES</b>					
<a href="#">11-81-6003</a> LIABILITY-FIRE & CASUALTY INSR	23,000.00	23,000.00	0.00	25,623.84	-2,623.84
<b>Category: 60 - OTHER SERVICES Total:</b>	<b>23,000.00</b>	<b>23,000.00</b>	<b>0.00</b>	<b>25,623.84</b>	<b>-2,623.84</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>					
<a href="#">11-81-9772</a> TECHNOLOGY USER FEE	5,000.00	5,000.00	0.00	0.00	5,000.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>	<b>5,000.00</b>	<b>5,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5,000.00</b>
<b>Department: 81 - CLUB HOUSE Total:</b>	<b>1,055,404.07</b>	<b>1,055,404.07</b>	<b>74,339.42</b>	<b>607,611.28</b>	<b>447,792.79</b>

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<b>Department: 82 - COURSE MAINTENANCE</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">11-82-3001</a>	SALARIES AND	352,835.75	352,835.75	50,354.38	150,098.62	202,737.13
<a href="#">11-82-3003</a>	LONGEVITY	2,496.26	2,496.26	41.54	296.74	2,199.52
<a href="#">11-82-3007</a>	OVERTIME	5,000.00	5,000.00	4,098.57	10,035.09	-5,035.09
<a href="#">11-82-3051</a>	FICA/MEDICARE TAXES	25,161.46	25,161.46	1,208.75	8,881.31	16,280.15
<a href="#">11-82-3052</a>	WORKMEN'S COMPENSATION	6,947.00	6,947.00	0.00	7,662.47	-715.47
<a href="#">11-82-3053</a>	UNEMPLOYMENT INSURANCE	2,018.06	2,018.06	64.32	158.71	1,859.35
<a href="#">11-82-3054</a>	RETIREMENT	51,599.55	51,599.55	2,413.49	17,470.14	34,129.41
<a href="#">11-82-3055</a>	INSURANCE	142,523.68	142,523.68	5,471.06	35,194.04	107,329.64
<a href="#">11-82-3056</a>	LIFE INS	563.68	563.68	40.95	269.10	294.58
<a href="#">11-82-3057</a>	DENTAL	7,155.46	7,155.46	247.44	1,521.51	5,633.95
<a href="#">11-82-3058</a>	LONG-TERM DISABILITY	1,728.90	1,728.90	196.79	788.36	940.54
<a href="#">11-82-3060</a>	VISION INSURANCE	604.76	604.76	46.46	330.70	274.06
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>598,634.56</b>	<b>598,634.56</b>	<b>64,183.75</b>	<b>232,706.79</b>	<b>365,927.77</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">11-82-3503</a>	OFFICE SUPPLIES	500.00	500.00	0.00	0.00	500.00
<a href="#">11-82-3504</a>	WEARING APPAREL	2,200.00	2,200.00	0.00	2,389.67	-189.67
<a href="#">11-82-3506</a>	CHEMICALS	22,000.00	22,000.00	1,086.00	13,757.53	8,242.47
<a href="#">11-82-3514</a>	FUEL & OIL	19,000.00	19,000.00	2,343.92	9,768.43	9,231.57
<a href="#">11-82-3520</a>	FOOD/WATER	750.00	750.00	0.00	109.07	640.93
<a href="#">11-82-3523</a>	TOOLS/EQUIPMENT	4,500.00	4,500.00	953.54	1,843.52	2,656.48
<a href="#">11-82-3526</a>	MINOR EQUIPMENT	3,500.00	3,500.00	0.00	454.13	3,045.87
<a href="#">11-82-3527</a>	AGGREGATES	6,000.00	6,000.00	0.00	2,924.36	3,075.64
<a href="#">11-82-3529</a>	REPAIR PARTS	250.00	250.00	143.70	334.21	-84.21
<a href="#">11-82-3530</a>	PESTICIDES	10,000.00	10,000.00	377.40	4,980.48	5,019.52
<a href="#">11-82-3533</a>	FERTILIZERS	50,000.00	50,000.00	711.00	23,209.78	26,790.22
<a href="#">11-82-3535</a>	GROUND/SHOP SUPPLIES	5,000.00	5,000.00	543.00	2,919.91	2,080.09
<a href="#">11-82-3536</a>	LANDSCAPING MATERIALS	8,000.00	8,000.00	620.27	3,262.89	4,737.11
<a href="#">11-82-3538</a>	COURSE SUPPLIES	4,000.00	4,000.00	357.56	1,274.05	2,725.95
<a href="#">11-82-3539</a>	GOLF COURSE ACCESSORIES	4,500.00	4,500.00	0.00	2,755.60	1,744.40
<a href="#">11-82-3542</a>	FIRST AID	750.00	750.00	0.00	0.00	750.00
<b>Category: 35 - SUPPLIES Total:</b>		<b>140,950.00</b>	<b>140,950.00</b>	<b>7,136.39</b>	<b>69,983.63</b>	<b>70,966.37</b>
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC</b>						
<a href="#">11-82-4041</a>	WATER WELL MAINTENANCE	2,500.00	2,500.00	0.00	0.00	2,500.00
<a href="#">11-82-4046</a>	PARKING LOT MAINTENANCE	1,500.00	1,500.00	0.00	0.00	1,500.00
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC Total:</b>		<b>4,000.00</b>	<b>4,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,000.00</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">11-82-4505</a>	IRRIGATION EQUIPMENT	7,000.00	7,000.00	0.00	8,611.84	-1,611.84
<a href="#">11-82-4520</a>	GROUND OUTSOURCED	44,000.00	44,000.00	7,736.47	20,487.67	23,512.33
<a href="#">11-82-4599</a>	MISCELLANEOUS EQUIPMENT	2,000.00	2,000.00	4,964.20	7,193.38	-5,193.38
<b>Category: 45 - MAINTENANCE Total:</b>		<b>53,000.00</b>	<b>53,000.00</b>	<b>12,700.67</b>	<b>36,292.89</b>	<b>16,707.11</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">11-82-5022</a>	RENTAL EQUIPMENT	4,500.00	4,500.00	0.00	0.00	4,500.00
<a href="#">11-82-5027</a>	MEMBERSHIPS/SUBSCRIPTIONS	1,000.00	1,000.00	0.00	0.00	1,000.00
<a href="#">11-82-5029</a>	TRAVEL/TRAINING	5,000.00	5,000.00	350.00	650.00	4,350.00
<b>Category: 50 - SERVICES Total:</b>		<b>10,500.00</b>	<b>10,500.00</b>	<b>350.00</b>	<b>650.00</b>	<b>9,850.00</b>
<b>Category: 54 - SUNDRY</b>						
<a href="#">11-82-5405</a>	PERMITS & FEES	500.00	500.00	0.00	140.00	360.00
<a href="#">11-82-5406</a>	LICENSES & PERMITS	0.00	0.00	0.00	143.41	-143.41
<a href="#">11-82-5412</a>	WATER AUTHORITY FEES	90,000.00	90,000.00	0.00	138.00	89,862.00
<b>Category: 54 - SUNDRY Total:</b>		<b>90,500.00</b>	<b>90,500.00</b>	<b>0.00</b>	<b>421.41</b>	<b>90,078.59</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">11-82-5508</a>	SANITARY/TRASH SERVICES	2,000.00	2,000.00	0.00	336.00	1,664.00
<a href="#">11-82-5530</a>	PROFESSIONAL SERVICES	1,000.00	1,000.00	0.00	0.00	1,000.00
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>3,000.00</b>	<b>3,000.00</b>	<b>0.00</b>	<b>336.00</b>	<b>2,664.00</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Category: 97 - INTERFUND ACTIVITY</b>					
<a href="#">11-82-9772</a> TECHNOLOGY USER FEE	375.00	375.00	0.00	0.00	375.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>	<b>375.00</b>	<b>375.00</b>	<b>0.00</b>	<b>0.00</b>	<b>375.00</b>
<b>Department: 82 - COURSE MAINTENANCE Total:</b>	<b>900,959.56</b>	<b>900,959.56</b>	<b>84,370.81</b>	<b>340,390.72</b>	<b>560,568.84</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 83 - BUILDING MAINTENANCE</b>						
<b>Category: 35 - SUPPLIES</b>						
<a href="#">11-83-3517</a>	JANITORIAL SUPPLIES	5,500.00	5,500.00	233.97	3,584.99	1,915.01
<a href="#">11-83-3523</a>	TOOLS/EQUIPMENT	600.00	600.00	0.00	0.00	600.00
	<b>Category: 35 - SUPPLIES Total:</b>	<b>6,100.00</b>	<b>6,100.00</b>	<b>233.97</b>	<b>3,584.99</b>	<b>2,515.01</b>
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC</b>						
<a href="#">11-83-4001</a>	BUILDINGS & GROUNDS	15,188.86	15,188.86	0.00	22,679.93	-7,491.07
	<b>Category: 40 - MAINTENANCE--BLDGS, STRUC Total:</b>	<b>15,188.86</b>	<b>15,188.86</b>	<b>0.00</b>	<b>22,679.93</b>	<b>-7,491.07</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">11-83-4501</a>	FURN.FIXTURES, OFF EQUIP	3,000.00	3,000.00	0.00	387.64	2,612.36
	<b>Category: 45 - MAINTENANCE Total:</b>	<b>3,000.00</b>	<b>3,000.00</b>	<b>0.00</b>	<b>387.64</b>	<b>2,612.36</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">11-83-5017</a>	UTILITIES	25,000.00	25,000.00	1,988.88	14,817.90	10,182.10
	<b>Category: 50 - SERVICES Total:</b>	<b>25,000.00</b>	<b>25,000.00</b>	<b>1,988.88</b>	<b>14,817.90</b>	<b>10,182.10</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">11-83-5531</a>	PEST CONTROL SERVICES	1,000.00	1,000.00	0.00	534.00	466.00
	<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>	<b>1,000.00</b>	<b>1,000.00</b>	<b>0.00</b>	<b>534.00</b>	<b>466.00</b>
	<b>Department: 83 - BUILDING MAINTENANCE Total:</b>	<b>50,288.86</b>	<b>50,288.86</b>	<b>2,222.85</b>	<b>42,004.46</b>	<b>8,284.40</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Department: 87 - GC CAPITAL IMPROVEMENT					
Category: 70 - CAPITAL IMPROVEMENTS					
<a href="#">11-87-7010</a> CAPITAL IMPROVEMENT	110,000.00	110,000.00	30,718.50	76,511.57	33,488.43
Category: 70 - CAPITAL IMPROVEMENTS Total:	<b>110,000.00</b>	<b>110,000.00</b>	<b>30,718.50</b>	<b>76,511.57</b>	<b>33,488.43</b>
Department: 87 - GC CAPITAL IMPROVEMENT Total:	<b>110,000.00</b>	<b>110,000.00</b>	<b>30,718.50</b>	<b>76,511.57</b>	<b>33,488.43</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023



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	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining	
<b>Department: 88 - EQUIPMENT MAINTENANCE</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">11-88-3001</a>	SALARIES AND WAGES	47,796.94	47,796.94	-26,601.00	28,869.86	18,927.08
<a href="#">11-88-3003</a>	LONGEVITY	1,391.96	1,391.96	46.16	309.25	1,082.71
<a href="#">11-88-3007</a>	OVERTIME	1,000.00	1,000.00	-2,108.31	1,744.92	-744.92
<a href="#">11-88-3051</a>	FICA/MEDICARE TAXES	3,650.31	3,650.31	670.12	5,127.11	-1,476.80
<a href="#">11-88-3052</a>	WORKMEN'S COMPENSATION	975.00	975.00	0.00	1,532.49	-557.49
<a href="#">11-88-3053</a>	UNEMPLOYMENT INSURANCE	252.41	252.41	11.25	62.15	190.26
<a href="#">11-88-3054</a>	RETIREMENT	7,056.45	7,056.45	1,285.56	9,763.95	-2,707.50
<a href="#">11-88-3055</a>	HEALTH INSURANCE	8,501.74	8,501.74	1,961.88	13,896.65	-5,394.91
<a href="#">11-88-3056</a>	LIFE INS	70.46	70.46	6.00	41.10	29.36
<a href="#">11-88-3057</a>	DENTAL	451.62	451.62	104.22	738.23	-286.61
<a href="#">11-88-3058</a>	LONG TERM DISABILITY	234.21	234.21	61.42	596.24	-362.03
<a href="#">11-88-3060</a>	VISION INSURANCE	107.12	107.12	24.72	181.28	-74.16
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>71,488.22</b>	<b>71,488.22</b>	<b>-24,537.98</b>	<b>62,863.23</b>	<b>8,624.99</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">11-88-3504</a>	WEARING APPAREL	500.00	500.00	0.00	0.00	500.00
<a href="#">11-88-3514</a>	FUEL & OIL	1,700.00	1,700.00	0.00	175.00	1,525.00
<a href="#">11-88-3523</a>	TOOLS/EQUIPMENT	3,500.00	3,500.00	690.94	1,030.05	2,469.95
<a href="#">11-88-3526</a>	MINOR EQUIPMENT	500.00	500.00	0.00	0.00	500.00
<a href="#">11-88-3529</a>	REPAIR PARTS	20,000.00	20,000.00	265.29	6,186.46	13,813.54
<a href="#">11-88-3535</a>	GROUND/SHOP SUPPLIES	2,200.00	2,200.00	243.41	1,325.86	874.14
<a href="#">11-88-3542</a>	FIRST AID	250.00	250.00	0.00	0.00	250.00
<b>Category: 35 - SUPPLIES Total:</b>		<b>28,650.00</b>	<b>28,650.00</b>	<b>1,199.64</b>	<b>8,717.37</b>	<b>19,932.63</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">11-88-4520</a>	AUTO REPAIR/OUTSOURCED	1,000.00	1,000.00	0.00	0.00	1,000.00
<a href="#">11-88-4599</a>	MISC EQUIPMENT MAINT.	5,000.00	5,000.00	0.00	0.00	5,000.00
<b>Category: 45 - MAINTENANCE Total:</b>		<b>6,000.00</b>	<b>6,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>6,000.00</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">11-88-5029</a>	TRAVEL/TRAINING	1,000.00	1,000.00	0.00	0.00	1,000.00
<b>Category: 50 - SERVICES Total:</b>		<b>1,000.00</b>	<b>1,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,000.00</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">11-88-9791</a>	EQUIPMENT USER FEE	292,993.00	292,993.00	0.00	0.00	292,993.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>292,993.00</b>	<b>292,993.00</b>	<b>0.00</b>	<b>0.00</b>	<b>292,993.00</b>
<b>Department: 88 - EQUIPMENT MAINTENANCE Total:</b>		<b>400,131.22</b>	<b>400,131.22</b>	<b>-23,338.34</b>	<b>71,580.60</b>	<b>328,550.62</b>
<b>Fund: 11 - GOLF COURSE FUND Surplus (Deficit):</b>		<b>0.00</b>	<b>0.00</b>	<b>69,905.28</b>	<b>182,185.79</b>	
<b>Total Surplus (Deficit):</b>		<b>-3,103,699.00</b>	<b>-3,222,406.16</b>	<b>-269,527.59</b>	<b>437,789.03</b>	

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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For Fiscal: 2022-2023 Period Ending: 04/30/2023

Group Summary

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Fund: 02 - UTILITY FUND</b>					
<b>Department: 40 - REVENUES</b>					
85 - FEE & CHARGES FOR SERVICE	4,913,100.00	4,913,100.00	385,456.12	2,689,249.10	2,223,850.90
96 - INTEREST EARNED	20,000.00	90,000.00	15,074.03	82,115.98	7,884.02
98 - MISCELLANEOUS REVENUE	60,000.00	60,000.00	4,200.83	37,148.82	22,851.18
99 - OTHER AGENCY REVENUES	624,835.00	624,835.00	0.00	79,168.32	545,666.68
<b>Department: 40 - REVENUES Total:</b>	<b>5,617,935.00</b>	<b>5,687,935.00</b>	<b>404,730.98</b>	<b>2,887,682.22</b>	<b>2,800,252.78</b>

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Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 45 - WATER &amp; SEWER</b>					
30 - SALARIES, WAGES, & BENEFITS	361,449.12	361,449.12	23,055.17	168,504.36	192,944.76
35 - SUPPLIES	88,110.00	88,110.00	4,572.15	39,945.62	48,164.38
40 - MAINTENANCE--BLDGS, STRUC	276,000.00	276,000.00	38,305.42	231,834.74	44,165.26
45 - MAINTENANCE	7,400.00	7,400.00	0.00	3,193.75	4,206.25
50 - SERVICES	551,499.88	551,499.88	57,813.86	380,729.10	170,770.78
54 - SUNDRY	1,881,900.00	1,881,900.00	405,070.55	1,323,142.87	558,757.13
55 - PROFESSIONAL SERVICES	210,000.00	210,000.00	17,420.00	57,855.62	152,144.38
60 - OTHER SERVICES	29,000.00	29,000.00	0.00	25,958.05	3,041.95
97 - INTERFUND ACTIVITY	857,881.00	857,881.00	0.00	0.00	857,881.00
<b>Department: 45 - WATER &amp; SEWER Total:</b>	<b>4,263,240.00</b>	<b>4,263,240.00</b>	<b>546,237.15</b>	<b>2,231,164.11</b>	<b>2,032,075.89</b>

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Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 46 - UTILITY CAPITAL PROJECT</b>					
70 - CAPITAL IMPROVEMENTS	4,535,394.00	4,724,101.16	202,128.79	475,676.78	4,248,424.38
<b>Department: 46 - UTILITY CAPITAL PROJECT Total:</b>	<b>4,535,394.00</b>	<b>4,724,101.16</b>	<b>202,128.79</b>	<b>475,676.78</b>	<b>4,248,424.38</b>
<b>Fund: 02 - UTILITY FUND Surplus (Deficit):</b>	<b>-3,180,699.00</b>	<b>-3,299,406.16</b>	<b>-343,634.96</b>	<b>180,841.33</b>	<b>-3,480,247.49</b>
<b>Fund: 04 - IMPACT FEE FUND</b>					
<b>Department: 43 - 43</b>					
85 - FEE & CHARGES FOR SERVICE	75,000.00	75,000.00	126.00	50,445.00	24,555.00
96 - INTEREST EARNED	2,000.00	2,000.00	4,076.09	24,316.91	-22,316.91
<b>Department: 43 - 43 Total:</b>	<b>77,000.00</b>	<b>77,000.00</b>	<b>4,202.09</b>	<b>74,761.91</b>	<b>2,238.09</b>
<b>Fund: 04 - IMPACT FEE FUND Total:</b>	<b>77,000.00</b>	<b>77,000.00</b>	<b>4,202.09</b>	<b>74,761.91</b>	<b>2,238.09</b>
<b>Fund: 11 - GOLF COURSE FUND</b>					
<b>Department: 80 - 80</b>					
85 - FEE & CHARGES FOR SERVICE	2,299,500.00	2,299,500.00	238,095.19	1,319,548.62	979,951.38
96 - INTEREST EARNED	2,800.00	2,800.00	123.33	735.80	2,064.20
97 - INTERFUND ACTIVITY	214,483.71	214,483.71	0.00	0.00	214,483.71
<b>Department: 80 - 80 Total:</b>	<b>2,516,783.71</b>	<b>2,516,783.71</b>	<b>238,218.52</b>	<b>1,320,284.42</b>	<b>1,196,499.29</b>

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Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 81 - CLUB HOUSE</b>					
30 - SALARIES, WAGES, & BENEFITS	694,773.95	694,773.95	54,681.20	382,208.81	312,565.14
34 - COST OF SALES	185,500.00	185,500.00	11,445.23	125,610.60	59,889.40
35 - SUPPLIES	17,350.00	17,350.00	95.94	8,167.75	9,182.25
45 - MAINTENANCE	10,450.00	10,450.00	365.19	1,638.41	8,811.59
50 - SERVICES	38,430.12	38,430.12	2,582.96	22,620.83	15,809.29
54 - SUNDRY	77,400.00	77,400.00	5,168.90	41,741.04	35,658.96
55 - PROFESSIONAL SERVICES	3,500.00	3,500.00	0.00	0.00	3,500.00
60 - OTHER SERVICES	23,000.00	23,000.00	0.00	25,623.84	-2,623.84
97 - INTERFUND ACTIVITY	5,000.00	5,000.00	0.00	0.00	5,000.00
<b>Department: 81 - CLUB HOUSE Total:</b>	<b>1,055,404.07</b>	<b>1,055,404.07</b>	<b>74,339.42</b>	<b>607,611.28</b>	<b>447,792.79</b>

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Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 82 - COURSE MAINTENANCE</b>					
30 - SALARIES, WAGES, & BENEFITS	598,634.56	598,634.56	64,183.75	232,706.79	365,927.77
35 - SUPPLIES	140,950.00	140,950.00	7,136.39	69,983.63	70,966.37
40 - MAINTENANCE--BLDGS, STRUC	4,000.00	4,000.00	0.00	0.00	4,000.00
45 - MAINTENANCE	53,000.00	53,000.00	12,700.67	36,292.89	16,707.11
50 - SERVICES	10,500.00	10,500.00	350.00	650.00	9,850.00
54 - SUNDRY	90,500.00	90,500.00	0.00	421.41	90,078.59
55 - PROFESSIONAL SERVICES	3,000.00	3,000.00	0.00	336.00	2,664.00
97 - INTERFUND ACTIVITY	375.00	375.00	0.00	0.00	375.00
<b>Department: 82 - COURSE MAINTENANCE Total:</b>	<b>900,959.56</b>	<b>900,959.56</b>	<b>84,370.81</b>	<b>340,390.72</b>	<b>560,568.84</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 83 - BUILDING MAINTENANCE</b>					
35 - SUPPLIES	6,100.00	6,100.00	233.97	3,584.99	2,515.01
40 - MAINTENANCE--BLDGS, STRUC	15,188.86	15,188.86	0.00	22,679.93	-7,491.07
45 - MAINTENANCE	3,000.00	3,000.00	0.00	387.64	2,612.36
50 - SERVICES	25,000.00	25,000.00	1,988.88	14,817.90	10,182.10
55 - PROFESSIONAL SERVICES	1,000.00	1,000.00	0.00	534.00	466.00
<b>Department: 83 - BUILDING MAINTENANCE Total:</b>	<b>50,288.86</b>	<b>50,288.86</b>	<b>2,222.85</b>	<b>42,004.46</b>	<b>8,284.40</b>

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For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 87 - GC CAPITAL IMPROVEMENT</b>					
70 - CAPITAL IMPROVEMENTS	110,000.00	110,000.00	30,718.50	76,511.57	33,488.43
<b>Department: 87 - GC CAPITAL IMPROVEMENT Total:</b>	<b>110,000.00</b>	<b>110,000.00</b>	<b>30,718.50</b>	<b>76,511.57</b>	<b>33,488.43</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023



Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 88 - EQUIPMENT MAINTENANCE</b>					
30 - SALARIES, WAGES, & BENEFITS	71,488.22	71,488.22	-24,537.98	62,863.23	8,624.99
35 - SUPPLIES	28,650.00	28,650.00	1,199.64	8,717.37	19,932.63
45 - MAINTENANCE	6,000.00	6,000.00	0.00	0.00	6,000.00
50 - SERVICES	1,000.00	1,000.00	0.00	0.00	1,000.00
97 - INTERFUND ACTIVITY	292,993.00	292,993.00	0.00	0.00	292,993.00
<b>Department: 88 - EQUIPMENT MAINTENANCE Total:</b>	<b>400,131.22</b>	<b>400,131.22</b>	<b>-23,338.34</b>	<b>71,580.60</b>	<b>328,550.62</b>
<b>Fund: 11 - GOLF COURSE FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>69,905.28</b>	<b>182,185.79</b>	<b>-182,185.79</b>
<b>Total Surplus (Deficit):</b>	<b>-3,103,699.00</b>	<b>-3,222,406.16</b>	<b>-269,527.59</b>	<b>437,789.03</b>	

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**Fund Summary**

Fund	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
02 - UTILITY FUND	-3,180,699.00	-3,299,406.16	-343,634.96	180,841.33	-3,480,247.49
04 - IMPACT FEE FUND	77,000.00	77,000.00	4,202.09	74,761.91	2,238.09
11 - GOLF COURSE FUND	0.00	0.00	69,905.28	182,185.79	-182,185.79
<b>Total Surplus (Deficit):</b>	<b>-3,103,699.00</b>	<b>-3,222,406.16</b>	<b>-269,527.59</b>	<b>437,789.03</b>	

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023



Jersey Village, TX

# Income Statement

## Account Summary

For Fiscal: 2022-2023 Period Ending: 04/30/2023

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Fund: 01 - GENERAL FUND</b>						
<b>Department: 10 - REVENUES</b>						
<b>Category: 72 - PROPERTY TAXES</b>						
<a href="#">01-10-7201</a>	CURRENT PROPERTY TAXES	7,432,187.00	7,432,187.00	51,376.89	7,519,773.30	-87,586.30
<a href="#">01-10-7202</a>	DELINQUENT PROPERTY TAXES	30,000.00	30,000.00	1,693.21	-104,639.40	134,639.40
<a href="#">01-10-7203</a>	PENALTY, INTEREST & COSTS	25,000.00	25,000.00	2,873.86	7,891.42	17,108.58
<b>Category: 72 - PROPERTY TAXES Total:</b>		<b>7,487,187.00</b>	<b>7,487,187.00</b>	<b>55,943.96</b>	<b>7,423,025.32</b>	<b>64,161.68</b>
<b>Category: 75 - OTHER TAXES</b>						
<a href="#">01-10-7511</a>	ELECTRIC FRANCHISE	370,000.00	370,000.00	30,315.51	212,103.90	157,896.10
<a href="#">01-10-7512</a>	TELEPHONE FRANCHISE	20,000.00	20,000.00	0.00	6,248.17	13,751.83
<a href="#">01-10-7513</a>	GAS FRANCHISE	40,000.00	40,000.00	0.00	23,054.55	16,945.45
<a href="#">01-10-7514</a>	CABLE TV FRANCHISE	75,000.00	75,000.00	0.00	37,458.59	37,541.41
<a href="#">01-10-7515</a>	TELECOMMUNICATION	14,000.00	14,000.00	1,448.43	11,046.36	2,953.64
<a href="#">01-10-7621</a>	CITY SALES TAX	4,400,000.00	4,400,000.00	474,569.76	3,194,123.39	1,205,876.61
<a href="#">01-10-7631</a>	MIXED DRINK TAX	30,000.00	30,000.00	0.00	14,650.48	15,349.52
<b>Category: 75 - OTHER TAXES Total:</b>		<b>4,949,000.00</b>	<b>4,949,000.00</b>	<b>506,333.70</b>	<b>3,498,685.44</b>	<b>1,450,314.56</b>
<b>Category: 80 - FINES WARRANTS &amp; BONDS</b>						
<a href="#">01-10-8001</a>	FINES	900,000.00	900,000.00	56,366.29	423,819.20	476,180.80
<a href="#">01-10-8002</a>	TIME PAYMENT FEE-GENERAL	10,000.00	10,000.00	480.50	3,115.28	6,884.72
<a href="#">01-10-8003</a>	TIME PAYMENT FEE-COURT	0.00	0.00	27.50	281.09	-281.09
<a href="#">01-10-8004</a>	COURT TECHNOLOGY FEES	0.00	0.00	1,236.08	9,306.79	-9,306.79
<a href="#">01-10-8005</a>	COURT SECURITY FEE	0.00	0.00	1,428.10	10,520.30	-10,520.30
<a href="#">01-10-8006</a>	OMNI FEE	8,000.00	8,000.00	263.57	2,127.17	5,872.83
<a href="#">01-10-8008</a>	JUDICIAL FEE	0.00	0.00	55.70	465.38	-465.38
<b>Category: 80 - FINES WARRANTS &amp; BONDS Total:</b>		<b>918,000.00</b>	<b>918,000.00</b>	<b>59,857.74</b>	<b>449,635.21</b>	<b>468,364.79</b>
<b>Category: 85 - FEE &amp; CHARGES FOR SERVICE</b>						
<a href="#">01-10-8501</a>	GARBAGE FEES/RESIDENTIAL	500.00	500.00	0.00	0.00	500.00
<a href="#">01-10-8503</a>	POOL MEMBERSHIP FEES	20,000.00	20,000.00	0.00	0.00	20,000.00
<a href="#">01-10-8504</a>	SWIM LESSON	6,000.00	6,000.00	0.00	0.00	6,000.00
<a href="#">01-10-8505</a>	POOL RENTALS	2,000.00	2,000.00	0.00	780.00	1,220.00
<a href="#">01-10-8506</a>	REC PROGRAMS	8,000.00	8,000.00	4,360.00	6,950.00	1,050.00
<a href="#">01-10-8507</a>	AMBULANCE SERVICE FEES	250,000.00	250,000.00	13,269.79	291,368.25	-41,368.25
<a href="#">01-10-8509</a>	PET TAGS	500.00	500.00	20.00	230.00	270.00
<a href="#">01-10-8510</a>	COIN OPERATOR FEES	0.00	0.00	0.00	187.50	-187.50
<a href="#">01-10-8511</a>	JERSEY VILLAGE STICKERS	0.00	0.00	9.00	33.00	-33.00
<a href="#">01-10-8512</a>	RENTAL FEE	40,000.00	40,000.00	-25.00	960.00	39,040.00
<a href="#">01-10-8513</a>	CHILD SAFETY FEE-COUNTY	9,000.00	9,000.00	843.29	6,006.84	2,993.16
<a href="#">01-10-8514</a>	FOOD & BEVERAGE FEES	500.00	500.00	300.00	290.00	210.00
<a href="#">01-10-8515</a>	POLICE OFFICER FEE	0.00	0.00	560.00	280.00	-280.00
<a href="#">01-10-8516</a>	FARMER'S MARKET FEES	4,500.00	4,500.00	72.00	1,218.00	3,282.00
<a href="#">01-10-8517</a>	PARK RENTALS	7,000.00	7,000.00	200.00	5,130.00	1,870.00
<a href="#">01-10-8518</a>	FOUNDER'S DAY	0.00	0.00	5,402.00	6,242.00	-6,242.00
<a href="#">01-10-8519</a>	SPRING EVENT	13,000.00	13,000.00	0.00	0.00	13,000.00
<a href="#">01-10-8999</a>	PLAN CHECKING AND PLAT REVIEW	40,000.00	40,000.00	3,513.69	19,008.21	20,991.79
<b>Category: 85 - FEE &amp; CHARGES FOR SERVICE Total:</b>		<b>401,000.00</b>	<b>401,000.00</b>	<b>28,524.77</b>	<b>338,683.80</b>	<b>62,316.20</b>
<b>Category: 90 - LICENSES &amp; PERMITS</b>						
<a href="#">01-10-9001</a>	BUILDING PERMITS	105,000.00	105,000.00	8,696.28	87,251.61	17,748.39
<a href="#">01-10-9002</a>	PLUMBING PERMITS	15,000.00	15,000.00	530.50	7,403.00	7,597.00
<a href="#">01-10-9003</a>	ELECTRICAL PERMITS	18,000.00	18,000.00	941.50	7,743.35	10,256.65
<a href="#">01-10-9004</a>	MECHANICAL PERMITS	9,000.00	9,000.00	357.00	4,080.24	4,919.76
<a href="#">01-10-9006</a>	SIGN PERMITS	14,000.00	14,000.00	233.15	11,948.89	2,051.11
<a href="#">01-10-9007</a>	LIQUOR LICENSES	8,000.00	8,000.00	0.00	3,370.00	4,630.00

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<a href="#">01-10-9010</a>	ANTENNA ANNUAL FEES	4,400.00	4,400.00	0.00	4,479.86	-79.86
<a href="#">01-10-9011</a>	PLANNING & ZONING APPLICATION FEES	2,000.00	2,000.00	1,000.00	1,000.00	1,000.00
<a href="#">01-10-9012</a>	BURGLAR/FIRE ALARM PERMIT	6,000.00	6,000.00	71.98	643.05	5,356.95
<a href="#">01-10-9013</a>	FIRE MARSHAL PERM FEES	1,100.00	1,100.00	1,054.90	1,128.90	-28.90
<a href="#">01-10-9015</a>	OPERATIONAL HARZADOUS PERM	100.00	100.00	0.00	0.00	100.00
<a href="#">01-10-9016</a>	HOTEL/MOTEL LICENSE PERMITS	1,000.00	1,000.00	0.00	1,050.00	-50.00
	<b>Category: 90 - LICENSES &amp; PERMITS Total:</b>	<b>183,600.00</b>	<b>183,600.00</b>	<b>12,885.31</b>	<b>130,098.90</b>	<b>53,501.10</b>
	<b>Category: 96 - INTEREST EARNED</b>					
<a href="#">01-10-9601</a>	INTEREST EARNED	37,000.00	500,000.00	68,941.27	436,970.85	63,029.15
	<b>Category: 96 - INTEREST EARNED Total:</b>	<b>37,000.00</b>	<b>500,000.00</b>	<b>68,941.27</b>	<b>436,970.85</b>	<b>63,029.15</b>
	<b>Category: 97 - INTERFUND ACTIVITY</b>					
<a href="#">01-10-9750</a>	CRIME CONTROL DISTRICT REIMB.	2,199,905.00	2,199,905.00	0.00	0.00	2,199,905.00
<a href="#">01-10-9752</a>	TRANSFER FROM UTLY FUND	630,000.00	630,000.00	0.00	0.00	630,000.00
<a href="#">01-10-9754</a>	TRANSFER FROM MOTEL TAX FUND	26,100.00	26,100.00	0.00	0.00	26,100.00
<a href="#">01-10-9755</a>	FIRE CONTROL PREV & EMERG REIMB	1,679,647.00	1,679,647.00	0.00	0.00	1,679,647.00
	<b>Category: 97 - INTERFUND ACTIVITY Total:</b>	<b>4,535,652.00</b>	<b>4,535,652.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,535,652.00</b>
	<b>Category: 98 - MISCELLANEOUS REVENUE</b>					
<a href="#">01-10-9899</a>	MISCELLANEOUS	70,000.00	70,000.00	6,106.34	29,427.28	40,572.72
	<b>Category: 98 - MISCELLANEOUS REVENUE Total:</b>	<b>70,000.00</b>	<b>70,000.00</b>	<b>6,106.34</b>	<b>29,427.28</b>	<b>40,572.72</b>
	<b>Category: 99 - OTHER AGENCY REVENUES</b>					
<a href="#">01-10-9905</a>	AMBULANCE FEES STATE GRANT	67,000.00	67,000.00	0.00	0.00	67,000.00
<a href="#">01-10-9906</a>	LEOSE FUNDS - TRAINING GRANT	0.00	0.00	0.00	2,563.23	-2,563.23
	<b>Category: 99 - OTHER AGENCY REVENUES Total:</b>	<b>67,000.00</b>	<b>67,000.00</b>	<b>0.00</b>	<b>2,563.23</b>	<b>64,436.77</b>
	<b>Department: 10 - REVENUES Total:</b>	<b>18,648,439.00</b>	<b>19,111,439.00</b>	<b>738,593.09</b>	<b>12,309,090.03</b>	<b>6,802,348.97</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining	
<b>Department: 11 - ADMINISTRATIVE SERVICE</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-11-3001</a>	SALARIES	645,830.76	645,830.76	56,100.00	377,544.93	268,285.83
<a href="#">01-11-3002</a>	WAGES	27,744.08	27,744.08	1,540.00	9,615.24	18,128.84
<a href="#">01-11-3003</a>	LONGEVITY	1,008.28	1,008.28	115.42	730.78	277.50
<a href="#">01-11-3010</a>	INCENTIVES	1,799.98	1,799.98	138.46	1,003.83	796.15
<a href="#">01-11-3020</a>	EMPLOYEE AWARDS/BONUS	9,000.00	9,000.00	0.00	2,845.00	6,155.00
<a href="#">01-11-3051</a>	FICA/MEDICARE TAXES	44,876.13	44,876.13	4,645.18	26,805.69	18,070.44
<a href="#">01-11-3052</a>	WORKMEN'S COMPENSATION	1,000.00	1,000.00	0.00	729.54	270.46
<a href="#">01-11-3053</a>	UNEMPLOYMENT INSURANCE	1,260.00	1,260.00	61.76	172.65	1,087.35
<a href="#">01-11-3054</a>	RETIREMENT	94,503.22	94,503.22	8,726.19	54,757.16	39,746.06
<a href="#">01-11-3055</a>	HEALTH INSURANCE	78,913.38	78,913.38	6,739.24	44,691.48	34,221.90
<a href="#">01-11-3056</a>	LIFE INS	352.30	352.30	29.25	204.75	147.55
<a href="#">01-11-3057</a>	DENTAL INSURANCE	5,092.10	5,092.10	427.17	2,875.83	2,216.27
<a href="#">01-11-3058</a>	LONG-TERM DISABILITY	2,200.74	2,200.74	483.64	2,092.54	108.20
<a href="#">01-11-3060</a>	VISION INSURANCE	545.74	545.74	50.30	312.62	233.12
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>914,126.71</b>	<b>914,126.71</b>	<b>79,056.61</b>	<b>524,382.04</b>	<b>389,744.67</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-11-3502</a>	POSTAGE/FREIGHT/DEL. FEE	150.00	150.00	0.00	24.99	125.01
<a href="#">01-11-3503</a>	OFFICE SUPPLIES	4,000.00	4,000.00	0.00	2,692.57	1,307.43
<a href="#">01-11-3504</a>	WEARING APPAREL	500.00	500.00	0.00	309.60	190.40
<a href="#">01-11-3510</a>	BOOKS & PERIODICALS	200.00	200.00	0.00	0.00	200.00
<a href="#">01-11-3520</a>	FOOD	11,000.00	11,000.00	0.00	9,066.27	1,933.73
<b>Category: 35 - SUPPLIES Total:</b>		<b>15,850.00</b>	<b>15,850.00</b>	<b>0.00</b>	<b>12,093.43</b>	<b>3,756.57</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-11-4501</a>	FURN.,FIXT.,& OFF. MACH.	2,000.00	2,000.00	0.00	0.00	2,000.00
<b>Category: 45 - MAINTENANCE Total:</b>		<b>2,000.00</b>	<b>2,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,000.00</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-11-5001</a>	MAYOR & COUNCIL EXPENDITURES	4,000.00	4,000.00	0.00	605.80	3,394.20
<a href="#">01-11-5007</a>	RECORDS MANAGEMENT	7,500.00	7,500.00	0.00	1,900.38	5,599.62
<a href="#">01-11-5012</a>	PRINTING	250.00	250.00	0.00	0.00	250.00
<a href="#">01-11-5014</a>	MEDICAL EXPENSES	11,500.00	11,500.00	1,799.00	6,317.00	5,183.00
<a href="#">01-11-5020</a>	COMMUNICATIONS	8,399.60	8,399.60	186.14	1,232.57	7,167.03
<a href="#">01-11-5025</a>	NEWSPAPER NOTICES	6,500.00	6,500.00	0.00	4,944.05	1,555.95
<a href="#">01-11-5026</a>	CODIFICATIONS	7,400.00	7,400.00	0.00	1,175.00	6,225.00
<a href="#">01-11-5027</a>	MEMBERSHIPS/SUBSCRIPTIONS	6,000.00	6,000.00	243.86	6,134.75	-134.75
<a href="#">01-11-5028</a>	TEXAS LEGISLATIVE SERVICES	1.00	1.00	0.00	0.00	1.00
<a href="#">01-11-5029</a>	TRAVEL/TRAINING	14,000.00	14,000.00	0.00	3,179.09	10,820.91
<a href="#">01-11-5030</a>	CAR ALLOWANCE	6,500.00	6,500.00	0.00	0.00	6,500.00
<a href="#">01-11-5041</a>	NEWSLETTER	9,500.00	9,500.00	0.00	3,444.35	6,055.65
<a href="#">01-11-5044</a>	ADVERTISING	0.00	4,900.00	0.00	0.00	4,900.00
<b>Category: 50 - SERVICES Total:</b>		<b>81,550.60</b>	<b>86,450.60</b>	<b>2,229.00</b>	<b>28,932.99</b>	<b>57,517.61</b>
<b>Category: 54 - SUNDRY</b>						
<a href="#">01-11-5401</a>	ELECTION EXPENSE	9,500.00	9,500.00	4,951.24	12,378.10	-2,878.10
<b>Category: 54 - SUNDRY Total:</b>		<b>9,500.00</b>	<b>9,500.00</b>	<b>4,951.24</b>	<b>12,378.10</b>	<b>-2,878.10</b>
<b>Category: 60 - OTHER SERVICES</b>						
<a href="#">01-11-6005</a>	NOTARY SURETY BONDS	300.00	300.00	0.00	0.00	300.00
<b>Category: 60 - OTHER SERVICES Total:</b>		<b>300.00</b>	<b>300.00</b>	<b>0.00</b>	<b>0.00</b>	<b>300.00</b>
<b>Category: 65 - CAPITAL OUTLAY</b>						
<a href="#">01-11-6574</a>	COMPUTER SOFTWARE	0.00	0.00	0.00	671.80	-671.80
<b>Category: 65 - CAPITAL OUTLAY Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>671.80</b>	<b>-671.80</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-11-9772</a>	TECHNOLOGY USER FEE	5,250.00	5,250.00	0.00	0.00	5,250.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>5,250.00</b>	<b>5,250.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5,250.00</b>
<b>Department: 11 - ADMINISTRATIVE SERVICE Total:</b>		<b>1,028,577.31</b>	<b>1,033,477.31</b>	<b>86,236.85</b>	<b>578,458.36</b>	<b>455,018.95</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining	
<b>Department: 12 - LEGAL/OTHER SERVICES</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-12-3052</a>	WORKMEN'S COMPENSATION	250.00	250.00	0.00	0.00	250.00
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>250.00</b>	<b>250.00</b>	<b>0.00</b>	<b>0.00</b>	<b>250.00</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-12-5023</a>	GRANTS AND INCENTIVES	2,014,000.00	2,014,000.00	0.00	724,878.68	1,289,121.32
<b>Category: 50 - SERVICES Total:</b>		<b>2,014,000.00</b>	<b>2,014,000.00</b>	<b>0.00</b>	<b>724,878.68</b>	<b>1,289,121.32</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-12-5502</a>	LEGAL FEES	110,000.00	110,000.00	30,709.65	45,451.24	64,548.76
<a href="#">01-12-5515</a>	CONSULTANT SERVICES	10,000.00	10,000.00	0.00	0.00	10,000.00
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>120,000.00</b>	<b>120,000.00</b>	<b>30,709.65</b>	<b>45,451.24</b>	<b>74,548.76</b>
<b>Category: 60 - OTHER SERVICES</b>						
<a href="#">01-12-6001</a>	AUTOMOBILE LIABILITY	72,350.00	72,350.00	0.00	61,902.29	10,447.71
<a href="#">01-12-6003</a>	LIABILITY-FIRE & CASUALTY INSR	73,140.00	73,140.00	0.00	88,254.47	-15,114.47
<a href="#">01-12-6005</a>	SURETY BONDS	500.00	500.00	0.00	565.46	-65.46
<b>Category: 60 - OTHER SERVICES Total:</b>		<b>145,990.00</b>	<b>145,990.00</b>	<b>0.00</b>	<b>150,722.22</b>	<b>-4,732.22</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-12-9760</a>	TRFR TO CAPITAL IMPROVEMENTS	166,309.00	666,309.00	0.00	0.00	666,309.00
<a href="#">01-12-9761</a>	TRANSFER TO GOLF FUND	214,483.71	214,483.71	0.00	0.00	214,483.71
<a href="#">01-12-9763</a>	TRANSFER TO TIRZ 3	750,000.00	750,000.00	0.00	0.00	750,000.00
<a href="#">01-12-9772</a>	TECHNOLOGY USER FEES	375.00	375.00	0.00	0.00	375.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>1,131,167.71</b>	<b>1,631,167.71</b>	<b>0.00</b>	<b>0.00</b>	<b>1,631,167.71</b>
<b>Department: 12 - LEGAL/OTHER SERVICES Total:</b>		<b>3,411,407.71</b>	<b>3,911,407.71</b>	<b>30,709.65</b>	<b>921,052.14</b>	<b>2,990,355.57</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 13 - INFO TECHNOLOGY</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-13-3001</a>	SALARIES	241,357.71	241,357.71	14,265.80	130,152.89	111,204.82
<a href="#">01-13-3002</a>	WAGES	4,713.28	4,713.28	0.00	0.00	4,713.28
<a href="#">01-13-3003</a>	LONGEVITY	479.96	479.96	27.70	297.72	182.24
<a href="#">01-13-3010</a>	INCENTIVES	1,200.00	1,200.00	0.00	0.00	1,200.00
<a href="#">01-13-3051</a>	FICA/MEDICARE TAXES	18,126.45	18,126.45	1,049.50	9,504.09	8,622.36
<a href="#">01-13-3052</a>	WORKMEN'S COMPENSATION	540.00	540.00	0.00	437.72	102.28
<a href="#">01-13-3053</a>	UNEMPLOYMENT INSURANCE	887.97	887.97	27.14	78.34	809.63
<a href="#">01-13-3054</a>	RETIREMENT	34,974.82	34,974.82	2,073.26	18,678.34	16,296.48
<a href="#">01-13-3055</a>	HEALTH INSURANCE	48,024.34	48,024.34	2,441.46	25,529.96	22,494.38
<a href="#">01-13-3056</a>	LIFE INS	199.16	199.16	5.85	105.30	93.86
<a href="#">01-13-3057</a>	DENTAL INSURANCE	2,771.86	2,771.86	123.98	1,456.61	1,315.25
<a href="#">01-13-3058</a>	LONG-TERM DISABILITY	1,092.94	1,092.94	123.25	781.40	311.54
<a href="#">01-13-3060</a>	VISION INSURANCE	413.92	413.92	20.04	221.99	191.93
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>354,782.41</b>	<b>354,782.41</b>	<b>20,157.98</b>	<b>187,244.36</b>	<b>167,538.05</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-13-3502</a>	POSTAGE/FREIGHT	500.00	500.00	0.00	15.06	484.94
<a href="#">01-13-3503</a>	OFFICE SUPPLIES	250.00	250.00	0.00	250.46	-0.46
<a href="#">01-13-3509</a>	COMPUTER SUPPLIES	2,200.00	2,200.00	0.00	1,108.97	1,091.03
<a href="#">01-13-3510</a>	BOOKS & PERIODICALS	100.00	100.00	0.00	0.00	100.00
<b>Category: 35 - SUPPLIES Total:</b>		<b>3,050.00</b>	<b>3,050.00</b>	<b>0.00</b>	<b>1,374.49</b>	<b>1,675.51</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-13-4501</a>	FURN. FIXTURES. OFF EQUIPMENT	6,314.00	6,314.00	192.21	2,853.56	3,460.44
<a href="#">01-13-4502</a>	COMPUTER EQUIPMENT	9,500.00	9,500.00	0.00	8,869.41	630.59
<a href="#">01-13-4504</a>	SOFTWARE MAINTENANCE	405,000.00	405,000.00	10,143.09	60,185.38	344,814.62
<b>Category: 45 - MAINTENANCE Total:</b>		<b>420,814.00</b>	<b>420,814.00</b>	<b>10,335.30</b>	<b>71,908.35</b>	<b>348,905.65</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-13-5020</a>	COMMUNICATIONS	30,419.90	30,419.90	2,837.90	18,503.46	11,916.44
<a href="#">01-13-5027</a>	MEMBERSHIPS/SUBSCRIPT	1,450.00	1,450.00	0.00	750.74	699.26
<a href="#">01-13-5029</a>	TRAVEL/TRAINING	7,600.00	7,600.00	0.00	120.00	7,480.00
<b>Category: 50 - SERVICES Total:</b>		<b>39,469.90</b>	<b>39,469.90</b>	<b>2,837.90</b>	<b>19,374.20</b>	<b>20,095.70</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-13-5515</a>	CONSULTANT SERVICES	105,000.00	105,000.00	1,647.00	28,086.90	76,913.10
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>105,000.00</b>	<b>105,000.00</b>	<b>1,647.00</b>	<b>28,086.90</b>	<b>76,913.10</b>
<b>Category: 65 - CAPITAL OUTLAY</b>						
<a href="#">01-13-6573</a>	COMPUTER EQUIPMENT	4,000.00	4,000.00	0.00	7,644.00	-3,644.00
<a href="#">01-13-6574</a>	COMPUTER SOFTWARE	0.00	0.00	0.00	30.00	-30.00
<b>Category: 65 - CAPITAL OUTLAY Total:</b>		<b>4,000.00</b>	<b>4,000.00</b>	<b>0.00</b>	<b>7,674.00</b>	<b>-3,674.00</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-13-9772</a>	TECHNOLOGY USER FEE	48,203.00	48,203.00	0.00	0.00	48,203.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>48,203.00</b>	<b>48,203.00</b>	<b>0.00</b>	<b>0.00</b>	<b>48,203.00</b>
<b>Department: 13 - INFO TECHNOLOGY Total:</b>		<b>975,319.31</b>	<b>975,319.31</b>	<b>34,978.18</b>	<b>315,662.30</b>	<b>659,657.01</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 14 - PURCHASING</b>						
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-14-3502</a>	POSTAGE/FREIGHT	17,000.00	17,000.00	0.00	10,250.09	6,749.91
<a href="#">01-14-3503</a>	OFFICE SUPPLIES	3,000.00	3,000.00	534.24	2,008.33	991.67
	<b>Category: 35 - SUPPLIES Total:</b>	<b>20,000.00</b>	<b>20,000.00</b>	<b>534.24</b>	<b>12,258.42</b>	<b>7,741.58</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-14-5022</a>	RENTAL OF EQUIPMENT	2,675.00	2,675.00	0.00	1,336.50	1,338.50
	<b>Category: 50 - SERVICES Total:</b>	<b>2,675.00</b>	<b>2,675.00</b>	<b>0.00</b>	<b>1,336.50</b>	<b>1,338.50</b>
	<b>Department: 14 - PURCHASING Total:</b>	<b>22,675.00</b>	<b>22,675.00</b>	<b>534.24</b>	<b>13,594.92</b>	<b>9,080.08</b>

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 15 - ACCOUNTING SERVICES</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-15-3001</a>	SALARIES	282,113.65	282,113.65	14,840.40	130,080.27	152,033.38
<a href="#">01-15-3003</a>	LONGEVITY	864.24	864.24	87.70	594.50	269.74
<a href="#">01-15-3007</a>	OVERTIME	2,900.00	2,900.00	0.00	0.00	2,900.00
<a href="#">01-15-3010</a>	INCENTIVES	600.08	600.08	46.16	551.22	48.86
<a href="#">01-15-3051</a>	FICA/MEDICARE TAXES	20,554.78	20,554.78	1,079.90	9,446.50	11,108.28
<a href="#">01-15-3052</a>	WORKMEN'S COMPENSATION	550.00	550.00	0.00	437.72	112.28
<a href="#">01-15-3053</a>	UNEMPLOYMENT INSURANCE	757.19	757.19	34.47	73.36	683.83
<a href="#">01-15-3054</a>	RETIREMENT	41,281.39	41,281.39	2,144.32	18,654.23	22,627.16
<a href="#">01-15-3055</a>	HEALTH INSURANCE	54,976.74	54,976.74	2,441.46	23,509.96	31,466.78
<a href="#">01-15-3056</a>	LIFE INS	211.38	211.38	17.55	111.15	100.23
<a href="#">01-15-3057</a>	DENTAL INSURANCE	3,480.36	3,480.36	178.48	1,584.01	1,896.35
<a href="#">01-15-3058</a>	LONG-TERM DISABILITY	1,163.31	1,163.31	169.19	830.37	332.94
<a href="#">01-15-3060</a>	VISION INSURANCE	390.52	390.52	18.24	170.59	219.93
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>409,843.64</b>	<b>409,843.64</b>	<b>21,057.87</b>	<b>186,043.88</b>	<b>223,799.76</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-15-3502</a>	POSTAGE/FREIGHT/DEL.FEE	200.00	200.00	0.00	0.00	200.00
<a href="#">01-15-3503</a>	OFFICE SUPPLIES	700.00	700.00	0.00	359.29	340.71
<a href="#">01-15-3510</a>	BOOKS & PERIODICALS	50.00	50.00	0.00	0.00	50.00
<a href="#">01-15-3520</a>	FOOD	3,400.00	3,400.00	0.00	1,250.68	2,149.32
<b>Category: 35 - SUPPLIES Total:</b>		<b>4,350.00</b>	<b>4,350.00</b>	<b>0.00</b>	<b>1,609.97</b>	<b>2,740.03</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-15-4501</a>	FURN.FIXT. & OFF.MACH.	150.00	150.00	0.00	0.00	150.00
<b>Category: 45 - MAINTENANCE Total:</b>		<b>150.00</b>	<b>150.00</b>	<b>0.00</b>	<b>0.00</b>	<b>150.00</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-15-5012</a>	PRINTING	1,200.00	1,200.00	0.00	562.00	638.00
<a href="#">01-15-5020</a>	COMMUNICATIONS	2,899.90	2,899.90	61.53	482.65	2,417.25
<a href="#">01-15-5027</a>	MEMBERSHIPS	400.00	400.00	0.00	300.00	100.00
<a href="#">01-15-5029</a>	TRAVEL/TRAINING	4,000.00	4,000.00	0.00	65.00	3,935.00
<b>Category: 50 - SERVICES Total:</b>		<b>8,499.90</b>	<b>8,499.90</b>	<b>61.53</b>	<b>1,409.65</b>	<b>7,090.25</b>
<b>Category: 54 - SUNDRY</b>						
<a href="#">01-15-5405</a>	PERMITS & FEES	550.00	550.00	0.00	345.00	205.00
<b>Category: 54 - SUNDRY Total:</b>		<b>550.00</b>	<b>550.00</b>	<b>0.00</b>	<b>345.00</b>	<b>205.00</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-15-5501</a>	AUDITS/CONTRACTS/STUDIES	50,000.00	50,000.00	34,849.40	48,907.34	1,092.66
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>50,000.00</b>	<b>50,000.00</b>	<b>34,849.40</b>	<b>48,907.34</b>	<b>1,092.66</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-15-9772</a>	TECHNOLOGY USER FEE	1,575.00	1,575.00	0.00	0.00	1,575.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>1,575.00</b>	<b>1,575.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,575.00</b>
<b>Department: 15 - ACCOUNTING SERVICES Total:</b>		<b>474,968.54</b>	<b>474,968.54</b>	<b>55,968.80</b>	<b>238,315.84</b>	<b>236,652.70</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 16 - CUSTOMER SERVICE</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-16-3001</a>	SALARIES	40,876.99	40,876.99	3,144.00	22,406.40	18,470.59
<a href="#">01-16-3003</a>	LONGEVITY	624.00	624.00	64.62	415.86	208.14
<a href="#">01-16-3007</a>	OVERTIME	100.00	100.00	30.86	30.86	69.14
<a href="#">01-16-3010</a>	INCENTIVES	959.92	959.92	83.08	602.33	357.59
<a href="#">01-16-3051</a>	FICA/MEDICARE TAXES	2,915.33	2,915.33	224.99	1,589.97	1,325.36
<a href="#">01-16-3052</a>	WORKMEN'S COMPENSATION	175.00	175.00	0.00	145.91	29.09
<a href="#">01-16-3053</a>	UNEMPLOYMENT INSURANCE	252.04	252.04	9.61	22.29	229.75
<a href="#">01-16-3054</a>	RETIREMENT	6,094.72	6,094.72	475.79	3,339.57	2,755.15
<a href="#">01-16-3055</a>	HEALTH INSURANCE	16,285.10	16,285.10	1,252.70	9,082.08	7,203.02
<a href="#">01-16-3056</a>	LIFE INS	70.46	70.46	5.85	40.95	29.51
<a href="#">01-16-3057</a>	DENTAL INSURANCE	451.62	451.62	0.00	0.00	451.62
<a href="#">01-16-3058</a>	LONG-TERM DISABILITY	200.30	200.30	31.74	142.46	57.84
<a href="#">01-16-3060</a>	VISION INSURANCE	107.12	107.12	6.44	46.69	60.43
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>69,112.60</b>	<b>69,112.60</b>	<b>5,329.68</b>	<b>37,865.37</b>	<b>31,247.23</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-16-3503</a>	OFFICE SUPPLIES	500.00	500.00	0.00	144.41	355.59
<b>Category: 35 - SUPPLIES Total:</b>		<b>500.00</b>	<b>500.00</b>	<b>0.00</b>	<b>144.41</b>	<b>355.59</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-16-4501</a>	FURN., FIX, & OFF MACH EQ	400.00	400.00	0.00	0.00	400.00
<b>Category: 45 - MAINTENANCE Total:</b>		<b>400.00</b>	<b>400.00</b>	<b>0.00</b>	<b>0.00</b>	<b>400.00</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-16-5020</a>	COMMUNICATIONS	1,100.00	1,100.00	61.53	482.64	617.36
<b>Category: 50 - SERVICES Total:</b>		<b>1,100.00</b>	<b>1,100.00</b>	<b>61.53</b>	<b>482.64</b>	<b>617.36</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-16-5527</a>	HARRIS CTY APPRAISAL DIST	62,000.00	62,000.00	0.00	33,267.31	28,732.69
<a href="#">01-16-5528</a>	HARRIS CTY TAX OFFICE	7,000.00	7,000.00	0.00	5,758.24	1,241.76
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>69,000.00</b>	<b>69,000.00</b>	<b>0.00</b>	<b>39,025.55</b>	<b>29,974.45</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-16-9772</a>	TECHNOLOGY USER FEE	375.00	375.00	0.00	0.00	375.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>375.00</b>	<b>375.00</b>	<b>0.00</b>	<b>0.00</b>	<b>375.00</b>
<b>Department: 16 - CUSTOMER SERVICE Total:</b>		<b>140,487.60</b>	<b>140,487.60</b>	<b>5,391.21</b>	<b>77,517.97</b>	<b>62,969.63</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 19 - MUNICIPAL COURT</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-19-3001</a>	SALARIES	169,913.74	169,913.74	12,397.22	85,970.58	83,943.16
<a href="#">01-19-3003</a>	LONGEVITY	1,152.06	1,152.06	124.60	802.99	349.07
<a href="#">01-19-3007</a>	OVERTIME	5,000.00	5,000.00	0.00	458.16	4,541.84
<a href="#">01-19-3010</a>	INCENTIVES	1,200.16	1,200.16	92.32	669.32	530.84
<a href="#">01-19-3051</a>	FICA/MEDICARE TAXES	12,498.70	12,498.70	1,028.43	7,114.34	5,384.36
<a href="#">01-19-3052</a>	WORKMEN'S COMPENSATION	469.00	469.00	0.00	437.72	31.28
<a href="#">01-19-3053</a>	UNEMPLOYMENT INSURANCE	758.06	758.06	28.99	69.00	689.06
<a href="#">01-19-3054</a>	RETIREMENT	25,384.49	25,384.49	1,985.36	13,761.26	11,623.23
<a href="#">01-19-3055</a>	HEALTH INSURANCE	46,343.18	46,343.18	2,900.72	21,030.22	25,312.96
<a href="#">01-19-3056</a>	LIFE INS	211.38	211.38	11.70	122.85	88.53
<a href="#">01-19-3057</a>	DENTAL INSURANCE	2,771.86	2,771.86	213.22	1,545.85	1,226.01
<a href="#">01-19-3058</a>	LONG-TERM DISABILITY	832.58	832.58	114.73	579.14	253.44
<a href="#">01-19-3060</a>	VISION INSURANCE	308.62	308.62	27.30	197.93	110.69
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>266,843.83</b>	<b>266,843.83</b>	<b>18,924.59</b>	<b>132,759.36</b>	<b>134,084.47</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-19-3503</a>	OFFICE SUPPLIES	2,000.00	2,000.00	0.00	632.69	1,367.31
<a href="#">01-19-3510</a>	BOOKS & PERIODICALS	200.00	200.00	0.00	152.00	48.00
<a href="#">01-19-3523</a>	TOOLS/EQUIPMENT	100.00	100.00	0.00	0.00	100.00
<b>Category: 35 - SUPPLIES Total:</b>		<b>2,300.00</b>	<b>2,300.00</b>	<b>0.00</b>	<b>784.69</b>	<b>1,515.31</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-19-4501</a>	FURN., FIXT. & OFF. MACH.	500.00	500.00	0.00	0.00	500.00
<b>Category: 45 - MAINTENANCE Total:</b>		<b>500.00</b>	<b>500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>500.00</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-19-5012</a>	PRINTING	2,000.00	2,000.00	0.00	175.00	1,825.00
<a href="#">01-19-5020</a>	COMMUNICATIONS	1,100.00	1,100.00	61.53	482.64	617.36
<a href="#">01-19-5027</a>	MEMBERSHIPS	300.00	300.00	0.00	165.00	135.00
<a href="#">01-19-5029</a>	TRAVEL/TRAINING	3,500.00	3,500.00	0.00	805.36	2,694.64
<b>Category: 50 - SERVICES Total:</b>		<b>6,900.00</b>	<b>6,900.00</b>	<b>61.53</b>	<b>1,628.00</b>	<b>5,272.00</b>
<b>Category: 54 - SUNDRY</b>						
<a href="#">01-19-5404</a>	JURY EXPENSE	800.00	800.00	0.00	75.50	724.50
<b>Category: 54 - SUNDRY Total:</b>		<b>800.00</b>	<b>800.00</b>	<b>0.00</b>	<b>75.50</b>	<b>724.50</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-19-5505</a>	JUDGES	51,000.00	51,000.00	2,375.00	13,875.00	37,125.00
<a href="#">01-19-5506</a>	PROSECUTORS	33,000.00	33,000.00	4,100.00	13,400.00	19,600.00
<a href="#">01-19-5516</a>	COLLECTION AGENCY FEES	2,950.00	2,950.00	0.00	1,879.50	1,070.50
<a href="#">01-19-5518</a>	INTERPRETERS	500.00	500.00	0.00	157.03	342.97
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>87,450.00</b>	<b>87,450.00</b>	<b>6,475.00</b>	<b>29,311.53</b>	<b>58,138.47</b>
<b>Department: 19 - MUNICIPAL COURT Total:</b>		<b>364,793.83</b>	<b>364,793.83</b>	<b>25,461.12</b>	<b>164,559.08</b>	<b>200,234.75</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 21 - POLICE</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-21-3001</a>	SALARIES	2,670,134.22	2,665,134.22	188,363.05	1,405,947.44	1,259,186.78
<a href="#">01-21-3003</a>	LONGEVITY	5,711.94	5,711.94	567.72	3,890.81	1,821.13
<a href="#">01-21-3007</a>	OVERTIME	110,000.00	110,000.00	16,155.50	114,384.50	-4,384.50
<a href="#">01-21-3010</a>	INCENTIVES	23,759.06	23,759.06	3,346.04	24,490.71	-731.65
<a href="#">01-21-3014</a>	S.T.E.P. PROGRAM	90,000.00	90,000.00	477.71	24,123.30	65,876.70
<a href="#">01-21-3051</a>	FICA/MEDICARE TAXES	204,157.24	204,157.24	15,366.53	115,291.01	88,866.23
<a href="#">01-21-3052</a>	WORKMEN'S COMPENSATION	55,000.00	55,000.00	0.00	46,217.74	8,782.26
<a href="#">01-21-3053</a>	UNEMPLOYMENT INSURANCE	8,146.35	8,146.35	266.42	684.64	7,461.71
<a href="#">01-21-3054</a>	RETIREMENT	415,395.28	415,395.28	29,935.73	223,987.90	191,407.38
<a href="#">01-21-3055</a>	HEALTH INSURANCE	429,067.08	424,067.08	30,902.57	230,236.26	193,830.82
<a href="#">01-21-3056</a>	LIFE INS	2,242.50	2,242.50	163.80	1,181.70	1,060.80
<a href="#">01-21-3057</a>	DENTAL INSURANCE	25,079.34	25,079.34	1,887.22	13,925.47	11,153.87
<a href="#">01-21-3058</a>	LONG-TERM DISABILITY	12,279.57	12,279.57	1,668.23	7,913.37	4,366.20
<a href="#">01-21-3060</a>	VISION INSURANCE	2,799.68	2,799.68	239.39	1,777.92	1,021.76
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>4,053,772.26</b>	<b>4,043,772.26</b>	<b>289,339.91</b>	<b>2,214,052.77</b>	<b>1,829,719.49</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-21-3502</a>	POSTAGE/FREIGHT/DEL. FEE	1,000.00	1,000.00	0.00	71.31	928.69
<a href="#">01-21-3503</a>	OFFICE SUPPLIES	10,000.00	10,000.00	0.00	3,154.60	6,845.40
<a href="#">01-21-3504</a>	WEARING APPAREL	29,474.00	29,474.00	1,405.88	23,329.74	6,144.26
<a href="#">01-21-3505</a>	CRIME PREVENTION SUPPLIES	5,000.00	15,000.00	0.00	3,613.00	11,387.00
<a href="#">01-21-3508</a>	CRIME SCENE SUPPLIES	33,000.00	33,000.00	0.00	21,050.07	11,949.93
<a href="#">01-21-3510</a>	BOOKS AND PERIODICALS	6,450.00	6,450.00	4.00	3,318.50	3,131.50
<a href="#">01-21-3515</a>	MEDICAL SUPPLIES	2,000.00	2,000.00	0.00	122.13	1,877.87
<a href="#">01-21-3519</a>	AMMUNITION AND TARGETS	10,000.00	10,000.00	0.00	4,679.50	5,320.50
<a href="#">01-21-3520</a>	FOOD	4,800.00	4,800.00	0.00	1,337.68	3,462.32
<a href="#">01-21-3523</a>	TOOLS/EQUIPMENT	16,700.00	16,700.00	0.00	11,615.61	5,084.39
<a href="#">01-21-3534</a>	PARTS AND MATERIALS	500.00	500.00	0.00	264.72	235.28
<b>Category: 35 - SUPPLIES Total:</b>		<b>118,924.00</b>	<b>128,924.00</b>	<b>1,409.88</b>	<b>72,556.86</b>	<b>56,367.14</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-21-4501</a>	FURN. FIXT. & OFF. MACH.	5,597.00	5,597.00	183.36	1,073.36	4,523.64
<a href="#">01-21-4503</a>	RADIO AND RADAR EQUIPMENT	2,500.00	2,500.00	0.00	1,099.50	1,400.50
<a href="#">01-21-4510</a>	VEHICLE CLEANING	2,000.00	2,000.00	0.00	1,404.63	595.37
<a href="#">01-21-4599</a>	MISCELLANEOUS EQUIPMENT	1,300.00	1,300.00	0.00	281.25	1,018.75
<b>Category: 45 - MAINTENANCE Total:</b>		<b>11,397.00</b>	<b>11,397.00</b>	<b>183.36</b>	<b>3,858.74</b>	<b>7,538.26</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-21-5012</a>	PRINTING	2,000.00	2,000.00	0.00	905.18	1,094.82
<a href="#">01-21-5015</a>	LAB TESTS	2,400.00	2,400.00	0.00	0.00	2,400.00
<a href="#">01-21-5020</a>	COMMUNICATIONS	19,199.90	19,199.90	750.05	6,167.56	13,032.34
<a href="#">01-21-5022</a>	RENTAL OF EQUIPMENT	10,000.00	10,000.00	775.00	4,686.00	5,314.00
<a href="#">01-21-5027</a>	MEMBERSHIPS	2,600.00	2,600.00	0.00	539.00	2,061.00
<a href="#">01-21-5029</a>	TRAVEL/TRAINING	41,250.00	41,250.00	216.54	24,496.48	16,753.52
<a href="#">01-21-5030</a>	MAINTENANCE AGREEMENT	153,350.00	153,350.00	0.00	8,000.00	145,350.00
<b>Category: 50 - SERVICES Total:</b>		<b>230,799.90</b>	<b>230,799.90</b>	<b>1,741.59</b>	<b>44,794.22</b>	<b>186,005.68</b>
<b>Category: 54 - SUNDRY</b>						
<a href="#">01-21-5402</a>	JAIL EXPENSE	3,000.00	3,000.00	0.00	1,065.52	1,934.48
<b>Category: 54 - SUNDRY Total:</b>		<b>3,000.00</b>	<b>3,000.00</b>	<b>0.00</b>	<b>1,065.52</b>	<b>1,934.48</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-21-5515</a>	CONSULTANT SERVICES	1,800.00	1,800.00	0.00	1,522.00	278.00
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>1,800.00</b>	<b>1,800.00</b>	<b>0.00</b>	<b>1,522.00</b>	<b>278.00</b>
<b>Category: 60 - OTHER SERVICES</b>						
<a href="#">01-21-6003</a>	LIABILITY-FIRE & CASUALTY INSR	21,400.00	21,400.00	0.00	22,878.10	-1,478.10
<a href="#">01-21-6005</a>	NOTARY SURETY BONDS	340.00	340.00	0.00	0.00	340.00
<b>Category: 60 - OTHER SERVICES Total:</b>		<b>21,740.00</b>	<b>21,740.00</b>	<b>0.00</b>	<b>22,878.10</b>	<b>-1,138.10</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Category: 97 - INTERFUND ACTIVITY</b>					
<a href="#">01-21-9772</a> TECHNOLOGY USER FEE	16,775.00	16,775.00	0.00	0.00	16,775.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>	<b>16,775.00</b>	<b>16,775.00</b>	<b>0.00</b>	<b>0.00</b>	<b>16,775.00</b>
<b>Department: 21 - POLICE Total:</b>	<b>4,458,208.16</b>	<b>4,458,208.16</b>	<b>292,674.74</b>	<b>2,360,728.21</b>	<b>2,097,479.95</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 23 - COMMUNICATIONS</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-23-3001</a>	SALARIES	489,112.53	489,112.53	39,944.66	286,019.75	203,092.78
<a href="#">01-23-3002</a>	WAGES	24,723.30	24,723.30	0.00	0.00	24,723.30
<a href="#">01-23-3003</a>	LONGEVITY	1,536.08	1,536.08	180.00	1,131.22	404.86
<a href="#">01-23-3007</a>	OVERTIME	77,000.00	77,000.00	2,613.85	52,398.83	24,601.17
<a href="#">01-23-3010</a>	INCENTIVES	12,152.71	12,152.71	1,043.04	7,458.19	4,694.52
<a href="#">01-23-3051</a>	FICA/MEDICARE TAXES	40,473.38	40,473.38	3,164.52	25,321.84	15,151.54
<a href="#">01-23-3052</a>	WORKMEN'S COMPENSATION	2,000.00	2,000.00	0.00	1,313.17	686.83
<a href="#">01-23-3053</a>	UNEMPLOYMENT INSURANCE	2,551.71	2,551.71	86.54	246.31	2,305.40
<a href="#">01-23-3054</a>	RETIREMENT	83,113.47	83,113.47	6,269.53	49,395.43	33,718.04
<a href="#">01-23-3055</a>	HEALTH INSURANCE	126,956.96	126,956.96	9,634.48	63,902.66	63,054.30
<a href="#">01-23-3056</a>	LIFE INS	563.68	563.68	52.65	356.85	206.83
<a href="#">01-23-3057</a>	DENTAL INSURANCE	6,446.96	6,446.96	554.93	4,059.75	2,387.21
<a href="#">01-23-3058</a>	LONG-TERM DISABILITY	2,178.13	2,178.13	106.10	1,427.06	751.07
<a href="#">01-23-3060</a>	VISION INSURANCE	888.68	888.68	79.51	579.04	309.64
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>869,697.59</b>	<b>869,697.59</b>	<b>63,729.81</b>	<b>493,610.10</b>	<b>376,087.49</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-23-3502</a>	POSTAGE	100.00	100.00	0.00	72.48	27.52
<a href="#">01-23-3503</a>	OFFICE SUPPLIES	6,390.00	6,390.00	0.00	569.56	5,820.44
<a href="#">01-23-3504</a>	WEARING APPAREL	3,475.00	3,475.00	0.00	554.43	2,920.57
<a href="#">01-23-3510</a>	BOOKS AND PERIODICALS	400.00	400.00	0.00	355.90	44.10
<a href="#">01-23-3523</a>	TOOLS/EQUIPMENT	3,000.00	3,000.00	0.00	0.00	3,000.00
<b>Category: 35 - SUPPLIES Total:</b>		<b>13,365.00</b>	<b>13,365.00</b>	<b>0.00</b>	<b>1,552.37</b>	<b>11,812.63</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-23-4501</a>	FURN.FIXT. & OFF.MACH.	6,800.00	6,800.00	0.00	6,540.58	259.42
<a href="#">01-23-4503</a>	RADIO AND RADAR EQUIPMENT	1,250.00	1,250.00	0.00	258.00	992.00
<a href="#">01-23-4505</a>	TELEPHONE MAINTENANCE	13,400.00	13,400.00	0.00	0.00	13,400.00
<a href="#">01-23-4599</a>	MISCELLANEOUS EQUIPMENT	1,000.00	1,000.00	0.00	710.14	289.86
<b>Category: 45 - MAINTENANCE Total:</b>		<b>22,450.00</b>	<b>22,450.00</b>	<b>0.00</b>	<b>7,508.72</b>	<b>14,941.28</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-23-5012</a>	PRINTING	100.00	100.00	0.00	0.00	100.00
<a href="#">01-23-5020</a>	COMMUNICATIONS	3,600.08	3,600.08	61.53	561.29	3,038.79
<a href="#">01-23-5024</a>	RADIO USAGE FEES	2,000.00	2,000.00	39.00	434.00	1,566.00
<a href="#">01-23-5027</a>	MEMBERSHIPS	1,200.00	1,200.00	0.00	572.62	627.38
<a href="#">01-23-5029</a>	TRAVEL/TRAINING	10,000.00	10,000.00	29.90	4,890.43	5,109.57
<b>Category: 50 - SERVICES Total:</b>		<b>16,900.08</b>	<b>16,900.08</b>	<b>130.43</b>	<b>6,458.34</b>	<b>10,441.74</b>
<b>Category: 60 - OTHER SERVICES</b>						
<a href="#">01-23-6005</a>	SURETY BONDS	600.00	600.00	0.00	0.00	600.00
<b>Category: 60 - OTHER SERVICES Total:</b>		<b>600.00</b>	<b>600.00</b>	<b>0.00</b>	<b>0.00</b>	<b>600.00</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-23-9772</a>	TECHNOLOGY USER FEE	55,575.00	55,575.00	0.00	0.00	55,575.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>55,575.00</b>	<b>55,575.00</b>	<b>0.00</b>	<b>0.00</b>	<b>55,575.00</b>
<b>Department: 23 - COMMUNICATIONS Total:</b>		<b>978,587.67</b>	<b>978,587.67</b>	<b>63,860.24</b>	<b>509,129.53</b>	<b>469,458.14</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 25 - FIRE DEPARTMENT</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-25-3001</a>	SALARIES	1,306,621.91	1,306,621.91	95,246.78	681,761.34	624,860.57
<a href="#">01-25-3002</a>	WAGES	61,058.40	61,058.40	6,157.06	25,903.76	35,154.64
<a href="#">01-25-3003</a>	LONGEVITY	3,264.30	3,264.30	327.72	2,162.04	1,102.26
<a href="#">01-25-3007</a>	OVERTIME	250,000.00	250,000.00	18,615.22	151,258.44	98,741.56
<a href="#">01-25-3009</a>	VOLUNTEERS STIPEND	44,000.00	44,000.00	2,370.00	16,910.00	27,090.00
<a href="#">01-25-3010</a>	INCENTIVES	59,819.54	59,819.54	2,219.92	15,405.93	44,413.61
<a href="#">01-25-3051</a>	FICA/MEDICARE TAXES	115,732.84	115,732.84	9,246.63	66,281.70	49,451.14
<a href="#">01-25-3052</a>	WORKMEN'S COMPENSATION	44,000.00	44,000.00	0.00	23,678.95	20,321.05
<a href="#">01-25-3053</a>	UNEMPLOYMENT INSURANCE	5,142.94	5,142.94	202.42	616.75	4,526.19
<a href="#">01-25-3054</a>	RETIREMENT	224,280.23	224,280.23	16,637.97	123,966.32	100,313.91
<a href="#">01-25-3055</a>	HEALTH INSURANCE	291,736.12	291,736.12	20,044.72	138,660.66	153,075.46
<a href="#">01-25-3056</a>	LIFE INS	1,210.04	1,210.04	110.15	759.50	450.54
<a href="#">01-25-3057</a>	DENTAL INSURANCE	13,797.16	13,797.16	1,224.82	8,483.47	5,313.69
<a href="#">01-25-3058</a>	LONG-TERM DISABILITY	5,890.58	5,890.58	886.71	4,066.10	1,824.48
<a href="#">01-25-3059</a>	FIREFIGHTERS' RETIREMENT	26,000.00	26,000.00	0.00	0.00	26,000.00
<a href="#">01-25-3060</a>	VISION INSURANCE	2,104.44	2,104.44	159.58	1,127.95	976.49
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>2,454,658.50</b>	<b>2,454,658.50</b>	<b>173,449.70</b>	<b>1,261,042.91</b>	<b>1,193,615.59</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-25-3502</a>	SHIPPING/FREIGHT CHARGES	500.00	500.00	0.00	0.00	500.00
<a href="#">01-25-3503</a>	OFFICE SUPPLIES	6,999.00	6,999.00	0.00	1,492.65	5,506.35
<a href="#">01-25-3504</a>	WEARING APPAREL	112,350.00	112,350.00	1,869.00	45,831.33	66,518.67
<a href="#">01-25-3505</a>	FIRE PREVENTION MATERIALS	2,900.00	2,900.00	0.00	315.37	2,584.63
<a href="#">01-25-3509</a>	COMPUTER SUPPLIES	0.00	0.00	0.00	109.80	-109.80
<a href="#">01-25-3510</a>	BOOKS AND PERIODICALS	1,150.00	1,150.00	0.00	0.00	1,150.00
<a href="#">01-25-3515</a>	MEDICAL SUPPLIES	30,000.00	30,000.00	133.99	24,981.21	5,018.79
<a href="#">01-25-3517</a>	JANITORIAL SUPPLIES	1,400.00	1,400.00	0.00	828.07	571.93
<a href="#">01-25-3520</a>	FOOD	11,900.00	11,900.00	0.00	4,620.24	7,279.76
<a href="#">01-25-3523</a>	TOOLS/EQUIPMENT	61,000.00	61,000.00	392.50	24,935.20	36,064.80
<a href="#">01-25-3524</a>	FEMA SUPPLIES	5,000.00	5,000.00	0.00	0.00	5,000.00
<a href="#">01-25-3525</a>	FEMA EQUIPMENT	5,000.00	5,000.00	0.00	0.00	5,000.00
<b>Category: 35 - SUPPLIES Total:</b>		<b>238,199.00</b>	<b>238,199.00</b>	<b>2,395.49</b>	<b>103,113.87</b>	<b>135,085.13</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-25-4501</a>	FURN, FIXT, & OFFICE EQPT.	10,700.00	10,700.00	126.69	7,300.37	3,399.63
<a href="#">01-25-4503</a>	RADIO AND RADAR EQUIPMENT	2,500.00	2,500.00	0.00	0.00	2,500.00
<a href="#">01-25-4599</a>	MAINTENANCE-MISC EQUIPMENT	45,749.00	45,749.00	0.00	30,420.17	15,328.83
<b>Category: 45 - MAINTENANCE Total:</b>		<b>58,949.00</b>	<b>58,949.00</b>	<b>126.69</b>	<b>37,720.54</b>	<b>21,228.46</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-25-5012</a>	PRINTING	750.00	750.00	0.00	0.00	750.00
<a href="#">01-25-5014</a>	MEDICAL EXPENSES	1,000.00	1,000.00	0.00	1,848.00	-848.00
<a href="#">01-25-5020</a>	COMMUNICATIONS	15,420.04	15,420.04	90.39	642.68	14,777.36
<a href="#">01-25-5024</a>	RADIO USAGE FEES	15,900.00	15,900.00	0.00	6,291.50	9,608.50
<a href="#">01-25-5027</a>	MEMBERSHIPS	3,115.00	3,115.00	0.00	1,224.12	1,890.88
<a href="#">01-25-5029</a>	TRAVEL/TRAINING	22,525.00	22,525.00	0.00	5,402.62	17,122.38
<b>Category: 50 - SERVICES Total:</b>		<b>58,710.04</b>	<b>58,710.04</b>	<b>90.39</b>	<b>15,408.92</b>	<b>43,301.12</b>
<b>Category: 54 - SUNDRY</b>						
<a href="#">01-25-5405</a>	LICENSES/PERMITS	1,299.00	1,299.00	0.00	75.00	1,224.00
<b>Category: 54 - SUNDRY Total:</b>		<b>1,299.00</b>	<b>1,299.00</b>	<b>0.00</b>	<b>75.00</b>	<b>1,224.00</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-25-5508</a>	MEDICAL AND OTHER WASTE-DISP	1,300.00	1,300.00	62.16	1,250.92	49.08
<a href="#">01-25-5512</a>	ACCIDENT INSURANCE	5,300.00	5,300.00	0.00	0.00	5,300.00
<a href="#">01-25-5516</a>	COLLECTION AGENCY FEES	48,000.00	48,000.00	3,349.53	41,536.68	6,463.32
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>54,600.00</b>	<b>54,600.00</b>	<b>3,411.69</b>	<b>42,787.60</b>	<b>11,812.40</b>
<b>Department: 25 - FIRE DEPARTMENT Total:</b>		<b>2,866,415.54</b>	<b>2,866,415.54</b>	<b>179,473.96</b>	<b>1,460,148.84</b>	<b>1,406,266.70</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 30 - PUBLIC WORKS</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-30-3001</a>	SALARIES	77,250.12	77,250.12	5,769.24	41,826.99	35,423.13
<a href="#">01-30-3003</a>	LONGEVITY	335.92	335.92	36.92	234.89	101.03
<a href="#">01-30-3007</a>	OVERTIME	1,000.00	1,000.00	0.00	0.00	1,000.00
<a href="#">01-30-3051</a>	FICA/MEDICARE TAXES	5,863.07	5,863.07	438.62	3,177.51	2,685.56
<a href="#">01-30-3052</a>	WORKMEN'S COMPENSATION	350.00	350.00	0.00	145.91	204.09
<a href="#">01-30-3053</a>	UNEMPLOYMENT INSURANCE	252.00	252.00	10.05	25.67	226.33
<a href="#">01-30-3054</a>	RETIREMENT	11,282.16	11,282.16	844.66	6,098.32	5,183.84
<a href="#">01-30-3055</a>	HEALTH INSURANCE	8,501.74	8,501.74	653.96	4,770.43	3,731.31
<a href="#">01-30-3056</a>	LIFE INS	70.46	70.46	4.85	34.10	36.36
<a href="#">01-30-3057</a>	DENTAL INSURANCE	451.62	451.62	34.74	253.42	198.20
<a href="#">01-30-3058</a>	LONG-TERM DISABILITY	384.41	384.41	48.37	248.03	136.38
<a href="#">01-30-3060</a>	VISION INSURANCE	107.12	107.12	8.24	60.10	47.02
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>105,848.62</b>	<b>105,848.62</b>	<b>7,849.65</b>	<b>56,875.37</b>	<b>48,973.25</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-30-3502</a>	POSTAGE/FREIGHT/DEL. FEE	100.00	100.00	0.00	0.00	100.00
<a href="#">01-30-3503</a>	OFFICE SUPPLIES	2,500.00	2,500.00	0.00	1,158.24	1,341.76
<a href="#">01-30-3504</a>	WEARING APPAREL	500.00	500.00	0.00	253.34	246.66
<a href="#">01-30-3510</a>	BOOKS AND PERIODICALS	100.00	100.00	0.00	0.00	100.00
<a href="#">01-30-3520</a>	FOOD	2,500.00	2,500.00	0.00	1,484.77	1,015.23
<b>Category: 35 - SUPPLIES Total:</b>		<b>5,700.00</b>	<b>5,700.00</b>	<b>0.00</b>	<b>2,896.35</b>	<b>2,803.65</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-30-5012</a>	PRINTING	300.00	300.00	0.00	0.00	300.00
<a href="#">01-30-5020</a>	COMMUNICATIONS	2,400.00	2,400.00	153.83	1,394.27	1,005.73
<a href="#">01-30-5027</a>	MEMBERSHIPS	5,500.00	5,500.00	0.00	7,715.86	-2,215.86
<a href="#">01-30-5029</a>	TRAVEL/TRAINING	3,000.00	3,000.00	0.00	0.00	3,000.00
<b>Category: 50 - SERVICES Total:</b>		<b>11,200.00</b>	<b>11,200.00</b>	<b>153.83</b>	<b>9,110.13</b>	<b>2,089.87</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-30-5515</a>	CONSULTANT SERVICES	20,000.00	20,000.00	5,985.00	14,600.00	5,400.00
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>20,000.00</b>	<b>20,000.00</b>	<b>5,985.00</b>	<b>14,600.00</b>	<b>5,400.00</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-30-9772</a>	TECHNOLOGY USER FEE	1,375.00	1,375.00	0.00	0.00	1,375.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>1,375.00</b>	<b>1,375.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,375.00</b>
<b>Department: 30 - PUBLIC WORKS Total:</b>		<b>144,123.62</b>	<b>144,123.62</b>	<b>13,988.48</b>	<b>83,481.85</b>	<b>60,641.77</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023



Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 31 - COMMUNITY DEVELOPMENT</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-31-3001</a>	SALARIES	175,414.89	175,414.89	11,898.18	58,415.07	116,999.82
<a href="#">01-31-3003</a>	LONGEVITY	239.98	239.98	27.70	185.59	54.39
<a href="#">01-31-3007</a>	OVERTIME	1,000.00	1,000.00	0.00	4.74	995.26
<a href="#">01-31-3010</a>	INCENTIVES	479.96	479.96	336.92	2,442.67	-1,962.71
<a href="#">01-31-3051</a>	FICA/MEDICARE TAXES	12,486.29	12,486.29	532.64	3,866.07	8,620.22
<a href="#">01-31-3052</a>	WORKMEN'S COMPENSATION	1,100.00	1,100.00	0.00	469.09	630.91
<a href="#">01-31-3053</a>	UNEMPLOYMENT INSURANCE	756.41	756.41	18.85	43.55	712.86
<a href="#">01-31-3054</a>	RETIREMENT	25,709.37	25,709.37	1,117.54	8,056.31	17,653.06
<a href="#">01-31-3055</a>	HEALTH INSURANCE	61,078.94	61,078.94	2,910.88	21,103.88	39,975.06
<a href="#">01-31-3056</a>	LIFE INS	153.14	153.14	17.55	93.60	59.54
<a href="#">01-31-3057</a>	DENTAL INSURANCE	3,480.36	3,480.36	178.48	1,293.98	2,186.38
<a href="#">01-31-3058</a>	LONG-TERM DISABILITY	871.30	871.30	75.04	341.49	529.81
<a href="#">01-31-3060</a>	VISION INSURANCE	460.20	460.20	20.04	145.29	314.91
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>283,230.84</b>	<b>283,230.84</b>	<b>17,133.82</b>	<b>96,461.33</b>	<b>186,769.51</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-31-3503</a>	OFFICE SUPPLIES	3,500.00	3,500.00	0.00	359.25	3,140.75
<a href="#">01-31-3504</a>	WEARING APPAREL	900.00	900.00	0.00	0.00	900.00
<a href="#">01-31-3510</a>	BOOKS AND PERIODICALS	700.00	700.00	0.00	0.00	700.00
<a href="#">01-31-3521</a>	ANIMAL CONTROL	3,000.00	3,000.00	0.00	1,795.93	1,204.07
<a href="#">01-31-3523</a>	TOOLS/EQUIPMENT	300.00	300.00	0.00	0.00	300.00
<b>Category: 35 - SUPPLIES Total:</b>		<b>8,400.00</b>	<b>8,400.00</b>	<b>0.00</b>	<b>2,155.18</b>	<b>6,244.82</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-31-5008</a>	ABATEMENT/SUBSTANDARD PROPERTY	100.00	100.00	0.00	0.00	100.00
<a href="#">01-31-5012</a>	PRINTING	600.00	600.00	0.00	55.10	544.90
<a href="#">01-31-5020</a>	COMMUNICATIONS	3,599.90	3,599.90	61.53	482.62	3,117.28
<a href="#">01-31-5027</a>	MEMBERSHIPS	900.00	900.00	0.00	0.00	900.00
<a href="#">01-31-5029</a>	TRAVEL/TRAINING	7,500.00	7,500.00	0.00	50.00	7,450.00
<b>Category: 50 - SERVICES Total:</b>		<b>12,699.90</b>	<b>12,699.90</b>	<b>61.53</b>	<b>587.72</b>	<b>12,112.18</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-31-5515</a>	CONSULTANT	160,000.00	160,000.00	8,336.75	53,965.11	106,034.89
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>160,000.00</b>	<b>160,000.00</b>	<b>8,336.75</b>	<b>53,965.11</b>	<b>106,034.89</b>
<b>Category: 65 - CAPITAL OUTLAY</b>						
<a href="#">01-31-6571</a>	OFFICE FURNITURE & EQUIPMENT	600.00	600.00	0.00	0.00	600.00
<b>Category: 65 - CAPITAL OUTLAY Total:</b>		<b>600.00</b>	<b>600.00</b>	<b>0.00</b>	<b>0.00</b>	<b>600.00</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-31-9772</a>	TECHNOLOGY USER FEE	2,125.00	2,125.00	0.00	0.00	2,125.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>2,125.00</b>	<b>2,125.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,125.00</b>
<b>Department: 31 - COMMUNITY DEVELOPMENT Total:</b>		<b>467,055.74</b>	<b>467,055.74</b>	<b>25,532.10</b>	<b>153,169.34</b>	<b>313,886.40</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 32 - STREETS</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-32-3001</a>	SALARIES	183,595.10	183,595.10	12,035.55	92,473.78	91,121.32
<a href="#">01-32-3003</a>	LONGEVITY	288.08	288.08	32.32	180.04	108.04
<a href="#">01-32-3007</a>	OVERTIME	20,000.00	20,000.00	82.31	1,648.72	18,351.28
<a href="#">01-32-3010</a>	INCENTIVES	2,959.92	2,959.92	36.92	267.67	2,692.25
<a href="#">01-32-3051</a>	FICA/MEDICARE TAXES	13,083.60	13,083.60	821.03	6,563.07	6,520.53
<a href="#">01-32-3052</a>	WORKMEN'S COMPENSATION	8,000.00	8,000.00	0.00	5,243.61	2,756.39
<a href="#">01-32-3053</a>	UNEMPLOYMENT INSURANCE	1,016.24	1,016.24	33.92	95.80	920.44
<a href="#">01-32-3054</a>	RETIREMENT	29,479.60	29,479.60	1,745.19	13,482.94	15,996.66
<a href="#">01-32-3055</a>	HEALTH INSURANCE	85,997.60	85,997.60	4,807.48	31,973.79	54,023.81
<a href="#">01-32-3056</a>	LIFE INS	281.84	281.84	17.55	128.70	153.14
<a href="#">01-32-3057</a>	DENTAL	4,640.48	4,640.48	212.21	1,412.40	3,228.08
<a href="#">01-32-3058</a>	LONG-TERM DISABILITY	904.63	904.63	120.06	576.10	328.53
<a href="#">01-32-3060</a>	VISION INSURANCE	543.92	543.92	31.70	244.03	299.89
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>350,791.01</b>	<b>350,791.01</b>	<b>19,976.24</b>	<b>154,290.65</b>	<b>196,500.36</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-32-3504</a>	WEARING APPAREL	3,000.00	3,000.00	0.00	2,579.60	420.40
<a href="#">01-32-3523</a>	TOOLS/EQUIPMENT	3,000.00	3,000.00	0.00	0.00	3,000.00
<a href="#">01-32-3534</a>	PARTS AND MATERIALS	90,000.00	90,000.00	8,168.84	16,557.23	73,442.77
<b>Category: 35 - SUPPLIES Total:</b>		<b>96,000.00</b>	<b>96,000.00</b>	<b>8,168.84</b>	<b>19,136.83</b>	<b>76,863.17</b>
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC</b>						
<a href="#">01-32-4002</a>	STREET SIGNS	10,000.00	10,000.00	78.41	3,056.94	6,943.06
<a href="#">01-32-4003</a>	STREET MAINTENANCE MAT'L	30,000.00	30,000.00	13,952.00	17,620.56	12,379.44
<a href="#">01-32-4004</a>	SIDEWALK REPLACEMENT	25,000.00	25,000.00	0.00	0.00	25,000.00
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC Total:</b>		<b>65,000.00</b>	<b>65,000.00</b>	<b>14,030.41</b>	<b>20,677.50</b>	<b>44,322.50</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-32-4503</a>	RADIO/RADAR EQUIPMENT	800.00	800.00	0.00	0.00	800.00
<a href="#">01-32-4598</a>	ORNMNTL STREET LIGHT MAIN	1,000.00	1,000.00	0.00	0.00	1,000.00
<b>Category: 45 - MAINTENANCE Total:</b>		<b>1,800.00</b>	<b>1,800.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,800.00</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-32-5016</a>	STREET LIGHTING	195,000.00	195,000.00	12,747.20	92,886.87	102,113.13
<a href="#">01-32-5020</a>	COMMUNICATIONS	2,919.98	2,919.98	61.53	766.34	2,153.64
<a href="#">01-32-5022</a>	RENTAL OF EQUIPMENT	1,000.00	1,000.00	0.00	0.00	1,000.00
<a href="#">01-32-5029</a>	TRAVEL/TRAINING	5,000.00	5,000.00	0.00	2,624.65	2,375.35
<b>Category: 50 - SERVICES Total:</b>		<b>203,919.98</b>	<b>203,919.98</b>	<b>12,808.73</b>	<b>96,277.86</b>	<b>107,642.12</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-32-5507</a>	MOSQUITO SPRAYING	16,000.00	16,000.00	1,033.50	3,100.50	12,899.50
<a href="#">01-32-5515</a>	CONSULTANT SERVICES	5,000.00	5,000.00	0.00	0.00	5,000.00
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>21,000.00</b>	<b>21,000.00</b>	<b>1,033.50</b>	<b>3,100.50</b>	<b>17,899.50</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-32-9772</a>	TECHNOLOGY USER FEE	500.00	500.00	0.00	0.00	500.00
<a href="#">01-32-9791</a>	EQUIPMENT USER FEE	27,068.00	27,068.00	0.00	0.00	27,068.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>27,568.00</b>	<b>27,568.00</b>	<b>0.00</b>	<b>0.00</b>	<b>27,568.00</b>
<b>Department: 32 - STREETS Total:</b>		<b>766,078.99</b>	<b>766,078.99</b>	<b>56,017.72</b>	<b>293,483.34</b>	<b>472,595.65</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 33 - BUILDING MAINTENANCE</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-33-3001</a>	SALARIES	60,179.96	60,179.96	0.00	0.00	60,179.96
<a href="#">01-33-3002</a>	WAGES	33,207.20	33,207.20	2,253.69	16,342.44	16,864.76
<a href="#">01-33-3003</a>	LONGEVITY	144.04	144.04	0.00	0.00	144.04
<a href="#">01-33-3007</a>	OVERTIME	2,000.00	2,000.00	0.00	0.00	2,000.00
<a href="#">01-33-3051</a>	FICA/MEDICARE TAXES	7,086.57	7,086.57	172.39	1,207.73	5,878.84
<a href="#">01-33-3052</a>	WORKMEN'S COMPENSATION	2,500.00	2,500.00	0.00	1,621.25	878.75
<a href="#">01-33-3053</a>	UNEMPLOYMENT INSURANCE	756.82	756.82	10.32	39.20	717.62
<a href="#">01-33-3054</a>	RETIREMENT	8,924.80	8,924.80	0.00	0.00	8,924.80
<a href="#">01-33-3055</a>	HEALTH INSURANCE	8,501.74	8,501.74	0.00	0.00	8,501.74
<a href="#">01-33-3056</a>	LIFE INS	70.46	70.46	0.00	0.00	70.46
<a href="#">01-33-3057</a>	DENTAL	1,160.12	1,160.12	0.00	0.00	1,160.12
<a href="#">01-33-3058</a>	LONG-TERM DISABILITY	294.88	294.88	0.00	0.00	294.88
<a href="#">01-33-3060</a>	VISION INSURANCE	107.12	107.12	0.00	0.00	107.12
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>124,933.71</b>	<b>124,933.71</b>	<b>2,436.40</b>	<b>19,210.62</b>	<b>105,723.09</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-33-3504</a>	WEARING APPAREL	1,000.00	1,000.00	0.00	0.00	1,000.00
<a href="#">01-33-3517</a>	JANITORIAL SUPPLIES	9,000.00	9,000.00	427.49	5,246.62	3,753.38
<a href="#">01-33-3523</a>	TOOLS/EQUIPMENT	1,000.00	1,000.00	0.00	888.93	111.07
<a href="#">01-33-3540</a>	POWERED EQUIPMENT	1,200.00	1,200.00	0.00	967.89	232.11
<a href="#">01-33-3541</a>	SAFETY PRODUCTS	750.00	750.00	0.00	878.06	-128.06
<a href="#">01-33-3542</a>	FIRST AID	250.00	250.00	0.00	0.00	250.00
<a href="#">01-33-3543</a>	SECURITY SUPPLIES	5,000.00	5,000.00	0.00	2,895.89	2,104.11
<b>Category: 35 - SUPPLIES Total:</b>		<b>18,200.00</b>	<b>18,200.00</b>	<b>427.49</b>	<b>10,877.39</b>	<b>7,322.61</b>
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC</b>						
<a href="#">01-33-4001</a>	MAINTENANCE-BLDG & GROUNDS	6,000.00	6,000.00	510.31	6,404.95	-404.95
<a href="#">01-33-4011</a>	CITY HALL/CIVIC CENTER BUILDING MAINTEN...	13,500.00	13,500.00	395.31	4,867.21	8,632.79
<a href="#">01-33-4021</a>	POLICE DEPARTMENT BUILDING MAINTENAN...	16,000.00	16,000.00	1,502.82	9,869.36	6,130.64
<a href="#">01-33-4025</a>	FIRE DEPARTMENT BUILDING MAINTENANCE	14,000.00	14,000.00	2,500.00	12,182.86	1,817.14
<a href="#">01-33-4030</a>	PUBLIC WORKS BULDING MAINTENANCE	6,000.00	6,000.00	2,615.00	4,916.81	1,083.19
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC Total:</b>		<b>55,500.00</b>	<b>55,500.00</b>	<b>7,523.44</b>	<b>38,241.19</b>	<b>17,258.81</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-33-4501</a>	FURN.,FIXT.,& OFF. MACH.	3,000.00	3,000.00	0.00	189.96	2,810.04
<b>Category: 45 - MAINTENANCE Total:</b>		<b>3,000.00</b>	<b>3,000.00</b>	<b>0.00</b>	<b>189.96</b>	<b>2,810.04</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-33-5017</a>	UTILITIES	125,000.00	125,000.00	6,382.21	53,205.69	71,794.31
<a href="#">01-33-5029</a>	TRAVEL AND TRAINING	1,000.00	1,000.00	0.00	45.00	955.00
<b>Category: 50 - SERVICES Total:</b>		<b>126,000.00</b>	<b>126,000.00</b>	<b>6,382.21</b>	<b>53,250.69</b>	<b>72,749.31</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-33-5521</a>	PEST CONTROL SERVICES	4,000.00	4,000.00	307.48	1,974.03	2,025.97
<a href="#">01-33-5530</a>	PROFESSIONAL SERVICES	5,000.00	5,000.00	0.00	0.00	5,000.00
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>9,000.00</b>	<b>9,000.00</b>	<b>307.48</b>	<b>1,974.03</b>	<b>7,025.97</b>
<b>Category: 65 - CAPITAL OUTLAY</b>						
<a href="#">01-33-6580</a>	BLDG & GROUND IMPROVEMENT	75,000.00	75,000.00	18,944.84	66,691.08	8,308.92
<b>Category: 65 - CAPITAL OUTLAY Total:</b>		<b>75,000.00</b>	<b>75,000.00</b>	<b>18,944.84</b>	<b>66,691.08</b>	<b>8,308.92</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-33-9772</a>	TECHNOLOGY USER FEE	250.00	250.00	0.00	0.00	250.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>250.00</b>	<b>250.00</b>	<b>0.00</b>	<b>0.00</b>	<b>250.00</b>
<b>Department: 33 - BUILDING MAINTENANCE Total:</b>		<b>411,883.71</b>	<b>411,883.71</b>	<b>36,021.86</b>	<b>190,434.96</b>	<b>221,448.75</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining	
<b>Department: 35 - SOLID WASTE</b>						
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-35-5508</a>	SOLID WASTECOLLECTION SERVICES	397,113.16	397,113.16	34,655.22	201,752.93	195,360.23
<a href="#">01-35-5509</a>	STORM CLEAN-UP-DEBRIS REMOVAL	2,900.00	2,900.00	0.00	0.00	2,900.00
<a href="#">01-35-5519</a>	RECYCLING PROGRAM	103,500.00	103,500.00	8,330.40	49,982.40	53,517.60
	<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>	<b>503,513.16</b>	<b>503,513.16</b>	<b>42,985.62</b>	<b>251,735.33</b>	<b>251,777.83</b>
	<b>Department: 35 - SOLID WASTE Total:</b>	<b>503,513.16</b>	<b>503,513.16</b>	<b>42,985.62</b>	<b>251,735.33</b>	<b>251,777.83</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 36 - FLEET SERVICES</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-36-3001</a>	SALARIES	130,322.19	130,322.19	0.00	56,164.64	74,157.55
<a href="#">01-36-3003</a>	LONGEVITY	528.06	528.06	0.00	262.63	265.43
<a href="#">01-36-3007</a>	OVERTIME	12,000.00	12,000.00	0.00	801.97	11,198.03
<a href="#">01-36-3010</a>	INCENTIVES	600.00	600.00	0.00	353.09	246.91
<a href="#">01-36-3051</a>	FICA/MEDICARE TAXES	9,922.61	9,922.61	0.00	4,188.04	5,734.57
<a href="#">01-36-3052</a>	WORKMEN'S COMPENSATION	3,000.00	3,000.00	0.00	2,393.33	606.67
<a href="#">01-36-3053</a>	UNEMPLOYMENT INSURANCE	508.94	508.94	20.22	49.76	459.18
<a href="#">01-36-3054</a>	RETIREMENT	20,705.33	20,705.33	0.00	8,183.79	12,521.54
<a href="#">01-36-3055</a>	HEALTH INSURANCE	30,889.04	30,889.04	0.00	12,042.05	18,846.99
<a href="#">01-36-3056</a>	LIFE INS	140.92	140.92	0.00	40.95	99.97
<a href="#">01-36-3057</a>	DENTAL	2,320.24	2,320.24	0.00	892.40	1,427.84
<a href="#">01-36-3058</a>	LONG-TERM DISABILITY	644.16	644.16	0.00	208.97	435.19
<a href="#">01-36-3060</a>	VISION INSURANCE	237.12	237.12	0.00	84.50	152.62
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>211,818.61</b>	<b>211,818.61</b>	<b>20.22</b>	<b>85,666.12</b>	<b>126,152.49</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-36-3503</a>	OFFICE SUPPLIES	600.00	600.00	0.00	189.47	410.53
<a href="#">01-36-3504</a>	WEARING APPAREL	1,000.00	1,000.00	0.00	229.98	770.02
<a href="#">01-36-3510</a>	MANUALS AND PERIODICALS	1,000.00	1,000.00	0.00	0.00	1,000.00
<a href="#">01-36-3514</a>	FUEL AND OIL	180,000.00	180,000.00	13,258.20	91,514.63	88,485.37
<a href="#">01-36-3523</a>	TOOLS/EQUIPMENT	5,000.00	5,000.00	0.00	461.91	4,538.09
<a href="#">01-36-3529</a>	VEHICLE REPAIR PARTS	48,000.00	48,000.00	870.87	19,518.71	28,481.29
<a href="#">01-36-3535</a>	SHOP SUPPLIES	6,000.00	6,000.00	283.59	3,388.43	2,611.57
<b>Category: 35 - SUPPLIES Total:</b>		<b>241,600.00</b>	<b>241,600.00</b>	<b>14,412.66</b>	<b>115,303.13</b>	<b>126,296.87</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-36-4520</a>	AUTO REPAIR/OUTSOURCED	68,000.00	68,000.00	33,752.53	111,077.30	-43,077.30
<b>Category: 45 - MAINTENANCE Total:</b>		<b>68,000.00</b>	<b>68,000.00</b>	<b>33,752.53</b>	<b>111,077.30</b>	<b>-43,077.30</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-36-5020</a>	COMMUNICATIONS	2,640.10	2,640.10	0.00	669.17	1,970.93
<a href="#">01-36-5022</a>	RENTAL EQUIPMENT	360.00	360.00	0.00	0.00	360.00
<a href="#">01-36-5027</a>	MEMBERSHIP	650.00	650.00	0.00	499.00	151.00
<a href="#">01-36-5029</a>	TRAVEL/TRAINING	8,500.00	8,500.00	0.00	1,582.29	6,917.71
<b>Category: 50 - SERVICES Total:</b>		<b>12,150.10</b>	<b>12,150.10</b>	<b>0.00</b>	<b>2,750.46</b>	<b>9,399.64</b>
<b>Category: 54 - SUNDRY</b>						
<a href="#">01-36-5405</a>	LICENSES/PERMITS	850.00	850.00	533.75	4,183.57	-3,333.57
<b>Category: 54 - SUNDRY Total:</b>		<b>850.00</b>	<b>850.00</b>	<b>533.75</b>	<b>4,183.57</b>	<b>-3,333.57</b>
<b>Category: 65 - CAPITAL OUTLAY</b>						
<a href="#">01-36-6572</a>	SPECIAL EQUIPMENT	5,000.00	5,000.00	0.00	499.00	4,501.00
<a href="#">01-36-6574</a>	COMPUTER SOFTWARE	11,200.00	11,200.00	0.00	4,621.29	6,578.71
<b>Category: 65 - CAPITAL OUTLAY Total:</b>		<b>16,200.00</b>	<b>16,200.00</b>	<b>0.00</b>	<b>5,120.29</b>	<b>11,079.71</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-36-9772</a>	TECHNOLOGY USER FEE	1,000.00	1,000.00	0.00	0.00	1,000.00
<a href="#">01-36-9791</a>	EQUIPMENT USER FEE	14,317.00	14,317.00	0.00	0.00	14,317.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>15,317.00</b>	<b>15,317.00</b>	<b>0.00</b>	<b>0.00</b>	<b>15,317.00</b>
<b>Department: 36 - FLEET SERVICES Total:</b>		<b>565,935.71</b>	<b>565,935.71</b>	<b>48,719.16</b>	<b>324,100.87</b>	<b>241,834.84</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 38 - RECREATION</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-38-3001</a>	SALARIES	57,680.10	57,680.10	4,384.00	31,784.00	25,896.10
<a href="#">01-38-3002</a>	WAGES	100,765.11	100,765.11	564.00	564.00	100,201.11
<a href="#">01-38-3010</a>	INCENTIVES	1,800.00	1,800.00	46.16	346.20	1,453.80
<a href="#">01-38-3051</a>	FICA/MEDICARE TAXES	12,186.51	12,186.51	376.67	2,462.03	9,724.48
<a href="#">01-38-3052</a>	WORKMEN'S COMPENSATION	1,000.00	1,000.00	0.00	0.00	1,000.00
<a href="#">01-38-3053</a>	UNEMPLOYMENT INSURANCE	756.00	756.00	9.61	219.20	536.80
<a href="#">01-38-3054</a>	RETIREMENT	8,586.28	8,586.28	639.70	4,612.41	3,973.87
<a href="#">01-38-3055</a>	HEALTH INSURANCE	8,501.74	8,501.74	634.30	4,598.69	3,903.05
<a href="#">01-38-3056</a>	LIFE INS	70.46	70.46	4.85	39.95	30.51
<a href="#">01-38-3057</a>	DENTAL	451.62	451.62	33.70	244.31	207.31
<a href="#">01-38-3058</a>	LONG-TERM DISABILITY	293.80	293.80	42.41	195.09	98.71
<a href="#">01-38-3060</a>	VISION INSURANCE	107.12	107.12	8.00	57.97	49.15
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>192,198.74</b>	<b>192,198.74</b>	<b>6,743.40</b>	<b>45,123.85</b>	<b>147,074.89</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-38-3503</a>	OFFICE SUPPLIES	500.00	500.00	0.00	299.69	200.31
<a href="#">01-38-3504</a>	WEARING APPAREL	2,000.00	2,000.00	0.00	1,191.19	808.81
<a href="#">01-38-3506</a>	CHEMICALS	500.00	500.00	0.00	0.00	500.00
<a href="#">01-38-3517</a>	JANITORIAL SUPPLIES	400.00	400.00	0.00	0.00	400.00
<a href="#">01-38-3523</a>	TOOLS/EQUIPMENT	250.00	250.00	0.00	49.99	200.01
<a href="#">01-38-3526</a>	MINOR EQUIPMENT	250.00	250.00	0.00	0.00	250.00
<a href="#">01-38-3531</a>	RECREATION & EVENTS	2,500.00	2,500.00	0.00	1,456.58	1,043.42
<a href="#">01-38-3532</a>	RECREATION AWARDS/PRIZES	1,500.00	1,500.00	0.00	511.00	989.00
<a href="#">01-38-3542</a>	FIRST AID	250.00	250.00	0.00	0.00	250.00
<a href="#">01-38-3547</a>	POOL SUPPLIES	4,500.00	4,500.00	0.00	1,540.88	2,959.12
<b>Category: 35 - SUPPLIES Total:</b>		<b>12,650.00</b>	<b>12,650.00</b>	<b>0.00</b>	<b>5,049.33</b>	<b>7,600.67</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-38-4512</a>	EQUIPMENT MAINTENANCE	500.00	500.00	0.00	0.00	500.00
<b>Category: 45 - MAINTENANCE Total:</b>		<b>500.00</b>	<b>500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>500.00</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-38-5012</a>	PRINTING	6,000.00	6,000.00	0.00	3,156.18	2,843.82
<a href="#">01-38-5020</a>	COMMUNICATIONS	879.96	879.96	36.92	267.67	612.29
<a href="#">01-38-5022</a>	EQUIPMENT RENTAL	500.00	500.00	0.00	0.00	500.00
<a href="#">01-38-5027</a>	MEMBERSHIPS/SUBSCRIPTIONS	750.00	750.00	0.00	177.70	572.30
<a href="#">01-38-5029</a>	TRAVEL/TRAINING	3,500.00	3,500.00	0.00	1,619.40	1,880.60
<a href="#">01-38-5043</a>	GENERAL ADVERTISING	2,500.00	2,500.00	0.00	2,432.74	67.26
<a href="#">01-38-5046</a>	SPRING EVENT	50,000.00	50,000.00	27,235.00	26,122.02	23,877.98
<a href="#">01-38-5047</a>	EGG HUNTS	2,000.00	2,000.00	0.00	1,037.00	963.00
<a href="#">01-38-5048</a>	FOURTH OF JULY	12,000.00	12,000.00	0.00	0.00	12,000.00
<a href="#">01-38-5049</a>	FALL FROLIC	3,000.00	3,000.00	0.00	2,862.68	137.32
<a href="#">01-38-5050</a>	HOLIDAY IN THE VILLAGE	6,000.00	6,000.00	0.00	6,949.61	-949.61
<a href="#">01-38-5051</a>	FOOD TRUCK RALLY	3,000.00	3,000.00	0.00	0.00	3,000.00
<a href="#">01-38-5052</a>	CONCERT SERIES	4,000.00	4,000.00	0.00	0.00	4,000.00
<a href="#">01-38-5053</a>	MOVIE SERIES	2,000.00	2,000.00	0.00	573.22	1,426.78
<a href="#">01-38-5054</a>	POOL EVENTS	1,000.00	1,000.00	0.00	225.00	775.00
<a href="#">01-38-5055</a>	RECREATIONAL ACTIVITIES	5,000.00	5,000.00	0.00	5,741.14	-741.14
<b>Category: 50 - SERVICES Total:</b>		<b>102,129.96</b>	<b>102,129.96</b>	<b>27,271.92</b>	<b>51,164.36</b>	<b>50,965.60</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-38-5530</a>	PROFESSIONAL SERVICES	11,500.00	11,500.00	5,177.25	15,577.25	-4,077.25
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>		<b>11,500.00</b>	<b>11,500.00</b>	<b>5,177.25</b>	<b>15,577.25</b>	<b>-4,077.25</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">01-38-9772</a>	TECHNOLOGY USER FEE	500.00	500.00	0.00	0.00	500.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>500.00</b>	<b>500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>500.00</b>
<b>Department: 38 - RECREATION Total:</b>		<b>319,478.70</b>	<b>319,478.70</b>	<b>39,192.57</b>	<b>116,914.79</b>	<b>202,563.91</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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For Fiscal: 2022-2023 Period Ending: 04/30/2023

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 39 - PARKS</b>						
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS</b>						
<a href="#">01-39-3001</a>	SALARIES	325,043.48	325,043.48	22,646.18	162,555.92	162,487.56
<a href="#">01-39-3003</a>	LONGEVITY	3,312.14	3,312.14	267.70	2,181.28	1,130.86
<a href="#">01-39-3007</a>	OVERTIME	3,000.00	3,000.00	933.35	966.52	2,033.48
<a href="#">01-39-3010</a>	INCENTIVES	600.08	600.08	184.62	1,384.65	-784.57
<a href="#">01-39-3051</a>	FICA/MEDICARE TAXES	23,597.22	23,597.22	1,704.43	11,775.71	11,821.51
<a href="#">01-39-3052</a>	WORKMEN'S COMPENSATION	7,500.00	7,500.00	0.00	6,658.35	841.65
<a href="#">01-39-3053</a>	UNEMPLOYMENT INSURANCE	1,765.24	1,765.24	58.04	138.85	1,626.39
<a href="#">01-39-3054</a>	RETIREMENT	47,768.06	47,768.06	3,441.35	23,252.02	24,516.04
<a href="#">01-39-3055</a>	HEALTH INSURANCE	117,605.02	117,605.02	7,818.64	62,280.09	55,324.93
<a href="#">01-39-3056</a>	LIFE INS	434.98	434.98	35.10	263.25	171.73
<a href="#">01-39-3057</a>	DENTAL	6,703.84	6,703.84	427.76	3,547.48	3,156.36
<a href="#">01-39-3058</a>	LONG-TERM DISABILITY	1,600.65	1,600.65	224.25	3,195.85	-1,595.20
<a href="#">01-39-3060</a>	VISION INSURANCE	497.64	497.64	59.44	456.48	41.16
<b>Category: 30 - SALARIES, WAGES, &amp; BENEFITS Total:</b>		<b>539,428.35</b>	<b>539,428.35</b>	<b>37,800.86</b>	<b>278,656.45</b>	<b>260,771.90</b>
<b>Category: 35 - SUPPLIES</b>						
<a href="#">01-39-3503</a>	OFFICE SUPPLIES	250.00	250.00	0.00	496.03	-246.03
<a href="#">01-39-3504</a>	WEARING APPAREL	4,000.00	4,000.00	0.00	4,089.89	-89.89
<a href="#">01-39-3506</a>	CHEMICALS	10,000.00	10,000.00	0.00	1,210.40	8,789.60
<a href="#">01-39-3517</a>	JANITORIAL SUPPLIES	1,500.00	1,500.00	0.00	856.72	643.28
<a href="#">01-39-3520</a>	FOOD	3,400.00	3,400.00	0.00	822.74	2,577.26
<a href="#">01-39-3523</a>	TOOLS/EQUIPMENT	2,000.00	2,000.00	0.00	1,718.97	281.03
<a href="#">01-39-3526</a>	MINOR EQUIPMENT	3,000.00	3,000.00	0.00	1,256.14	1,743.86
<a href="#">01-39-3534</a>	EQUIP REPAIR PARTS	6,000.00	6,000.00	0.00	994.83	5,005.17
<a href="#">01-39-3536</a>	LANDSCAPING MATERIALS	17,000.00	17,000.00	0.00	6,069.45	10,930.55
<a href="#">01-39-3542</a>	FIRST AID	500.00	500.00	0.00	348.53	151.47
<a href="#">01-39-3544</a>	IRRIGATION SUPPLIES	4,500.00	4,500.00	542.13	3,176.47	1,323.53
<a href="#">01-39-3545</a>	POOL JANITORIAL SUPPLIES	1,250.00	1,250.00	0.00	0.00	1,250.00
<a href="#">01-39-3546</a>	SPLASH PAD CHEMICALS	3,000.00	3,000.00	0.00	0.00	3,000.00
<a href="#">01-39-3547</a>	POOL CHEMICALS	15,000.00	15,000.00	3,363.00	5,728.00	9,272.00
<b>Category: 35 - SUPPLIES Total:</b>		<b>71,400.00</b>	<b>71,400.00</b>	<b>3,905.13</b>	<b>26,768.17</b>	<b>44,631.83</b>
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC</b>						
<a href="#">01-39-4007</a>	POOL MAINTENANCE	16,000.00	16,000.00	3,885.80	13,113.80	2,886.20
<a href="#">01-39-4008</a>	PARK MAINTENANCE	2,500.00	2,500.00	0.00	1,268.29	1,231.71
<a href="#">01-39-4031</a>	SPLASH PAD MAINTENANCE	1,750.00	1,750.00	0.00	0.00	1,750.00
<a href="#">01-39-4032</a>	CAROL FOX PARK	6,000.00	6,000.00	0.00	3,245.11	2,754.89
<a href="#">01-39-4033</a>	CLARK HENRY PARK	7,000.00	7,000.00	0.00	5,445.48	1,554.52
<a href="#">01-39-4034</a>	PHILLIPINE PARK	1,500.00	1,500.00	0.00	0.00	1,500.00
<a href="#">01-39-4035</a>	DOG PARK	3,000.00	3,000.00	0.00	0.00	3,000.00
<a href="#">01-39-4036</a>	OPEN GREEN SPACE/POCKET PARKS	1,000.00	1,000.00	0.00	0.00	1,000.00
<a href="#">01-39-4037</a>	HIKE AND BIKE TRAILS	3,000.00	3,000.00	0.00	0.00	3,000.00
<a href="#">01-39-4038</a>	TREE MAINTENANCE AND TREE CITY USA	5,000.00	5,000.00	0.00	0.00	5,000.00
<a href="#">01-39-4039</a>	MARQUEES - MAINT	2,500.00	2,500.00	0.00	1,072.96	1,427.04
<b>Category: 40 - MAINTENANCE--BLDGS, STRUC Total:</b>		<b>49,250.00</b>	<b>49,250.00</b>	<b>3,885.80</b>	<b>24,145.64</b>	<b>25,104.36</b>
<b>Category: 45 - MAINTENANCE</b>						
<a href="#">01-39-4511</a>	VEHICLE MAINTENANCE	1,000.00	1,000.00	0.00	250.00	750.00
<a href="#">01-39-4512</a>	EQUIPMENT MAINTENANCE	3,000.00	3,000.00	457.58	3,284.91	-284.91
<b>Category: 45 - MAINTENANCE Total:</b>		<b>4,000.00</b>	<b>4,000.00</b>	<b>457.58</b>	<b>3,534.91</b>	<b>465.09</b>
<b>Category: 50 - SERVICES</b>						
<a href="#">01-39-5012</a>	PRINTING	1,000.00	1,000.00	0.00	51.10	948.90
<a href="#">01-39-5020</a>	COMMUNICATIONS	3,420.06	3,420.06	61.53	482.59	2,937.47
<a href="#">01-39-5022</a>	EQUIPMENT RENTAL	2,000.00	2,000.00	0.00	199.00	1,801.00
<a href="#">01-39-5027</a>	MEMBERSHIPS/SUBSCRIPTIONS	750.00	750.00	0.00	245.00	505.00
<a href="#">01-39-5029</a>	TRAVEL/TRAINING	3,000.00	3,000.00	0.00	2,935.88	64.12
<b>Category: 50 - SERVICES Total:</b>		<b>10,170.06</b>	<b>10,170.06</b>	<b>61.53</b>	<b>3,913.57</b>	<b>6,256.49</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>						
<a href="#">01-39-5529</a>	CONTRACTUAL SERVICES	1,000.00	1,000.00	0.00	0.00	1,000.00

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<a href="#">01-39-5530</a>	PROFESSIONAL SERVICES	1,000.00	1,000.00	0.00	0.00	1,000.00
	<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>	<b>2,000.00</b>	<b>2,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,000.00</b>
	<b>Category: 65 - CAPITAL OUTLAY</b>					
<a href="#">01-39-6516</a>	PARKS & LANDSCAPING PROJS	40,000.00	40,000.00	0.00	6,568.98	33,431.02
<a href="#">01-39-6598</a>	MISCELLANEOUS EQUIPMENT	10,000.00	10,000.00	2,000.00	17,456.68	-7,456.68
	<b>Category: 65 - CAPITAL OUTLAY Total:</b>	<b>50,000.00</b>	<b>50,000.00</b>	<b>2,000.00</b>	<b>24,025.66</b>	<b>25,974.34</b>
	<b>Category: 97 - INTERFUND ACTIVITY</b>					
<a href="#">01-39-9772</a>	TECHNOLOGY USER FEE	500.00	500.00	0.00	0.00	500.00
<a href="#">01-39-9791</a>	EQUIPMENT USER FEE	22,180.00	22,180.00	0.00	0.00	22,180.00
	<b>Category: 97 - INTERFUND ACTIVITY Total:</b>	<b>22,680.00</b>	<b>22,680.00</b>	<b>0.00</b>	<b>0.00</b>	<b>22,680.00</b>
	<b>Department: 39 - PARKS Total:</b>	<b>748,928.41</b>	<b>748,928.41</b>	<b>48,110.90</b>	<b>361,044.40</b>	<b>387,884.01</b>
	<b>Fund: 01 - GENERAL FUND Surplus (Deficit):</b>	<b>0.29</b>	<b>-41,899.71</b>	<b>-347,264.31</b>	<b>3,895,557.96</b>	

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<b>Fund: 03 - DEBT SERVICE FUND</b>						
<b>Department: 50 - 50</b>						
<b>Category: 72 - PROPERTY TAXES</b>						
<a href="#">03-50-7201</a>	CURRENT PROPERTY TAXES	1,418,060.00	1,418,060.00	9,747.73	1,431,601.08	-13,541.08
<a href="#">03-50-7202</a>	DELINQUENT PROPERTY TAX	30,000.00	30,000.00	356.14	-22,934.87	52,934.87
<a href="#">03-50-7203</a>	PENALTY, INTEREST, COSTS	15,000.00	15,000.00	561.10	1,467.61	13,532.39
	<b>Category: 72 - PROPERTY TAXES Total:</b>	<b>1,463,060.00</b>	<b>1,463,060.00</b>	<b>10,664.97</b>	<b>1,410,133.82</b>	<b>52,926.18</b>
<b>Category: 96 - INTEREST EARNED</b>						
<a href="#">03-50-9601</a>	INTEREST EARNED	5,000.00	5,000.00	971.47	9,900.25	-4,900.25
	<b>Category: 96 - INTEREST EARNED Total:</b>	<b>5,000.00</b>	<b>5,000.00</b>	<b>971.47</b>	<b>9,900.25</b>	<b>-4,900.25</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">03-50-9752</a>	TRANSFER FROM UTILITY FUND	113,573.00	113,573.00	0.00	0.00	113,573.00
	<b>Category: 97 - INTERFUND ACTIVITY Total:</b>	<b>113,573.00</b>	<b>113,573.00</b>	<b>0.00</b>	<b>0.00</b>	<b>113,573.00</b>
	<b>Department: 50 - 50 Total:</b>	<b>1,581,633.00</b>	<b>1,581,633.00</b>	<b>11,636.44</b>	<b>1,420,034.07</b>	<b>161,598.93</b>

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 51 - DEBT SERVICE</b>						
<b>Category: 61 - DEBT SERVICE</b>						
<a href="#">03-51-6121</a>	PRINCIPAL/DEBT SERVICE	1,325,000.00	1,325,000.00	0.00	1,325,000.00	0.00
<a href="#">03-51-6122</a>	INTEREST/DEBT SERVICE	197,625.00	197,625.00	0.00	108,750.00	88,875.00
<a href="#">03-51-6123</a>	MAINTENANCE FEE/DEBT SERVICE	9,000.00	9,000.00	0.00	1,250.00	7,750.00
	<b>Category: 61 - DEBT SERVICE Total:</b>	<b>1,531,625.00</b>	<b>1,531,625.00</b>	<b>0.00</b>	<b>1,435,000.00</b>	<b>96,625.00</b>
	<b>Department: 51 - DEBT SERVICE Total:</b>	<b>1,531,625.00</b>	<b>1,531,625.00</b>	<b>0.00</b>	<b>1,435,000.00</b>	<b>96,625.00</b>
	<b>Fund: 03 - DEBT SERVICE FUND Surplus (Deficit):</b>	<b>50,008.00</b>	<b>50,008.00</b>	<b>11,636.44</b>	<b>-14,965.93</b>	

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<b>Fund: 05 - MOTEL TAX FUND</b>					
<b>Department: 55 - 55</b>					
<b>Category: 75 - OTHER TAXES</b>					
<a href="#">05-55-7635</a> MOTEL OCCUPANCY TAX	140,000.00	140,000.00	23,068.54	82,673.47	57,326.53
<b>Category: 75 - OTHER TAXES Total:</b>	<b>140,000.00</b>	<b>140,000.00</b>	<b>23,068.54</b>	<b>82,673.47</b>	<b>57,326.53</b>
<b>Category: 96 - INTEREST EARNED</b>					
<a href="#">05-55-9601</a> INTEREST EARNED	1,000.00	1,000.00	1,228.06	7,326.21	-6,326.21
<b>Category: 96 - INTEREST EARNED Total:</b>	<b>1,000.00</b>	<b>1,000.00</b>	<b>1,228.06</b>	<b>7,326.21</b>	<b>-6,326.21</b>
<b>Department: 55 - 55 Total:</b>	<b>141,000.00</b>	<b>141,000.00</b>	<b>24,296.60</b>	<b>89,999.68</b>	<b>51,000.32</b>

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	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 56 - MOTEL TAX</b>					
<b>Category: 50 - SERVICES</b>					
<a href="#">05-56-5043</a> GENERAL ADVERTISING	7,000.00	7,000.00	0.00	5,500.00	1,500.00
<a href="#">05-56-5044</a> ADVERTISING	34,900.00	34,900.00	725.00	5,075.00	29,825.00
<b>Category: 50 - SERVICES Total:</b>	<b>41,900.00</b>	<b>41,900.00</b>	<b>725.00</b>	<b>10,575.00</b>	<b>31,325.00</b>
<b>Category: 55 - PROFESSIONAL SERVICES</b>					
<a href="#">05-56-5515</a> CONSULTANT SERVICES	0.00	0.00	0.00	0.00	0.00
<b>Category: 55 - PROFESSIONAL SERVICES Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>					
<a href="#">05-56-9751</a> TRANSFER TO GENERAL FUND	26,100.00	26,100.00	0.00	0.00	26,100.00
<a href="#">05-56-9753</a> TRANSFER TO CAPITAL IMP FUND	270,000.00	270,000.00	0.00	0.00	270,000.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>	<b>296,100.00</b>	<b>296,100.00</b>	<b>0.00</b>	<b>0.00</b>	<b>296,100.00</b>
<b>Department: 56 - MOTEL TAX Total:</b>	<b>338,000.00</b>	<b>338,000.00</b>	<b>725.00</b>	<b>10,575.00</b>	<b>327,425.00</b>
<b>Fund: 05 - MOTEL TAX FUND Surplus (Deficit):</b>	<b>-197,000.00</b>	<b>-197,000.00</b>	<b>23,571.60</b>	<b>79,424.68</b>	

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	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining	
<b>Fund: 10 - CAPITAL IMPROVEMENTS FUND</b>						
<b>Department: 90 - 90</b>						
<b>Category: 96 - INTEREST EARNED</b>						
<a href="#">10-90-9601</a>	INTEREST EARNED	22,000.00	22,000.00	7,302.27	52,051.97	-30,051.97
<b>Category: 96 - INTEREST EARNED Total:</b>		<b>22,000.00</b>	<b>22,000.00</b>	<b>7,302.27</b>	<b>52,051.97</b>	<b>-30,051.97</b>
<b>Category: 97 - INTERFUND ACTIVITY</b>						
<a href="#">10-90-9751</a>	TRFR F/GENERAL FUND	166,309.00	666,309.00	0.00	0.00	666,309.00
<a href="#">10-90-9753</a>	TRANSFER FROM MOTEL TAX FUND	270,000.00	270,000.00	0.00	0.00	270,000.00
<a href="#">10-90-9760</a>	TRFR FROM FIRE CONTROL & PREV DIST	0.00	37,648.00	0.00	0.00	37,648.00
<b>Category: 97 - INTERFUND ACTIVITY Total:</b>		<b>436,309.00</b>	<b>973,957.00</b>	<b>0.00</b>	<b>0.00</b>	<b>973,957.00</b>
<b>Category: 99 - OTHER AGENCY REVENUES</b>						
<a href="#">10-90-9904</a>	GRANT	0.00	0.00	0.00	22,564.80	-22,564.80
<a href="#">10-90-9907</a>	FY 20 - HOME ELEVATION	4,588,212.00	4,588,212.00	0.00	0.00	4,588,212.00
<a href="#">10-90-9909</a>	GRANT - E127	0.00	0.00	0.00	540,000.00	-540,000.00
<a href="#">10-90-9910</a>	AMERICAN RESCUE PLAN	979,447.45	979,447.45	0.00	0.00	979,447.45
<a href="#">10-90-9911</a>	TDEM GRANT	0.00	0.00	0.00	115,988.32	-115,988.32
<b>Category: 99 - OTHER AGENCY REVENUES Total:</b>		<b>5,567,659.45</b>	<b>5,567,659.45</b>	<b>0.00</b>	<b>678,553.12</b>	<b>4,889,106.33</b>
<b>Department: 90 - 90 Total:</b>		<b>6,025,968.45</b>	<b>6,563,616.45</b>	<b>7,302.27</b>	<b>730,605.09</b>	<b>5,833,011.36</b>

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 91 - 91</b>						
<b>Category: 70 - CAPITAL IMPROVEMENTS</b>						
<a href="#">10-91-7012</a>	E 127 IMPROVEMENTS	600,000.00	600,000.00	41,735.00	249,376.83	350,623.17
<a href="#">10-91-7013</a>	WALL STREET NEIGHBORHOOD DRAINAGE	0.00	0.00	0.00	2,525.00	-2,525.00
<a href="#">10-91-7016</a>	ELEVATIONS FY 20 GRANT	5,043,170.00	5,043,170.00	3,800.00	10,820.00	5,032,350.00
<a href="#">10-91-7032</a>	REHAB/REPAIR STORM WATER LINES	100,000.00	100,000.00	0.00	0.00	100,000.00
<a href="#">10-91-7037</a>	FIRE STATION GENERATOR	0.00	0.00	0.00	12,316.55	-12,316.55
<a href="#">10-91-7038</a>	POLICE GENERATOR	0.00	0.00	0.00	21,329.79	-21,329.79
<a href="#">10-91-7048</a>	FIRE STATION REPLACE ROOF & GUTTER	175,000.00	244,548.00	0.00	244,524.00	24.00
<a href="#">10-91-7056</a>	CAROL FOX PARK SANDBOX RENOV	0.00	150,000.00	52,615.00	75,327.40	74,672.60
<a href="#">10-91-7092</a>	POLICE BUILDING REMODEL	0.00	0.00	2,759.40	340,144.22	-340,144.22
<a href="#">10-91-7105</a>	PARK IMPROVEMENTS	50,000.00	50,000.00	50,000.00	50,000.00	0.00
<a href="#">10-91-7117</a>	GOLF COURSE IRRIGATION PROJECT	0.00	0.00	0.00	500.00	-500.00
<a href="#">10-91-7127</a>	NEW TAYLOR BLDG CONSTRUCTION	0.00	0.00	0.00	0.00	0.00
<a href="#">10-91-7130</a>	FACILITIES IMPROVEMENT	50,000.00	50,000.00	16,433.60	16,996.42	33,003.58
<a href="#">10-91-7131</a>	GOLF COURSE CONVENTION CENTER	6,300,000.00	6,300,000.00	26,210.84	376,366.19	5,923,633.81
<a href="#">10-91-7134</a>	STREET PANELS REPLACEMENT (2)	125,000.00	125,000.00	7,173.00	125,000.00	0.00
<a href="#">10-91-7137</a>	SIDEWALK REPL & ADD	100,000.00	100,000.00	0.00	82,666.00	17,334.00
<a href="#">10-91-7138</a>	SEATTLE ST (SENATE W TO DEAD END)	3,393,842.00	3,393,842.00	499,658.03	2,224,399.83	1,169,442.17
<a href="#">10-91-7139</a>	FY 23 STREET PROJECT	0.00	0.00	6,210.00	100,584.42	-100,584.42
<a href="#">10-91-7150</a>	DRIVING RANGE NETS	80,000.00	80,000.00	0.00	76,580.00	3,420.00
	<b>Category: 70 - CAPITAL IMPROVEMENTS Total:</b>	<b>16,017,012.00</b>	<b>16,236,560.00</b>	<b>706,594.87</b>	<b>4,009,456.65</b>	<b>12,227,103.35</b>
	<b>Department: 91 - 91 Total:</b>	<b>16,017,012.00</b>	<b>16,236,560.00</b>	<b>706,594.87</b>	<b>4,009,456.65</b>	<b>12,227,103.35</b>
	<b>Fund: 10 - CAPITAL IMPROVEMENTS FUND Surplus (Deficit):</b>	<b>-9,991,043.55</b>	<b>-9,672,943.55</b>	<b>-699,292.60</b>	<b>-3,278,851.56</b>	
	<b>Total Surplus (Deficit):</b>	<b>-10,138,035.26</b>	<b>-9,861,835.26</b>	<b>-1,011,348.87</b>	<b>681,165.15</b>	

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**Group Summary**

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Fund: 01 - GENERAL FUND</b>					
<b>Department: 10 - REVENUES</b>					
72 - PROPERTY TAXES	7,487,187.00	7,487,187.00	55,943.96	7,423,025.32	64,161.68
75 - OTHER TAXES	4,949,000.00	4,949,000.00	506,333.70	3,498,685.44	1,450,314.56
80 - FINES WARRANTS & BONDS	918,000.00	918,000.00	59,857.74	449,635.21	468,364.79
85 - FEE & CHARGES FOR SERVICE	401,000.00	401,000.00	28,524.77	338,683.80	62,316.20
90 - LICENSES & PERMITS	183,600.00	183,600.00	12,885.31	130,098.90	53,501.10
96 - INTEREST EARNED	37,000.00	500,000.00	68,941.27	436,970.85	63,029.15
97 - INTERFUND ACTIVITY	4,535,652.00	4,535,652.00	0.00	0.00	4,535,652.00
98 - MISCELLANEOUS REVENUE	70,000.00	70,000.00	6,106.34	29,427.28	40,572.72
99 - OTHER AGENCY REVENUES	67,000.00	67,000.00	0.00	2,563.23	64,436.77
<b>Department: 10 - REVENUES Total:</b>	<b>18,648,439.00</b>	<b>19,111,439.00</b>	<b>738,593.09</b>	<b>12,309,090.03</b>	<b>6,802,348.97</b>

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Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 11 - ADMINISTRATIVE SERVICE</b>					
30 - SALARIES, WAGES, & BENEFITS	914,126.71	914,126.71	79,056.61	524,382.04	389,744.67
35 - SUPPLIES	15,850.00	15,850.00	0.00	12,093.43	3,756.57
45 - MAINTENANCE	2,000.00	2,000.00	0.00	0.00	2,000.00
50 - SERVICES	81,550.60	86,450.60	2,229.00	28,932.99	57,517.61
54 - SUNDRY	9,500.00	9,500.00	4,951.24	12,378.10	-2,878.10
60 - OTHER SERVICES	300.00	300.00	0.00	0.00	300.00
65 - CAPITAL OUTLAY	0.00	0.00	0.00	671.80	-671.80
97 - INTERFUND ACTIVITY	5,250.00	5,250.00	0.00	0.00	5,250.00
<b>Department: 11 - ADMINISTRATIVE SERVICE Total:</b>	<b>1,028,577.31</b>	<b>1,033,477.31</b>	<b>86,236.85</b>	<b>578,458.36</b>	<b>455,018.95</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023



Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 12 - LEGAL/OTHER SERVICES</b>					
30 - SALARIES, WAGES, & BENEFITS	250.00	250.00	0.00	0.00	250.00
50 - SERVICES	2,014,000.00	2,014,000.00	0.00	724,878.68	1,289,121.32
55 - PROFESSIONAL SERVICES	120,000.00	120,000.00	30,709.65	45,451.24	74,548.76
60 - OTHER SERVICES	145,990.00	145,990.00	0.00	150,722.22	-4,732.22
97 - INTERFUND ACTIVITY	1,131,167.71	1,631,167.71	0.00	0.00	1,631,167.71
<b>Department: 12 - LEGAL/OTHER SERVICES Total:</b>	<b>3,411,407.71</b>	<b>3,911,407.71</b>	<b>30,709.65</b>	<b>921,052.14</b>	<b>2,990,355.57</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 13 - INFO TECHNOLOGY</b>					
30 - SALARIES, WAGES, & BENEFITS	354,782.41	354,782.41	20,157.98	187,244.36	167,538.05
35 - SUPPLIES	3,050.00	3,050.00	0.00	1,374.49	1,675.51
45 - MAINTENANCE	420,814.00	420,814.00	10,335.30	71,908.35	348,905.65
50 - SERVICES	39,469.90	39,469.90	2,837.90	19,374.20	20,095.70
55 - PROFESSIONAL SERVICES	105,000.00	105,000.00	1,647.00	28,086.90	76,913.10
65 - CAPITAL OUTLAY	4,000.00	4,000.00	0.00	7,674.00	-3,674.00
97 - INTERFUND ACTIVITY	48,203.00	48,203.00	0.00	0.00	48,203.00
<b>Department: 13 - INFO TECHNOLOGY Total:</b>	<b>975,319.31</b>	<b>975,319.31</b>	<b>34,978.18</b>	<b>315,662.30</b>	<b>659,657.01</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 14 - PURCHASING</b>					
35 - SUPPLIES	20,000.00	20,000.00	534.24	12,258.42	7,741.58
50 - SERVICES	2,675.00	2,675.00	0.00	1,336.50	1,338.50
<b>Department: 14 - PURCHASING Total:</b>	<b>22,675.00</b>	<b>22,675.00</b>	<b>534.24</b>	<b>13,594.92</b>	<b>9,080.08</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 15 - ACCOUNTING SERVICES</b>					
30 - SALARIES, WAGES, & BENEFITS	409,843.64	409,843.64	21,057.87	186,043.88	223,799.76
35 - SUPPLIES	4,350.00	4,350.00	0.00	1,609.97	2,740.03
45 - MAINTENANCE	150.00	150.00	0.00	0.00	150.00
50 - SERVICES	8,499.90	8,499.90	61.53	1,409.65	7,090.25
54 - SUNDRY	550.00	550.00	0.00	345.00	205.00
55 - PROFESSIONAL SERVICES	50,000.00	50,000.00	34,849.40	48,907.34	1,092.66
97 - INTERFUND ACTIVITY	1,575.00	1,575.00	0.00	0.00	1,575.00
<b>Department: 15 - ACCOUNTING SERVICES Total:</b>	<b>474,968.54</b>	<b>474,968.54</b>	<b>55,968.80</b>	<b>238,315.84</b>	<b>236,652.70</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 16 - CUSTOMER SERVICE</b>					
30 - SALARIES, WAGES, & BENEFITS	69,112.60	69,112.60	5,329.68	37,865.37	31,247.23
35 - SUPPLIES	500.00	500.00	0.00	144.41	355.59
45 - MAINTENANCE	400.00	400.00	0.00	0.00	400.00
50 - SERVICES	1,100.00	1,100.00	61.53	482.64	617.36
55 - PROFESSIONAL SERVICES	69,000.00	69,000.00	0.00	39,025.55	29,974.45
97 - INTERFUND ACTIVITY	375.00	375.00	0.00	0.00	375.00
<b>Department: 16 - CUSTOMER SERVICE Total:</b>	<b>140,487.60</b>	<b>140,487.60</b>	<b>5,391.21</b>	<b>77,517.97</b>	<b>62,969.63</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 19 - MUNICIPAL COURT</b>					
30 - SALARIES, WAGES, & BENEFITS	266,843.83	266,843.83	18,924.59	132,759.36	134,084.47
35 - SUPPLIES	2,300.00	2,300.00	0.00	784.69	1,515.31
45 - MAINTENANCE	500.00	500.00	0.00	0.00	500.00
50 - SERVICES	6,900.00	6,900.00	61.53	1,628.00	5,272.00
54 - SUNDRY	800.00	800.00	0.00	75.50	724.50
55 - PROFESSIONAL SERVICES	87,450.00	87,450.00	6,475.00	29,311.53	58,138.47
<b>Department: 19 - MUNICIPAL COURT Total:</b>	<b>364,793.83</b>	<b>364,793.83</b>	<b>25,461.12</b>	<b>164,559.08</b>	<b>200,234.75</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 21 - POLICE</b>					
30 - SALARIES, WAGES, & BENEFITS	4,053,772.26	4,043,772.26	289,339.91	2,214,052.77	1,829,719.49
35 - SUPPLIES	118,924.00	128,924.00	1,409.88	72,556.86	56,367.14
45 - MAINTENANCE	11,397.00	11,397.00	183.36	3,858.74	7,538.26
50 - SERVICES	230,799.90	230,799.90	1,741.59	44,794.22	186,005.68
54 - SUNDRY	3,000.00	3,000.00	0.00	1,065.52	1,934.48
55 - PROFESSIONAL SERVICES	1,800.00	1,800.00	0.00	1,522.00	278.00
60 - OTHER SERVICES	21,740.00	21,740.00	0.00	22,878.10	-1,138.10
97 - INTERFUND ACTIVITY	16,775.00	16,775.00	0.00	0.00	16,775.00
<b>Department: 21 - POLICE Total:</b>	<b>4,458,208.16</b>	<b>4,458,208.16</b>	<b>292,674.74</b>	<b>2,360,728.21</b>	<b>2,097,479.95</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 23 - COMMUNICATIONS</b>					
30 - SALARIES, WAGES, & BENEFITS	869,697.59	869,697.59	63,729.81	493,610.10	376,087.49
35 - SUPPLIES	13,365.00	13,365.00	0.00	1,552.37	11,812.63
45 - MAINTENANCE	22,450.00	22,450.00	0.00	7,508.72	14,941.28
50 - SERVICES	16,900.08	16,900.08	130.43	6,458.34	10,441.74
60 - OTHER SERVICES	600.00	600.00	0.00	0.00	600.00
97 - INTERFUND ACTIVITY	55,575.00	55,575.00	0.00	0.00	55,575.00
<b>Department: 23 - COMMUNICATIONS Total:</b>	<b>978,587.67</b>	<b>978,587.67</b>	<b>63,860.24</b>	<b>509,129.53</b>	<b>469,458.14</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023



Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 25 - FIRE DEPARTMENT</b>					
30 - SALARIES, WAGES, & BENEFITS	2,454,658.50	2,454,658.50	173,449.70	1,261,042.91	1,193,615.59
35 - SUPPLIES	238,199.00	238,199.00	2,395.49	103,113.87	135,085.13
45 - MAINTENANCE	58,949.00	58,949.00	126.69	37,720.54	21,228.46
50 - SERVICES	58,710.04	58,710.04	90.39	15,408.92	43,301.12
54 - SUNDRY	1,299.00	1,299.00	0.00	75.00	1,224.00
55 - PROFESSIONAL SERVICES	54,600.00	54,600.00	3,411.69	42,787.60	11,812.40
<b>Department: 25 - FIRE DEPARTMENT Total:</b>	<b>2,866,415.54</b>	<b>2,866,415.54</b>	<b>179,473.96</b>	<b>1,460,148.84</b>	<b>1,406,266.70</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 30 - PUBLIC WORKS</b>					
30 - SALARIES, WAGES, & BENEFITS	105,848.62	105,848.62	7,849.65	56,875.37	48,973.25
35 - SUPPLIES	5,700.00	5,700.00	0.00	2,896.35	2,803.65
50 - SERVICES	11,200.00	11,200.00	153.83	9,110.13	2,089.87
55 - PROFESSIONAL SERVICES	20,000.00	20,000.00	5,985.00	14,600.00	5,400.00
97 - INTERFUND ACTIVITY	1,375.00	1,375.00	0.00	0.00	1,375.00
<b>Department: 30 - PUBLIC WORKS Total:</b>	<b>144,123.62</b>	<b>144,123.62</b>	<b>13,988.48</b>	<b>83,481.85</b>	<b>60,641.77</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 31 - COMMUNITY DEVELOPMENT</b>					
30 - SALARIES, WAGES, & BENEFITS	283,230.84	283,230.84	17,133.82	96,461.33	186,769.51
35 - SUPPLIES	8,400.00	8,400.00	0.00	2,155.18	6,244.82
50 - SERVICES	12,699.90	12,699.90	61.53	587.72	12,112.18
55 - PROFESSIONAL SERVICES	160,000.00	160,000.00	8,336.75	53,965.11	106,034.89
65 - CAPITAL OUTLAY	600.00	600.00	0.00	0.00	600.00
97 - INTERFUND ACTIVITY	2,125.00	2,125.00	0.00	0.00	2,125.00
<b>Department: 31 - COMMUNITY DEVELOPMENT Total:</b>	<b>467,055.74</b>	<b>467,055.74</b>	<b>25,532.10</b>	<b>153,169.34</b>	<b>313,886.40</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 32 - STREETS</b>					
30 - SALARIES, WAGES, & BENEFITS	350,791.01	350,791.01	19,976.24	154,290.65	196,500.36
35 - SUPPLIES	96,000.00	96,000.00	8,168.84	19,136.83	76,863.17
40 - MAINTENANCE--BLDGS, STRUC	65,000.00	65,000.00	14,030.41	20,677.50	44,322.50
45 - MAINTENANCE	1,800.00	1,800.00	0.00	0.00	1,800.00
50 - SERVICES	203,919.98	203,919.98	12,808.73	96,277.86	107,642.12
55 - PROFESSIONAL SERVICES	21,000.00	21,000.00	1,033.50	3,100.50	17,899.50
97 - INTERFUND ACTIVITY	27,568.00	27,568.00	0.00	0.00	27,568.00
<b>Department: 32 - STREETS Total:</b>	<b>766,078.99</b>	<b>766,078.99</b>	<b>56,017.72</b>	<b>293,483.34</b>	<b>472,595.65</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 33 - BUILDING MAINTENANCE</b>					
30 - SALARIES, WAGES, & BENEFITS	124,933.71	124,933.71	2,436.40	19,210.62	105,723.09
35 - SUPPLIES	18,200.00	18,200.00	427.49	10,877.39	7,322.61
40 - MAINTENANCE--BLDGS, STRUC	55,500.00	55,500.00	7,523.44	38,241.19	17,258.81
45 - MAINTENANCE	3,000.00	3,000.00	0.00	189.96	2,810.04
50 - SERVICES	126,000.00	126,000.00	6,382.21	53,250.69	72,749.31
55 - PROFESSIONAL SERVICES	9,000.00	9,000.00	307.48	1,974.03	7,025.97
65 - CAPITAL OUTLAY	75,000.00	75,000.00	18,944.84	66,691.08	8,308.92
97 - INTERFUND ACTIVITY	250.00	250.00	0.00	0.00	250.00
<b>Department: 33 - BUILDING MAINTENANCE Total:</b>	<b>411,883.71</b>	<b>411,883.71</b>	<b>36,021.86</b>	<b>190,434.96</b>	<b>221,448.75</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Department: 35 - SOLID WASTE					
55 - PROFESSIONAL SERVICES	503,513.16	503,513.16	42,985.62	251,735.33	251,777.83
<b>Department: 35 - SOLID WASTE Total:</b>	<b>503,513.16</b>	<b>503,513.16</b>	<b>42,985.62</b>	<b>251,735.33</b>	<b>251,777.83</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

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Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 36 - FLEET SERVICES</b>					
30 - SALARIES, WAGES, & BENEFITS	211,818.61	211,818.61	20.22	85,666.12	126,152.49
35 - SUPPLIES	241,600.00	241,600.00	14,412.66	115,303.13	126,296.87
45 - MAINTENANCE	68,000.00	68,000.00	33,752.53	111,077.30	-43,077.30
50 - SERVICES	12,150.10	12,150.10	0.00	2,750.46	9,399.64
54 - SUNDRY	850.00	850.00	533.75	4,183.57	-3,333.57
65 - CAPITAL OUTLAY	16,200.00	16,200.00	0.00	5,120.29	11,079.71
97 - INTERFUND ACTIVITY	15,317.00	15,317.00	0.00	0.00	15,317.00
<b>Department: 36 - FLEET SERVICES Total:</b>	<b>565,935.71</b>	<b>565,935.71</b>	<b>48,719.16</b>	<b>324,100.87</b>	<b>241,834.84</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 38 - RECREATION</b>					
30 - SALARIES, WAGES, & BENEFITS	192,198.74	192,198.74	6,743.40	45,123.85	147,074.89
35 - SUPPLIES	12,650.00	12,650.00	0.00	5,049.33	7,600.67
45 - MAINTENANCE	500.00	500.00	0.00	0.00	500.00
50 - SERVICES	102,129.96	102,129.96	27,271.92	51,164.36	50,965.60
55 - PROFESSIONAL SERVICES	11,500.00	11,500.00	5,177.25	15,577.25	-4,077.25
97 - INTERFUND ACTIVITY	500.00	500.00	0.00	0.00	500.00
<b>Department: 38 - RECREATION Total:</b>	<b>319,478.70</b>	<b>319,478.70</b>	<b>39,192.57</b>	<b>116,914.79</b>	<b>202,563.91</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023



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For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 39 - PARKS</b>					
30 - SALARIES, WAGES, & BENEFITS	539,428.35	539,428.35	37,800.86	278,656.45	260,771.90
35 - SUPPLIES	71,400.00	71,400.00	3,905.13	26,768.17	44,631.83
40 - MAINTENANCE--BLDGS, STRUC	49,250.00	49,250.00	3,885.80	24,145.64	25,104.36
45 - MAINTENANCE	4,000.00	4,000.00	457.58	3,534.91	465.09
50 - SERVICES	10,170.06	10,170.06	61.53	3,913.57	6,256.49
55 - PROFESSIONAL SERVICES	2,000.00	2,000.00	0.00	0.00	2,000.00
65 - CAPITAL OUTLAY	50,000.00	50,000.00	2,000.00	24,025.66	25,974.34
97 - INTERFUND ACTIVITY	22,680.00	22,680.00	0.00	0.00	22,680.00
<b>Department: 39 - PARKS Total:</b>	<b>748,928.41</b>	<b>748,928.41</b>	<b>48,110.90</b>	<b>361,044.40</b>	<b>387,884.01</b>
<b>Fund: 01 - GENERAL FUND Surplus (Deficit):</b>	<b>0.29</b>	<b>-41,899.71</b>	<b>-347,264.31</b>	<b>3,895,557.96</b>	<b>-3,937,457.67</b>
<b>Fund: 03 - DEBT SERVICE FUND</b>					
<b>Department: 50 - 50</b>					
72 - PROPERTY TAXES	1,463,060.00	1,463,060.00	10,664.97	1,410,133.82	52,926.18
96 - INTEREST EARNED	5,000.00	5,000.00	971.47	9,900.25	-4,900.25
97 - INTERFUND ACTIVITY	113,573.00	113,573.00	0.00	0.00	113,573.00
<b>Department: 50 - 50 Total:</b>	<b>1,581,633.00</b>	<b>1,581,633.00</b>	<b>11,636.44</b>	<b>1,420,034.07</b>	<b>161,598.93</b>

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For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 51 - DEBT SERVICE</b>					
61 - DEBT SERVICE	1,531,625.00	1,531,625.00	0.00	1,435,000.00	96,625.00
<b>Department: 51 - DEBT SERVICE Total:</b>	<b>1,531,625.00</b>	<b>1,531,625.00</b>	<b>0.00</b>	<b>1,435,000.00</b>	<b>96,625.00</b>
<b>Fund: 03 - DEBT SERVICE FUND Surplus (Deficit):</b>	<b>50,008.00</b>	<b>50,008.00</b>	<b>11,636.44</b>	<b>-14,965.93</b>	<b>64,973.93</b>
<b>Fund: 05 - MOTEL TAX FUND</b>					
<b>Department: 55 - 55</b>					
75 - OTHER TAXES	140,000.00	140,000.00	23,068.54	82,673.47	57,326.53
96 - INTEREST EARNED	1,000.00	1,000.00	1,228.06	7,326.21	-6,326.21
<b>Department: 55 - 55 Total:</b>	<b>141,000.00</b>	<b>141,000.00</b>	<b>24,296.60</b>	<b>89,999.68</b>	<b>51,000.32</b>

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For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
<b>Department: 56 - MOTEL TAX</b>					
50 - SERVICES	41,900.00	41,900.00	725.00	10,575.00	31,325.00
55 - PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	0.00
97 - INTERFUND ACTIVITY	296,100.00	296,100.00	0.00	0.00	296,100.00
<b>Department: 56 - MOTEL TAX Total:</b>	<b>338,000.00</b>	<b>338,000.00</b>	<b>725.00</b>	<b>10,575.00</b>	<b>327,425.00</b>
<b>Fund: 05 - MOTEL TAX FUND Surplus (Deficit):</b>	<b>-197,000.00</b>	<b>-197,000.00</b>	<b>23,571.60</b>	<b>79,424.68</b>	<b>-276,424.68</b>
<b>Fund: 10 - CAPITAL IMPROVEMENTS FUND</b>					
<b>Department: 90 - 90</b>					
96 - INTEREST EARNED	22,000.00	22,000.00	7,302.27	52,051.97	-30,051.97
97 - INTERFUND ACTIVITY	436,309.00	973,957.00	0.00	0.00	973,957.00
99 - OTHER AGENCY REVENUES	5,567,659.45	5,567,659.45	0.00	678,553.12	4,889,106.33
<b>Department: 90 - 90 Total:</b>	<b>6,025,968.45</b>	<b>6,563,616.45</b>	<b>7,302.27</b>	<b>730,605.09</b>	<b>5,833,011.36</b>

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Income Statement

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Department: 91 - 91					
70 - CAPITAL IMPROVEMENTS	16,017,012.00	16,236,560.00	706,594.87	4,009,456.65	12,227,103.35
<b>Department: 91 - 91 Total:</b>	<b>16,017,012.00</b>	<b>16,236,560.00</b>	<b>706,594.87</b>	<b>4,009,456.65</b>	<b>12,227,103.35</b>
<b>Fund: 10 - CAPITAL IMPROVEMENTS FUND Surplus (Deficit):</b>	<b>-9,991,043.55</b>	<b>-9,672,943.55</b>	<b>-699,292.60</b>	<b>-3,278,851.56</b>	<b>-6,394,091.99</b>
<b>Total Surplus (Deficit):</b>	<b>-10,138,035.26</b>	<b>-9,861,835.26</b>	<b>-1,011,348.87</b>	<b>681,165.15</b>	

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**Fund Summary**

Fund	Original	Current	MTD Activity	YTD Activity	Budget
	Total Budget	Total Budget			Remaining
01 - GENERAL FUND	0.29	-41,899.71	-347,264.31	3,895,557.96	-3,937,457.67
03 - DEBT SERVICE FUND	50,008.00	50,008.00	11,636.44	-14,965.93	64,973.93
05 - MOTEL TAX FUND	-197,000.00	-197,000.00	23,571.60	79,424.68	-276,424.68
10 - CAPITAL IMPROVEMENTS ...	-9,991,043.55	-9,672,943.55	-699,292.60	-3,278,851.56	-6,394,091.99
<b>Total Surplus (Deficit):</b>	<b>-10,138,035.26</b>	<b>-9,861,835.26</b>	<b>-1,011,348.87</b>	<b>681,165.15</b>	

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

# CITY OF JERSEY VILLAGE

## PROPERTY TAX COLLECTIONS REPORT

MARCH 2023

**Tax Collection System**  
**Distribution Report - PROPERTY TAX**  
**For Deposit Dates: 03/01/2023 thru 03/31/2023**

**Jurisdiction 0070 JERSEY VILLAGE**

Year	Levy	Penalty Interest	Attorney	Adjustment Amount	Net Collections	Commissions (Excludes Attorney)	Net Payable	Disbursed to Jurisdiction	Disbursed to Attorneys
2022	103,682.44	6,686.13	0.00	0.00	110,368.57	0.00	110,368.57	110,368.57	0.00
2021	633.73	263.49	64.98	0.00	962.20	0.00	962.20	897.22	64.98
2020	(853.90)	(64.11)	(75.08)	0.00	(993.09)	0.00	(993.09)	(918.01)	(75.08)
2019	774.80	310.73	112.91	0.00	1,198.44	0.00	1,198.44	1,085.53	112.91
2018	1,526.13	317.94	0.00	0.00	1,844.07	0.00	1,844.07	1,844.07	0.00
2017	548.45	203.84	0.00	0.00	752.29	0.00	752.29	752.29	0.00
2016	97.11	61.42	28.55	0.00	187.08	0.00	187.08	158.53	28.55
Total:	\$106,408.76	\$7,779.44	\$131.36	\$0.00	\$114,319.56	\$0.00	\$114,319.56	\$114,188.20	\$131.36

**Tax Collection System  
 Distribution Report - SIT  
 For Deposit Dates: 03/01/2023 thru 03/31/2023**

**Jurisdiction 0070 JERSEY VILLAGE**

Year	Levy	Penalty Interest	Attorney	Adjustment Amount	Net Collections	Commissions (Excludes Attorney)	Net Payable	Disbursed to Jurisdiction	Disbursed to Attorneys
2022	11,144.15	0.00	0.00	0.00	11,144.15	0.00	11,144.15	11,144.15	0.00
Total:	\$11,144.15	\$0.00	\$0.00	\$0.00	\$11,144.15	\$0.00	\$11,144.15	\$11,144.15	\$0.00



TAX COLLECTION SYSTEM  
 TAX COLLECTOR MONTHLY REPORT  
 FROM 03/01/2023 TO 03/31/2023

INCLUDES AG ROLLBACK

JURISDICTION: 0070 City of Jersey Village

	TAX RATE	TAX LEVY	PAID ACCTS
	-----	-----	-----
YEAR 2022	00.742500	9,057,037.57	3,001
	-----	-----	-----

YEAR	TAXES DUE	MONTH ADJ	ADJUSTMENT YTD	LEVY PAID	PAID YTD	BALANCE	COLL %	YTD UNCOLL
-----								
2022	8,543,576.59	7,179.15	513,460.98	114,826.59	8,852,152.08	204,885.49	97.74	0.00
2021	108,910.20	1,047.31-	94,589.98-	633.73	17,613.91-	31,934.13	23.00-	0.00
2020	67,027.31	1,108.07-	67,567.63-	853.90-	60,674.95-	60,134.63	29.45	0.00
2019	24,229.29	.00	982.52-	774.80	2,399.40	20,847.37	10.32	0.00
2018	25,756.83	.00	49.53	1,526.13	3,274.67	22,531.69	12.69	0.00
2017	16,408.81	.00	306.39-	548.45	1,415.10	14,687.32	8.79	0.00
2016	10,977.99	.00	0.00	97.11	1,543.11	9,434.88	14.06	0.00
2015	8,604.06	.00	0.00	0.00	272.08	8,331.98	3.16	0.00
2014	8,458.87	.00	0.00	0.00	0.01	8,458.86		0.00
2013	7,716.34	.00	0.00	0.00	0.00	7,716.34		0.00
2012	8,064.75	.00	0.00	0.00	0.00	8,064.75		0.00
2011	8,410.41	.00	0.00	0.00	0.00	8,410.41		0.00
2010	4,289.59	.00	0.00	0.00	0.00	4,289.59		0.00
2009	5,453.54	.00	0.00	0.00	0.00	5,453.54		0.00
2008	2,474.69	.00	0.00	0.00	0.00	2,474.69		0.00
2007	2,578.18	.00	0.00	0.00	0.00	2,578.18		0.00
2006	2,086.72	.00	0.00	0.00	0.00	2,086.72		0.00
2005	1,705.11	.00	0.00	0.00	0.00	1,705.11		0.00
2004	1,110.04	.00	0.00	0.00	0.00	1,110.04		0.00
2003	378.07	.00	0.00	0.00	0.00	378.07		0.00
2002	463.05	.00	0.00	0.00	0.00	463.05		0.00
2001	339.32	.00	0.00	0.00	0.00	339.32		0.00
****	8,859,019.76	5,023.77	350,063.99	117,552.91	8,782,767.59	426,316.16		0.00
CURR	8,543,576.59	7,179.15	513,460.98	114,826.59	8,852,152.08	204,885.49		0.00
DELO	315,443.17	2,155.38-	163,396.99-	2,726.32	69,384.49-	221,430.67		0.00

TAX COLLECTION SYSTEM  
 DEPOSIT DISTRIBUTION  
 REVERSALS DETAIL SCHEDULE  
 FROM: 03/01/2023 THRU 03/31/2023  
 JURISDICTION: 70 City of Jersey Village

YEAR DEPOSIT	ACCOUNT NUMBER	EFF YR/MO	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	ATTORNEY CAUSE /REV	REFUND AMOUNT	PAYMENT AMOUNT CAT
2020 RF230313	082-110-000-0009	202012	542.60-	0.00	0.00	0.00 29	542.60	0.00 RF
2020 RF230313	082-110-000-0009	202012	0.00	0.00	0.00	0.00 29	542.60-	542.60-RF
2020 RF230313	223-567-290-0000	202211	321.03-	0.00	67.42-	77.69-29	466.14	0.00 RF
2020 RF230313	223-567-290-0000	202211	0.00	0.00	0.00	0.00 29	466.14-	466.14-RF
2020 TOTAL			863.63-	0.00	67.42-	77.69-	0.00	1,008.74-
2021 RF230314	082-110-000-0009	202112	742.50-	0.00	0.00	0.00 17	742.50	0.00 RF
2021 RF230314	082-110-000-0009	202112	0.00	0.00	0.00	0.00 17	742.50-	742.50-RF
2021 P0308231	107-448-005-0007	202302	176.25-	0.00	44.06-	33.05-0 2022116	0.00	253.36-RI
2021 P0329233	107-448-005-0007	202303	153.46-	0.00	39.90-	29.00-0 2022116	0.00	222.36-RI
2021 RF230314	127-250-007-0011	202112	0.00	0.00	0.00	0.00 17	359.19-	359.19-RF
2021 RF230314	127-250-007-0011	202112	359.19-	0.00	0.00	0.00 17	359.19	0.00 RF
2021 TOTAL			1,431.40-	0.00	83.96-	62.05-	0.00	1,577.41-
2022 RF230316	082-110-000-0009	202301	742.50-	0.00	0.00	0.00 6	742.50	0.00 RF
2022 RF230316	082-110-000-0009	202301	0.00	0.00	0.00	0.00 6	742.50-	742.50-RF
2022 RF230310	082-138-000-0005	202212	0.00	0.00	0.00	0.00 0	92.55-	92.55-RF
2022 RF230310	082-138-000-0005	202301	0.00	0.00	0.00	0.00 0	185.10-	185.10-RF
2022 RF230310	082-138-000-0005	202302	185.09-	0.00	0.00	0.00 0	185.09	0.00 RF
2022 RF230310	082-138-000-0005	202302	0.00	0.00	0.00	0.00 0	185.09-	185.09-RF
2022 RF230310	082-138-000-0005	202301	185.10-	0.00	0.00	0.00 0	185.10	0.00 RF
2022 RF230310	082-138-000-0005	202212	92.55-	0.00	0.00	0.00 0	92.55	0.00 RF
2022 RF230310	082-138-000-0005	202212	0.00	0.00	0.00	0.00 0	92.55-	92.55-RF
2022 RF230310	082-138-000-0005	202212	92.55-	0.00	0.00	0.00 0	92.55	0.00 RF
2022 RF230310	082-138-000-0005	202212	0.00	0.00	0.00	0.00 0	185.10-	185.10-RF
2022 RF230310	082-138-000-0005	202212	185.10-	0.00	0.00	0.00 0	185.10	0.00 RF
2022 RF230310	082-138-000-0005	202212	0.00	0.00	0.00	0.00 0	185.10-	185.10-RF
2022 RF230310	082-138-000-0005	202212	185.10-	0.00	0.00	0.00 0	185.10	0.00 RF
2022 RF230310	082-140-000-0003	202301	168.37-	0.00	0.00	0.00 0	168.37	0.00 RF
2022 RF230310	082-140-000-0003	202212	0.00	0.00	0.00	0.00 0	126.28-	126.28-RF
2022 RF230310	082-140-000-0003	202212	126.28-	0.00	0.00	0.00 0	126.28	0.00 RF
2022 RF230310	082-140-000-0003	202211	0.00	0.00	0.00	0.00 0	126.28-	126.28-RF
2022 RF230310	082-140-000-0003	202211	126.28-	0.00	0.00	0.00 0	126.28	0.00 RF
2022 RF230310	082-140-000-0003	202301	0.00	0.00	0.00	0.00 0	168.37-	168.37-RF
2022 RF230310	105-862-000-0011	202211	0.00	0.00	0.00	0.00 0	709.75-	709.75-RF
2022 RF230310	105-862-000-0011	202211	709.75-	0.00	0.00	0.00 0	709.75	0.00 RF
2022 RF230310	105-868-000-0028	202301	0.00	0.00	0.00	0.00 0	216.82-	216.82-RF
2022 RF230310	105-868-000-0028	202301	5.12-	0.00	0.00	0.00 0	5.12	0.00 RF
2022 RF230310	105-868-000-0028	202301	0.00	0.00	0.00	0.00 0	5.12-	5.12-RF
2022 RF230310	105-868-000-0028	202301	216.82-	0.00	0.00	0.00 0	216.82	0.00 RF
2022 RF230310	105-871-000-0038	202212	191.82-	0.00	0.00	0.00 0	191.82	0.00 RF

TAX COLLECTION SYSTEM  
 DEPOSIT DISTRIBUTION  
 REVERSALS DETAIL SCHEDULE  
 FROM: 03/01/2023 THRU 03/31/2023  
 JURISDICTION: 70 City of Jersey Village

YEAR DEPOSIT	ACCOUNT NUMBER	EFF YR/MO	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	ATTORNEY CAUSE /REV	REFUND AMOUNT	PAYMENT AMOUNT CAT	
2022	RF230310	105-871-000-0038	202212	0.00	0.00	0.00	0.00 0	191.82-	191.82-RF
2022	RF230310	107-449-000-0011	202301	0.00	0.00	0.00	0.00 0	157.86-	157.86-RF
2022	RF230310	107-449-000-0011	202301	157.86-	0.00	0.00	0.00 0	157.86	0.00 RF
2022	RF230310	107-452-000-0048	202211	186.76-	0.00	0.00	0.00 0	186.76	0.00 RF
2022	RF230310	107-452-000-0048	202211	0.00	0.00	0.00	0.00 0	186.76-	186.76-RF
2022	RF230310	107-452-000-0048	202301	186.75-	0.00	0.00	0.00 0	186.75	0.00 RF
2022	RF230310	107-452-000-0048	202301	0.00	0.00	0.00	0.00 0	186.75-	186.75-RF
2022	RF230310	118-020-073-0041	202301	257.52-	0.00	0.00	0.00 0	257.52	0.00 RF
2022	RF230310	118-020-073-0041	202301	0.00	0.00	0.00	0.00 0	257.52-	257.52-RF
2022	RF230310	118-085-072-0010	202301	0.00	0.00	0.00	0.00 6	986.98-	986.98-RF
2022	RF230310	118-085-072-0010	202301	986.98-	0.00	0.00	0.00 6	986.98	0.00 RF
2022	RF230310	118-085-072-0041	202301	537.58-	0.00	0.00	0.00 0	537.58	0.00 RF
2022	RF230310	118-085-072-0041	202301	0.00	0.00	0.00	0.00 0	537.58-	537.58-RF
2022 TOTAL				5,525.88-	0.00	0.00	0.00	0.00	5,525.88-
YEAR 2020									
REFUNDS				863.63-	0.00	67.42-	77.69-	0.00	1,008.74-
RETURNED ITEMS				0.00	0.00	0.00	0.00	0.00	0.00
TRANSFERS/REVERSALS				0.00	0.00	0.00	0.00	0.00	0.00
TOTAL				863.63-	0.00	67.42-	77.69-	0.00	1,008.74-
YEAR 2021									
REFUNDS				1,101.69-	0.00	0.00	0.00	0.00	1,101.69-
RETURNED ITEMS				329.71-	0.00	83.96-	62.05-	0.00	475.72-
TRANSFERS/REVERSALS				0.00	0.00	0.00	0.00	0.00	0.00
TOTAL				1,431.40-	0.00	83.96-	62.05-	0.00	1,577.41-
YEAR 2022									
REFUNDS				5,525.88-	0.00	0.00	0.00	0.00	5,525.88-
RETURNED ITEMS				0.00	0.00	0.00	0.00	0.00	0.00
TRANSFERS/REVERSALS				0.00	0.00	0.00	0.00	0.00	0.00
TOTAL				5,525.88-	0.00	0.00	0.00	0.00	5,525.88-
ALL YEARS									
REFUNDS				7,491.20-	0.00	67.42-	77.69-	0.00	7,636.31-
RETURNED ITEMS				329.71-	0.00	83.96-	62.05-	0.00	475.72-
TRANSFERS/REVERSALS				0.00	0.00	0.00	0.00	0.00	0.00
TOTAL				7,820.91-	0.00	151.38-	139.74-	0.00	8,112.03-

TAX COLLECTION SYSTEM  
 DEPOSIT DISTRIBUTION  
 SUMMARY OF PAYMENTS AND REVERSALS  
 FROM: 03/01/2023 THRU 03/31/2023  
 JURISDICTION: 70 City of Jersey Village

YEAR DEPOSIT	ACCOUNT NUMBER	EFF YR/MO	LEVY PAID	DISCOUNT GIVEN	PENALTY INTEREST	ATTORNEY CAUSE /REV	REFUND AMOUNT	PAYMENT AMOUNT
	2016 TOTAL		97.11	0.00	61.42	28.55	0.00	187.08
	2017 TOTAL		548.45	0.00	203.84	0.00	0.00	752.29
	2018 TOTAL		1,526.13	0.00	317.94	0.00	0.00	1,844.07
	2019 TOTAL		774.80	0.00	310.73	112.91	0.00	1,198.44
	2020 TOTAL		9.73	0.00	3.31	2.61	0.00	15.65
	2021 TOTAL		2,065.13	0.00	347.45	127.03	0.00	2,539.61
	2022 TOTAL		120,352.47	0.00	6,686.13	0.00	0.00	127,038.60
	TOTAL PAYMENTS		125,373.82	0.00	7,930.82	271.10	0.00	133,575.74
	2020 TOTAL		863.63-	0.00	67.42-	77.69-	0.00	1,008.74-
	2021 TOTAL		1,431.40-	0.00	83.96-	62.05-	0.00	1,577.41-
	2022 TOTAL		5,525.88-	0.00	0.00	0.00	0.00	5,525.88-
	TOTAL REVERSALS		7,820.91-	0.00	151.38-	139.74-	0.00	8,112.03-
	TOTAL FOR UNIT		117,552.91	0.00	7,779.44	131.36	0.00	125,463.71

**General Fund**  
**For the period ended April 30, 2023**

	Adopted Budget	Current Budget	YTD Actual	% of Actual compared to Budget	Projections
<b>Revenue</b>					
Property Taxes	7,487,187.00	7,487,187.00	7,423,025.32	99.14%	7,487,131.73
Electric Franchise Taxes	370,000.00	370,000.00	212,103.90	57.33%	370,000.00
Telephone Franchise	20,000.00	20,000.00	6,248.17	31.24%	20,000.00
Gas Franchise	40,000.00	40,000.00	23,054.55	57.64%	40,000.00
Cable TV Franchise	75,000.00	75,000.00	37,458.59	49.94%	75,000.00
Telecommunication	14,000.00	14,000.00	11,046.36	78.90%	14,000.00
City Sales Tax	4,400,000.00	4,400,000.00	3,194,123.39	72.59%	4,400,000.00
Mixed Drink Tax	30,000.00	30,000.00	14,650.48	48.83%	30,000.00
Fines Warrants & Bonds **	918,000.00	918,000.00	449,635.21	48.98%	918,000.00
Fees & Charge for Services	401,000.00	401,000.00	338,683.80	84.46%	401,000.00
Licenses & Permits	183,600.00	183,600.00	130,098.90	70.86%	183,600.00
Interest Earned	37,000.00	500,000.00	436,970.85	87.39%	800,000.00
Interfund Activity	4,535,652.00	4,535,652.00	0.00	0.00%	4,535,652.00
Misc Revenue	70,000.00	70,000.00	29,427.28	42.04%	70,000.00
Other Agency Revenue	67,000.00	67,000.00	2,563.23	3.83%	67,000.00
<b>Total Revenue</b>	<b>18,648,439.00</b>	<b>19,111,439.00</b>	<b>12,309,090.03</b>	<b>64.41%</b>	<b>19,411,383.73</b>
<b>Expenditures</b>					
Administrative Service	1,028,577.31	1,028,577.31	578,458.36	56.24%	1,028,577.31
Legal/Other Services	3,411,407.71	3,911,407.71	921,052.14	23.55%	3,911,407.71
Info Technology	975,319.31	975,319.31	315,662.30	32.37%	975,319.31
Purchasing	22,675.00	22,675.00	13,594.92	59.96%	22,675.00
Accounting Services	474,968.54	474,968.54	238,315.84	50.18%	474,968.54
Customer Services	140,487.60	140,487.60	77,517.97	55.18%	140,487.60
Municipal Court	364,793.83	364,793.83	164,559.08	45.11%	364,793.83

Police Department	4,458,208.16	4,458,208.16	2,360,728.21	52.95%	4,458,208.16
Communications	978,587.67	978,587.67	509,129.53	52.03%	978,587.67
Fire Department	2,866,415.54	2,866,415.54	1,460,148.84	50.94%	2,866,415.54
Public Works	144,123.62	144,123.62	83,481.85	57.92%	144,123.62
Community Development	467,055.74	467,055.74	153,169.34	32.79%	467,055.74
Streets	766,078.99	766,078.99	293,483.34	38.31%	766,078.99
Building Maintenance	411,883.71	411,883.71	190,434.96	46.24%	411,883.71
Solid Waste	503,513.16	503,513.16	251,735.33	50.00%	503,513.16
Fleet Services	565,935.71	565,935.71	324,100.87	57.27%	565,935.71
Recreation	319,478.70	319,478.70	116,914.79	36.60%	319,478.70
Parks	748,928.41	748,928.41	361,044.40	48.21%	748,928.41
<b>Total Expenditures</b>	<b>18,648,438.71</b>	<b>19,148,438.71</b>	<b>8,413,532.07</b>	<b>43.94%</b>	<b>19,148,438.71</b>

\*\* Part of the collection is transfer to the Court Technology/Security Fund

**Utility Fund**  
**For the period ended April 30, 2023**

	Adopted Budget	Current Budget	YTD Actual	% of Actual compared to Budget	Projections
<b>Revenue</b>					
Fees & Charge for Services	4,913,100.00	4,913,100.00	2,689,249.10	54.74%	4,913,100.00
Interest Earned	20,000.00	90,000.00	82,115.98	91.24%	120,000.00
Interfund Activity	-	-			
Miscellaneous Revenue	60,000.00	60,000.00	37,148.82	61.91%	60,000.00
Other Agency Revenue	624,835.00	624,835.00	79,168.32	12.67%	624,835.00
Total Revenue	<u>5,617,935.00</u>	<u>5,687,935.00</u>	<u>2,887,682.22</u>	<u>89.78%</u>	<u>5,717,935.00</u>
<b>Expenditures</b>					
Water & Sewer	4,263,240.00	4,263,240.00	2,231,164.11	52.33%	4,263,240.00
Utility Capital Projects	4,535,394.00	4,535,394.00	475,676.78	10.49%	4,535,394.00
Total Expenditures	<u>8,798,634.00</u>	<u>8,798,634.00</u>	<u>2,706,840.89</u>	<u>30.76%</u>	<u>8,798,634.00</u>

Incident Type Group	
100 - Fire	3
300 - EMS	106
400 - HAZMAT	9
500 - Service Call	8
600 - Good Intent	22
700 - False Alarm	5
<b>Total</b>	<b>153</b>

Calls Per Shift	
A Shift	44
B Shift	61
C Shift	48
<b>Total</b>	<b>153</b>

Unit Responses	
3541	118
POV	3
3580	92
3510	1
3511	16
3581	14
3590	13
3540	7
3518	2
3531	0
3519	2
<b>Total</b>	<b>268</b>



Fire Marshal Activity	Activity
Certificate to Occupy Final - Occupancy	2
Commercial Key Lock Box Installation	0
ELEVATOR ACCEPTANCE	0
Fire Alarm Inspection	5
Fire Sprinkler Inspections	1
Fire Hydrant Flow Test	0
FIRE MARSHAL - RESPOND TO EMERGENCY	8
Gasoline System Pump/Piping Inspection	0
Information Call	0
Life Safety (Low Risk)	6
Pre-Incident Planning	0
Plan Review	6
Life Safety (Moderate Risk)	1
MEETING	1
Other Fire Marshal Activity	10
Re-inspect	7
Residential Key Lock Box Installation	2
Training Event / Class	6
<b>Total</b>	<b>55</b>

**Overlapping Calls**

These are calls that bleed together when crews are already on other calls

Incident Number	Alarm Date / Time	Last Unit Cleared Date
2023-00000490	4/6/2023 8:50 PM	4/6/2023 9:51 PM
2023-00000491	4/6/2023 9:47 PM	4/6/2023 10:28 PM
2023-00000492	4/6/2023 10:16 PM	4/6/2023 10:26 PM
4 c2023-00000493	4/6/2023 10:22 PM	4/6/2023 11:34 PM
2023-00000516	4/11/2023 12:42 PM	4/11/2023 2:12 PM
2023-00000517	4/11/2023 12:45 PM	4/11/2023 1:25 PM
2023-00000521	4/12/2023 1:52 PM	4/12/2023 3:41 PM
2023-00000522	4/12/2023 2:14 PM	4/12/2023 3:45 PM
2023-00000530	4/14/2023 3:00 AM	4/14/2023 4:26 AM
2023-00000529	4/14/2023 3:01 AM	4/14/2023 4:00 AM
2023-00000535	4/15/2023 4:19 PM	4/15/2023 9:44 PM
2023-00000536	4/15/2023 4:20 PM	4/15/2023 4:30 PM
2023-00000538	4/16/2023 3:46 PM	4/16/2023 4:21 PM



2023-00000539	4/16/2023 4:15 PM	4/16/2023 4:29 PM	
2023-00000541	4/17/2023 9:19 AM	4/17/2023 10:51 AM	
2023-00000542	4/17/2023 9:45 AM	4/17/2023 10:49 AM	
2023-00000544	4/17/2023 11:30 AM	4/17/2023 11:54 AM	
2023-00000545	4/17/2023 11:44 AM	4/17/2023 12:23 PM	
2023-00000549	4/18/2023 6:47 AM	4/18/2023 7:40 AM	
2023-00000550	4/18/2023 7:36 AM	4/18/2023 7:54 AM	
2023-00000578	4/23/2023 10:03 AM	4/23/2023 10:54 AM	} 3 Overlapping Calls
2023-00000579	4/23/2023 10:14 AM	4/23/2023 10:51 AM	
2023-00000580	4/23/2023 10:42 AM	4/23/2023 11:18 AM	
2023-00000583	4/24/2023 12:10 PM	4/24/2023 1:14 PM	
2023-00000584	4/24/2023 1:06 PM	4/24/2023 1:12 PM	
2023-00000585	4/24/2023 1:57 PM	4/24/2023 3:25 PM	
2023-00000586	4/24/2023 2:25 PM	4/24/2023 2:51 PM	
2023-00000589	4/25/2023 6:06 AM	4/25/2023 7:17 AM	
2023-00000590	4/25/2023 6:58 AM	4/25/2023 8:03 AM	
2023-00000591	4/25/2023 10:19 AM	4/25/2023 11:43 AM	} 6 Overlapping Calls
2023-00000592	4/25/2023 11:40 AM	4/25/2023 12:26 PM	
2023-00000593	4/25/2023 11:58 AM	4/25/2023 1:33 PM	
2023-00000594	4/25/2023 1:02 PM	4/25/2023 2:06 PM	
2023-00000595	4/25/2023 2:04 PM	4/25/2023 3:11 PM	
2023-00000596	4/25/2023 2:37 PM	4/25/2023 2:54 PM	
2023-00000599	4/26/2023 12:46 PM	4/26/2023 2:55 PM	} 3 Overlapping Calls
2023-00000601	4/26/2023 2:07 PM	4/26/2023 3:53 PM	
2023-00000602	4/26/2023 3:10 PM	4/26/2023 3:37 PM	
2023-00000604	4/26/2023 11:07 PM	4/27/2023 12:30 AM	} 3 Overlapping Calls
2023-00000605	4/26/2023 11:31 PM	4/27/2023 12:29 AM	
2023-00000606	4/26/2023 11:41 PM	4/27/2023 12:29 AM	
2023-00000612	4/27/2023 1:09 PM	4/27/2023 2:17 PM	
2023-00000613	4/27/2023 2:05 PM	4/27/2023 2:21 PM	
2023-00000618	4/28/2023 12:23 PM	4/28/2023 1:43 PM	
2023-00000619	4/28/2023 1:10 PM	4/28/2023 1:24 PM	
2023-00000620	4/28/2023 9:45 PM	4/28/2023 11:44 PM	
2023-00000622	4/28/2023 11:18 PM	4/28/2023 11:51 PM	
2023-00000623	4/29/2023 2:36 PM	4/29/2023 3:25 PM	} 3 Overlapping Calls
2023-00000624	4/29/2023 2:56 PM	4/29/2023 3:43 PM	
2023-00000625	4/29/2023 3:35 PM	4/29/2023 4:05 PM	

## APRIL 2023

### Communication Division Monthly Report

Date	CFS - PD	CFS - FD	CFS - FMO	911 Phone	10 Digit	License Plate	Driver's License	Criminal History	TCIC Messages	Day Total
1-Apr	69	2	W	34	105	51	60	2	3	326
2-Apr	51	5	1	26	128	47	66	1	4	329
3-Apr	62	5	2	24	96	50	55	3	9	306
4-Apr	59	5	3	17	99	55	56	0	4	298
5-Apr	49	3	1	12	182	39	47	3	5	341
6-Apr	43	11	0	24	146	44	53	0	0	321
7-Apr	26	7	0	28	87	15	14	0	2	179
8-Apr	40	3	W	18	52	30	37	1	7	188
9-Apr	44	5	W	62	75	25	26	2	3	242
10-Apr	51	5	1	19	163	48	62	1	3	353
11-Apr	59	5	5	26	106	51	41	3	0	296
12-Apr	70	5	2	24	143	59	59	0	7	369
13-Apr	65	5	2	17	140	52	56	2	10	349
14-Apr	57	4	0	19	107	50	52	3	4	296
15-Apr	51	4	2	20	98	46	60	0	8	289
16-Apr	38	3	W	19	84	30	633	2	9	818
17-Apr	69	9	1	25	135	62	54	2	3	360
18-Apr	43	5	0	20	114	35	51	2	4	274
19-Apr	87	9	0	33	171	63	67	3	2	435
20-Apr	45	1	0	13	62	37	44	0	10	212
21-Apr	56	6	0	25	116	30	33	0	7	273
22-Apr	50	6	W	17	63	40	43	1	13	233
23-Apr	51	6	W	16	104	44	34	2	0	257
24-Apr	83	7	0	29	134	86	89	0	4	432
25-Apr	83	9	1	36	163	63	78	3	0	436
26-Apr	67	9	0	32	125	51	63	1	10	358
27-Apr	80	10	4	33	120	58	74	1	3	383
28-Apr	61	6	3	17	129	44	50	1	4	315
29-Apr	41	5	W	14	74	29	38	2	1	204
30-Apr	49	5	W	14	85	32	41	3	9	238
<b>Totals</b>	<b>1699</b>	<b>170</b>	<b>28</b>	<b>713</b>	<b>3406</b>	<b>1366</b>	<b>2136</b>	<b>44</b>	<b>148</b>	<b>9710</b>
<b>Annual Totals</b>	<b>7117</b>	<b>622</b>	<b>106</b>	<b>2504</b>	<b>12287</b>	<b>5796</b>	<b>6926</b>	<b>188</b>	<b>604</b>	<b>36150</b>

No major incidents to report this month.

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**Police Department**  
**Monthly Activity Report**  
 April-2023

ACTIVITY	CURRENT MONTH APRIL	PREVIOUS MONTH MARCH	YTD 2023	TOTAL 2022
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**PART I OFFENSES**

Homicide / Manslaughter	0	0	0	1
Sexual Assault	0	0	3	7
Robbery	0	1	4	7
Aggravated Assault	3	3	11	17
Burglary	1	1	9	72
Larceny	5	24	72	180
Motor Vehicle Theft	8	5	21	66
<b>TOTAL PART I</b>	<b>17</b>	<b>34</b>	<b>120</b>	<b>350</b>
<b>TOTAL PART II</b>	<b>65</b>	39	224	<b>559</b>
<b>TOTAL OFFENSES</b>	<b>82</b>	<b>73</b>	<b>344</b>	<b>909</b>

**ADDITIONAL STATISTICS**

FAMILY VIOLENCE	3	3	12	34
D.W.I.	4	6	16	69

FELONY	15	8	41	315
MISDEMEANOR	14	18	64	202
WARRANT ARREST	14	14	66	135
JUVENILE	1	0	1	34
<b>TOTAL ARRESTS</b>	<b>44</b>	<b>40</b>	<b>172</b>	<b>686</b>

**DISPATCH**

CALLS FOR SERVICE	590	608	2399	9194
TRAFFIC STOPS	720	737	3071	8610

**ACCIDENTS**

INJURY	22	6	55	175
NON-INJURY	88	85	307	817
FATALITY	0	0	0	0
<b>TOTAL</b>	<b>110</b>	<b>91</b>	<b>362</b>	<b>992</b>

**Part II Crimes:** are "less serious" offenses and include: Simple Assaults, Forgery/Counterfeiting, Embezzlement/Fraud, Receiving Stolen Property, Weapon Violations, Prostitution, Sex Crimes (except rape), Crimes Against Family/Child, Narcotic Drug Laws, Liquor Laws, Drunkenness, Disturbing the Peace, Disorderly Conduct, Gambling, and DWI.

## Police Department Open Positions/Recruitment

April 2023

As of April 30, 2023 the Jersey Village Police Department has the following job openings:

- Patrol Officer (5 open positions)

The Police Department has continued recruiting efforts, and is currently reviewing applications for qualified applicants.



# 3d April 2023 Open Records Request



## Results

Agency: JVPD

Print Date/Time: 5/8/2023 11:51

Agency #: TX1011200

Request Number	Requested Date	Requestor	Status	Type	Due Date	Time Spent	Unit of Time	Assigned To
2023-00000130	05/04/2023	GARDUNO, CYNTHIA ANN	New	Location History CFS's				0137 - SMITH, DEBRA
2023-00000129	05/03/2023	R.K. PHILLIPS & ASSOCIATES LLC	New	Body/Dash Camera	05/15/2023			0137 - SMITH, DEBRA
2023-00000128	05/01/2023	CORTEZ, KIMBERLY	New	Body/Dash Camera	05/12/2023			0137 - SMITH, DEBRA
2023-00000127	05/01/2023	Sullo and Sullo	New	Citations Issued	05/12/2023			0137 - SMITH, DEBRA
2023-00000126	04/24/2023	Sullo and Sullo	New	Citations Issued	05/15/2023			0137 - SMITH, DEBRA
2023-00000125	04/19/2023	WEBER LAW FIRM	Pending AG Opinion	Body/Dash Camera	05/03/2023			0137 - SMITH, DEBRA
2023-00000124	04/18/2023	GUERRERO, KRISTA	Completed	Calls for Service Slips	05/02/2023	10	Minutes	0137 - SMITH, DEBRA
2023-00000123	04/17/2023	PARKER CLAIMS	Completed	Police Report	05/02/2023	1	Hour(s)	0137 - SMITH, DEBRA
2023-00000122	04/17/2023	Sullo and Sullo	Completed	Citations Issued	05/01/2023	30	Minutes	0137 - SMITH, DEBRA
2023-00000121	04/14/2023	LOJERO, MARIO JORGE	Completed	Police Report	04/27/2023	2	Hour(s)	0137 - SMITH, DEBRA
2023-00000120	04/11/2023	POSADAS-RAMOS, MONIA	Completed	Police Report	04/24/2023	30	Minutes	0137 - SMITH, DEBRA
2023-00000119	04/05/2023	DE LA ROSA, BRIANA	In Progress	Crime Victims Information/ AG	04/18/2023			0137 - SMITH, DEBRA
2023-00000118	04/04/2023	CARTER, VALERIA	Completed	Body/Dash Camera	04/18/2023	2	Hour(s)	0137 - SMITH, DEBRA
2023-00000117	04/03/2023	Sullo and Sullo	Completed	Citations Issued	04/14/2023	30	Minutes	0137 - SMITH, DEBRA
<b>Total Records</b>								<b>14</b>

**CITY OF JERSEY VILLAGE  
MUNICIPAL COURT  
COLLECTIONS 2023**

	CITY PORTION			RESTRICTED FUND				STATE & OMNI & COLLECTIONS	
MONTH	CITY FINES	WARRANT COLLECTION	CITY PORTION OMNI FEES	COURT SEC. FUND	COURT TECH. FEE	JUDICIAL EFF. FEE	CHILD SAFETY	PORTION FEES	TOTAL COLLECTION
Jan	\$49,591.63	\$4,764.40	\$264.00	\$1,342.97	\$1,186.50	\$56.97	\$0.00	\$31,687.89	\$88,894.36
Feb	\$61,423.32	\$5,387.18	\$336.00	\$1,697.44	\$1,493.21	\$73.01	\$0.00	\$38,565.71	\$108,975.87
Mar	\$78,872.26	\$6,347.86	\$397.33	\$2,109.03	\$1,877.62	\$95.11	\$0.00	\$47,368.03	\$137,067.24
Apr	\$52,022.38	\$3,634.93	\$263.57	\$1,428.10	\$1,236.08	\$55.70	\$0.00	\$31,833.24	\$90,474.00
May									
June									
July									
Aug									
Sept									
Oct									
Nov									
Dec									
<b>Totals</b>	<b>\$241,909.59</b>	<b>\$20,134.37</b>	<b>\$1,260.90</b>	<b>\$6,577.54</b>	<b>\$5,793.41</b>	<b>\$280.79</b>	<b>\$0.00</b>	<b>\$149,454.87</b>	<b>\$425,411.47</b>

# Municipal Courts

## Activity Detail

### April 1, 2023 to April 30, 2023

**100.0 Percent Reporting Rate**  
**1 Reports Received Out of a Possible 1**

**Court: Jersey Village**

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 7, 2023

CRIMINAL CASES							
	Traffic Misdemeanors			Non-Traffic Misdemeanors			
	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance	Total
<b>Cases Pending 4/1/2023:</b>							
<i>Active Cases</i>	20,544	310	0	143	1,694	217	22,908
<i>Inactive Cases</i>	16,781	33	0	153	4,960	52	21,979
Docket Adjustments	0	0	0	0	0	0	0
<b>Cases Added:</b>							
New Cases Filed	1,146	11	0	2	78	9	1,266
Cases Reactivated	60	0	0	0	29	0	89
All Other Cases Added	0	0	0	0	0	0	0
<b>Total Cases on Docket</b>	<b>21,750</b>	<b>321</b>	<b>0</b>	<b>145</b>	<b>1,801</b>	<b>226</b>	<b>24,143</b>
<b>Dispositions:</b>							
Dispositions Prior to Court Appearance or Trial:							
Uncontested Dispositions	154	3	0	0	17	0	174
Dismissed by Prosecution	97	2	0	0	5	6	105
Total Dispositions Prior to Court Appearance or Trial	251	5	0	0	22	6	284
Dispositions at Court Appearance or Trial:							
Convictions:							
<i>Guilty Plea or Nolo Contendere</i>	1	0	0	0	0	0	1
<i>By the Court</i>	0	0	0	0	0	0	0
<i>By the Jury</i>	0	0	0	0	0	0	0
Acquittals:							
<i>By the Court</i>	0	0	0	0	0	0	0
<i>By the Jury</i>	0	0	0	0	0	0	0
Dismissed by Prosecution	2	0	0	0	1	0	3
Total Dispositions at Court Appearance or Trial	3	0	0	0	1	0	4
Compliance Dismissals:							
After Driver Safety Course	26	---	---	---	---	---	26
After Deferred Disposition	45	0	0	0	2	0	47
After Teen Court	0	0	0	0	0	0	0
After Tobacco Awareness Course	---	---	---	---	0	---	---
After Treatment for Chemical Dependency	---	---	---	0	0	---	---
After Proof of Financial Responsibility	16	---	---	---	---	---	16
All Other Transportation Code Dismissals	112	0	0	0	0	0	112
Total Compliance Dismissals	199	0	0	0	2	0	201
All Other Dispositions	0	0	0	0	0	0	0
<b>Total Cases Disposed</b>	<b>453</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>25</b>	<b>6</b>	<b>484</b>
<b>Cases Placed on Inactive Status</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cases Pending 4/30/2023:</b>							
<i>Active Cases</i>	21,297	316	0	145	1,776	220	23,754
<i>Inactive Cases</i>	16,721	33	0	153	4,931	52	21,890
Show Cause and Other Required Hearings Held	58	1	0	0	1	0	60
<b>Cases Appealed:</b>							
After Trial	0	0	0	0	0	0	0
Without Trial	0	0	0	0	0	0	0



**Municipal Courts**  
**Activity Detail**  
**April 1, 2023 to April 30, 2023**

**100.0 Percent Reporting Rate**  
**1 Reports Received Out of a Possible 1**

**Court: Jersey Village**

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

CIVIL/ADMINISTRATIVE CASES	
	Total
<b>Cases Pending 4/1/2023:</b>	
<i>Active Cases</i>	
<i>Inactive Cases</i>	
Docket Adjustments	
<b>Cases Added:</b>	
New Cases Filed	
Cases Reactivated	
All Other Cases Added	
<b>Total Cases on Docket</b>	
<b>Dispositions:</b>	
Uncontested Civil Fines or Penalties	
Default Judgments	
Agreed Judgments	
Trial/Hearing by Judge/Hearing Officer	
Trial by Jury	
Dismissed for Want of Prosecution	
All Other Dispositions	
<b>Total Cases Disposed</b>	
<b>Cases Placed on Inactive Status</b>	
<b>Cases Pending 4/30/2023:</b>	
<i>Active Cases</i>	
<i>Inactive Cases</i>	
<b>Cases Appealed:</b>	
After Trial	
Without Trial	
JUVENILE/MINOR ACTIVITY	
	Total
Transportation Code Cases Filed.....	
Non-Driving Alcoholic Beverage Code Cases Filed.....	
Driving Under the Influence of Alcohol Cases Filed.....	
Drug Paraphernalia Cases Filed.....	
Tobacco Cases Filed.....	
Truant Conduct Cases Filed.....	
Education Code (Except Failure to Attend) Cases Filed.....	
Violation of Local Daytime Curfew Ordinance Cases Filed.....	
All Other Non-Traffic Fine-Only Cases Filed.....	
Transfer to Juvenile Court:	
<i>Mandatory Transfer</i> .....	
<i>Discretionary Transfer</i> .....	
Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct).....	
Held in Contempt by Criminal Court (Fined or Denied Driving Privileges).....	
Juvenile Statement Magistrate Warning:	
<i>Warnings Administered</i> .....	
<i>Statements Certified</i> .....	0
Detention Hearings Held.....	0
Orders for Non-Secure Custody Issued.....	0
Parent Contributing to Nonattendance Cases Filed.....	0

**Municipal Courts**  
**Activity Detail**  
**April 1, 2023 to April 30, 2023**  
**100.0 Percent Reporting Rate**  
**1 Reports Received Out of a Possible 1**  
**Court: Jersey Village**

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

ADDITIONAL ACTIVITY		
	Number Given	Number Requests for Counsel
Magistrate Warnings:		
<i>Class C Misdemeanors</i> .....	0	
<i>Class A and B Misdemeanors</i> .....	0	
<i>Felonies</i> .....	0	
		<b>Total</b>
Arrest Warrants Issued:		
<i>Class C Misdemeanors</i> .....		
<i>Class A and B Misdemeanors</i> .....		
<i>Felonies</i> .....		
Capiases Pro Fine Issued .....		
Search Warrants Issued .....		
Warrants for Fire, Health and Code Inspections Filed .....		
Examining Trials Conducted .....		
Emergency Mental Health Hearings Held .....		
Magistrate's Orders for Emergency Protection Issued .....		
Magistrate's Orders for Ignition Interlock Device Issued .....		
All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond .....		
Driver's License Denial, Revocation or Suspension Hearings Held .....		
Disposition of Stolen Property Hearings Held .....		
Peace Bond Hearings Held .....		
Cases in Which Fine and Court Costs Satisfied by Community Service:		
<i>Partial Satisfaction</i> .....		
<i>Full Satisfaction</i> .....		
Cases in Which Fine and Court Costs Satisfied by Jail Credit .....		
Cases in Which Fine and Court Costs Waived for Indigency .....		
Amount of Fines and Court Costs Waived for Indigency .....		\$ 86,700
Fines, Court Costs and Other Amounts Collected:		
<i>Kept by City</i> .....		\$ 86,700
<i>Remitted to State</i> .....		\$ 3,700
<i>Total</i> .....		\$ 90,400

**CITY OF JERSEY VILLAGE  
MUNICIPAL COURT  
COURT ROOM ACTIVITIES**

<u>DATE</u>	<u>JUDGE/ PROSECUTOR</u>	<u>TOTAL CASES</u>	<u>NO</u>	<u>% TO</u>	<u>SHOWED</u>	<u>% TO</u>	<u>PAYMENT</u>	<u>% TO</u>	<u>DOCKET</u>	<u>% TO</u>
			<u>SHOWED</u>	<u>TOTAL</u>	<u>TOTAL</u>	<u>TOTAL</u>	<u>PLAN</u>	<u>TOTAL</u>	<u>CLOSED</u>	<u>TOTAL</u>
<u>April 3, 2023</u>	Judge Kisluk	90	44	49%	46	51%	18	39%	16	35%
<u>AM Docket</u>	McCorvey/Ramirez									
<u>April 3, 2023</u>	Judge Kisluk	56	20	36%	36	64%	16	44%	13	36%
<u>PM Docket</u>	McCorvey/Ramirez									
<u>April 5, 2023</u>	Judge Chancia	103	50	49%	53	51%	17	32%	23	43%
<u>AM Docket</u>	McCorvey/Ramirez									
<u>April 5, 2023</u>	Judge Chancia	92	37	40%	55	60%	16	29%	29	53%
<u>PM Docket</u>	McCorvey/Ramirez									
<u>April 10, 2023</u>	Judge Harris	44	14	32%	30	68%	10	33%	9	30%
<u>AM Docket</u>	McCorvey/Ramirez									
<u>April 10, 2023</u>	Judge Harris	48	0	0%	48	100%	17	35%	10	21%
<u>PM Docket</u>	McCorvey/Ramirez									
<b><u>TOTAL</u></b>		<b>433</b>	<b>165</b>	<b>38%</b>	<b>268</b>	<b>62%</b>	<b>94</b>	<b>35%</b>	<b>100</b>	<b>37%</b>



# Location Listing

CITY OF JERSEY VILLAGE

5/5/2023

## Location Listing By Location

Location Details For Dates From 04/01/2023 To 04/30/2023

Citation #	Location
<b>Ran Stop Sign</b>	<b>3</b>
E001057	15400 Block Jersey Dr and Lakeview Dr
E0007310	15700 Block Congo Ln and Australia St
E0009150	7700 Block Solomon St
<b>Speeding</b>	<b>3</b>
E0007286	15400 Block Jersey Dr
E0007386	16400 Block Jersey Dr
E0010167	16552 Block Jersey Dr
<b>Report Totals</b>	<b>6</b>

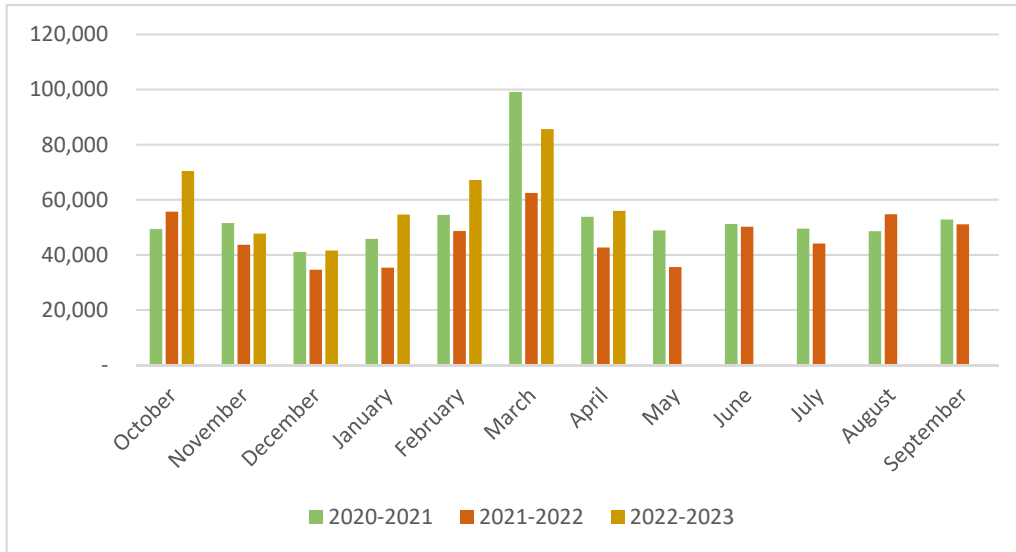
**JERSEY VILLAGE MUNICIPAL COURT ACTIVITY REPORT**

**GENERAL PROCEEDS**

**FY 2020, 2021, 2022**

	<u>2020-2021</u>	<u>2021-2022</u>	<u>2022-2023</u>
October	49,309	55,655	70,423
November	51,540	43,670	47,705
December	41,041	34,579	41,546
January	45,799	35,361	54,620
February	54,502	48,662	67,147
March	99,058	62,459	85,617
April	53,785	42,666	55,981
May	48,891	35,582	
June	51,190	50,183	
July	49,497	44,123	
August	48,597	54,708	
September	52,813	51,053	
<b>FY Total</b>	<b>\$ 646,022</b>	<b>\$ 558,701</b>	<b>\$ 423,038</b>

Average Per Month    \$ 53,835    \$ 46,558    \$ 60,434





## **Public Works Status Report - April 2023**

### **General –**

- CIP project progress: Sanitary sewer inspections- contractor rescheduled project deployment date to summer. Seattle well abandonment- no update. Automated meter reading- no update. Valve assessment- no update. Sidewalks/street panels- no update. 290 lift station road repair- complete. Philippine lift station rehab- no update. Seattle WP booster pumps- no update.

### **Streets –**

- Updated stop signs on Koester, Smith, Hanley, Lewis and Achgill and re-painted stop bars on Wyndham Village, Koester, Smith, Hanley, Lewis, Achgill and Wall.
- Hauled excess metal to scrap yard, repaired pot holes at golf course, and removed illicit dumping debris near Hillcrest.
- Conducted street sweeping per street sweeping schedule.
- Work orders conducted, performed data logs and rereads as required by utility billing.

### **Utilities –**

- Performed Fats, Oils, and Grease inspections at businesses with grease traps and oil separators and provided public education on the City F.O.G. program.
- Completed and submitted Texas Water Development Board water loss audit.
- Conducted daily investigation of sanitary sewer on Tahoe Drive between Capri and Carlsbad.
- Utilities staff conducted regular monthly reports, plant operations and responded to incoming calls for service.

### **Fleet –**

- Fleet work orders are being outsourced under the direction of the Public Works Manager.

### **Community Development –**

- 93 building inspections, 5 plan reviews, 0 engineering reviews and 5 hours of building official/ permit tech services were conducted during the month of April.
- Regular code enforcement inspections, following up with reported violations, and removing bandit signs across the city as necessary.

### **Building Maintenance –**

- Building maintenance work orders are being addressed under direction of Parks Supervisor.

Jersey Meadow Golf Course  
Monthly Report

<b>FY 2022-2023</b>	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	3525	2396	3043	2687	3141	3686	3805						22283
Tournament Rounds	682	366	247	311	299	718	643						3266
Range buckets	2573	1634	1788	1753	2063	2351	2464						14626
Unearned Revenue	1,112.70	1,808.63	2,089.79	320.02	5,242.79	1,010.24	3,556.28						15,140.45
All Memberships	2,135.00	2,663.00	2,708.00	4,720.00	5,174.00	4,092.00	5,352.00						26,844.00
Green Fees	132,827.83	85,068.15	114,137.60	100,838.30	114,018.33	133,583.65	150,038.12						830,511.98
Tournament Fees	27,603.64	18,633.12	8,610.20	11,713.18	8,728.88	29,476.65	24,806.13						129,571.80
Range Fees	21,149.70	12,968.55	16,290.93	15,615.13	19,292.54	21,296.22	22,857.86						129,470.93
Club Rental	1,155.00	560.00	840.00	700.00	525.00	1,175.00	945.00						5,900.00
Sales of Merchandise	21,801.26	14,114.20	23,038.21	14,016.70	18,125.68	24,085.27	25,060.51						140,241.83
Concession Fees	7,376.22	4,725.66	4,660.36	4,660.10	4,674.17	7,290.75	7,154.99						40,542.25
Miscellaneous Fees	1,185.00	510.00	1,330.00	4,908.00	2,010.00	5,690.00	1,290.00						16,923.00
<b>Total Income</b>	<b>216,346.35</b>	<b>141,051.31</b>	<b>173,705.09</b>	<b>157,491.43</b>	<b>177,791.39</b>	<b>227,699.78</b>	<b>241,060.89</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,335,146.24</b>
Weather Totals	2W/2CM	4RO/6WD/1CM/1H	3RO/5WD/1CM/1H	8RO/7WD/	2RO/12WD/1CM	1WD/1CM	2RO/2WD/2CM						19RO/35W/8CM/2H
Income Per Round	\$50.65	\$49.45	\$51.34	\$50.85	\$48.66	\$50.54	\$52.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.61
<b>FY 2021-2022</b>	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	2397	2623	3906	2991	2480	3650	4267	4246	4035	4380	3415	3471	41861
Tournament Rounds	372	478	179	385	360	528	803	437	397	264	320	447	4970
Range buckets	1585	1715	1766	1750	1590	2184	2801	1915	2014	1976	1721	2070	23087
Unearned Revenue	(556.33)	514.85	-5949.83	1,720.67	1612.93	-274.22	-575.20	58.13	538.58	-4,859.49	344.70	356.80	-7068.41
All Memberships	2,549.04	1,542.74	5,865.67	3,997.46	3,767.58	3,141.31	3,663.03	1,891.30	7,780.17	2,813.16	4,790.16	6,829.74	48,631.36
Green Fees	65,544.86	78,370.08	124,320.31	100,457.95	81,773.18	126,316.61	153,285.75	153,551.91	145,932.85	171,330.00	124,186.22	126,516.95	1,451,586.67
Tournament Fees	10,948.44	13,288.54	4,891.74	12,613.60	12,335.54	18,762.63	35,021.54	14,233.05	13,847.52	8,068.96	10,794.64	16,131.63	170,937.83
Range Fees	14,489.57	14,786.57	16,660.55	13,857.89	14,225.30	19,619.82	22,168.32	16,538.79	16,676.60	17,234.86	13,717.04	17,789.95	197,765.26
Club Rental	570.00	550.00	750.00	470.00	575.00	1,065.00	1,245.00	1,405.00	765.00	1,180.00	700.00	805.00	10,080.00
Sales of Merchandise	17,121.81	19,125.27	28,937.12	16,692.98	12,081.97	24,827.62	22,286.23	34,034.97	30,282.60	29,456.16	24,641.63	24,047.00	283,535.36
Concession Fees	4,234.29	4,478.32	4,472.80	3,616.67	3,428.00	5,717.07	7,183.73	6,065.59	6,009.66	6,473.69	5,195.28	6,061.12	62,936.22
Miscellaneous Fees	745.00	572.50	1,227.50	4,620.00	2,122.50	3,080.00	1,090.00	797.50	945.00	1,382.50	1,135.00	1,085.00	18,802.50
<b>Total Income</b>	<b>115,646.68</b>	<b>133,228.87</b>	<b>181,175.86</b>	<b>158,047.22</b>	<b>131,922.00</b>	<b>202,255.84</b>	<b>245,368.40</b>	<b>228,576.24</b>	<b>222,777.98</b>	<b>233,079.84</b>	<b>185,504.67</b>	<b>199,623.19</b>	<b>2,237,206.79</b>
Weather Totals	3RO/5W	3RO/3W/1H	1RO/4WD/1H	4RO/5WD	3RO/9W	2RO/3WD/1CM	3WD/1CM	2WD/3CM	2CM	2CM	6W/2CM	2W/2CM	16RO/48WD/2H/15CM
Income Per Round	\$41.05	\$42.30	\$44.37	\$45.12	\$44.56	\$47.72	\$47.79	\$48.39	\$48.39	\$50.63	\$48.29	\$49.12	\$46.88
<b>FY 2020-2021</b>	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	4199	3833	3206	3215	2280	3783	4087	2324	3072	2821	2836	2533	38189
Tournament Rounds	432	411	259	331	305	440	529	124	203	191	291	190	3706
Range buckets	2502	2139	1223	1788	1486	2241	2466	1307	1502	1498	1382	1258	20792
Unearned Revenue	(1,828.70)	-1677.03	-4123.64	2,577.07	2064.97	-958.42	206.90	-92.10	575.09	-127.91	-155.38	-27.46	-3566.61
Star Memberships	2,377.46	2,736.33	5,954.76	7,521.62	1,915.74	4,635.35	3,159.33	1,995.45	4,803.60	3,233.89	3,180.76	6,454.90	47,969.19
Green Fees	141,058.90	124,752.60	109,221.89	105,315.36	71,692.37	119,546.11	121,128.32	62,875.00	80,447.99	80,645.70	81,404.77	71,499.41	1,169,588.42

Jersey Meadow Golf Course  
Monthly Report

Tournament Fees	13,045.47	13,682.26	8,298.51	10,179.60	9,200.71	14,142.00	18,269.46	2,903.42	4,212.42	4,527.46	8,223.60	4,834.56	111,519.47
Range Fees	17,672.31	16,345.86	11,579.13	15,033.71	11,146.53	19,095.87	20,049.84	13,537.90	12,704.06	14,081.06	11,890.88	12,542.44	175,679.59
Club Rental	390.00	400.00	200.00	225.00	275.00	648.00	680.00	468.75	500.00	495.00	605.00	450.00	5,336.75
Sales of Merchandise	17,709.62	19,202.56	24,247.44	13,485.64	14,168.19	24,726.37	26,656.07	13,570.96	18,020.66	18,184.21	18,934.56	14,113.44	223,019.72
Concession Fees	6,097.49	4,843.35	3,944.58	3,819.87	2,830.15	5,123.29	5,450.52	3,378.74	4,157.36	3,740.46	3,714.91	3,334.53	50,435.25
Miscellaneous Fees	2,450.00	2,530.00	3,888.25	4,914.50	2,224.50	3,717.50	1,762.50	407.50	937.50	785.70	960.51	515.00	25,093.46
<b>Total Income</b>	<b>198,972.55</b>	<b>182,815.93</b>	<b>163,210.92</b>	<b>163,072.37</b>	<b>115,518.16</b>	<b>190,676.07</b>	<b>197,362.94</b>	<b>99,045.62</b>	<b>126,358.68</b>	<b>125,565.57</b>	<b>128,759.61</b>	<b>113,716.82</b>	<b>1,805,075.24</b>
Weather Totals	1RO/1CM	2RO/2W/1H	4RO/4W/1H	4RO/9W	7RO/7W	5W/1CM	1RO/4W/1CM	5RO/9W/5CM	3RO/5W	1RO/13W/	5WD	3RO/7W/	31RO/70W/8CM/2H
Income Per Round	\$42.85	\$42.83	\$46.57	\$43.14	\$43.15	\$44.28	\$42.03	\$39.68	\$36.94	\$40.66	\$40.21	\$39.40	\$42.03
<b>FY 2019-2020</b>													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	2822	2566	3505	2388	2490	2854	119	4916	4325	4935	4516	4202	39638
Tournament Rounds	447	418	203	289	384	159	0	148	354	252	314	330	3298
Range buckets	1508	1433	1478	1209	1581	1335	0	2205	1892	2053	2105	2245	19044
Unearned Revenue	400.91	-317.89	-2154.02	888.22	2151.38	-869.36		-1196.43	(2,268.55)	-886.59	-1067.16	-2251.51	-7571.00
Star Memberships	5,042.78	2,178.46	4,127.77	4,402.75	3,400.19	8,901.18		7,176.37	6,040.07	4,346.20	3,191.19	5,543.08	54,350.04
Green Fees	80,370.21	78,523.77	110,211.22	60,955.71	72,572.18	82,188.50	2,954.35	163,982.17	138,989.99	157,398.71	147,675.64	137,051.64	1,232,874.09
Tournament Fees	13,053.96	12,342.40	5,437.16	8,154.89	10,871.77	4,486.89		3,982.41	10,281.47	7,587.12	8,601.62	10,372.60	95,172.29
Range Fees	10,699.65	8,606.44	13,836.14	7,972.55	10,145.66	10,230.65		15,918.29	13,079.70	15,253.98	15,050.54	17,622.61	138,416.21
Club Rental	300.00	320.00	360.00	320.00	575.00	545.00			505.00	350.00	525.00	400.00	4,200.00
Sales of Merchandise	16,110.06	14,074.31	18,896.41	11,981.09	13,269.78	11,835.19	224.37	21,452.21	22,601.63	23,408.83	20,116.55	24,693.77	198,664.20
Concession Fees	3,716.48	3,343.51	3,615.00	3,134.23	3,516.51	3,098.47	94.01	5299.63	4,980.36	5,047.86	5,384.34	5,803.02	47,033.42
Miscellaneous Fees	424.00	1,253.00	675.00	4,824.00	2,533.00	2,230.00	60.00	900.00	940.00	2,467.50	3,445.00	2,735.00	22,486.50
<b>Total Income</b>	<b>130,118.05</b>	<b>120,324.00</b>	<b>155,004.68</b>	<b>102,633.44</b>	<b>119,035.47</b>	<b>122,646.52</b>	<b>3,332.73</b>	<b>217,514.65</b>	<b>195,149.67</b>	<b>214,973.61</b>	<b>202,922.72</b>	<b>201,970.21</b>	<b>1,785,625.75</b>
Weather Totals	4W/2RO/1CM	1W/5RO/1CM/1H	1W/1RO/1H	13W/5RO/0CM	5W/6RO/1CM	5W/1CM/7CVD-19	27 CVD-19	1W/2RO/1CM	1W/3RO/1M	4W/1RO/1M	3W/2RO/1M	1W/3RO/1H	39W/29RO/8CM/4H/34CV
Income Per Round	\$38.14	\$39.70	\$41.27	\$36.36	\$39.49	\$38.04	\$28.01	\$41.77	\$40.90	\$40.78	\$41.57	\$43.84	\$40.50



Jersey Meadow Golf Course  
Monthly Report

<b>Fy 2018-2019</b>													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	2389	2319	2117	1993	1873	3241	4169	3196	3346	4392	3809	2770	35614
Tournament Rounds	582	393	299	257	297	367	526	636	682	304	304	331	4978
Range buckets	1265	955	970	1031	1046	1284	1368	1181	1591	1606	1544	1351	15192
Unearned Revenue	-1472.95	-1668.62	-3443.07	1,430.45	60.48	-134.21	504.86	-1359.80	(2,370.72)	-229.23	-201.60	-865.64	(9,750.05)
Star Memberships	2,094.31	1,601.02	3,748.62	2,358.88	1,996.45	6,057.91	5,552.78	3475.34	2,823.76	4,319.36	4588.93	4294.91	42,912.27
Green Fees	65,328.60	52,816.14	68,371.79	42,809.31	44,185.56	85,369.39	103,277.89	88751.10	96,727.91	121,034.15	104445.40	77863.67	950,980.91
Tournament Fees	17,318.04	11,240.60	7,232.24	6,767.13	7,847.31	11,481.95	16,021.51	17097.50	21,215.16	8,816.48	9044.27	10591.82	144,674.01
Range Fees	6,576.03	4,475.29	9,669.19	5,207.18	6,205.01	7,889.27	7,087.90	5831.73	7,207.86	9,019.33	8733.55	7613.81	85,516.15
Club Rental	624.66	325.00	200.00	300.00	240.00	220.00	500.00	480.00	660.00	440.00	260.00	280.00	4,529.66
Sales of Merchandise	15,603.17	12,923.62	11,727.68	7,095.43	14,064.14	14,104.40	20,214.49	19090.89	21,910.22	18,239.02	22489.56	16744.87	194,207.49
Concession Fees	4,576.77	3,087.86	2,869.59	2,652.55	2,637.97	4,628.91	4,886.33	4433.14	4,587.18	4,734.94	4221.99	3379.30	46,696.53
Miscellaneous Fees	1,236.00	258.00	723.00	2,475.00	1,538.94	3,071.00	1,389.00	670.00	1,019.00	570.00	605.00	590.00	14,144.94
<b>Total Income</b>	<b>\$111,884.63</b>	<b>85,058.91</b>	<b>101,099.04</b>	<b>71,095.93</b>	<b>78,775.86</b>	<b>132,688.62</b>	<b>159,434.76</b>	<b>138,469.90</b>	<b>153,780.37</b>	<b>166,944.05</b>	<b>154,187.10</b>	<b>120,492.74</b>	<b>\$1,473,911.91</b>
Weather Totals	7W / 3RO	11W/4RO/1H	11W/2RO/1H	15W/3RO	10W/3RO	5W	7W	6W/1RO/1CM	6W/2RO	2W/1CM	4W	5W/3RO/1CM	89W/21RO3CM/2H
Income Per Round	\$37.45	\$31.39	\$41.72	\$29.91	\$35.35	\$35.13	\$32.67	\$35.58	\$38.07	\$34.68	\$36.42	\$37.75	\$35.49
<b>FY 2017 - 2018</b>													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	3,102	3,070	2,024	1,729	1,589	3470	3759	3530	3086	3,189	3,797	2,067	34,412
Tournament Rounds	555	369	275	317	262	374	449	585	491	307	319	228	4,531
Range buckets	1,391	1,398	770	895	787	1696	1884	1508	1322	1,280	1,359	852	15,142
Unearned Revenue			-24.63	967.27	-639.7	-367.01	-218.17	-1096.72	-349.85	-1530.91	-278.61	-431.73	-3970.06
Star Memberships	1,083.00	1,075.00	1,177.43	886.16	1,747.32	3,162.05	4,582.19	2,639.33	3,504.48	3,017.77	3,433.05	1038.59	27,346
Green Fees	76,440.71	83,616.18	56,482.97	41,148.61	34,012.15	92,628.33	105,731.34	97,318.89	89,853.79	88,257.01	94,600.16	54,390.33	914,480
Tournament Fees	15,749.55	10,763.90	8,833.94	9,282.22	6,489.84	10,364.94	13,093.08	16,466.79	15,368.94	9,305.25	9,077.39	7,464.76	132,261
Range Fees	6,820.25	7,163.03	5,664.41	4,636.80	4,335.16	10,101.88	9,859.66	9,101.61	7,509.12	7,112.74	7,161.08	4,782.61	84,248
Club Rental	150.00	555.00	430.00	230.00	60.00	420.00	524.66	280.00	460.00	475.52	380.00	200.00	4,165
Sales of Merchandise	16,065.54	15,566.43	10,147.15	8,019.54	10,197.37	17,132.64	16,095.62	18,707.26	14,255.38	15,682.44	14,648.24	9,488.43	166,006
Concession Fees	4,070.46	4,003.81	2,587.61	2,170.15	1,979.37	4,541.22	4,790.23	5,333.66	4,121.71	3,529.24	4,120.95	2,579.58	43,828
Miscellaneous Fees	653.99	210.00	795.00	2,745.00	1,710.00	1,665.00	1,035.00	690.00	490.00	480.00	525.00	190.00	11,189
<b>Total Income</b>	<b>\$121,033.50</b>	<b>\$122,953.35</b>	<b>\$86,093.88</b>	<b>\$70,085.75</b>	<b>\$59,891.51</b>	<b>\$139,649.05</b>	<b>\$155,493.61</b>	<b>\$149,440.82</b>	<b>\$135,213.57</b>	<b>\$126,329.06</b>	<b>\$133,667.26</b>	<b>\$79,702.57</b>	<b>\$1,383,523.99</b>
Weather Totals	5W / 1RO	0	6W/4RO/1H	7W/5RO&ICE	5W / 6RO	IW/IRO/2CM	1 CM	4 W	3W / 3 RO	7W / 1 RO	4W / 1RO	16W / 6 RO	58W/28RO/3CM/1H
Income Per Round	\$32.80	\$35.44	\$36.95	\$33.35	\$31.76	\$35.60	\$35.91	\$35.94	\$36.92	\$35.71	\$31.71	\$34.46	\$34.82

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Jersey Meadow Golf Course  
Monthly Report

<b>FY 2016 - 2017</b>														
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals	
Rounds played	2,521	2,355	1,972	1,584	2,223	2,331	3,281	3,253	2,881	2,835	2,057	3,166	30,459	
Tournament Rounds	771	472	325	341	336	549	473	812	517	596	310	517	6,019	
Range buckets	1,783	1,256	968	632	991	1279	1412	1263	1155	1,295	956	1,286	14,276	
Star Memberships	2,235.00	1,570.00	25.00	1,029.00	1,510.00	1,024.00	2,221.00	1,144.00	1,219.00	800.00	620.00	555.00	13,952	
Green Fees	71,022.49	65,681.11	50,027.42	38,520.25	61,122.97	55,752.79	88,247.62	87,096.00	74,742.39	73,059.53	53,137.49	79,790.70	798,201	
Tournament Fees	23,727.00	15,666.88	9,089.41	9,620.52	9,547.76	15,065.14	15,118.67	25,088.25	15,155.20	19,660.62	8,650.70	16,188.44	182,579	
Range Fees	8,258.92	6,360.11	4,774.40	4,514.09	6,347.68	6,640.74	7,981.02	7,154.62	6,139.70	6,290.14	5,154.24	7,231.26	76,847	
Club Rental	340.00	260.00	100.00	125.00	275.00	150.00	475.00	450.00	470.00	425.00	375.00	213.86	3,659	
Sales of Merchandise	8,480.22	10,003.82	11,483.44	6,450.19	12,081.93	12,342.40	12,562.48	12,120.38	14,895.60	13,280.56	7,315.30	11,177.14	132,193	
Concession Fees	3,607.96	2,907.70	2,282.52	1,852.88	2,529.79	3,058.07	4,267.45	4,599.10	3,209.21	5,744.57	2,244.09	3,790.50	40,094	
Miscellaneous Fees	60.00	722.47	219.00	5,601.50	1,621.00	1,773.00	1,123.32	540.00	345.00	300.00	390.00	225.00	12,920	
<b>Total Income</b>	<b>\$117,731.59</b>	<b>\$103,172.09</b>	<b>\$78,001.19</b>	<b>\$67,713.43</b>	<b>\$95,036.13</b>	<b>\$95,806.14</b>	<b>\$131,996.56</b>	<b>\$138,192.35</b>	<b>\$116,176.10</b>	<b>\$119,560.42</b>	<b>\$77,886.82</b>	<b>\$119,171.90</b>	<b>\$1,260,444.72</b>	
Weather Totals	2 W	5 W/1CM/1H	4 W/2RO/1H	3 W/7RO	6W/1CM/1RO	3W/5RO/1CM	2W/1CM/3RO	3W/1CM	4W/1CM/2RO	4W/1RO/2CM	6W / 5RO	4W/2RO	46W/28RO/8CM/2H	
							10 TT				Harvey		10 TT	
<b>Income Per Round</b>	<b>\$35.08</b>	<b>\$35.94</b>	<b>\$33.95</b>	<b>\$34.64</b>	<b>\$36.55</b>	<b>\$32.91</b>	<b>\$34.57</b>	<b>\$33.71</b>	<b>\$33.83</b>	<b>\$34.61</b>	<b>\$32.64</b>	<b>\$32.21</b>	<b>\$34.17</b>	
<b>FY 2015 - 2016</b>														
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals	
Rounds played	2,839	2,010	1,964	2,015	2,397	2,561	2,433	2,911	2,591	3,012	1,874	2,215	28,822	
Tournament Rounds	89	73	33		154	57	428	571	672	428	430	458	3,393	
Range buckets	1,045	528	626	857	1195	1224	1152	1354	1444	1,484	922	1,132	12,963	
Star Memberships	2,320.00	1,840.00	2,160.00	2,720.00	3,200.00	2,880.00	3,120.00	3,195.00	4,105.00	4,720.00	1,680.00	2,765.00	34,705	
Green Fees	81,461.98	58,415.91	56,870.74	61,260.67	71,371.18	78,811.81	77,316.60	88,465.87	74,355.72	88,449.72	49,618.51	60,651.53	847,050	
Tournament Fees	3,507.47	3,480.00	1,600.50		5,307.31	2,457.42	13,699.36	17,393.71	19,728.37	13,160.39	12,453.56	13,837.02	106,625	
Range Fees	6,099.17	3,205.02	3,985.47	4,891.36	7,045.93	6,953.50	7,080.21	6,496.23	6,269.88	7,647.03	4,584.13	6,253.36	70,511	
Sales of Merchandise	5,520.79	4,143.21	4,484.56	3,588.10	4,733.45	7,385.19	7,318.89	7,988.63	10,044.66	11,428.74	8,048.85	7,391.68	82,077	
Concession Fees	3,615.16	2,390.07	2,115.33	2,117.89	2,454.64	2,951.94	3,371.51	4,035.94	3,650.00	3,548.87	2,127.83	2,529.94	34,909	
Miscellaneous Income	3,946.41	1,958.57	2,801.66	1,458.15	3,350.88	2,642.18	797.99	75.00	625.00	4,181.00	165.00	45.00	22,047	
<b>Total Income</b>	<b>\$106,470.98</b>	<b>\$75,432.78</b>	<b>\$74,018.26</b>	<b>\$76,036.17</b>	<b>\$97,463.39</b>	<b>\$104,082.04</b>	<b>\$112,704.56</b>	<b>\$127,650.38</b>	<b>\$118,778.63</b>	<b>\$133,135.75</b>	<b>\$78,677.88</b>	<b>\$93,473.53</b>	<b>\$1,197,924.35</b>	
Weather Totals	5 rain	7 rain/1 closed	8 rain/1 closed	6 rain	3 rain	5 rain	6 rain/2 closed	1 A/1 RO/5 rain	1 RO/ 6 rain	2 rain	2 RO / 12 rain	5 rain	74 R / 1 A / 4 closed	
<b>Income Per Round</b>	<b>\$35.57</b>	<b>\$35.33</b>	<b>\$35.98</b>	<b>\$36.39</b>	<b>\$36.95</b>	<b>\$38.66</b>	<b>\$38.30</b>	<b>\$35.74</b>	<b>\$35.14</b>	<b>\$37.33</b>	<b>\$33.42</b>	<b>\$33.94</b>	<b>\$36.11</b>	
<b>FY 2014 - 2015</b>														
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals	
Rounds played	3,309	2,227	1,938	1,741	1,857	2,353	2,787	2,175	2,559	3,101	2,683	2,788	29,518	
Tournament Rounds	282	72	9	82	88	122	86	427	282	24	150	40	1,664	
Range buckets	1,205	641	514	662	828	747	1054	570	828	1,119	1,022	1,038	10,228	
Star Memberships	2,800.00	1,440.00	2,480.00	3,200.00	3,280.00	3,760.00	4,560.00	4,160.00	5,040.00	5,280.00	3,040.00	3,630.00	42,670	
Green Fees	93,432.44	65,090.39	52,482.91	50,493.14	55,649.84	67,830.42	82,135.12	69,453.93	73,951.39	89,770.24	79,091.67	82,386.10	861,768	
Tournament Fees	11,123.00	2,937.00	387.00	3,529.00	3,129.71	4,620.00	4,300.00	13,300.96	8,646.00	1,212.00	5,491.00	2,000.00	60,676	
Range Fees	7,330.62	3,963.32	3,113.21	3,748.13	5,169.54	4,715.30	6,622.06	3,757.32	5,067.31	6,489.92	5,983.85	6,385.83	62,346	
Sales of Merchandise	7,737.66	6,531.42	5,201.81	3,940.79	3,821.79	5,315.21	6,723.45	6,429.09	7,312.73	6,651.59	6,020.07	8,047.46	73,733	
Concession Fees	5,320.35	2,303.14	1,699.47	1,673.08	2,006.87	2,573.29	3,161.08	3,508.66	2,945.26	3,050.58	2,780.99	2,863.49	33,886	

Jersey Meadow Golf Course  
Monthly Report

Miscellaneous Income	6,978.24	1,694.18	3,203.26	2,857.26	3,025.80	2,979.57	3,634.69	3,312.38	5,031.37	9,249.57	3,373.41	6,628.33	51,968
<b>Total Income</b>	<b>\$134,722.31</b>	<b>\$83,959.45</b>	<b>\$68,567.66</b>	<b>\$69,441.40</b>	<b>\$76,083.55</b>	<b>\$91,793.79</b>	<b>\$111,136.40</b>	<b>\$103,922.34</b>	<b>\$107,994.06</b>	<b>\$121,703.90</b>	<b>\$105,780.99</b>	<b>\$111,941.21</b>	<b>\$1,187,047.06</b>
Weather Totals	3 rain	8 rain/1 closed	8 rain/1 closed	15 weather days	8 weather days	9 rain	8 rain	14 rain	7 rain	1 rain	4 rain	8 rain	93/2
<b>Income Per Round</b>	<b>\$36.74</b>	<b>\$35.89</b>	<b>\$33.94</b>	<b>\$36.34</b>	<b>\$37.43</b>	<b>\$35.57</b>	<b>\$37.10</b>	<b>\$38.34</b>	<b>\$36.24</b>	<b>\$37.26</b>	<b>\$36.27</b>	<b>\$38.30</b>	<b>\$36.70</b>

Jersey Meadow Golf Course  
Monthly Report

FY 2013 - 2014													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	2,915	2,352	2,125	2,234	2,158	2,914	3,457	3,175	3,344	3,457	3,350	2,749	34,230
Tournament Rounds	178	75	0	30	30	95	246	363	203	13	17	44	1,294
Range buckets	1,088	698	720	912	900	842	1,506	1,307	1,212	1,018	1,024	901	12,128
Star Memberships	3,120.00	4,390.00	3,330.00	6,640.00	3,840.00	5,120.00	4,240.00	4,710.00	7,310.00	3,440.00	3,440.00	3,280.00	52,860
Green Fees	78,645.99	63,957.07	54,503.69	59,507.83	61,185.05	83,182.58	100,859.16	89,579.55	95,691.73	97,238.07	97,159.65	76,287.19	957,798
Tournament Fees	6,989.00	2,680.43	0.00	1,316.00	1,209.00	2,534.96	9,242.34	12,779.32	7,574.00	585.00	765.00	1,778.00	47,453
Range Fees	6,647.62	4,336.49	4,162.33	5,026.01	5,483.68	5,532.44	9,420.71	8,235.84	7,269.11	6,702.15	6,660.53	5,748.74	75,226
Sales of Merchandise	6,732.73	4,941.18	4,868.91	3,557.24	4,717.04	7,505.23	9,270.66	8,478.68	7,672.13	7,363.93	7,248.10	5,954.23	78,310
Concession Fees	4,015.08	2,590.27	1,934.64	2,341.60	2,520.77	3,237.75	4,575.36	4,251.76	4,177.83	3,535.74	3,767.37	3,083.69	40,032
Miscellaneous Income	6,106.08	3,660.45	5,745.04	3,590.43	3,913.54	6,608.67	8,326.80	7,177.72	7,189.39	10,967.77	8,019.90	6,743.05	78,049
<b>Total Income</b>	<b>\$112,256.50</b>	<b>\$86,555.89</b>	<b>\$74,544.61</b>	<b>\$81,979.11</b>	<b>\$82,869.08</b>	<b>\$113,721.63</b>	<b>\$145,935.03</b>	<b>\$135,212.87</b>	<b>\$136,884.19</b>	<b>\$129,832.66</b>	<b>\$127,060.55</b>	<b>\$102,874.90</b>	<b>\$1,329,727.02</b>
Weather Totals	6 rain	8 rain/1 closed	10 rain/1 closed	9 rain & freeze	12 weather days	8 rain/ice	2 rain	6 rain	6 rain	4 Rain	3 rain	7 rain	81/2
<b>Income Per Round</b>	<b>\$35.28</b>	<b>\$33.85</b>	<b>\$33.51</b>	<b>\$33.28</b>	<b>\$36.12</b>	<b>\$36.09</b>	<b>\$38.26</b>	<b>\$36.89</b>	<b>\$36.53</b>	<b>\$36.42</b>	<b>\$36.72</b>	<b>\$35.66</b>	<b>\$35.94</b>
FY 2012 - 2013													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	3,018	2,701	2,244	1,888	2,550	3,207	2,986	3,685	3,335	3,481	3,654	2,915	35,664
Tournament Rounds	252	138	0	156	92	179	440	90	350	0	82	40	1,819
Range buckets	1,225	1,124	943	806	1,180	1,569	1,345	1,471	1,206	1,262	1,355	1,008	14,494
Star Memberships	4,350.00	4,050.00	4,230.00	4,880.00	3,660.00	6,850.00	4,510.00	5,280.00	6,030.00	4,150.00	4,640.00	3,455.00	56,085
Green Fees	86,691.45	77,195.74	66,045.80	50,321.20	74,964.54	94,102.73	89,278.09	100,813.49	94,131.86	98,224.36	100,669.60	78,876.70	1,011,316
Tournament Fees	8,655.62	5,338.38	0.00	4,745.00	2,760.00	2,766.50	15,348.30	3,910.50	12,267.00	0.00	3,755.00	1,350.00	60,896
Range Fees	5,976.93	5,252.15	4,365.00	4,511.84	6,538.66	8,935.26	7,721.35	8,554.73	7,279.42	6,721.38	7,694.45	5,895.41	79,447
Sales of Merchandise	8,211.11	6,279.45	5,291.47	5,096.26	7,156.90	6,303.31	7,527.24	9,687.40	8,406.51	7,139.90	8,140.62	6,834.45	86,075
Concession Fees	4,346.28	3,229.36	2,428.81	2,219.61	2,973.60	3,707.31	4,715.23	4,243.94	4,231.43	3,478.68	3,953.92	3,033.14	42,561
Miscellaneous Income	8,632.04	7,495.90	5,620.06	5,243.28	4,711.82	7,607.33	7,745.64	10,292.53	8,570.49	10,133.72	10,472.34	6,591.64	93,117
<b>Total Income</b>	<b>\$126,863.43</b>	<b>\$108,840.98</b>	<b>\$87,981.14</b>	<b>\$77,017.19</b>	<b>\$102,765.52</b>	<b>\$130,272.44</b>	<b>\$136,845.85</b>	<b>\$142,782.59</b>	<b>\$140,916.71</b>	<b>\$129,848.04</b>	<b>\$139,325.93</b>	<b>\$106,036.34</b>	<b>\$1,429,496.16</b>
Weather Totals	1 rain	2 rain/1 closed	6 rain/1 closed	11 rain	6 rain	1 rain	5 rain	3 rain/2 maint.	1 rain	8 rain	3 rain	4 rain	51/4
<b>Income Per Round</b>	<b>\$37.47</b>	<b>\$36.91</b>	<b>\$37.32</b>	<b>\$35.29</b>	<b>\$37.51</b>	<b>\$36.45</b>	<b>\$38.63</b>	<b>\$36.42</b>	<b>\$36.60</b>	<b>\$36.11</b>	<b>\$36.05</b>	<b>\$34.71</b>	<b>\$36.64</b>
FY 2011 - 2012													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	3,197	2,584	2,384	2,523	1,930	3,094	3,742	3,759	3,335	3,037	3,316	3,149	36,050
Tournament Rounds	252	220	0	71	119	58	456	311	301	115	21	109	2,033
Range buckets	1,348	1,116	979	1,137	689	1,472	1,821	1,605	1,467	927	1,191	1,227	14,979
Star Memberships	3,450.00	2,850.00	3,420.00	4,720.00	3,215.00	5,015.00	6,740.00	5,690.00	4,950.00	3,890.00	4,847.00	3,675.00	52,462
Green Fees	86,961.06	75,789.86	66,383.52	70,031.71	49,635.21	86,204.47	109,812.57	101,462.44	96,117.30	84,902.59	89,724.88	87,838.57	1,004,864
Tournament Fees	6,976.00	8,911.01	0.00	2,125.00	3,870.00	2,446.00	16,031.00	12,603.07	10,326.00	4,672.24	882.00	3,847.00	72,689
Range Fees	6,802.86	5,318.24	4,844.98	5,507.43	3,280.61	7,335.68	9,617.08	7,870.86	7,048.26	5,095.15	5,629.80	6,001.17	74,352
Sales of Merchandise	7,610.47	6,144.44	8,357.47	5,799.85	5,647.97	8,602.16	13,579.42	15,595.32	11,351.62	9,054.05	8,974.84	7,509.52	108,227

Jersey Meadow Golf Course  
Monthly Report

Concession Fees	3,829.49	2,640.15	2,549.98	2,739.64	1,954.47	3,838.73	5,659.13	5,245.18	4,728.65	3,673.72	3,812.72	4,014.84	44,687
Miscellaneous Income	7,053.00	6,609.23	8,529.79	7,177.18	8,492.85	9,448.03	10,858.82	11,964.72	14,350.84	8,464.58	10,883.66	10,891.51	114,724
<b>Total Income</b>	<b>\$122,682.88</b>	<b>\$108,262.93</b>	<b>\$94,085.74</b>	<b>\$98,100.81</b>	<b>\$76,096.11</b>	<b>\$122,890.07</b>	<b>\$172,298.02</b>	<b>\$160,431.59</b>	<b>\$148,872.67</b>	<b>\$119,752.33</b>	<b>\$124,754.90</b>	<b>\$123,777.61</b>	<b>\$1,472,005.66</b>
Weather Totals	1 rain	4 rain/1 closed	7 rain/1 closed	6 rain	8 rain	8 rain	3 rain	2 rain/2 maint.	4 rain	10 rain	3 rain	6 rain	62/4
<b>Income Per Round</b>	<b>\$34.57</b>	<b>\$37.59</b>	<b>\$38.03</b>	<b>\$36.00</b>	<b>\$35.57</b>	<b>\$37.40</b>	<b>\$39.44</b>	<b>\$38.02</b>	<b>\$39.58</b>	<b>\$36.76</b>	<b>\$35.93</b>	<b>\$36.86</b>	<b>\$37.27</b>

Jersey Meadow Golf Course  
Monthly Report

FY 2010 - 2011													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	3,643	2,534.00	2,366.00	2,179.00	2,297.00	3,312.00	3,522.00	3,690.00	3,179.00	3,526	3,029	3,338	36,615
Tournament Rounds	294	68	20	22	77	176	468	193	273	0	30	63	1,684
Range buckets	1,510	1,058	916	888	1274	1876	2048	1770	1257	1,472	1,083	1,135	16,287
Star Memberships	3075.00	2952.50	3835.00	2320.00	3520.00	3860.00	6380.00	6930.00	5710.00	4695.00	4460.00	3375.00	51,113
Green Fees	101,562.24	67,761.92	64,035.46	61,557.60	65,186.16	91,510.28	102,436.44	105,157.54	88,722.13	100,567.92	79,639.48	92,029.90	1,020,167
Tournament Fees	9,094.00	2,664.00	600.00	880.00	2,545.00	6,039.00	17,102.50	7,620.00	9,933.00	0.00	1,330.50	3,087.00	60,895
Range Fees	7,443.85	5,011.14	4,410.23	4,189.24	5,695.23	8,978.85	10,252.89	8,390.40	6,227.00	6,703.44	5,361.79	5,459.55	78,124
Sales of Merchandise	6,734.53	4,917.85	6,226.12	4,002.56	4,432.63	7,361.35	9,508.45	9,991.97	8,419.59	7,303.99	6,060.27	6,186.80	81,146
Concession Fees	3,581.73	1,901.35	1,982.47	1,769.18	1,796.90	3,822.67	4,904.61	4,531.72	3,851.24	3,425.06	2,734.75	3,382.25	37,684
Miscellaneous Income	7,687.65	5,445.04	6,054.75	3,064.49	3,199.22	6,996.28	8,449.28	10,103.68	13,433.44	8,449.96	7,207.17	8,411.14	88,502
<b>Total Income</b>	<b>\$139,179.00</b>	<b>\$90,653.80</b>	<b>\$87,144.03</b>	<b>\$77,783.07</b>	<b>\$86,375.14</b>	<b>\$128,568.43</b>	<b>\$159,034.17</b>	<b>\$152,725.31</b>	<b>\$136,296.40</b>	<b>\$131,145.37</b>	<b>\$106,793.96</b>	<b>\$121,931.64</b>	<b>\$1,417,630.32</b>
Weather Totals	0 rain	5 rain/1 closed	6 rain/2 closed	16 rain	7 rain/freeze	3 rain/close	0 rain	1 rain	1 rain	5 rain	0 rain	4 rain	48/3
<b>Income Per Round</b>	<b>\$34.57</b>	<b>\$33.71</b>	<b>\$34.92</b>	<b>\$34.29</b>	<b>\$34.90</b>	<b>\$35.75</b>	<b>\$38.26</b>	<b>\$37.55</b>	<b>\$37.83</b>	<b>\$35.86</b>	<b>\$33.45</b>	<b>\$34.86</b>	<b>\$35.68</b>
FY 2009 - 2010													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	2,787	2,676	1,560	1,793	1,627	2,733	3,109	3,650	3,115	2,694	3,108	2,819	31,671
Tournament Rounds	176	56	18	50	39	210	630	318	191	106	224	140	2,158
Range buckets	774	1,042	403	577	732	1294	1704	1732	1117	743	1,176	1,028	12,322
Star Memberships	2700.00	2850.00	2325.00	2960.00	3035.00	4750.00	5025.00	5805.00	5885.00	3555.00	4535.00	2805.00	46,230
Green Fees	78,163.14	72,799.20	43,991.37	47,155.91	42,930.20	71,732.46	84,216.76	101,977.53	83,465.56	76,115.18	82,571.47	76,588.52	861,707
Tournament Fees	6,126.00	2,824.80	444.78	2,135.00	1,642.00	6,486.04	21,182.46	11,408.00	6,786.00	2,475.00	5,375.00	4,874.24	71,759
Range Fees	4,345.85	5,197.37	1,815.11	2,687.57	3,608.29	6,477.58	8,578.17	9,026.51	5,391.05	3,714.83	6,032.45	5,152.87	62,028
Sales of Merchandise	4,941.78	5,032.06	5,025.00	5,026.29	3,846.26	7,538.45	10,722.17	10,200.46	7,924.24	7,138.28	8,416.68	6,215.64	82,027
Concession Fees	2,803.45	2,170.75	1,164.27	1,396.99	1,314.78	2,360.74	3,573.23	3,373.94	2,942.60	2,415.79	2,542.38	2,559.23	28,618
Miscellaneous Income	4,127.54	5,618.95	4,115.81	4,023.44	3,989.91	7,178.92	8,167.90	10,002.32	14,955.42	7,893.33	9,647.04	7,796.88	87,517
<b>Total Income</b>	<b>\$103,207.76</b>	<b>\$96,493.13</b>	<b>\$58,881.34</b>	<b>\$65,385.20</b>	<b>\$60,366.44</b>	<b>\$106,524.19</b>	<b>\$141,465.69</b>	<b>\$151,793.76</b>	<b>\$127,349.87</b>	<b>\$103,307.41</b>	<b>\$119,120.02</b>	<b>\$105,992.38</b>	<b>\$1,239,887.19</b>
Weather Totals	12 rain	4 rain/1 closed	16rain/1 closed	12 rain&freeze	9 rain	5 rain	5 rain	3 rain	6 rain	14 rain	3 rain	7 rain	96/2
<b>Income Per Round</b>	<b>\$33.92</b>	<b>\$34.28</b>	<b>\$35.84</b>	<b>\$33.87</b>	<b>\$34.41</b>	<b>\$34.58</b>	<b>\$36.49</b>	<b>\$36.79</b>	<b>\$36.74</b>	<b>\$35.63</b>	<b>\$34.39</b>	<b>\$34.87</b>	<b>\$35.29</b>
FY 2008 - 2009													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	3,073	2,824	2,263	2,903	2,765	3,064	3,454	4,292	3,705	3,492	3,553	2,971	38,359
Tournament Rounds	436	217	40	59	166	172	253	621	222	90	182	274	2,732
Range buckets	1,473	1,336	896	1501	1283	1482	1808	2449	1747	1,442	1,568	1,234	18,219
Star Memberships	3,675.00	2,175.00	2,850.00	3,300.00	3,375.00	2,625.00	4,725.00	5,600.00	4,875.00	4,275.00	3,900.00	3,375.00	44,750
Green Fees	85,378.23	81,782.92	63,107.88	85,114.72	75,556.66	83,037.88	98,381.09	118,199.30	101,442.89	92,519.10	97,926.16	79,959.42	1,062,406
Tournament Fees	16,915.15	8,620.00	1,734.00	1,618.25	5,782.56	5,966.00	7,105.22	24,132.78	9,199.52	3,574.37	3,384.00	11,096.02	99,128
Range Fees	7,543.82	6,492.82	4,726.70	7,260.72	6,467.39	7,234.18	9,423.98	12,183.42	8,925.09	7,124.29	8,068.39	6,298.10	91,749
Sales of Merchandise	7,680.45	5,845.06	5,749.02	6,175.08	7,378.24	7,647.01	8,649.23	9,469.04	9,003.92	7,768.97	8,691.51	6,723.18	90,781

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Concession Fees	3,646.01	2,257.19	1,771.73	2,303.93	2,331.45	2,416.99	3,417.68	4,094.73	3,271.77	3,054.93	2,968.04	2,587.46	34,122
Miscellaneous Income	9,671.94	7,325.63	7,825.08	7,667.00	9,325.27	6,641.10	7,269.75	10,287.23	14,040.61	12,834.43	10,524.28	7,107.67	110,520
<b>Total Income</b>	<b>\$134,510.60</b>	<b>\$114,498.62</b>	<b>\$87,764.41</b>	<b>\$113,439.70</b>	<b>\$110,216.57</b>	<b>\$115,568.16</b>	<b>\$138,971.95</b>	<b>\$183,966.50</b>	<b>\$150,758.80</b>	<b>\$131,151.09</b>	<b>\$135,462.38</b>	<b>\$117,146.85</b>	<b>\$1,533,455.63</b>
Weather Totals	4 rain	3 rain/1 closed	5 rain/1 closed	3 rain	4 rain	9 rain	5 rain	0 rain	1 rain	4 rain	3 rain	7 rain	48/2
<b>Income Per Round</b>	<b>\$37.29</b>	<b>\$36.94</b>	<b>\$36.87</b>	<b>\$37.18</b>	<b>\$36.45</b>	<b>\$34.90</b>	<b>\$36.21</b>	<b>\$36.31</b>	<b>\$37.15</b>	<b>\$35.42</b>	<b>\$35.22</b>	<b>\$35.06</b>	<b>\$36.23</b>

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FY 2007 - 2008													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	3,192	2,480	2,736	2,093	2,660	3,294	3,571	3,931	3,740	3,937	3,454	2,602	37,690
Tournament Rounds	671	239	52	14	136	92	633	403	236	25	22		2,523
Range buckets	1,319	1,048	1046	670	1139	1692	2003	1847	1599	1,598	1,235	1,143	16,339
Star Memberships	1,125.00	1,550.00	1,725.00	2,325.00	3,450.00	7,350.00	3,300.00	5,100.00	6,125.00	7,275.00	4,725.00	3,200.00	47,250
Green Fees	85,660.56	66,972.27	79,060.69	60,368.18	75,060.02	96,735.43	98,765.00	112,642.50	104,126.56	105,197.39	97,231.84	74,327.25	1,056,148
Tournament Fees	20,010.12	8,577.00	1,944.01	626.00	4,597.00	3,000.95	19,915.27	14,606.25	8,681.00	808.25	1,249.00		84,015
Range Fees	6,998.33	5,620.11	5,594.84	3,316.53	5,701.59	8,831.93	10,254.45	10,181.57	8,019.81	7,948.89	6,211.84	5,264.15	83,944
Sales of Merchandise	6,323.97	6,795.17	7,157.44	4,211.03	5,220.90	8,454.32	8,533.52	10,289.47	9,891.12	8,167.06	8,573.44	4,885.10	88,503
Concession Fees	2,720.64	2,116.80	1,881.42	1,429.58	2,044.44	2,845.78	3,576.02	4,247.24	3,361.53	3,120.31	3,078.02	2,131.87	32,554
Miscellaneous Income	3,649.17	3,294.29	2,554.38	2,735.65	4,626.10	4,846.64	11,084.79	12,245.83	14,991.62	10,154.55	10,227.21	6,841.60	87,252
<b>Total Income</b>	<b>\$126,487.79</b>	<b>\$94,925.64</b>	<b>\$99,917.78</b>	<b>\$75,011.97</b>	<b>\$100,700.05</b>	<b>\$132,065.05</b>	<b>\$155,429.05</b>	<b>\$169,312.86</b>	<b>\$155,196.64</b>	<b>\$142,671.45</b>	<b>\$131,296.35</b>	<b>\$96,649.97</b>	<b>\$1,479,664.60</b>
Weather Totals	4 rain	4 rain/1 closed	5 rain/1 closed	9 rain	5 rain	5 rain	1 rain	2 rain	8 rain	6 rain	10 rain	6 closed-lke	65/2
<b>Income Per Round</b>	<b>\$32.45</b>	<b>\$34.34</b>	<b>\$35.22</b>	<b>\$34.50</b>	<b>\$34.78</b>	<b>\$36.83</b>	<b>\$36.19</b>	<b>\$37.89</b>	<b>\$37.49</b>	<b>\$34.17</b>	<b>\$36.41</b>	<b>\$35.91</b>	<b>\$35.62</b>
FY 2006 - 2007													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	2,568	2,743	2,148	1,634	2,112	2,933	3,492	3,239	2,647	2,625	2,954	2,977	32,072
Tournament Rounds	831	241			78	167	365	163	506	17	83	354	2,805
Range buckets	852	1,017	619	328	632	1329	1282	1032	828	573	963	1,334	10,789
Star Memberships	825.00	1,125.00	900.00	1,200.00	2,025.00	2,550.00	2,025.00	2,025.00	2,700.00	1,925.00	1,950.00	2,850.00	22,100
Green Fees	75,052.08	77,054.99	61,958.41	46,047.63	56,727.00	82,002.01	99,339.96	89,832.90	74,158.69	70,256.48	77,765.35	86,213.98	896,409
Tournament Fees	26,126.45	8,229.66			2,340.00	5,984.52	12,937.27	5,764.00	18,891.57	544.00	2,336.64	15,028.00	98,182
Range Fees	4,486.00	5,059.11	2,966.69	1,641.14	3,305.97	6,574.96	6,450.73	5,493.95	4,170.50	2,964.69	4,660.35	6,313.05	54,087
Sales of Merchandise	5,756.99	6,144.51	4,545.42	2,018.11	4,485.95	7,001.69	6,762.30	7,439.75	7,492.20	5,128.58	6,279.02	5,522.72	68,577
Concession Fees	2,753.47	1,831.77	849.49	837.97	1,471.62	2,361.81	3,116.86	2,325.47	2,603.71	1,741.09	2,161.42	2,346.82	24,402
Miscellaneous Income	2,861.56	2,584.60	3,755.19	2,290.00	2,423.00	3,468.25	5,474.79	5,195.82	5,667.66	9,645.66	4,445.60	4,146.88	51,959
<b>Total Income</b>	<b>\$117,861.55</b>	<b>\$102,029.64</b>	<b>\$74,975.20</b>	<b>\$54,034.85</b>	<b>\$72,778.54</b>	<b>\$109,943.24</b>	<b>\$136,106.91</b>	<b>\$118,076.89</b>	<b>\$115,684.33</b>	<b>\$92,205.50</b>	<b>\$99,598.38</b>	<b>\$122,421.45</b>	<b>\$1,215,716.48</b>
Weather Totals				15 rain/cold	6 rain/cold	5 rain	3 rain	9 rain	12 rain	15 rain	4 rain	1 rain	
<b>Income Per Round</b>	<b>\$34.43</b>	<b>\$33.82</b>	<b>\$34.49</b>	<b>\$32.33</b>	<b>\$32.31</b>	<b>\$34.64</b>	<b>\$34.76</b>	<b>\$34.11</b>	<b>\$35.83</b>	<b>\$34.17</b>	<b>\$32.15</b>	<b>\$35.90</b>	<b>\$34.22</b>
FY 2005 - 2006													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	3,071	2,326	2,455	2,571	2,094	3,000	3,817	3,241	2,760	2,838	3,056	3,060	34,289
Tournament Rounds	342	372	122	14	123	275	216	303	254	214	107	273	2,615
Range Buckets	1,348	854	1,032	863	754	1,468	1,666	1,125	915	958	1,123	1,143	13,249
Star Memberships	825.00	750.00	525.00	1,950.00	975.00	1,500.00	1,598.00	945.00	1,785.00	2,250.00	750.00	1,095.00	14,948
Green Fees	83,308.78	64,013.19	68,822.00	67,352.18	54,583.70	78,298.53	106,519.47	83,888.84	74,680.30	78,797.17	77,376.73	81,821.30	919,462
Tournament Fees	11,166.20	11,292.59	4,058.00	623.00	5,168.84	8,581.15	7,073.12	8,324.82	6,950.00	5,527.00	3,878.00	10,384.78	83,028
Range Fees	6,370.11	4,580.34	5,192.32	4,300.89	3,572.44	6,376.90	7,462.75	5,430.79	4,506.92	4,860.93	5,547.94	5,670.09	63,872
Sales of Merchandise	6,352.08	4,710.74	5,973.00	5,587.32	4,895.17	5,634.42	7,388.88	6,373.86	6,177.10	5,357.32	6,436.83	6,133.67	71,020



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Concession Fees	2,790.10	1,842.23	1,655.27	1,581.45	1,144.16	1,846.17	2,892.01	2,455.09	2,292.43	1,865.99	2,056.32	2,395.12	24,816
Miscellaneous Income	1,592.00	3,000.28	1,843.00	1,676.00	1,660.18	1,954.00	6,361.74	8,579.88	5,424.63	5,062.01	4,973.97	2,453.64	44,581
<b>Total Income</b>	<b>\$112,404.27</b>	<b>\$90,189.37</b>	<b>\$88,068.59</b>	<b>\$83,070.84</b>	<b>\$71,999.49</b>	<b>\$104,191.17</b>	<b>\$139,295.97</b>	<b>\$115,998.28</b>	<b>\$101,816.38</b>	<b>\$103,720.42</b>	<b>\$101,019.79</b>	<b>\$109,953.60</b>	<b>\$1,221,728.17</b>
Weather Totals													
<b>Income Per Round</b>	<b>\$32.69</b>	<b>\$33.15</b>	<b>\$33.97</b>	<b>\$31.38</b>	<b>\$32.04</b>	<b>\$31.36</b>	<b>\$34.14</b>	<b>\$32.46</b>	<b>\$33.19</b>	<b>\$33.25</b>	<b>\$31.70</b>	<b>\$32.66</b>	<b>\$32.70</b>

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FY 2004 - 2005													
	October	November	December	January	February	March	April	May	June	July	August	September	YTD Totals
Rounds played	3,118	2,006	2,531	2,293	1,589	2,474	3,064	2,758	2,956	2,912	2,893	2,488	31,082
Tournament Rounds	277	106	70	3	36	150	277	408	263	57	60	110	1,817
Range buckets	0	665	1163	891	476	1101	1550	1293	1226	748	1,068	852	11,033
Star Memberships	480.00	0.00	675.00	2,181.00	675.00	2,100.00	2,850.00	1,950.00	1,725.00	1,500.00	1,425.00	1,050.00	16,611
Green Fees	74,189.66	51,783.51	62,571.20	59,311.24	41,562.60	66,557.58	85,036.07	71,311.04	74,745.97	77,384.45	71,587.00	62,165.00	798,205
Tournament Fees	12,244.20	4,070.00	2,690.00	350.00	1,362.23	4,532.00	8,260.76	13,663.66	9,030.60	2,289.01	2,365.00	4,048.00	64,905
Range Fees	360.00	2,817.98	3,872.64	3,668.49	2,028.03	4,701.63	6,928.84	6,292.07	6,066.74	3,544.83	4,894.00	4,313.66	49,489
Sales of Merchandise	4,790.63	2,674.76	6,274.93	4,686.93	3,987.02	5,930.59	8,513.16	6,768.94	6,379.57	8,554.90	6,392.00	4,394.00	69,347
Concession Fees	2,886.22	3,589.83			916.00	1,535.00	2,196.04	2,163.80	2,638.75	2,088.86	2,074.00	1,650.00	21,739
Miscellaneous Income	180.00	60.00	1,401.00	930.00	727.00	1,408.00	2,183.09	2,724.00	6,716.64	3,941.67	4,276.00	12,914.17	37,462
<b>Total Income</b>	<b>\$95,130.71</b>	<b>\$64,996.08</b>	<b>\$77,484.77</b>	<b>\$71,127.66</b>	<b>\$51,257.88</b>	<b>\$86,764.80</b>	<b>\$115,967.96</b>	<b>\$104,873.51</b>	<b>\$107,303.27</b>	<b>\$99,303.72</b>	<b>\$93,013.00</b>	<b>\$90,534.83</b>	<b>\$1,057,758.19</b>
Weather Totals						10 R; 20 S	2R; 28 S	3R; 28S	30S; No R	12R; 19 S	7R; 25 S	4R; 26S	
<b>Income Per Round</b>	<b>\$27.88</b>	<b>\$30.77</b>	<b>\$29.53</b>	<b>\$30.03</b>	<b>\$31.13</b>	<b>\$32.27</b>	<b>\$33.86</b>	<b>\$32.51</b>	<b>\$32.80</b>	<b>\$32.94</b>	<b>\$31.02</b>	<b>\$34.44</b>	<b>\$31.65</b>
FY 2003 - 2004													
	October	November	December	January	February	March	April	May	June	July	August	September	Totals
Rounds played	2,838	2,605	2,735	2,186	1,829	2,824	3,261	3,203	1,952	0	0	3,841	27,274
Tournament Rounds	582	317	12	29	240	140	370	153	82	32	0	537	1,912
Range buckets	1,247	1124	1015	614	512	903	1746	1431	576	0	0	0	9,168
Star Memberships	880.00	485.00	617.00	2,840.00	1,620.00	2,485.00	2,810.00	1,670.00	50.00	0.00	0.00	1,220.00	\$14,677.00
Green Fees	70,103.87	65,595.91	64,691.42	52,796.04	43,975.88	66,495.18	81,103.98	82,362.52	25,167.00	0.00	0.00	77,631.05	629,922.85
Tournament Fees	18,430.40	10,762.40	464.40	1,015.00	2,747.00	3,595.00	3,718.50	5,235.00	2,912.21	2,956.16	0.00	11,150.00	62,986.07
Range Fees	4,026.35	3,865.34	3,230.29	2,270.18	1,911.88	3,048.27	6,152.89	5,249.27	1,827.36	0.00	0.00	175.00	31,756.83
Sales of Merchandise	5,129.89	4,224.64	7,198.84	4,165.57	4,035.75	5,954.69	7,510.77	5,908.66	4,261.91	424.55	0.00	6,037.47	54,852.74
Concession Fees	2,013.15	3,492.29	2,560.00	1,977.00	1,731.20	1,740.36	2,485.45	2,965.09	3,108.38	0.00	0.00	81.92	22,154.84
Miscellaneous Income	2,240.00	1,920.00	1,323.00	1,275.00	1,640.00	840.82	499.00	953.00	3,285.75	250.00	0.00	192.00	14,418.57
<b>Total Income</b>	<b>\$102,823.66</b>	<b>\$90,345.58</b>	<b>\$80,084.95</b>	<b>\$66,338.79</b>	<b>\$57,661.71</b>	<b>\$84,159.32</b>	<b>\$104,280.59</b>	<b>\$104,343.54</b>	<b>\$40,612.61</b>	<b>\$3,630.71</b>	<b>\$0.00</b>	<b>\$96,487.44</b>	<b>\$830,768.90</b>
<b>Income Per Round</b>	<b>\$29.81</b>	<b>\$30.75</b>	<b>\$28.93</b>	<b>\$28.67</b>	<b>\$27.09</b>	<b>\$27.56</b>	<b>\$27.95</b>	<b>\$30.59</b>	<b>\$19.94</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$21.76</b>	<b>\$27.96</b>
FY 2002 - 2003													
	October	November	December	January	February	March	April	May	June	July	August	September	Totals
Rounds played	2,637	3,056	2,275	2,460	1,777	3,199	3,900	4,354	3,915	3,647	3,280	2,557	37,057
Tournament Rounds	0	159	0	0	188	138	66	287	62	59	17	248	1,224
Range buckets	843	1084	861	752	415	1256	2003	1941	1532	1,500	1,529	1,232	14,948
Star Memberships	400.00	300.00	1,115.00	7,465.00	3,578.00	4,420.00	5,205.00	3,990.00	2,610.00	1,895.00	1,790.00	805.00	\$33,573.00
Green Fees	59,060.50	83,865.33	59,280.09	57,262.20	41,843.58	76,659.46	100,788.23	107,607.15	95,050.74	82,944.99	78,205.60	59,952.70	902,520.57
Tournament Fees	10,519.97	5,164.20	0.00	0.00	2,598.97	4,602.65	1,840.00	10,473.00	1,550.00	2,130.00	595.00	8,425.00	47,898.79
Range Fees	2,136.97	3,105.58	2,242.99	2,007.38	990.85	3,100.81	5,061.68	4,843.09	3,583.54	3,625.44	5,109.22	3,918.18	39,725.73
Sales of Merchandise	4,852.77	5,794.15	4,434.45	2,578.44	2,578.83	5,989.11	6,515.03	7,535.29	5,503.11	5,638.05	5,540.26	3,653.07	60,612.56
Concession Fees	3,692.00	3,146.00	2,056.00	2,079.00	1,494.00	2,970.00	2,969.95	3,999.34	5,224.34	3,331.06	3,097.78	2,473.09	36,532.56
Miscellaneous Income	1,650.00	1,860.00	2,265.00	1,419.00	1,695.00	2,130.00	2,550.00	2,805.00	6,380.00	6,588.00	2,295.00	2,160.00	33,797.00

Jersey Meadow Golf Course  
Monthly Report

<b>Total Income</b>	\$82,312.21	\$103,235.26	\$71,393.53	\$72,811.02	\$54,779.23	\$99,872.03	\$124,929.89	\$141,252.87	\$119,901.73	\$106,152.54	\$96,632.86	\$81,387.04	\$1,154,660.21
<b>Income Per Round</b>	\$31.06	\$32.02	\$30.89	\$26.56	\$26.06	\$28.60	\$30.19	\$29.58	\$29.49	\$28.13	\$28.77	\$28.73	\$29.29

Jersey Meadow Golf Course  
Monthly Report

FY 2001 - 2002													
	October	November	December	January	February	March	April	May	June	July	August	September	Totals
Rounds played	3,203	3,061	2,774	2,800	2,969	3,734	4,385	4,735	4,182	4,139	3,580	3,592	43,154
Tournament Rounds													
Range buckets	1,388	1,374	844	1,261	1,316	1,897	2,131	2,143	1,818	1,813	1,506	1,476	18,967
Star Memberships				3,075.00	1,650.00	2,275.00	1,725.00	1,125.00	725.00	550.00	775.00	950.00	\$12,850.00
Green Fees/Cart Fees	72,224.98	77,087.14	65,224.37	68,447.62	70,028.61	91,055.04	111,535.50	119,348.59	104,195.50	104,907.23	89,569.50	79,854.95	1,053,479.03
Tournament Fees	17,967.54	10,416.85	1,552.00	0.00	3,741.00	2,498.00	12,004.42	6,740.00	2,220.70	0.00	1,919.00	17,433.92	76,493.43
Range Fees	3,924.83	3,699.12	2,181.79	3,236.49	3,508.36	4,850.70	5,791.90	5,805.72	4,675.54	4,822.48	4,043.98	3,696.75	50,237.66
Sales of Merchandise	7,501.72	7,470.10	8,574.76	4,093.24	4,597.56	8,690.81	7,429.96	7,877.93	8,103.63	5,589.34	5,526.70	4,663.97	80,119.72
Concession Fees	4,471.00	3,728.00	2,457.00	850.00	4,046.00	3,656.00	4,778.00	4,932.00	4,636.00	4,331.00	3,382.00	2,992.00	44,259.00
Miscellaneous Income					3,348.03	10.00		2,115.00	5,080.00	1,880.00	1,860.00	3,030.00	17,323.03
<b>Total Income</b>	<b>\$106,090.07</b>	<b>\$102,401.21</b>	<b>\$79,989.92</b>	<b>\$75,777.35</b>	<b>\$90,919.56</b>	<b>\$113,035.55</b>	<b>\$143,264.78</b>	<b>\$147,944.24</b>	<b>\$129,636.37</b>	<b>\$122,080.05</b>	<b>\$107,076.18</b>	<b>\$112,621.59</b>	<b>\$1,334,761.87</b>
<b>Income Per Round</b>	<b>\$33.12</b>	<b>\$33.45</b>	<b>\$28.84</b>	<b>\$27.37</b>	<b>\$30.07</b>	<b>\$29.66</b>	<b>\$32.28</b>	<b>\$31.01</b>	<b>\$30.83</b>	<b>\$29.36</b>	<b>\$29.69</b>	<b>\$31.09</b>	<b>\$30.63</b>
FY 2000 - 2001													
	October	November	December	January	February	March	April	May	June	July	August	September	Totals
Rounds played	3,632	2,387	2,224	1,526	2,087	2,196	3,929	3,482	3,097	3,564	3,433	3,480	35,037
Tournament Rounds													
Range buckets				567	755	1,194	1,757	1,498	1,293	1,252	1,229	1,218	10,763
Green Fees/Cart Fees	100,532.00	59,091.00	57,691.00	42,849.85	53,215.20	55,637.91	108,176.93	93,704.77	79,608.10	86,599.86	76,676.57	82,458.86	\$896,242.05
Tournament Fees	19,585.00	7,087.00	6,235.00	0.00	0.00	4,107.87	9,607.00	14,018.50	332.64	792.00	2,186.00	4,023.02	67,974.03
Range Fees	6,702.00	3,778.00	3,198.00	2,365.14	3,229.47	5,533.59	7,552.85	6,458.97	5,754.22	5,431.94	4,280.78	3,776.78	58,061.74
Sales of Merchandise	19,858.00	4,548.00	5,884.00	3,055.92	2,960.74	8,316.70	9,143.74	7,896.28	7,636.53	6,951.08	8,554.69	6,491.01	91,296.69
Concession Fees	285.00	808.00	417.00	1,726.00	2,278.00	2,982.00	4,942.00	3,701.00	3,099.00	3,441.00	3,256.00	3,505.00	30,440.00
Miscellaneous Income	-571.00	3,254.00	2,407.00										
<b>Total Income</b>	<b>\$146,391.00</b>	<b>\$78,566.00</b>	<b>\$75,832.00</b>	<b>\$49,996.91</b>	<b>\$61,683.41</b>	<b>\$76,578.07</b>	<b>\$139,422.52</b>	<b>\$125,779.52</b>	<b>\$96,430.49</b>	<b>\$103,215.88</b>	<b>\$94,954.04</b>	<b>\$100,254.67</b>	<b>\$1,144,014.51</b>
<b>Income Per Round</b>	<b>\$40.31</b>	<b>\$32.91</b>	<b>\$34.10</b>	<b>\$32.76</b>	<b>\$29.56</b>	<b>\$34.87</b>	<b>\$35.49</b>	<b>\$36.12</b>	<b>\$31.14</b>	<b>\$28.96</b>	<b>\$27.66</b>	<b>\$28.81</b>	<b>\$32.65</b>
Notes: 1. October, November, December 2000 Golf Course under private management contract. City took over management January 1, 2001.													
2. Green Fees and Cart Fees combined into one fee beginning January 2002.													
3. Food and drinks contracted out to private vendor as of January 2001.													
4. Star Membership program began in January 2002.													
5. FY 2000 -2001 - records in Smith Systems Software, no printouts available and the software is offline.													
6. Concession Fees shown in time period of purchase, not when received.													
7. Income/Round: Income does not include Star Memberships; Rounds includes Rounds Played and Tournament Rounds.													
8. Miscellaneous Income includes: Cart fee, Handicap Service, Leagues, expired Gift Certificates, Miscellaneous merchandise and Junior Camp.													
9. As of April, 2016, Leagues are accounted for in Rounds played and in Green Fees.													
10. FY 2016-2017 - Line Item added: Club Rental.													
11. Abbreviations: W-weather RO-rain out CM-course maintenance TT-temporary tees H-holiday CV-COVID-19													
12. FY 2016-2017 - Miscellaneous Income changed to Miscellaneous Fees per Finance.													



Jersey Village, TX

# Golf Course Monthly Financial Statements

## Group Summary

For Fiscal: 2022-2023 Period Ending: 04/30/2023

Category...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 11 - GOLF COURSE FUND</b>						
<b>Department: 80 - 80</b>						
85 - FEE & CHARGES FOR SERVICE	2,299,500.00	2,299,500.00	238,095.19	1,319,548.62	-979,951.38	57.38%
96 - INTEREST EARNED	2,800.00	2,800.00	123.33	735.80	-2,064.20	26.28%
97 - INTERFUND ACTIVITY	214,483.71	214,483.71	0.00	0.00	-214,483.71	0.00%
<b>Department: 80 - 80 Total:</b>	<b>2,516,783.71</b>	<b>2,516,783.71</b>	<b>238,218.52</b>	<b>1,320,284.42</b>	<b>-1,196,499.29</b>	<b>52.46%</b>
<b>Department: 81 - CLUB HOUSE</b>						
30 - SALARIES, WAGES, & BENEFITS	694,773.95	694,773.95	54,681.20	382,208.81	312,565.14	55.03%
34 - COST OF SALES	185,500.00	185,500.00	11,445.23	125,610.60	59,889.40	67.71%
35 - SUPPLIES	17,350.00	17,350.00	95.94	8,167.75	9,182.25	47.08%
45 - MAINTENANCE	10,450.00	10,450.00	365.19	1,638.41	8,811.59	15.68%
50 - SERVICES	38,430.12	38,430.12	2,582.96	22,620.83	15,809.29	58.95%
54 - SUNDRY	77,400.00	77,400.00	4,692.57	41,264.71	36,135.29	53.31%
55 - PROFESSIONAL SERVICES	3,500.00	3,500.00	0.00	0.00	3,500.00	0.00%
60 - OTHER SERVICES	23,000.00	23,000.00	0.00	25,623.84	-2,623.84	111.41%
97 - INTERFUND ACTIVITY	5,000.00	5,000.00	0.00	0.00	5,000.00	0.00%
<b>Department: 81 - CLUB HOUSE Total:</b>	<b>1,055,404.07</b>	<b>1,055,404.07</b>	<b>73,863.09</b>	<b>607,134.95</b>	<b>448,269.12</b>	<b>57.53%</b>
<b>Department: 82 - COURSE MAINTENANCE</b>						
30 - SALARIES, WAGES, & BENEFITS	598,634.56	598,634.56	64,183.75	232,706.79	365,927.77	38.87%
35 - SUPPLIES	140,950.00	140,950.00	7,136.39	69,983.63	70,966.37	49.65%
40 - MAINTENANCE--BLDGS, STRUC	4,000.00	4,000.00	0.00	0.00	4,000.00	0.00%
45 - MAINTENANCE	53,000.00	53,000.00	12,700.67	36,292.89	16,707.11	68.48%
50 - SERVICES	10,500.00	10,500.00	350.00	650.00	9,850.00	6.19%
54 - SUNDRY	90,500.00	90,500.00	0.00	421.41	90,078.59	0.47%
55 - PROFESSIONAL SERVICES	3,000.00	3,000.00	0.00	336.00	2,664.00	11.20%
97 - INTERFUND ACTIVITY	375.00	375.00	0.00	0.00	375.00	0.00%
<b>Department: 82 - COURSE MAINTENANCE Total:</b>	<b>900,959.56</b>	<b>900,959.56</b>	<b>84,370.81</b>	<b>340,390.72</b>	<b>560,568.84</b>	<b>37.78%</b>
<b>Department: 83 - BUILDING MAINTENANCE</b>						
35 - SUPPLIES	6,100.00	6,100.00	233.97	3,584.99	2,515.01	58.77%
40 - MAINTENANCE--BLDGS, STRUC	15,188.86	15,188.86	0.00	22,679.93	-7,491.07	149.32%
45 - MAINTENANCE	3,000.00	3,000.00	0.00	387.64	2,612.36	12.22%
50 - SERVICES	25,000.00	25,000.00	1,988.88	14,817.90	10,182.10	59.27%
55 - PROFESSIONAL SERVICES	1,000.00	1,000.00	0.00	534.00	466.00	53.40%
<b>Department: 83 - BUILDING MAINTENANCE Total:</b>	<b>50,288.86</b>	<b>50,288.86</b>	<b>2,222.85</b>	<b>42,004.46</b>	<b>8,284.40</b>	<b>83.53%</b>
<b>Department: 87 - GC CAPITAL IMPROVEMENT</b>						
70 - CAPITAL IMPROVEMENTS	110,000.00	110,000.00	30,718.50	76,511.57	33,488.43	69.56%
<b>Department: 87 - GC CAPITAL IMPROVEMENT Total:</b>	<b>110,000.00</b>	<b>110,000.00</b>	<b>30,718.50</b>	<b>76,511.57</b>	<b>33,488.43</b>	<b>69.56%</b>
<b>Department: 88 - EQUIPMENT MAINTENANCE</b>						
30 - SALARIES, WAGES, & BENEFITS	71,488.22	71,488.22	-24,537.98	62,863.23	8,624.99	87.94%
35 - SUPPLIES	28,650.00	28,650.00	1,199.64	8,717.37	19,932.63	30.43%
45 - MAINTENANCE	6,000.00	6,000.00	0.00	0.00	6,000.00	0.00%
50 - SERVICES	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00%
97 - INTERFUND ACTIVITY	292,993.00	292,993.00	0.00	0.00	292,993.00	0.00%
<b>Department: 88 - EQUIPMENT MAINTENANCE Total:</b>	<b>400,131.22</b>	<b>400,131.22</b>	<b>-23,338.34</b>	<b>71,580.60</b>	<b>328,550.62</b>	<b>17.89%</b>
<b>Fund: 11 - GOLF COURSE FUND Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>70,381.61</b>	<b>182,662.12</b>	<b>182,662.12</b>	<b>0.00%</b>
<b>Report Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>70,381.61</b>	<b>182,662.12</b>	<b>182,662.12</b>	<b>0.00%</b>

CITY COUNCIL RESOLUTION NO. 2023-04-11-001 APPROVED AND ADOPTED BY THE CITY COUNCIL ON MAY 1, 2023

**Fund Summary**

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
11 - GOLF COURSE FUND	0.00	0.00	70,381.61	182,662.12	182,662.12
Report Surplus (Deficit):	0.00	0.00	70,381.61	182,662.12	182,662.12

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**Golf Course Fund**  
**For the period ended April 30, 2023**

	Adopted Budget	Current Budget	YTD Actual	% of Actual compared to Budget	Projections
<b>Revenue</b>					
Fees & Charge for Services	2,299,500.00	2,299,500.00	1,319,548.62	57.38%	2,299,500.00
Interest Earned	2,800.00	2,800.00	735.80	36.45%	2,800.00
Interfund Activity	214,483.71	214,483.71	-	0.00%	214,483.71
Total Revenue	<u>2,516,783.71</u>	<u>2,516,783.71</u>	<u>1,320,284.42</u>	<u>52.46%</u>	<u>2,516,783.71</u>
<b>Expenditures</b>					
Club House	1,055,404.07	1,055,404.07	607,611.28	57.57%	1,055,404.07
Course Maintenance	900,959.56	900,959.56	340,390.72	37.78%	900,959.56
Building Maintenance	50,288.86	50,288.86	42,004.46	83.53%	50,288.86
Capital Improvement	110,000.00	110,000.00	76,511.57	69.56%	110,000.00
Equipment Maintenance	400,131.22	400,131.22	71,580.60	17.89%	400,131.22
Total Expenditures	<u>2,516,783.71</u>	<u>2,516,783.71</u>	<u>1,138,098.63</u>	<u>93.55%</u>	<u>2,516,783.71</u>



# Jersey Village Parks & Recreation

To: Mayor Warren and City Council

CC: Austin Bless, City Manager

From: Robert Basford, Assistant City Manager

Date: May 9, 2023

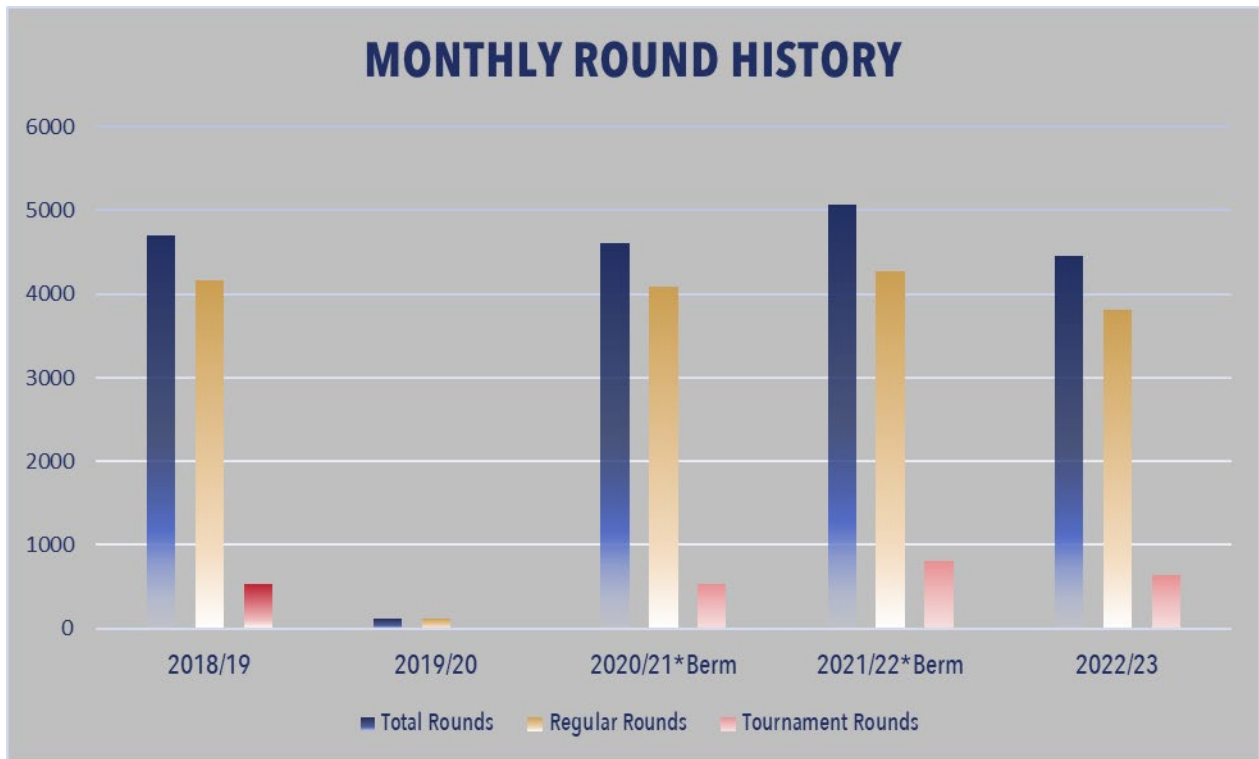
Subject: Parks & Recreation Monthly Update: April 2023

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

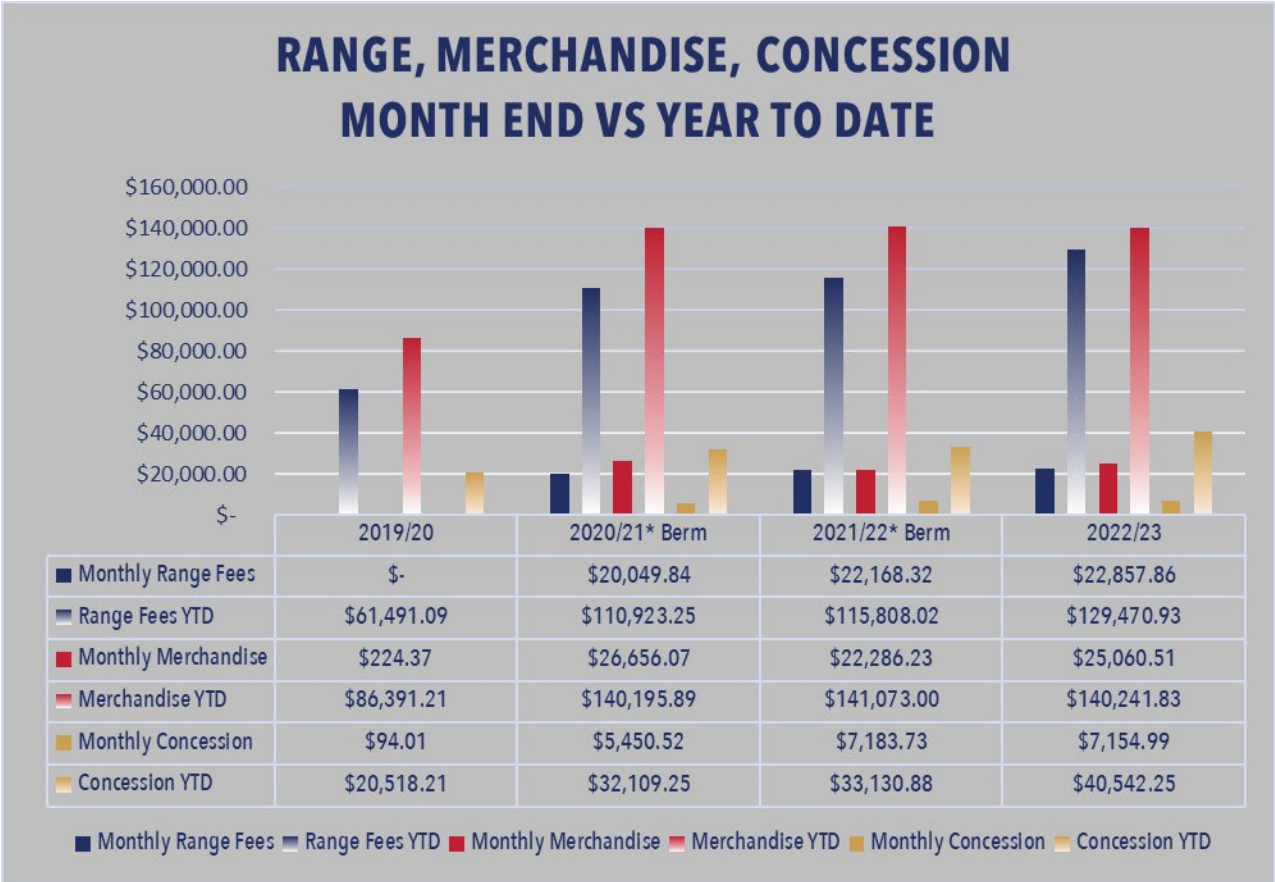
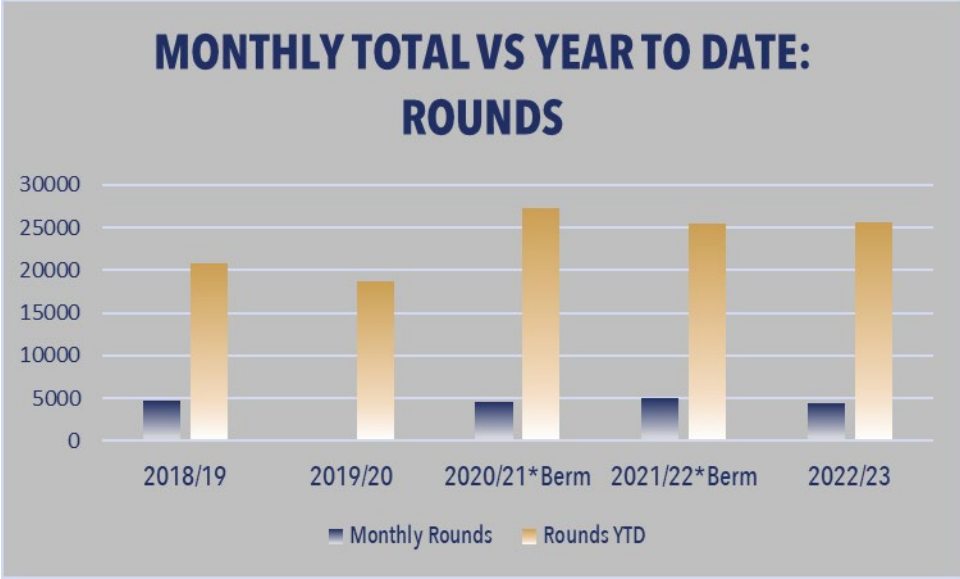
## Jersey Meadow Golf Club

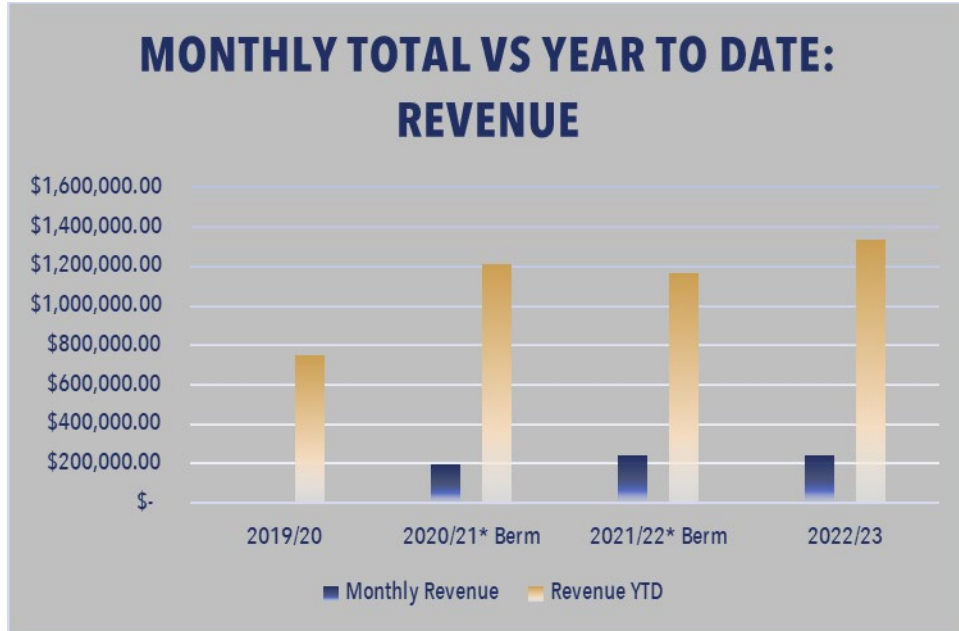
### Financial Report (Monthly and Year to Date)

The month of April welcomed another great month for golf as we head into the busy season producing the second highest earning April to date. The course experienced 2 rainouts and 2 weather days. The course produced \$150,038.12 in green fees and \$24,806.13 in tournament fees. The course hosted 3805 regular rounds and 643 rounds of tournament play. Merchandise Sales totaled \$25,060.51. April presented a total golf course monthly revenue of \$241,060.89 and at 7 months into the FY sits at \$1,335,146.24. If the course stays on trend, we anticipate an annual revenue of 2.4 million dollars this Fiscal Year. Staff anticipates a surplus at the end of this fiscal year.









## Parks & Facilities

- Parks staff has removed the orange construction fence that was wrapped around the Carol Fox concrete wall, the grass has grown in about 75 percent grass coverage. We have put down more grass seed to grow in a thicker cover of grass.
- Parks staff has installed the second expression swing at Carol Fox Park.
- The dog park pavilion project has been wrapped up; the new shade is on and looks great. We may explore the addition of a hard top roof as well as some paint to match.
- We are currently still waiting for an estimated time arrival for the Carol Fox playground equipment. We were told August.
- The parks staff installed all the new pic-nic tables and benches and the new trash cans in the parks. We are working on removing the old amenities now.
- Parks staff went out and aerated Clark Henry Park. We are currently trying to allow the ground to breathe and have less compaction.
- The new rock wall was installed at Clark Henry Park; we removed the old wall and are currently deciding what we are doing with it.
- Parks staff had the new sink installed at Clark Henry pavilion, and the urinal fixed.
- The parks staff are firing up all the irrigation systems; we are fixing all our irrigation problems as we head into the summer.
- The remodeling company is still working on the fire department bathrooms; the original women's bathroom is done. They are currently working on the original men's bathroom.
- The building maintenance staff is currently working with our ac systems a lot as they are running in full affect. We are draining the drain lines just about every few days.

## Recreation

- Recreation staff prepared the pool for the JV star swim season this past month. This involved removing leaves from the pool, organizing the guardroom, balancing pool chemicals and restocking items.
- Recreation staff held Founders Day this past month. The event ran successfully, and we were able to hit our revenue goal as a department. A great event that could not have been possible without the help and support of the community.
- Senior Fitness had a regular month; we averaged around 10 people per class this past month.
- Recreation staff was able to help with the Boy Scout swim tests this past month.
- Recreation staff was able to interview the final wave of lifeguards for the upcoming pool season
- Recreation staff was able to host a lifeguard certification class at our pool that successfully certified six guards! This was the first time our city has certified our Lifeguard staff internally saving us roughly \$250 per guard.
- The Splash Pad chemical feeding system was having some issues (PH Sensor would not read acid properly), which delayed our opening. However, Recreation staff is happy to announce the splash pad is open for the summer season!

# CODE ENFORCEMENT MONTHLY REPORT FOR APRIL, 2023

ID	Status	Source	Open Date	Resolved Date	Type	Address	Notes
1495756	canceled	iOS	4/30/2023 13:43	--	Code Issue	16205 Lakeview Dr Jersey Village 77040	Black SUV parked on street at this address more than 24 hours with out moving.
1495434	assigned	iOS	4/29/2023 19:53	--	Code Issue	16552 Village Dr Jersey Village 77040	Overgrown lawn front and back. Hoarding and going to be a rat issue if the house isnâ€™t cleaned up.
1495431	assigned	iOS	4/29/2023 19:51	--	Code Issue	16410 Jersey Dr Jersey Village 77040	Fence is rotten and falling down. The trees in the back are over the power lines and over the fence.
1494614	resolved	iOS	4/28/2023 15:34	5/5/2023	Code Issue	12 Oakmont Ct Jersey Village 77064	Maintenance to wall nov will be mailed
1494611	canceled	iOS	4/28/2023 15:33	--	Code Issue	12 Oakmont Ct Jersey Village 77064	Dirt observed on walls nov will be mailed
1494586	assigned	iOS	4/28/2023 15:23	--	Code Issue	16302 Delozier St Jersey Village 77040	Low trees over street nov will be o
1494583	assigned	iOS	4/28/2023 15:20	--	Code Issue	16217 Delozier St Jersey Village 77040	Rubbish observed near driveway behind gate nov will be mailed
1494574	assigned	iOS	4/28/2023 15:16	--	Code Issue	16201 St Helier St Jersey Village 77040	Maintenance to structure nov will be mailed
1494572	assigned	iOS	4/28/2023 15:13	--	Code Issue	16305 St Helier St Jersey Village 77040	Low trees over sidewalk nov will be mailed
1494564	canceled	iOS	4/28/2023 15:08	--	Code Issue	16325 St Helier St Jersey Village 77040	Maintenance to structure nov will be mailed
1494562	canceled	iOS	4/28/2023 15:07	--	Code Issue	16325 St Helier St Jersey Village 77040	Maintenance to structure nov will be mailed
1494561	assigned	iOS	4/28/2023 15:06	--	Code Issue	16325 St Helier St Jersey Village 77040	Maintenance to exterior structure nov will be mailed
1494383	received	WEB RAI	4/28/2023 13:37	--	Sewer Issues	16313 Acapuco Jersey Village	no sewer cap on sewer riser on sewer line in back yard of my lot.
1494377	assigned	iOS	4/28/2023 13:35	--	Code Issue	16322 Jersey Dr Jersey Village 77040	High grass and weeds nov will be mailed
1493126	referred	iOS	4/27/2023 16:45	--	Code Issue	15622 Jersey Dr Jersey Village 77040	Rubbish observed in the driveway a nov will be mailed
1493122	assigned	iOS	4/27/2023 16:44	--	Code Issue	15406 Jersey Dr Jersey Village 77040	Tree branches in front yard a nov will be mailed
1493027	assigned	iOS	4/27/2023 16:01	--	Code Issue	16506 Delozier St Jersey Village 77040	Rubbish observed at curb and trash nov will be mailed
1493026	canceled	iOS	4/27/2023 16:00	--	Code Issue	16506 Delozier St Jersey Village 77040	Rubbish observed trash observed at curb before 5pm
1492927	assigned	iOS	4/27/2023 15:16	--	Code Issue	15818 Lakeview Dr Jersey Village 77040	Trash at curb on Monday before 5pm, nov will be mailed
1492911	assigned	iOS	4/27/2023 15:10	--	Code Issue	16313 Jersey Dr Jersey Village 77040	High grass and weeds nov will be mailed
1492900	resolved	iOS	4/27/2023 15:06	5/4/2023	Code Issue	8602 Hawaii Ln Jersey Village 77040	Basketball goal observed in street broken backboard as well as disconnected nets. Nov will be mailed
1491229	assigned	iOS	4/26/2023 16:51	--	Code Issue	15709 Lakeview Dr Jersey Village 77040	Trailer observed in driveway a nov will be mailed
1491214	assigned	iOS	4/26/2023 16:42	--	Code Issue	15422 Ashburton Dr Jersey Village 77040	Trailer observed in driveway nov will be mailed
1491191	assigned	iOS	4/26/2023 16:31	--	Code Issue	16522 Delozier St Jersey Village 77040	Vehicle partially parked in grass nov will be mailed
1491160	resolved	iOS	4/26/2023 16:19	5/4/2023	Code Issue	16218 Seattle St Jersey Village 77040	High grass and weeds observed in side yard nov will be mailed
1491148	assigned	iOS	4/26/2023 16:17	--	Code Issue	16237 Seattle St Jersey Village 77040	Maintenance to exterior structure nov will be mailed
1491132	assigned	iOS	4/26/2023 16:12	--	Code Issue	16202 Wall St Jersey Village 77040	Low trees over Carlsbad nov will be mailed
1490988	resolved	iOS	4/26/2023 15:14	4/27/2023	Code Issue	16201 Tahoe Dr Jersey Village 77040	Boat parked on street day 1

1489287	resolved	iOS	4/25/2023 16:19	5/5/2023	Code Issue	16325 Delozier St Jersey Village 77040	Day 1 car remains parked on street
1489158	assigned	iOS	4/25/2023 15:28	--	Code Issue	15802 Juneau Ln Jersey Village 77040	High grass weeds observed nov will be mailed
1489135	assigned	iOS	4/25/2023 15:15	--	Code Issue	15814 Seattle St Jersey Village 77040	Rv observed parked in driveway day 1
1489090	resolved	iOS	4/25/2023 14:58	5/9/2023	Code Issue	15905 Singapore Ln Jersey Village 77040	Weeds observed in right of way nov will be mailed
1489063	resolved	iOS	4/25/2023 14:47	5/9/2023	Code Issue	15901 Singapore Ln Jersey Village 77040	High Grass observed in front yard. Nov will be mailed
1489041	resolved	iOS	4/25/2023 14:39	5/4/2023	Code Issue	16206 Singapore Ln Jersey Village 77040	High grass and weeds nov will be mailed
1489020	resolved	iOS	4/25/2023 14:30	5/9/2023	Code Issue	16221 Congo Ln Jersey Village 77040	Maintenance to exterior structure a nov will be mailed
1489017	resolved	iOS	4/25/2023 14:30	5/9/2023	Code Issue	16225 Congo Ln Jersey Village 77040	Exterior structure observed nov will be mailed
1488465	assigned	In-person	4/25/2023 11:15	--	Code Issue	8514 Argentina St Jersey Village	trash at curb on Monday before 5pm
1487509	assigned	iOS	4/24/2023 16:28	--	Code Issue	16221 Crawford St Jersey Village 77040	Dark substance observed on lower garage door nov will be mailed
1487500	assigned	iOS	4/24/2023 16:25	--	Code Issue	16314 Tahoe Dr Jersey Village 77040	Rubbish observed in front of garage nov will be mailed
1487390	assigned	iOS	4/24/2023 15:53	--	Code Issue	16101 Capri Dr Jersey Village 77040	Rubbish observed next to residence nov will be mailed
1487308	assigned	iOS	4/24/2023 15:29	--	Code Issue	14901 Lakeview Dr Jersey Village 77040	Trash at curb on Monday before 5pm nov will be mailed
1487181	canceled	iOS	4/24/2023 14:39	--	Code Issue	8518 Argentina St Jersey Village 77040	Trash observed at curb on a Monday before 5pm a nov will be mailed
1487118	assigned	iOS	4/24/2023 14:22	--	Code Issue	15319 Welwyn Dr Jersey Village 77040	Trash observed at curb on Monday before 5pm nov will be mailed
1487094	assigned	iOS	4/24/2023 14:16	--	Code Issue	15502 Chichester Ln Jersey Village 77040	Trash observed at curb area n Monday before 5p. Trees brush observed in side yard a nov will be mailed
1487012	resolved	WEB RAI	4/24/2023 13:45	5/9/2023	Code Issue	15325 Welwyn Jersey Village	Home is in disrepair. Needs paint, needs work. This is an embarrassment to our community. Overgrown landscaping and home looks to be falling apart.
1483507	assigned	iOS	4/21/2023 15:58	--	Code Issue	16322 Wall St Jersey Village 77040	Grass/ runners over flatwork nov will be mailed
1483484	assigned	iOS	4/21/2023 15:48	--	Code Issue	15802 Acapulco Dr Jersey Village 77040	High grass and weeds observed a nov will be mailed
1483333	resolved	iOS	4/21/2023 14:43	5/4/2023	Code Issue	16105 Seattle St Jersey Village 77040	Rubbish observed in driveway underneath carport
1483313	resolved	iOS	4/21/2023 14:35	5/4/2023	Code Issue	16222 Seattle St Jersey Village 77040	Parked on grass a nov will be mailed
1483299	resolved	iOS	4/21/2023 14:25	5/4/2023	Code Issue	16205 Seattle St Jersey Village 77040	High grass and observed in front yard nov will be mailed
1481682	assigned	iOS	4/20/2023 16:14	--	Code Issue	15606 Seattle St Jersey Village 77040	Trash observed at curb on Monday before 5p
1481646	resolved	iOS	4/20/2023 16:01	4/24/2023	Code Issue	15301 Chichester Ln Jersey Village 77040	Bags of debris and curb on Thursday before 5pm
1481584	resolved	iOS	4/20/2023 15:40	5/2/2023	Code Issue	15605 Honolulu St Jersey Village 77040	Complaint made concerning lights in rear of property. Will contact homeowner via phone and nov will be mailed
1481547	assigned	iOS	4/20/2023 15:20	--	Code Issue	16210 Lakeview Dr Jersey Village 77040	Maintenance to exterior wall dark substance observed on brick. Rubbish observed on side of home. A nov will be mailed
1481532	resolved	iOS	4/20/2023 15:14	5/2/2023	Code Issue	16218 Lakeview Dr Jersey Village 77040	A trailer observed in driveway no permit issued to this residence a nov will be mailed
1481513	resolved	iOS	4/20/2023 15:09	5/5/2023	Code Issue	16318 Lakeview Dr Jersey Village 77040	Maintenance to exterior structure dark substance on brick surface nov will be mailed
1481465	assigned	iOS	4/20/2023 14:42	--	Code Issue	16225 Jersey Dr Jersey Village 77040	Chipped paint observed in side of residence a nov will be mailed

1481036	resolved	iOS	4/20/2023 11:37	5/1/2023	Code Issue	15410 Chichester Ln Jersey Village 77040	Rubbish observed in driveway 4/19/23. Nov mailed 4/20/23
1480852	canceled	WEB RAI	4/20/2023 10:43	--	Code Issue	16225 Jersey Jersey Village	Inhabitable. Entire House filled with hoarding and Motorcycles. No sheetrock.
1480842	canceled	WEB RAI	4/20/2023 10:40	--	Code Issue	16413 Saint Helier Jersey Village	Paint faded / chipping entire house
1480840	canceled	WEB RAI	4/20/2023 10:39	--	Code Issue	16413 Saint Helier Jersey Village	Rotton Columns on front of house
1480839	canceled	WEB RAI	4/20/2023 10:39	--	Code Issue	16413 Saint Helier Jersey Village	Siding falling off back of house
1480349	resolved	iOS	4/20/2023 7:45	5/5/2023	Code Issue	17346 Northwest Fwy Jersey Village 77040	Massive amounts of trash overflowing the dumpster behind this building.
1479624	assigned	iOS	4/19/2023 16:29	--	Code Issue	7902 Argentina St Jersey Village 77040	Brush observed in driveway nov will be mailed
1479572	resolved	iOS	4/19/2023 16:11	4/24/2023	Code Issue	15301 Leeds Ln Jersey Village 77040	High grass and weeds observed a nov will be mailed
1479521	resolved	iOS	4/19/2023 15:50	4/24/2023	Code Issue	15402 Chichester Ln Jersey Village 77040	Rubbish observed in driveway a nov will be mailed
1479513	canceled	iOS	4/19/2023 15:47	--	Code Issue	15710 Chichester Ln Jersey Village 77040	Rubbish observed in driveway a nov will be mailed
1479508	resolved	iOS	4/19/2023 15:42	4/24/2023	Code Issue	15402 Mauna Loa Ln Jersey Village 77040	High grass and weeds observed a nov will be mailed
1479234	assigned	iOS	4/19/2023 13:42	--	Code Issue	16018 Singapore Ln Jersey Village 77040	Rubbish observed under carport. Nov will be mailed
1479131	resolved	iOS	4/19/2023 13:00	4/27/2023	Code Issue	16213 Singapore Ln Jersey Village 77040	Trailer observed in driveway nov will be mailed
1477683	assigned	iOS	4/18/2023 16:20	--	Code Issue	15314 Glamorgan Dr Jersey Village 77040	Rubbish observed in driveway a nov will be mailed
1477500	resolved	iOS	4/18/2023 15:11	4/25/2023	Code Issue	7827 Zilonis Ct Jersey Village 77040	Rubbish observed in yard a nov will be mailed
1477486	resolved	iOS	4/18/2023 15:02	5/1/2023	Code Issue	7811 Zilonis Ct Jersey Village 77040	High grass and weeds observed in side yard and right of way nov will be mailed
1477251	resolved	iOS	4/18/2023 13:22	4/27/2023	Code Issue	16206 Tahoe Dr Jersey Village 77040	Rubbish observed in driveway a nov will be mailed
1477245	assigned	iOS	4/18/2023 13:21	--	Code Issue	16026 Tahoe Dr Jersey Village 77040	Maintenance to exterior structure a nov will be mailed
1477219	resolved	iOS	4/18/2023 13:10	4/24/2023	Code Issue	16330 Crawford St Jersey Village 77040	Tree branch down a nov will be mailed
1477206	assigned	iOS	4/18/2023 13:07	--	Code Issue	16305 Crawford St Jersey Village 77040	Maintenance to exterior structure dark substance on exterior brick nov will be mailed
1476131	resolved	WEB RAI	4/17/2023 19:39	4/18/2023	Street or Road Issue	15921 CONGO LN Jersey Village	BIG BRANCHES KNOCKED DOWN DURING THE MOVE OF THE ROCKWALL ARE IN THE STREET// CITIZEN CALLED TO COMPLAIN AND HAVE IT CLEARED AWAY
1476091	resolved	iOS	4/17/2023 18:54	4/18/2023	Code Issue	16121 Lakeview Dr Jersey Village 77040	Truck park on street over 24 hours and not moved.
1475795	resolved	iOS	4/17/2023 16:30	4/24/2023	Code Issue	15321 Mauna Loa Ln Jersey Village 77040	Maintenance to exterior brick structure a nov will be mailed
1475758	resolved	iOS	4/17/2023 16:15	4/24/2023	Code Issue	15613 Elwood Dr Jersey Village 77040	Trailer observed in driveway a nov will be mailed
1475730	resolved	iOS	4/17/2023 16:01	4/25/2023	Code Issue	15602 Congo Ln Jersey Village 77040	High grass in right of way a nov will be mailed
1475727	assigned	iOS	4/17/2023 15:59	--	Code Issue	15530 Congo Ln Jersey Village 77040	High grass observed in right of way nov will be mailed
1475611	resolved	iOS	4/17/2023 15:19	4/25/2023	Code Issue	16234 Congo Ln Jersey Village 77040	High grass and weeds observed in. Front of home nov will be mailed
1475519	resolved	iOS	4/17/2023 14:36	5/5/2023	Code Issue	8325 Koester St Jersey Village 77040	Pallets observed in driveway nov will be mailed
1475442	resolved	iOS	4/17/2023 14:05	4/19/2023	Code Issue	44 Pebble Beach Ct Jersey Village 77064	Grass observed on side of home a nov will be mailed

1475076	resolved	In-person	4/17/2023 11:51	4/25/2023	Code Issue	15401 Shanghai St Jersey Village	Violation observed 4/14/2023 low tree vegetation over street.
1475053	resolved	In-person	4/17/2023 11:43	4/25/2023	Code Issue	15301 Jersey DR Jersey Village	high grass and weeds
1472371	canceled	iOS	4/14/2023 15:45	--	Code Issue	15901 Shanghai St Jersey Village 77040	Trees over street a nov will be mailed
1472369	canceled	iOS	4/14/2023 15:44	--	Code Issue	15901 Jersey Dr Jersey Village 77040	Grass and weeds observed in right of way nov will be mailed
1472342	resolved	iOS	4/14/2023 15:28	5/2/2023	Code Issue	16222 St Helier St Jersey Village 77040	Rubbish ( tire) on side of home a nov will be mailed
1472329	canceled	iOS	4/14/2023 15:24	--	Code Issue	15905 Singapore Ln Jersey Village 77040	Construction being done without a permit
1472148	resolved	iOS	4/14/2023 13:57	4/27/2023	Code Issue	15909 Lakeview Dr Jersey Village 77040	Tree brush observed in front of garage a nov will be mailed
1472132	resolved	iOS	4/14/2023 13:51	4/20/2023	Code Issue	15709 Lakeview Dr Jersey Village 77040	Trailer parked in driveway nov will be mailed
1472026	resolved	iOS	4/14/2023 12:58	4/27/2023	Code Issue	15725 Lakeview Dr Jersey Village 77040	Tree branches observed in front yard nov will be mailed
1468732	resolved	iOS	4/12/2023 16:14	4/18/2023	Code Issue	16226 St Helier St Jersey Village 77040	Rubbish observed on the side of home a nov will be mailed
1468691	resolved	iOS	4/12/2023 16:00	4/25/2023	Code Issue	16317 Acapulco Dr Jersey Village 77040	Fallen tree limb observed in front yard. A nov will be mailed
1468652	resolved	iOS	4/12/2023 15:50	4/25/2023	Code Issue	15701 Acapulco Dr Jersey Village 77040	Weeds observed in side yard a nov will be mailed
1468648	canceled	iOS	4/12/2023 15:48	--	Code Issue	15701 Acapulco Dr Jersey Village 77040	Weeds observed in front side lawn. Nov will be mailed
1468567	resolved	iOS	4/12/2023 15:20	4/17/2023	Code Issue	15513 Jersey Dr Jersey Village 77040	BMW jacks day 1
1468561	resolved	iOS	4/12/2023 15:17	4/21/2023	Code Issue	15318 Jersey Dr Jersey Village 77040	Grass and weeds observed a nov will be mailed
1468436	resolved	iOS	4/12/2023 14:49	4/27/2023	Code Issue	16310 Lakeview Dr Jersey Village 77040	Weed/runners growing over flatwork nov will be mailed
1468166	resolved	iOS	4/12/2023 13:25	4/24/2023	Code Issue	15421 Chichester Ln Jersey Village 77040	Weeds observed in right of way nov will be mailed
1466572	resolved	iOS	4/11/2023 16:22	4/18/2023	Code Issue	16405 St Helier St Jersey Village 77040	Maintenance to exterior structure dark substance on brick surface a nov will be be mailed
1466560	resolved	iOS	4/11/2023 16:17	4/27/2023	Code Issue	16401 St Helier St Jersey Village 77040	Maintenance to exterior structure a dark substance observed on side brick nov will be mailed
1466342	resolved	iOS	4/11/2023 15:10	4/24/2023	Code Issue	16134 Crawford St Jersey Village 77040	Trailer observed in driveway as well as 2 pallets a nov will be mailed
1466289	resolved	iOS	4/11/2023 14:50	4/24/2023	Code Issue	15506 Lakeview Dr Jersey Village 77040	Low hanging trees over street a notice will be mailed
1466281	resolved	iOS	4/11/2023 14:46	4/18/2023	Code Issue	15321 Colwyn Ln Jersey Village 77040	High grass and weeds observed a nov will be mailed
1466276	resolved	iOS	4/11/2023 14:45	4/18/2023	Code Issue	15305 Colwyn Ln Jersey Village 77040	Weeds observed in yard nov will be mailed
1466065	resolved	iOS	4/11/2023 13:15	4/18/2023	Code Issue	15306 Colwyn Ln Jersey Village 77040	Weeds observed in front yard nov will be mailed
1465633	canceled	WEB RAI	4/11/2023 10:45	--	Code Issue	15309 Glamorgan Jersey Village	It's been a few weeks since this short term rental has put their trash/recycling out, even though it seems like the same vehicle has been there for a couple of weeks now. Since they have piled up a fair amount of trash/recycling, I guess they thought it was ok to put it all out on the curb sometime before Monday, April 10th at 7am (picture attached). Now on Tuesday April 11th, after trash pickup, the overflowing recycling bin is still out on the curb with a yellow tag still on it from months ago but the garbage bin has somehow been returned to the driveway (picture attached). Not sure if everything in that bin is even recyclable.
1464613	resolved	iOS	4/10/2023 17:00	4/17/2023	Code Issue	15422 Jersey Dr Jersey Village 77040	Weeds observed in the front lawn nov will be mailed
1464427	resolved	iOS	4/10/2023 15:41	4/18/2023	Code Issue	7811 Equador St Jersey Village 77040	Weeds observed in right of way and a nov will be mailed

1464303	resolved	iOS	4/10/2023 14:59	4/24/2023	Code Issue	15313 Chichester Ln Jersey Village 77040	Trash observed at curb on Monday before 5pm a nov will be mailed
1464243	assigned	iOS	4/10/2023 14:34	--	Code Issue	15109 Lakeview Dr Jersey Village 77040	Low hanging trees over sidewalk a nov will be mailed
1464234	assigned	iOS	4/10/2023 14:29	--	Code Issue	15313 Glamorgan Dr Jersey Village 77040	Trash observed at curb on Monday before 5pm nov will be mailed
1464217	resolved	iOS	4/10/2023 14:25	4/14/2023	Code Issue	15405 Ashburton Dr Jersey Village 77040	Rv observed in driveway day 1
1464170	resolved	iOS	4/10/2023 14:06	4/24/2023	Code Issue	15313 Leeds Ln Jersey Village 77040	Weeds observed in right of way. A nov will be mailed
1462985	resolved	WEB RAI	4/10/2023 7:13	4/24/2023	Code Issue	15309 Glamorgan Jersey Village	Residents at 15309 Glamorgan Drive consistently put their trash out before trash day and often leave it out after it has been picked up. This is an AirBnB property and I have notified the owner and property manager multiple times about these code violations. Property Manager contact # 972-901-0151; today (Monday 4/10/23) the trash is out at the curb at 6:45 am.
1459701	resolved	iOS	4/6/2023 15:49	4/25/2023	Code Issue	15310 Jersey Dr Jersey Village 77040	High grass and weeds observed in right of way and front yard a nov will be mailed
1459699	assigned	iOS	4/6/2023 15:48	--	Code Issue	15705 Singapore Ln Jersey Village 77040	Tree brush observed in front yard a nov will be mailed
1459695	resolved	iOS	4/6/2023 15:46	4/17/2023	Code Issue	16101 Congo Ln Jersey Village 77040	Trash observed at curb on a Monday before 5pm dark substance observed on brick exterior surface nov will be mailed
1459687	resolved	iOS	4/6/2023 15:44	4/19/2023	Code Issue	15714 Juneau Ln Jersey Village 77040	Rubbish observed in front of home a nov will be mailed
1459680	resolved	iOS	4/6/2023 15:42	4/18/2023	Code Issue	16022 Wall St Jersey Village 77040	Weeds observed in front yard and right of way. Fence has partially fallen a nov will be mailed
1459672	resolved	iOS	4/6/2023 15:41	4/10/2023	Code Issue	16318 Wall St Jersey Village 77040	Maintenance to exterior a dark substance observed on brick surface. Nov will be mailed
1459668	resolved	iOS	4/6/2023 15:38	4/12/2023	Code Issue	15422 Leeds Ln Jersey Village 77040	Tree brush observed in front yard a nov will be mailed
1459398	canceled	iOS	4/6/2023 13:38	--	Code Issue	15705 Singapore Ln Jersey Village 77040	Tree branches observed in front yard
1459360	resolved	iOS	4/6/2023 13:19	4/25/2023	Code Issue	15310 Jersey Dr Jersey Village 77040	High grass and weeds observed an nov will be mailed
1457811	assigned	iOS	4/5/2023 16:48	--	Code Issue	16330 St Helier St Jersey Village 77040	Grass and weeds observed a nov will be mailed high
1457601	assigned	iOS	4/5/2023 15:22	--	Code Issue	15806 Singapore Ln Jersey Village 77040	Rubbish observed in driveway a nov will be mailed
1457512	resolved	iOS	4/5/2023 14:46	4/18/2023	Code Issue	16429 Cornwall St Jersey Village 77040	High grass and weeds observed in right of way
1457498	resolved	iOS	4/5/2023 14:42	4/18/2023	Code Issue	16510 Cornwall St Jersey Village 77040	Grass growing over flatwork a nov will be mailed
1457492	resolved	iOS	4/5/2023 14:39	4/18/2023	Code Issue	16509 Cornwall St Jersey Village 77040	Trees observed over sidewalk a nov will be mailed
1457484	resolved	iOS	4/5/2023 14:36	4/18/2023	Code Issue	16526 Cornwall St Jersey Village 77040	Weeds observed in front yard, nov will be mailed
1457470	resolved	iOS	4/5/2023 14:33	4/18/2023	Code Issue	16501 Delozier St Jersey Village 77040	Rubbish observed in driveway
1455684	resolved	iOS	4/4/2023 16:21	4/11/2023	Code Issue	15705 Juneau Ln Jersey Village 77040	Trailer observed in driveway nov will be mailed
1455479	resolved	iOS	4/4/2023 14:52	4/24/2023	Code Issue	16014 Kube Ct Jersey Village 77040	Trailer observed with heavy equipment attached nov will be mailed
1455393	canceled	iOS	4/4/2023 14:01	--	Code Issue	15701 Congo Ln Jersey Village 77040	Weeds observed in front yard nov will be mailed
1455390	resolved	iOS	4/4/2023 14:00	4/25/2023	Code Issue	15413 Shanghai St Jersey Village 77040	Trailer observed in driveway nov will be mailed
1455361	resolved	iOS	4/4/2023 13:45	4/17/2023	Code Issue	15701 Congo Jersey Village 77040	Weeds observed in front yard nov will be mailed
1455323	resolved	iOS	4/4/2023 13:32	4/17/2023	Code Issue	16021 Congo Ln Jersey Village 77040	Weeds observed in front yard nov will be mailed



1455311	resolved	iOS	4/4/2023 13:26	4/10/2023	Code Issue	16230 Congo Ln Jersey Village 77040	Tree brush observed in front yard nov will be mailed
1455262	resolved	iOS	4/4/2023 13:01	4/12/2023	Code Issue	15709 Elwood Dr Jersey Village 77040	Weeds observed on front yard nov will be mailed
1455259	resolved	iOS	4/4/2023 13:00	4/11/2023	Code Issue	15633 Elwood Dr Jersey Village 77040	Weeds observed in front yard nov will be mailed
1454598	resolved	iOS	4/4/2023 9:15	4/17/2023	Code Issue	40 Pebble Beach Ct Jersey Village 77064	High grass and weeds observed nov will be mailed
1454595	resolved	iOS	4/4/2023 9:14	4/17/2023	Code Issue	43 Pebble Beach Ct Jersey Village 77064	High grass and weeds observed in right of way nov will be mailed
1454587	resolved	iOS	4/4/2023 9:12	4/26/2023	Code Issue	4 Peachtree Ct Jersey Village 77064	Low hanging trees over sidewalk nov will be mailed
1454582	canceled	iOS	4/4/2023 9:10	--	Code Issue	77 Peachtree Ct Jersey Village 77064	Low hanging trees over sidewalk nov will be mailed
1454578	resolved	iOS	4/4/2023 9:08	4/17/2023	Code Issue	115 watercross Jersey Village 77040	Trash m/ rubbish at curb on a Monday before 5pm
1454576	resolved	iOS	4/4/2023 9:06	4/17/2023	Code Issue	77 Cherry Hills Dr Jersey Village 77064	Trash and low trees over sidewalk nov will be mailed
1454574	assigned	iOS	4/4/2023 9:05	--	Code Issue	15721 Juneau Ln Jersey Village 77040	Low trees over sidewalk and street nov will be mailed
1454571	resolved	iOS	4/4/2023 9:03	4/17/2023	Code Issue	15813 Congo Ln Jersey Village 77040	Weeds observed nov will be mailed
1454568	resolved	iOS	4/4/2023 9:02	4/5/2023	Code Issue	16202 Singapore Ln Jersey Village 77040	Boat observed on street day 1
1453181	resolved	In-person	4/3/2023 10:36	4/18/2023	Code Issue	15001 Lakeview dr Jersey Village	tree brush observed in rear yard of property.
1451432	canceled	iOS	4/1/2023 17:03	--	Code Issue	15402 Shanghai St Jersey Village 77040	Car parked on grass.

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON APRIL 17, 2023, AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

**A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT**

The meeting was called to order by Mayor Pro tem Mitcham at 7:01 p.m. with the following present:

Mayor Pro tem, Michelle Mitcham  
Council Member, Drew Wasson  
Council Member, Sheri Sheppard  
Council Member, James Singleton  
Council Member, Jennifer McCrea

City Manager, Austin Bleess  
City Secretary, Lorri Coody  
City Attorney, Justin Pruitt

Council Member Sheri Sheppard participated in the meeting via videoconference call.

Staff in attendance: Robert Basford, Assistant City Manager; Isabel Kato, Finance Director; Kirk Riggs, Chief of Police; Mark Bitz, Fire Chief; and Abram Syphrett, Director of Innovation and Technology.

Bobby Warren, Mayor, was not present at this meeting.

**B. INVOCATION, PLEDGE OF ALLEGIANCE**

1. Prayer and Pledge by: Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post 324.

**C. PRESENTATIONS**

1. **Presentation of Police Department Employee of the First Quarter 2023 by Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post 324.**

Stefanie Otto, Commander of the Jeremy E. Ray American Legion Post #324, along with Mayor Pro tem Mitcham, presented the Police Department Employee of the First Quarter award to Officer Irvin Guzman.

**D. CITIZENS' COMMENTS**

Citizens who have signed a card and wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the comment is on the agenda, the City staff and City Council Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy. Citizens are limited to five (5) minutes for their comments to the City Council.

**Michael Stembridge, 15422 Jersey Drive, Jersey Village, Texas (832) 880-3869** – Mr. Stembridge spoke to City Council about the many years he has waited to receive flood mitigation. He wants to speak to the Mayor of this City concerning same. He believes that there is a “clique” on the Council. He has seen work on Wall Street, work on the elevations, etc., but he has not been included and the bayou has not been widened. He cannot afford to have his home raised to avoid flooding. He does not want the stadium. He is supporting James Fields for Mayor. He wants to vote off everyone currently on Council. He feels left behind. He wants the bayou to be widened.

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**Jim Fields, 16413 Saint Helier, Jersey Village, Texas (713) 206-1184** – Mr. Fields spoke to City Council about his concern for the homes that were elevated in that they are having serious foundation issues. It was reported to him by one resident that after 6 months he had a crack in his foundation. He is concerned about these problems. He suggests that on future home elevations that we have a City Engineer look at these homes before they are lifted. He also spoke to the Founder's Day event. He felt there were people there that were drunk. He does not believe this is what our children should see. He stated that he saw a server chugging a bottle of champagne. He went on to address flooding, stating that we still have flooding issues, and he wants the City to spend more time on these issues. He wants the Council to remove Resolution 2023-14 from the Consent agenda so that discussion can be had on this topic. He asked questions about the Open Meetings Act to which City Attorney Pruitt responded.

City Manager Bless was asked and did provide information about the structural engineering of the elevated homes.

**Mark Maloy, 7803 Hamilton Circle, Jersey Village, Texas (713) 461-1430** – Mr. Maloy spoke to City Council about Item 5 on the Consent Agenda. He would like this item moved to the Regular Agenda. He also asked if the City has hires a contractor to do the event center and the clubhouse what is the contractor's total cost of the projects and the contractor's risk. He is also asking why the Council has decided to approve this expenditure without voter approval or input. He gave background history wherein City Council did, at one time, discuss going out for a bond to fund this expenditure, which would require voter approval. However, somewhere along the line this idea did not come to fruition.

**Rick Faircloth, 16010 Lakeview Drive, Jersey Village, Texas (713) 466-8065** – Mr. Faircloth spoke to City Council about the golf cart ordinance. He stated the original ordinance was passed in 2020 and later amended in 2022. He stated that the ordinance does not address safety or seatbelts. He stated that he has seen people riding with young children in their laps and he is concerned for their safety. He also stated that there are carts on the road without the proper license. He also spoke to City Council about the upcoming budget talks. He stated that during this process he wants City Council to increase the over 65 exemption to be equal to the disability exemption.

**Ashley Brown, 15602 Lakeview Drive, Jersey Village, Texas (936) 662-5231** – Ms. Brown spoke to City Council about the Planning and Zoning Commission's recommendation concerning the 5,000-foot distance requirement for Airbnb rentals. She does not support this recommendation. She believes that all residents should be able to do what they want with their property. She gave information in support of her position on this issue. She believes that the 5,000-foot distance requirement is against her property rights and those of her neighbors.

**Curtis Haverty, 15405 Ashburton, Jersey Village, Texas (832) 728-0188** – Mr. Haverty spoke to City Council. He thanked City Council. You all are our friends and neighbors and we voted you into office. He stated that Council is doing a great job. He supports the Council's work. He told the Council that he had a lot of fun at the Founder's Day event. He gave information about the event. There were fireworks and much more. The event was very safe. He wondered if other

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cities in America that are our size have these type of events. He encouraged City Council to keep doing what they are doing. He thanked City Council from the bottom of his heart for their hard work.

**Kimberlee Henao, 15601 Singapore Lane, Jersey Village, TX (832) 689-9878** – Ms. Henao gave historical information about the City from 1956, to include annexation. She also gave information about the formation of the City as a Home Rule City. She gave information about the process, including the rules and regulations of City government as a Home Rule City. She gave a summary of Articles II and V of the City Charter.

**E. CITY MANAGER’S REPORT**

City Manager Bless presented his monthly report as follows:

- 1. Monthly Fund Balance Report, Enterprise Funds Report, Governmental Funds Report, Property Tax Collection Report – February 2023, General Fund Budget Projections as of March 2023, Utility Fund Budget Projections – March 2023, and Investment Report-Quarter Ended March 31, 2023**
- 2. Fire Departmental Report and Communication Division’s Monthly Report**
- 3. Police Department Monthly Activity Report, Warrant Report, Staffing/Recruitment Report, and Police Open Records Requests**
- 4. Municipal Court Collection Report, Municipal Court Activity Report, Municipal Court Courtroom Activity Report, Speeding and Stop Sign Citations within Residential Areas Report, and Court Proceeds Comparison Report**
- 5. Public Works Departmental Status Report**
- 6. Golf Course Monthly Report, Golf Course Financial Statement Report, Golf Course Budget Summary, and Parks and Recreation Departmental Report**
- 7. Code Enforcement Report**

**F. CONSENT AGENDA**

The following items are considered routine in nature by the City Council and will be enacted with one motion and vote. There will not be separate discussion on these items unless requested by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

Each Consent Agenda item appears below with background information. Item 5 was pulled from the Consent Agenda for further discussion. Accordingly, Item 5 contains discussion information as well as Council’s vote, if applicable. The vote on Items 1 thru 4 is found at the end of the Consent Agenda.

There were brief comments from Council pointing out that the reports received

- 1. Consider approval of the Minutes for the Regular Session Meeting held on March 20, 2023, and the Special Session Meeting held on April 13, 2023.**

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2. **Consider Ordinance No. 2023-09, receiving the Planning and Zoning Commission’s Preliminary Report and calling a Joint Public Hearing of the City Council and the Planning and Zoning Commission concerning amendments to Chapter 14 “Building and Development”, concerning amendments to Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards; and by prescribing the notice requirements for a public hearing.**

**BACKGROUND INFORMATION:**

One of the goals in the Comprehensive Plan is to “Encourage quality Community-orientated Retail and Restaurants”, “Encourage quality Community-orientated Entertainment”, to update city codes to conform to the Comprehensive Plan, and to “Review existing development codes to identify incompatibility with the vision and desired uses (higher quality restaurants, services, and entertainment), and to protect residential neighborhoods.”

To that end, this Commission, during its March 27, 2023 meeting, has reviewed Chapter 14, Sections 14-100 through 14-104 for needed updates and has prepared its Preliminary Report in connection with same.

This item is to receive the Planning and Zoning Commission’s preliminary report, call a joint public hearing for May 17, 2023, and prescribe the type of notice to be given, and the time and place of the public hearing required as authorized by Chapter 211.006(c) of the Texas Local Government Code. **It must be passed by a two-thirds vote.**

**ORDINANCE NO. 2023-09**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION’S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING AMENDMENTS TO CHAPTER 14 “BUILDING AND DEVELOPMENT”, BY AMENDING SECTIONS 14-100 THROUGH 14-104 TO ALLOW FOR UPDATES TO RESIDENTIAL DEVELOPMENT STANDARDS; AND BY PRESCRIBING THE NOTICE REQUIREMENTS FOR A PUBLIC HEARING.

3. **Consider Ordinance No. 2023-10, receiving the Planning and Zoning Commission’s Preliminary Report and calling a Joint Public Hearing of the City Council and the Planning and Zoning Commission concerning amendments to Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, Section 14-309 Specific Standards to allow for updates to commercial development standards; and by prescribing the notice requirements for a public hearing.**

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**BACKGROUND INFORMATION:**

One of the goals in the Comprehensive Plan is to “Encourage quality Community-orientated Retail and Restaurants”, “Encourage quality Community-orientated Entertainment”, to update city codes to conform to the Comprehensive Plan, and to “Review existing development codes to identify incompatibility with the vision and desired uses (higher quality restaurants, services, and entertainment), and to protect residential neighborhoods.”

To that end, this Commission, during its November 9, 2022, November 21, 2022, and March 27, 2023, meetings, has reviewed the following Sections of the Code for needed updates to commercial regulations and has prepared its Preliminary Report in connection with same.

- Section 14-5 Definitions
- Section 14-11 Penalty
- Section 14-88 All Districts
- Sections 105 Thru 110
- Section 14-244 Permits and Fees
- Section 14-252 Commercial Signs
- Section 14-283 Off Street Parking
- Section 14-309 Specific Standards

This item is to receive the Planning and Zoning Commission’s preliminary report, call a joint public hearing for May 17, 2023, and prescribe the type of notice to be given, and the time and place of the public hearing required as authorized by Chapter 211.006(c) of the Texas Local Government Code. **It must be passed by a two-thirds vote.**

**ORDINANCE NO. 2023-10**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION’S PRELIMINARY REPORT AND CALLING A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION CONCERNING AMENDMENTS TO SECTION 14-5 DEFINITIONS, SECTION 14-11 PENALTY, SECTION 14-88 ALL DISTRICTS, SECTIONS 105 THRU 110, SECTION 14-244 PERMITS AND FEES, SECTION 14-252 COMMERCIAL SIGNS, SECTION 14-283 OFF STREET PARKING, SECTION 14-309 SPECIFIC STANDARDS TO ALLOW FOR UPDATES TO COMMERCIAL DEVELOPMENT STANDARDS; AND BY PRESCRIBING THE NOTICE REQUIREMENTS FOR A PUBLIC HEARING.

4. **Consider Resolution No. 2023-13, finding that CenterPoint Energy Houston Electric, LLC’s Application for Approval to Amend its Distribution Cost Recovery Factor pursuant to 16 Tex. Admin. Code § 25.243 to increase distribution rates within the**

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**City should be denied; finding that the City’s Reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the company and legal counsel.**

**BACKGROUND INFORMATION:** The City, along with approximately 41 other cities served by CenterPoint Energy Houston Electric, LLC (“CenterPoint” or “Company”) is a member of the Gulf Coast Coalition of Cities (“GCCC”). The coalition has been in existence since the early 1990’s. GCCC has been the primary public interest advocate before the Public Utility Commission, the courts, and the Legislature on electric utility regulation matters for over 20 years.

On April 5, 2023, CenterPoint filed an Application for Approval to Amend its Distribution Cost Recovery Factor (“DCRF”) Pursuant to 16 Tex. Admin. Code § 25.243 to increase distribution rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in distribution revenues of \$84,571,868 for the period of compared to the revenues approved in its most recent DCRF proceeding, Docket No. 53442.

GCCC has engaged the services of a consultant, Mr. Karl Nalepa, to review the Company’s filing. GCCC’s attorney recommends that all GCCC members adopt the Resolution denying the rate change. Once the Resolution is adopted, CenterPoint will have 30 days to appeal the decision to the Public Utility Commission where the appeal will be consolidated with CenterPoint’s filing for the environs and those cities that have relinquished their original jurisdiction currently pending at the Commission.

The purpose of the Resolution is to deny the DCRF application proposed by CenterPoint.

**Explanation of “Be It Resolved” Paragraphs:**

1. This paragraph finds that the Company’s application is unreasonable and should be denied.
2. This section states that the Company’s current rates shall not be changed.
3. The Company will reimburse the cities for their reasonable rate case expenses. Legal counsel and consultants approved by the Cities will submit monthly invoices that will be forwarded to CenterPoint for reimbursement.
4. This section recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.
5. This section provides CenterPoint and counsel for the cities will be notified of the City’s action by sending a copy of the approved and signed Resolution to counsel.

**RESOLUTION NO. 2023-13**

A RESOLUTION OF THE CITY OF JERSEY VILLAGE, TEXAS, FINDING THAT CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC’S APPLICATION FOR

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APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

5. **Consider Resolution 2023-14, approving the Guaranteed Maximum Price for the Clubhouse Renovation at Jersey Meadow Golf Club, approving funds for the furniture, fixtures and equipment for the Clubhouse Renovation and authorizing the City Manager to enter into an agreement with Brookstone L.P. for the renovation of the existing Golf Course Clubhouse.**

**BACKGROUND INFORMATION:**

On January 7<sup>th</sup>, 2022, during a city council workshop meeting the council reviewed the history of the Golf Course Clubhouse project and discussed the options available regarding the future of the Jersey Meadow Clubhouse. The options outlined included renovating the existing facility, using the existing new design from PGAL Inc., designing a more cost-efficient clubhouse and event space, and designing a new clubhouse while gutting and remodeling the existing facility to use as an event space. City council agreed that the best option moving forward would be to design a new clubhouse containing a pro shop, offices, bar & grill, bathrooms, and storage while also designing the remodel of the existing clubhouse into an enclosed pavilion for events and directed staff to prepare a request for proposal for the design of a new clubhouse facility.

During the February Council meeting the City Council authorized the City Manager to begin negotiating a contract with FGM Architects for the design of a new club house. The proposed contract utilized a Construction Manager At Risk (CMAR) format.

During the June Council meeting, the City Council authorized the City Manager to begin negotiating an agreement with Brookstone Construction for Construction Manager At Risk of the new Jersey Meadow Golf Course Club House.

Staff held the schematic design work sessions during the months of April, May, and June where they used existing stakeholder input from the previous PGAL design, lessons learned, additional staff input with recommendations from FGMA to refine the schematic design towards an initial draft for presentation to council.

Brookstone was introduced to the design team at the end of June, and they were provided with the schematic design draft so that they could begin formulating the initial budget estimate. During the month of July, the budget estimate was presented to the design team. This estimate came in over our budget, so the design team began to brainstorm alternative solutions. These alternative solutions were presented to the design team in August.



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During the September 12, 2022, council Meeting council reviewed the alternative solutions and advised staff to move forward with the exhibit that included the new clubhouse, renovation to the existing building, an updated budget along with the requirement to add sprinklers to the design for fire safety.

Project Updates since the December 2022 Council Agenda Item:

Design updates

- Staff confirmed that the upgraded sanitary line was the most effective and efficient option and added that portion to the scope of work which produced a budget estimate increase of \$140,000 as previously anticipated.
- Drainage has been reviewed and updated accordingly.
- Staff requested that the design team swap the red brick for a white limestone look to match our marquee entrance and create a more comfortable feel.
- The construction documents were finalized at the end of January and sent to Brookstone to begin formulating their Guaranteed Maximum Price.

Existing Building Roof, Canopy, and Entry Portal

- During GMP bid formulation some issues were brought forward from contractors and subcontractors pertaining to the existing canopy resulting in the confidence of the proposed roof replacement plan that was designed to dwindle. Staff, along with FGMA and Brookstone have formulated the GMP presented today with some alternates to consider pertaining to both buildings.
  - Roof: The original plan was to place a new roof on top of the original roof, which has caused some concerns from the contractors. Because of these concerns the roof replacement was not placed in this GMP and still needs to be addressed.
    - Alternate A would be to cap the existing roof with a new roof and would be the most expensive option with a preliminary cost estimate of \$346,047.
    - Alternate B would be to have the existing metal roof removed and replaced with a new metal roof system. This is the least expensive cost option with an additional preliminary cost estimate of \$103,814. This is the most feasible option.
  - Canopy & Entry Portal: The canopy will more than likely need to be replaced along with the roof system. An additional alternate the staff recommends would be to widen the entry portal while the canopy is being replaced. Both items have a preliminary cost estimate of \$213,632.
- Both adjustments to the project will need to be reviewed and confirmed by a structural engineer, design adjustments will need to be made for the entry portal, followed by a meeting with the design team. After that Brookstone will need to gather all updates to formulate the final estimate for these pending upgrades. With some uncertainty, these estimates could not be formally included in this GMP. The plan is to bring the final renovation GMP back to council as soon as practical, hopefully in April.

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Staff has split the GMP into two documents to illustrate the cost of the new building and preliminary cost of the renovation. The total construction cost for both projects is projected at \$7,918,293 which includes the final new building GMP (\$6,045,340), the preliminary GMP for the renovation INCLUDING the recommended roof/canopy/entry portal preliminary estimates (\$1,872,953). FF&E costs are estimated at 10% (\$791,829.30) overall, with more money being allocated to the new building, bringing the total project budget to \$8,710,122.30. The remaining project budget will be included in the FY23-24 budget.

**Updates Since March 20, 2023, Council meeting:**

- Preliminary estimates were evaluated and confirmed into final estimates.
- FF&E for the new building came in lower so we can utilize \$41,829.39 in the renovation portion reducing the total FF&E budget to \$750,000.
- The new building contingency has been reduced \$50,000 as a majority of that project has been bid on. This credit has been applied to the Renovation GMP Allowance.
- A reduction alternative for the new building & existing interior ceiling has been reviewed and accepted which has reduced the total budget by \$30,000 which will be reflected on this GMP.
- Soft cost fees have been updated and finalized which reduced the soft costs \$58,000. \$15,000 from the specialty consultants estimate, \$9,500 from change in service contingency was released and \$33,800 will be deducted from the design fee.
- The entry portal alternate has been moved from the existing building to the new building with a reduction of \$23,000 from the preliminary estimate as the new construction option was much more feasible from a practical, financial, and execution standpoint. This credit will be reflected on the Renovation GMP.
- Staff recommends accepting a lighting alternate that adds additional exterior lighting to the new canopy for a total of \$15,000. This amount is included already in the canopy position of renovation GMP.

**Potential Value Engineering that will be considered during the project:**

- The soffit in the existing building will be discussed as an additional value engineering option amongst the design team once renderings can be established but as of now it is still included in the project budget.
- The design team will consider reducing the number of piers on the existing building canopy. If deemed structurally feasible this will save additional funds.

Factoring in all adjustments and credits since the last council meeting, the renovation GMP including the roof and Canopy along with \$100,000 in allowances comes to \$1,933,613. The additional FF&E budget approval amount needed tonight for the existing building will be \$50,000 (\$41,829.39 savings from the new building that was approved in March can move over to this budget for a total of 91,829.39). This overall FF&E budget is a safe allowance, and we anticipate our final expense being under this \$750,000.

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This Renovation GMP, with allowances, of \$1,933,613 plus the \$6,745,340 (Resolution 2023-11) and the additional \$50,000 for FF&E requested tonight, the overall project total will be \$8,728,953 which is an increase of \$18,830.70 from the \$8,710,122.30 total presented in March.

March 20, 2023, Council approved the new building construction in the amount of \$6,045,340, along with FFE in the amount of \$700,000. Tonight's resolution represents the GMP for the renovation portion of the project in the amount of \$1,933,613 along with FFE in the amount of \$50,000.

City Council engaged in discussion about the proposed agreement and the cost of the project. There were questions about the increase in the cost of the project. Assistant City Manager Basford explained the reason for the increase.

Some members of Council explained their reasoning behind paying for this project with cash as opposed to bonds. It was explained that at this time the City's Financial Advisors recommended that this project would best be funded by cash. Some members felt that taking out debt is not a good idea.

With no further discussion on the matter, Council Member Singleton moved to approve Resolution 2023-14, approving the Guaranteed Maximum Price for the Clubhouse Renovation at Jersey Meadow Golf Club, approving funds for the furniture, fixtures and equipment for the Clubhouse Renovation and authorizing the City Manager to enter into an agreement with Brookstone L.P. for the renovation of the existing Golf Course Clubhouse. Council Member McCrea seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Singleton, and McCrea  
Mayor Pro tem Mitcham

Nays: None

The motion carried.

RESOLUTION NO. 2023-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE GUARENTEED MAXIMUM PRICE FOR THE EXISTING CLUBHOUSE RENOVATION AT JERSEY MEADOW GOLF CLUB, APPROVING FUNDS FOR THE FURNITURE, FIXTURES AND EQUIPMENT FOR THE RENOVATION AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BROOKSTONE L.P. FOR THE RENOVATION OF THE EXISTING GOLF COURSE CLUBHOUSE.

Item 5 was removed from the consent agenda. The discussion and vote for the removed item can be found under the appropriate Consent Agenda item. The vote for the remaining items NOT removed from the Consent Agenda is as follows:

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Council Member Wasson moved to approve items 1 through 4 on the Consent Agenda. Council Member Singleton seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Singleton, and McCrea  
Mayor Pro tem Mitcham

Nays: None

The motion carried.

**G. REGULAR AGENDA**

**1. Consider Resolution No. 2023-15, reviewing and accepting the 2022 Annual Comprehensive Financial Report (CAFR) and the 2022 Single Audit Reports.**

Isabel Kato, Finance Director, introduced the item. She told Council that the City of Jersey Village is required to publish each year a complete set of financial statements presented in conformity with Generally Accepted Accounting Principles (GAAP) and audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants.

She introduced the Consultant Stephanie Harris from Belt Harris & Associates LLLP who gave an overview of the audit findings and the financial position of the City. She called the Council's attention to the following pages of the report and explained each page:

Page 17

Page 34

Pages 36 and 37

Pages 42 and 43

She also gave information on the Single Audit Reports that pertain to grant funding.

The Council discussed the report to include the reserves and how they have increased. There was discussion about how these funds are important in emergency situations as well as the importance of these funds for future planning. It was pointed out that our pension fund is very secure, which is important to take care of our employees.

The fund balance increase was discussed. The Consultant explained how a City accumulates a fund balance. A healthy fund balance represents good management practices and situates the city for emergency situations.

With no further discussion on the matter, Council Member Wasson moved to approve Resolution No. 2023-15, reviewing and accepting the 2022 Annual Comprehensive Financial Report (ACFR) and the 2022 Single Audit Reports. Council Member Singleton seconded the motion. The vote follows:

Ayes: Council Members Wasson, Sheppard, Singleton, and McCrea

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Mayor Pro tem Mitcham

Nays: None

The motion carried.

RESOLUTION NO. 2023-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, REVIEWING AND ACCEPTING THE 2022 ANNUAL COMPREHENSIVE FINANCIAL REPORT (CAFR) AND THE 2022 SINGLE AUDIT REPORTS.

**H. MAYOR AND COUNCIL COMMENTS**

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

**Council Member Sheppard:** Council Member Sheppard thanked City Staff for their hard work on Founder's Day. She has COVID and was not able to enjoy the event, but some of her family members were able to attend and they really enjoyed the event.

**Council Member McCrea:** Council Member McCrea thought Founder's Day was fantastic. She had a great time.

**Council Member Singleton:** Council Member Singleton stated that his family enjoyed Founder's Day as well and he appreciates all that Staff did to put on this event. He also thanked all the volunteers for their work. He encouraged all to vote. Early Voting will start soon.

**Council Member Wasson:** Council Member Wasson thanked all for their work on Founder's Day. He recognized Mayor Pro tem for her work tonight. He also encouraged all to vote. He encouraged all to attend the May budget retreat and the budget workshops in July. He also mentioned that property tax protests are due by May 15.

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**Mayor Pro tem Mitcham:** Mayor Pro tem Mitcham stated that Founder’s Day was fantastic. She sat in the dunking booth and even enjoyed this as well.

**I. RECESS THE REGULAR SESSION**

Mayor Pro tem Mitcham recessed the Regular Session to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.072 – Deliberations about Real Property and Section 551.071 – Consultations with Attorney at 7:59 p.m.

**J. EXECUTIVE SESSION**

1. Pursuant to the Texas Open Meeting Act Section 551.072 Deliberations about Real Property and Section 551.071 Consultations with Attorney, a closed meeting to deliberate the potential and possible purchase, exchange, sale, or value of real property, located within TIRZ3.

**K. ADJOURN EXECUTIVE SESSION**

Mayor Pro tem Mitcham adjourned the Executive Session at 9:06 p.m. and reconvened the Regular Session, stating that no final actions, decisions, or votes were had during the Executive Session.

**L. RECONVENE THE REGULAR SESSION**

1. **Consider Resolution No. 2023-16, approving the sale of land in Tax Increment Reinvestment Zone Number 3 and authorizing the City Manager to sign any necessary documents to complete the sale.**

No discussion was had and no action was taken on this item.

RESOLUTION NO. 2023-16 – NO ACTION TAKEN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE SALE OF LAND IN TAX INCREMENT REINVESTMENT ZONE NUMBER 3 AND AUTHORIZING THE CITY MANAGER TO SIGN ANY NECESSARY DOCUMENTS TO COMPLETE THE SALE.

**M. ADJOURN**

There being no further business on the agenda the meeting was adjourned at 9:07 p.m.



\_\_\_\_\_  
Lorri Coody, TRMC, City Secretary

**MINUTES OF THE SPECIAL SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, HELD ON APRIL 24, 2023, AT 6:00 P.M. IN THE CIVIC CENTER AUDITORIUM, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.**

**A. CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT**

The meeting was called to order by Mayor Warren at 6:02 p.m. with the following present:

Mayor, Bobby Warren  
Council Member, Drew Wasson  
Council Member, Sheri Sheppard  
Council Member, Michelle Mitcham  
Council Member, James Singleton  
Council Member, Jennifer McCrea

City Manager, Austin Bless

City Secretary, Lorri Coody and City Attorney, Justin Pruitt were not present at this meeting.

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

There were no Citizens' Comments.

**C. RECESS THE SPECIAL SESSION**

Mayor Warren recessed the Special Session to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.087 Deliberation Regarding Economic Development Negotiations, Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney at 6:04 p.m.

**D. EXECUTIVE SESSION**

1. Pursuant to the Texas Open Meeting Act Section 551.087 Deliberation Regarding Economic Development Negotiations, Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney a closed meeting to deliberate information from a business prospect that the City seeks to locate in Jersey Village TIRZ Number 2 and economic development negotiations, including the possible purchase, exchange or value of real property, related thereto.

**E. ADJOURN EXECUTIVE SESSION**

Mayor Warren adjourned the Executive Session at 7:40 p.m., and reconvened the Special Session, stating that no final actions, decisions, or votes were had during the Executive Session.

**F. RECONVENE THE SPECIAL SESSION**

**G. ADJOURN**

There being no further business on the agenda the meeting was adjourned at 7:41 p.m.

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Lorri Coody, City Secretary



CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**CITY COUNCIL - CITY OF JERSEY VILLAGE, TEXAS - AGENDA REQUEST**

**AGENDA DATE:** March 17, 2023

**AGENDA ITEM:** II

**AGENDA SUBJECT:** Consider Resolution No. 2023-17, appointing an alternate non-voting member to alternate position A3 on the Parks and Recreation Advisory Committee for the unexpired term ending September 30, 2023.

**Department/Prepared By:** Lorri Coody

**Date Submitted:** May 4, 2023

**EXHIBITS:** Resolution No. 2023-17

Applications: Christina Sheehy  
Sirichat Song  
Molly Slaid

Sonja Tijerina-Burleson  
Karen Fitzgerald

**CITY MANAGER APPROVAL:**

**BACKGROUND INFORMATION:**

The Parks and Recreation Advisory Committee consists of seven (7) regular voting members and three (3) alternate non-voting members.

Currently, alternate non-voting member position A3 is vacant. Vacancies occurring in the alternate positions are filled by Council for the unexpired term of the vacated alternate member office. The current term of office for alternate non-voting position A3 began on October 1, 2021 and will expire on September 30, 2023.

This item is to appoint an alternate non-voting member to Position A3 to serve on the Parks and Recreation Advisory Committee.

Applications of interested residents are included in the meeting packet.

**RECOMMENDED ACTION:**

**MOTION:** To approve Resolution No. 2023-17, appointing an alternate non-voting member to alternate position A3 on the Parks and Recreation Advisory Committee for the unexpired term ending September 30, 2023.

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**



**RESOLUTION NO. 2023-17**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPOINTING AN ALTERNATE NON-VOTING MEMBER TO ALTERNATE POSITION A3 ON THE PARKS AND RECREATION ADVISORY COMMITTEE FOR THE UNEXPIRED TERM ENDING SEPTEMBER 30, 2023.**

**WHEREAS**, the City Council of the City of Jersey Village appoints members to the Parks and Recreation Advisory Committee for two year terms; and

**WHEREAS**, the Parks and Recreation Advisory Committee has seven voting members and three non-voting alternate members who shall be residents of the City; and

**WHEREAS**, Alternate position A3 is vacant on the Parks and Recreation Advisory Committee, requiring appointment for the unexpired term which began on October 1, 2021 and will expire on September 30, 2023; and

**WHEREAS**, qualified applicants have submitted applications for this position; **NOW THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS:**

**THAT**, \_\_\_\_\_ is appointed to serve in position A3 on the Parks and Recreation Advisory Committee for the unexpired term which began on October 1, 2021, and will expire on September 30, 2023.

**PASSED AND APPROVED** this the 17<sup>TH</sup> day of May 2023.

\_\_\_\_\_  
Bobby Warren, Mayor

**ATTEST:**

\_\_\_\_\_  
Lorri Coody, City Secretary



**CITY COUNCIL - CITY OF JERSEY VILLAGE, TEXAS - AGENDA REQUEST**

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM:** I2

**AGENDA SUBJECT:** Consider Resolution 2023-18, authorizing applications for the Harris County CDBG-MIT Program.

**Department/Prepared By:** Austin Bless, CM **Date Submitted:** May 9, 2023

**EXHIBITS:** Resolution 2023-18

**BACKGROUND INFORMATION:**

Following the devastating impacts of flooding from the 2015, 2016, and 2017 extreme weather flooding events, the state of Texas received an allocation of Community Development Block Grant Mitigation (CDBG-MIT) funds from the U.S. Department of Housing and Urban Development (HUD).

CDBG-MIT funds represent unique opportunity to provide assistance in areas impacted by recent disasters and carry out strategic and high-impact activities to mitigate disaster risks and reduce future losses in areas impacted by recent disasters. HUD defines mitigation activities as: “Those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.”

The Texas General Land Office (GLO) has been designated to administer the CDBG-MIT funds on behalf of Texas. GLO’s CDBG Mitigation Action Plan: Building Stronger for a Resilient Future (the Action Plan) outlines the use of funds, programs, eligible applicants, and eligibility criteria for these CDBG-MIT funds.

On March 31, 2022, the Texas General Land Office (GLO) approved Harris County’s Method of Distribution (MOD) for the allocation of \$750,000,000 in CDBG-MIT funding to help mitigate and increase future resilience from the adverse impacts posed by hurricanes, tropical storms and depressions, flooding, wind and other hazards to develop disaster-resistant infrastructure. The approved CDBG-MIT MOD includes the amount of funding for eligible entities to carry out risk mitigation projects. This includes \$37,500,000 in funding for projects in each Harris County Precinct.

Harris County has put out an application for interested partners to work with them under the CDBG-MIT Program. The program has eligible projects such as flood control and drainage improvement projects, water and sewer lines/facilities, streets, and others.

City staff is proposing to submit two grant applications.

Application 1 would be for \$6,505,000 for the city cost share of the White Oak Bayou Wastewater Treatment Plant Upgrades. That plant is owned and operated by the White Oak Bayou Joint Powers Board (WOBJPB) of which the city is approximately a 40% owner of. Recently the engineer for the plant recommended projects for the plant that totals \$13,010,000. These improvements are necessary for the plant to continue effective and efficient operations.

The projects include:

1. Maintenance, Rehabilitation, & Safety Improvements
2. Headworks Replacement
3. Non-Potable Water Pump Station Replacement
4. Clarifier Replacement

5. Bleach and Sodium Bisulfite Conversion
6. Solids Process Improvements
7. Electrical Improvements
8. Chlorine and Dechlorination Basin Improvements

This grant would cover about 50% of the total project costs, and the full share of the city costs.

Application 2 would be for \$3,000,000 for the Congo Street Full Street Reconstruction Project. This project would include a wider street for safer travel to/from Senate Avenue to Jersey Village High School and Post Elementary School, new water lines for the entire street, and improved drainage on the street to bring it up to current standards.

The \$3,000,000 would cover about 60% of the total project costs.

The scoring for the program is as follows:

**1. Project Readiness: 20 points**

- A review of the project’s readiness for implementation
  - o 30% Design completed (5 Points)
  - o 60% or more Design completed (10 points)
  - o 95% Design plans completed (15 Points)
- Ease of project delivery and construction (5 points)

**2. Percent of Low- and Moderate-Income Population: 25 Points**

- 0.00-50.9% (5 Points)
- 51.0%-60.0% (15 Points)
- 60% or more (25 Points)

**3. Project Efficiency: 20 Points**

Table 1: Project Efficiency using People Benefitted Scoring Criteria

Criteria	Score
Greater than \$77,000/person	1
\$28,001 to \$77,000/person	4
\$15,001 to \$28,000/person	6
\$6,000 to \$15,000/person	8
Less than \$6,000/person	10

Table 2: Project Efficiency using Structures Benefitted Scoring Criteria

Criteria	Score
Greater than \$261,000/structure	1
\$106,001 to \$261,000/structure	4
\$60,001 to \$106,000/structure	6
\$23,000 to \$60,000/structure	8
Less than \$23,000/structure	10

**4. Ancillary Benefits or benefits to community infrastructure: 10 Points**

Project have demonstrated Environmental, Economic, and Quality of Life Benefits or project benefits community infrastructure like hospitals, schools, community centers, parks and court houses, etc.

**5. Partner Applicant's Contribution: 25 Points**

- Partner Applicant pays 50% of the project total cost (25 Points)
- Partner Applicant pays 40% of the project total cost (20 Points)
- Partner Applicant pays 30% of the project total cost (15 Points)
- Partner Applicant pays 20% of the project total cost (10 Points)
- Partner Applicant pays less than 20% of the project total cost (2 Points)

Given that the two schools are going to benefit greatly from this project I have discussed utilizing their demographic information with the County for the grant. The County is open to that, and if that is accepted by the GLO as well we should be able to get at least 15 points in the Percent of Low- and Moderate-Income Populations for both projects.

For both applications our score should be over 75 points.

Receiving these grants would benefit us greatly in our ability to complete them. However, grants are always competitive and there is no guarantee that our applications will be funded. The projects must get completed at some point in the near future even without grant funding.

The timeline for the program is as follows:

June 7 - Applications due

June 14 – August 15 Application Evaluation Period

August 29 – Recommended Projects presented to Commissioners Court for approval and resolution to submit to the GLO

September 1 – 15 Projects submitted to GLO for approval

**RECOMMENDED ACTION:**

**MOTION:** To approve Resolution 2023-18, authorizing applications for the Harris County CDBG-MIT Program.

**RESOLUTION NO. 2023-18**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AUTHORIZING APPLICATIONS FOR THE HARRIS COUNTY CDBG-MIT PROGRAM**

**WHEREAS**, the Jersey Village City Council finds it in the best interest of the citizens of the City of Jersey Village that the City submit and accept granting from the Harris County CDBG-MIT Program; and

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

**Section 1.** The City Council authorizes the submission of an application for the Harris County CDBG-MIT Program for the White Oak Bayou Wastewater Treatment Facility Project within the City of Jersey Village, in the grant amount of \$6,505,000. The City Council assures the local share requirement of the projects will be met.

**Section 2.** The City Council authorizes the submission of an application for the Harris County CDBG-MIT Program for the Congo Street Reconstruction Project within the City of Jersey Village, in the grant amount of \$3,000,000. The City Council assures the City of Jersey Village will fund the local share requirement of the projects.

**Section 3.** The City Council authorizes the City Manager, the authorized official, to execute all documents in regard to the requested funds, which includes the power to apply for, accept, reject, alter, or terminate the grant.

**Section 4.** The City Council assures the City of Jersey Village will comply with all rules set by this funding program.

**PASSED AND APPROVED** this 17<sup>th</sup> day of **May**, A.D., **2023**.

\_\_\_\_\_  
Bobby Warren, Mayor

**ATTEST:**

\_\_\_\_\_  
Lorri Coody, City Secretary



**CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM:** I3

**AGENDA SUBJECT:** Consider Resolution 2023-19, stating the intent to annex a certain area of land into the corporate limits of the City, describing the area of land to be annexed, and describing the services to be provided to the area of land upon annexation.

**Department/Prepared By:** Austin Bless, CM **Date Submitted:** May 9, 2023

**EXHIBITS:** Resolution 2023-19  
EX A – Description of Area to be Annexed  
EX B – Description of Services to be Provided

**BACKGROUND INFORMATION:**

The City has been contacted by several property owners in our ETJ about getting water and sewer services. Many of these areas are close together and are between Wright Road and US 290, and along and south of Charles Road to FM 529. Due to the number of property owners reaching out city staff reached out to all property owners in that area to conduct an informal survey of the interest of annexation of the property to be provided with city water and sewer services. That survey has indicated owners of the property that constitute nearly 60% of the total property value are interested in this.

Based on this survey, staff had a preliminary estimate done on what it would cost to put in water and sewer services in this section. To provide water and sewer to the area described in the map the engineer estimates this would cost \$3,533,625 for the water lines and \$3,820,500 for the sewer.

We have been able to get some data from the people over there and some data from other public entities on the amount of water being pumped in area. Staff believes there are some wells that are not identified, and as such we believe these numbers to be on the low side. In 2021, there was a total of 4.9 million gallons of water pumped. This would equate to approximately \$140,000 in revenue to the city utility fund if they had been on city water and sewer. Once again, that is a conservative estimate, just going off of the data we are able to obtain. The actual usage is expected to be higher.

We anticipate the majority of the users there to have a 1.5-inch water meter. As such we are anticipating the impact fee for water to be approximately \$450,000, and for sewer to be approximately \$250,000. Once again these numbers are conservative. But this would be \$700,000 in revenue for the impact fee fund. Currently, the impact fee fund balance is \$1,232,000. Staff will be proposing to do an updated Impact Fee study, and that could change the costs for the impact fees. The study is estimated to cost \$70,000 and state law requires it to be done by an engineer.

Overall, we estimate that the impact fee fund would have at least \$1,800,000 to go towards this project.

The remainder of this cost would need to be paid for via a bond. During the budget workshop that is being held this evening, Council will discuss the bond in more depth.

The Impact Fee Study that was done in 2020 showed that the City has enough water supply capacity to handle this project and provide the water necessary.

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**

This would also help the goal of moving more places off of well water and onto ground water. Another factor of this is the property values that would be added to the tax rolls. As part of the annexation petition it could include being in the TIRZ, which would help with the valuation and revenue for the TIRZ. As of April 2023, the estimated valuation for all these properties is \$51,254,607, which would result in property tax revenue of \$380,565.

As of right now it is unknown what sales tax revenue could be seen. We are unable to get that information from the state, and we have not requested taxable sales numbers from the businesses. However, it is unlikely they would want to share that information in a public setting such as this. This project could also spur the positive growth of the area in our ETJ and the other surrounding areas. It could lead to better development and redevelopment of the entire area.

The best way to do this project would be to require consent of annexation through a petition. If landowners, constituting more than 50% of the total property value of the area to be annexed, petition to annex into the city, that would be a majority and allow for the annexation. There are no residents in this area so no vote is required.

If the Council is interested in moving this forward, the next step would be to approve the resolution. This resolution includes a statement of our intent to annex the area, a detailed map and description of the area, and a description of each service to be provided by the city in the area that would be annexed on or after the effective date of annexation, and a schedule that includes the period within which the city will provide each service that is not provided on the effective date of the annexation.

The process after this step would be for a letter to go out to each property owner in the area informing them of a notice of a public hearing that is required as part of the process, an explanation of the 180-day petition period and a description of the services to be provided by the city.

A public hearing must be held on the topic not earlier than 21 days and not later than 30 days after the resolution is adopted. If Council approves the resolution tonight that hearing would have to take place between June 7 and June 17.

After that the City would collect signatures on the petition. That signing period begins 31 days after the resolution is adopted and ends on the 180<sup>th</sup> day after the resolution is adopted. After that the petition is verified by the City Secretary, or another person the Council designates to be responsible for verifying the signatures.

Once the signatures are verified, if there are enough signatures requesting annexation then we must notify the property owners of the area of the results of the annexation, hold a first public hearing giving the public an opportunity to be heard, and holding a final public hearing no earlier than 10 days after the first public hearing. After this final hearing an ordinance annexing the area may be adopted.

**RECOMMENDED ACTION:**

**MOTION:** To approve Resolution 2023-19, stating the intent to annex a certain area of land into the corporate limits of the City, describing the area of land to be annexed, and describing the services to be provided to the area of land upon annexation.

**RESOLUTION NO. 2023-19**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, STATING THE INTENT TO ANNEX A CERTAIN AREA OF LAND INTO THE CORPORATE LIMITS OF THE CITY, DESCRIBING THE AREA OF LAND TO BE ANNEXED, AND DESCRIBING THE SERVICES TO BE PROVIDED TO THE AREA OF LAND UPON ANNEXATION.**

**WHEREAS**, Subchapter C-4 of Chapter 43 of the Texas Local Government Code (the “Code”) allows the City of Jersey Village, Texas (the “City”) to annex an area with a population of less than two hundred (200) if certain conditions are met; and

**WHEREAS**, the first step the City must take to annex an area contemplated in the Code is to adopt a Resolution that, among other things, declares the City’s intent to annex an area, describes the area, and describes the services to be provided to the area upon annexation; and

**WHEREAS**, the City Council of the City, through this Resolution, desires to satisfy the first step of the annexation process provided in the Code; and **NOW THEREFORE:**

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

**THAT** the facts and matter set forth in the preamble of this Resolution are hereby found to be true and correct, and incorporated herein for all purposes.

**THAT** the Council hereby declares its intent to annex that certain area of land located in the City’s extraterritorial jurisdiction, generally located along FM 529 from Wright Road to US 290 and along Charles Road (the “Area”), with the Area being more specifically depicted and described in “Exhibit A” attached to and incorporated in this Resolution for all intents and purposes.

**THAT** the City will provide the following services to the Area (the “Services”): police protection; fire protection; emergency medical services; operation and maintenance of water and wastewater facilities; and, operation and maintenance of any other publicly owned facility, building, or service. The description of the Services and the schedule for the provision of the Services by the City to the Area upon annexation of the Area is included in “Exhibit B” attached to and incorporated in this Resolution for all intents and purposes.

**THAT** in the event any clause, phrase, provision, sentence, or part of this Resolution 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 Resolution as a whole or any part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**PASSED, APPROVED, AND ADOPTED this 17th day of May 2023.**

**ATTEST:**

\_\_\_\_\_  
Lorri Coody, City Secretary



\_\_\_\_\_  
Bobby Warren, Mayor

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

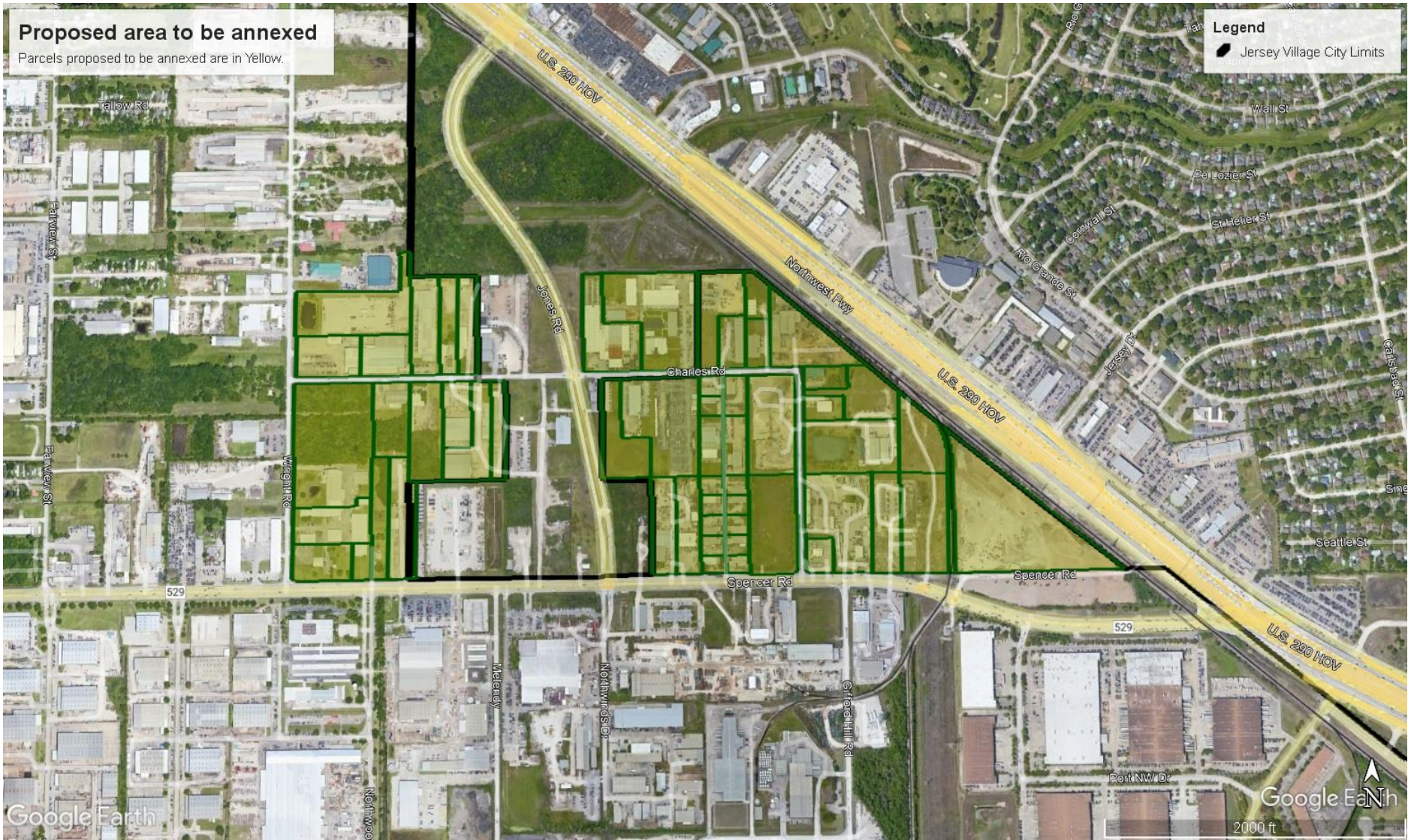


**EXHIBIT A – DEPICTION AND DESCRIPTION OF AREA TO BE ANNEXED**

The properties to be annexed in include:

<b>HCAD Number</b>	<b>Legal Description</b>	<b>Site Address</b>
064-015-000-0295	TR 30B FAIRVIEW GARDENS SEC 1	11714 CHARLES RD
064-015-000-0296	TR 29A FAIRVIEW GARDENS SEC 1	11722 CHARLES RD
064-015-000-0031	C W 195.13 FT OF LT 29 FAIRVIEW GARDENS SEC 1	11800 CHARLES RD
064-015-000-0023	LT 24 & TR 23 FAIRVIEW GARDENS SEC 1	11800 CHARLES RD
064-015-000-0110	TR 25B FAIRVIEW GARDENS SEC 1	11800 CHARLES RD
064-015-000-0025	TR 25A FAIRVIEW GARDENS SEC 1	11800 CHARLES RD
064-015-000-0120	LT 26 & TRS 27 & 28 W PT OF LT 27 & ADJ 45 FT OF LT 28 FAIRVIEW GARDENS SEC 1	7100 WRIGHT RD
064-015-000-0292	TR 27A FAIRVIEW GARDENS SEC 1	11835 CHARLES RD
064-015-000-0026	TR 45A FAIRVIEW GARDENS SEC 1	11811 CHARLES RD
132-686-000-0001	LT 2 GAR EDMONDS LOT 2	11715 CHARLES RD
125-532-000-0001	LT 1 GAR EDMONDS LOT 1	11711 CHARLES RD
064-015-000-0044	TRS 44C & 44A FAIRVIEW GARDENS SEC 1	11707 CHARLES RD
064-015-000-0176	TR 28D FAIRVIEW GARDENS SEC 1	7100 WRIGHT RD
064-015-000-0410	TR 28B-1 FAIRVIEW GARDENS SEC 1	7100 WRIGHT RD
064-015-000-0109	TR 28B FAIRVIEW GARDENS SEC 1	7100 WRIGHT RD
064-015-000-0028	TRS 27B 28C & 28E FAIRVIEW GARDENS SEC 1	11902 FM 529 RD
120-892-000-0001	LT 46 COASTAL FLANGE INC/SPENCER HWY	11906 FM 529 RD
064-015-000-0051	TR 51 FAIRVIEW GARDENS SEC 1	11432 FM 529 RD
064-015-000-0457	TR 51A FAIRVIEW GARDENS SEC 1	11430 FM 529 RD
116-232-000-0001	TR 1 WEST VLG INDUSTRIAL PARK U/R	11320 FM 529 RD
116-232-000-0002	TR 2 WEST VLG INDUSTRIAL PARK U/R	11320 FM 529 RD
116-232-000-0003	TR 3 WEST VLG INDUSTRIAL PARK U/R	11320 FM 529 RD
116-232-000-0004	TR 4 WEST VLG INDUSTRIAL PARK U/R	11320 FM 529 RD
116-232-000-0005	TR 5 WEST VLG INDUSTRIAL PARK U/R	0 FM 529 RD

116-232-000-0006	TR 6 WEST VLG INDUSTRIAL PARK U/R	11320 FM 529 RD
116-232-000-0007	TR 7 WEST VLG INDUSTRIAL PARK U/R	11320 FM 529 RD
116-232-000-0008	TR 8 WEST VLG INDUSTRIAL PARK U/R	11320 FM 529 RD
116-232-000-0009	TR 9 WEST VLG INDUSTRIAL PARK U/R	11320 FM 529 RD
116-232-000-0010	TR 10 WEST VLG INDUSTRIAL PARK U/R	11320 FM 529 RD
064-015-000-0053	TR 53 FAIRVIEW GARDENS SEC 1	0 FM 529 RD
064-015-000-0041	LT 41 LESS NE 200X400 FT FAIRVIEW GARDENS SEC 1	11625 CHARLES RD
064-015-000-0040	LT 40 FAIRVIEW GARDENS SEC 1 R/P	11433 CHARLES RD
064-015-000-0405	TR 39A-1 FAIRVIEW GARDENS SEC 1	11431 CHARLES RD
064-015-000-0340	TR 39A FAIRVIEW GARDENS SEC 1	11431 CHARLES RD
064-015-000-0428	TRS 39C & 39D FAIRVIEW GARDENS SEC 1	11407 CHARLES RD
064-015-000-0415	TR 39B (LAND ONLY) (IMPS*0640150000416) FAIRVIEW GARDENS SEC 1	11335 CHARLES RD
064-015-000-0039	TR 39 FAIRVIEW GARDENS SEC 1	11335 CHARLES RD
064-015-000-0038	LT 38 FAIRVIEW GARDENS SEC 1	11233 CHARLES RD
118-777-001-0001	LT 1 BLK 1 FAIRVIEW ACRES AMENDED	11250 FM 529 RD
118-777-001-0002	LT 2 BLK 1 FAIRVIEW ACRES AMENDED	7004 CHARLES RD
064-015-000-0116	TR 54B SATSUMA SUBSTATION FAIRVIEW GARDENS SEC 1	0 FM 529 RD
064-015-000-0115	TR 54A FAIRVIEW GARDENS SEC 1	0 FM 529 RD
064-015-000-0175	TR 55B EASEMENT ONLY FAIRVIEW GARDENS SEC 1	0 SPENCER RD
064-015-000-0055	TR 55A FAIRVIEW GARDENS SEC 1	0 SPENCER RD
064-015-000-0037	TR 37A FAIRVIEW GARDENS SEC 1	0 HEMPSTEAD RD
120-056-001-0001	LT 4 BLK 1 BARRY R/P	11220 CHARLES RD
120-056-001-0002	LT 3 BLK 1 BARRY R/P	11226 CHARLES RD
120-056-001-0003	LT 1 BLK 1 BARRY R/P	11250 CHARLES RD
120-056-001-0004	LT 2 BLK 1 BARRY R/P	11220 CHARLES RD
064-015-000-0036	LT 36B FAIRVIEW GARDENS SEC 1 PAR R/P	11280 CHARLES RD
064-015-000-0456	TR 36A-2 FAIRVIEW GARDENS SEC 1 PAR R/P	11310 CHARLES RD
064-015-000-0445	LT 36A FAIRVIEW GARDENS SEC 1 PAR R/P	11320 CHARLES RD
064-015-000-0035	TR 35 FAIRVIEW GARDENS SEC 1	11330 CHARLES RD
064-015-000-0327	TR 35A FAIRVIEW GARDENS SEC 1	11500 CHARLES RD



## **EXHIBIT B – DESCRIPTION OF SERVICES TO BE PROVIDED TO THE AREA**

It is the intent of the city to provide operation and maintenance of water and wastewater facilities to this area by the end of 2026. Upon annexation of the area the city will begin the design work necessary to extend water and sewer services, with the bidding and construction process to follow in accordance with all applicable state and local regulations.

The following services will be provided in the annexation area commencing on the effective date of the annexation, unless otherwise noted.

1. Police Protection
2. Fire Protection
3. EMS Services
4. Maintenance of any other publicly-owned facility, building or service if the City acquires any for municipal purposes located within the annexation area.

**CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM:** I4

**AGENDA SUBJECT:** Consider Resolution No. 2023-20, receiving the Planning and Zoning Commission’s Final Report concerning the proposal to amend Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards.

**Department/Prepared By:** Lorri Coody, City Secretary **Date Submitted:** April 20, 2023

**EXHIBITS:** Resolution No. 2023-20  
EX A – PZ Final Report - DRAFT

**BACKGROUND INFORMATION:**

The Planning and Zoning Commission met on March 27, 2023, to discuss and take appropriate action regarding amendments to the Code of Ordinance at Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards.

The Commission recommended in its preliminary report, which was submitted to Council at its April 17, 2023, meeting, that Council amend the Code of Ordinance at Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards. Additionally, the Commission requested that a Joint Public Hearing be ordered for May 17, 2023.

On May 17, 2023, the City Council and the Planning and Zoning Commission will conduct the joint public hearing and the Planning and Zoning Commission will make its final report and recommendation.

*A draft final report of the expected findings of the Commission is included in the Council Packet for review.*

**RECOMMENDED ACTION:**

**MOTION:** To approve Resolution No. 2023-20, receiving the Planning and Zoning Commission’s Final Report concerning the proposal to amend Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards.

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**

**RESOLUTION NO. 2023-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION’S FINAL REPORT CONCERNING THE PROPOSAL TO AMEND CHAPTER 14 “BUILDING AND DEVELOPMENT”, BY AMENDING SECTIONS 14-100 THROUGH 14-104 TO ALLOW FOR UPDATES TO RESIDENTIAL DEVELOPMENT STANDARDS.**

\* \* \* \* \*

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS:**

**THAT**, the Planning and Zoning Commission’s Final Report, as it relates to the proposal to amend Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards, is hereby received. The report is attached hereto as “Exhibit A.”

**PASSED AND APPROVED** this the 17<sup>th</sup> day of May 2023.

\_\_\_\_\_  
Bobby Warren, Mayor

**ATTEST:**

\_\_\_\_\_  
Lorri Coody, City Secretary



# Exhibit A to the Resolution

## The Planning and Zoning Commission's Final Report

### Residential Code Amendments



**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION  
FINAL REPORT  
RESIDENTIAL CODE AMENDMENTS**

The Planning and Zoning Commission has met on March 27, 2023, and in its preliminary report recommended that City Council amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards.

The preliminary report was submitted to the Jersey Village City Council at its April 17, 2023, meeting. The report was received, and the City Council ordered a Joint Public Hearing for May 17, 2023.

On May 17, 2023, the City Council and the Jersey Village Planning and Zoning Commission conducted a joint public hearing, which gave the public an opportunity to make comments concerning the proposed amendment.

The Planning and Zoning Commission after duly considering all the information before it including that gathered at the Joint Public Hearing with City Council on May 17, 2023, recommends that City Council amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards.

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

Respectfully submitted, this 17th day of May 2023.

s/Rick Faircloth, Chairman

**ATTEST:**

s/Lorri Coody, City Secretary



Exhibit A

Proposed Ordinance

DRAFT

**ORDINANCE NO. 2023-xx**

**AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT”, BY AMENDING SECTIONS 14-100 THROUGH 14-104 TO ALLOW FOR UPDATES TO RESIDENTIAL DEVELOPMENT STANDARDS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the Planning & Zoning Commission (the “Commissions”) has issued its report and has recommended amendments to the Code to add and amend portions of Chapter 14 of the Code to allow for updated development standards related to residential development; and

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

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

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

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

**SECTION 2. THAT** Section 14-100 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**Sec. 14-100. Residential Permitted Use Table.**

<b>USE</b>	<b>District A</b>	<b>District B</b>	<b>District C</b>	<b>District M</b>
Churches or other places of worship and related schools	PC <sup>(1)</sup>	PC <sup>(1)</sup>		
Electric Power Lines and Substations	PC <sup>(2)</sup>	PC <sup>(2)</sup>		
Golf Courses and Country Clubs	P	P		
Home Occupations	PC <sup>(3)</sup>	PC <sup>(3)</sup>	PC <sup>(3)</sup>	PC <sup>(3)</sup>
Model Homes	PC <sup>(4)</sup>	PC <sup>(4)</sup>	PC <sup>(4)</sup>	

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

Multi-family Dwellings				PC <sup>(5)</sup>
Municipal Government Buildings, Police Stations, Fire Stations, and Public Libraries	P	P		
Patio Homes		P	P	
Public Parks and Playgrounds, Public Recreational Facilities, Public Schools, Community Buildings and Public Museums not operated for profit	P	P		
Short-term Rentals	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>
Single-Family Dwelling	P	P		
Townhouses		PC <sup>(7)</sup>	PC <sup>(7)</sup>	
Water Supply Reservoirs, Filter Beds, Towers, Surface or Below Surface Tanks, Artesian Wells, Water Pumping Plants and Water Wells	P	P		
Additional Structures. Accessory uses and freestanding structures in addition to a single-family dwelling:				
Accessory Quarters	PC <sup>(8)</sup>	PC <sup>(8)</sup>		
Cabana/Dressing Room	A	A	A	A
Detached Carport	A	A		A
Detached Private Garage (1 per building site)	A	A		
Gazebo	A	A	A	A
Greenhouse	A	A	A	A
Hobby Structure	A	A	A	A
Pet House	A	A		
Playhouse	A	A		
Pool	A	A	A	A

Pool Cover	A	A	A	A
Utility Structure	A	A		
PC Notes.				
<p><i>Note 1:</i> Churches or other places of worship which shall:</p> <p>(1) Contain not less than four thousand square feet (4,000 sq ft) of ground floor area.</p> <p>(2) No church or other place of worship shall be constructed on a lot having less than five (5) acres of total area.</p>				
<p><i>Note 2:</i> Power lines and substations may include accessory uses customarily incidental thereto; provided such accessory uses shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibration, noise, emission of odor, dust, smoke, or pollution.</p>				
<p><i>Note 3:</i> To operate a home occupation, the following standards shall be met:</p> <p>(1) The home occupation must be clearly incidental to the use of the dwelling as a residence;</p> <p>(2) No outdoor sign, display or storage of materials, goods, supplies or equipment shall be allowed;</p> <p>(3) There shall be no change to the exterior of the building nor any visible evidence or signs that the residence contains a home occupation;</p> <p>(4) A home occupation shall not generate a nuisance such as traffic, on-street parking, noise, and electrical interference or hazards;</p> <p>(5) The maximum area devoted to a home occupation shall be twenty-five percent (25%) of the gross floor area of the dwelling unit; and</p> <p>(6) The home occupation shall not use employees who do not reside on the premises.</p>				
<p><i>Note 4:</i> Provided that a builder may have no more than one model home in a subdivision. A model home must have a temporary certificate of occupancy and may be open for business only between the hours of six o'clock (6:00) a.m. and nine o'clock (9:00) p.m. Use of a structure as a model home shall terminate on the first of the following events to occur:</p> <p>(1) Thirty (30) days after building permits have been issued for ninety percent (90%) of the lots in the subdivision;</p> <p>(2) Thirty (30) days after building permits have been issued for all lots owned by the builder in the subdivision; or</p> <p>(3) One hundred eighty (180) days after issuance of the latest building permit to the builder for a lot in the subdivision.</p>				
<p><i>Note 5:</i> New multi-family dwelling districts shall contain less than one hundred (100) acres of land.</p>				
<p><i>Note 6:</i> No short-term rental home shall be permitted within a five thousand foot (5,000') radius, measured from property line to property line, from any other previously established short-term rental home.</p>				
<p><i>Note 7:</i> No "flats" or apartment style building shall be constructed in single-family townhouse style dwelling units in a unified development.</p>				
<p><i>Note 8:</i> Accessory quarters shall comply with all the following standards:</p> <p>(1) Accessory quarters (may include a full kitchen) must be located on the same building site as a principal building containing a single-family dwelling (detached) use;</p> <p>(2) Must include no more than six hundred square feet (600sqft) of gross floor area; unless located on the second story of a garage, in which case the maximum gross floor area is the footprint of the garage; and</p>				

(3) An existing private garage structure shall not be converted to habitable space for the purpose of constructing accessory quarters.

<b>Legend</b>
P = Permitted Use
A = Accessory Use
PC = Permitted Use with Conditions

**SECTION 3. THAT** Sections 14-101(a) through (c) of the Code of Ordinances, City of Jersey Village, Texas are hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-101. Regulations for district A (single-family dwelling district).**

(a) Use regulations. No building or land shall be used, and no building shall be hereafter erected, moved or altered in district A except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-101A: Setbacks (feet) for Single-Family Residential and Related Structures</b>	
<b>Single-Family Residential</b>	
Front <sup>(2),(3),(4)</sup>	Twenty-five feet (25') to front lot line
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
<b>Freestanding Structures ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Detached Private Garages ( ≥ 70' to front lot line)</b>	
Front	Seventy feet (70') to front lot line
Rear	Ten feet (10') to rear lot line

Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Attached Private Garages</b>	
Front	Twenty-five feet (25') behind front façade wall closest to front lot line
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street line
<b>Attached Carports</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Detached Carports (≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Notes</b>	

(1) Where one or more lots have frontage on a street, all other lots in that block with side lot lines on the same street shall have a side-street setback requirement of twenty-five feet (25') (all structures).

(2) Single-family residences shall be constructed with a front yard setback of twenty-five feet (25') from the property line, except for Lots 6-11 Block 20, Lots 1-14 Block 21, Lots 1-25 Block 25, Lots 1-41 Block 26, Lots 1-22 Block 27, Lots 1-24 Block 28, Lots 1-36 Block 30, Lots 23-44 Block 31, Lots 6-13 Block 32, Lots 1-28 Block 33, Lots 6-8 Block 36, Lots 1-15 Block 38, Lots 1-3 Block 41, Lot 5 Block 41, Lots 1-21 Block 42, Lots 25-48 Block 42, Lots 1-4 Block 43, Lots 1-7 Block 47, Lots 1-31 Block 48, Lots 1-21 Block 49, Lots 1-11 Block 50, Lots 2-6 Block 53, Lots 10-12 Block 54, Lots 1-25 Block 55, Lots 1-19 Block 56, Lots 1-27 Block 61, Lots 1-39 Block 62, Lots 1-29 Block 63, Lots 1-20 Block 64, Lots 1-15 Block 65, which shall have an increased setback from the property line as noted on the recorded plat of Jersey Village.

(3) Single-family residences shall be constructed with a front yard setback of twenty-five feet (25') from the property line, except for Tracts 1-11A Block 19, Tracts 1-5 Block 20, Lots 26-44 Block 25, Lots 1-9 Block 54, Lots 1-14 Block 59, Lots 1-8 Block 60, and Lots 1-21 Block 69 which shall have an increased setback from the property line as noted on the recorded plat of Jersey Village Country Club Estates.

(4) Single-family residences shall be constructed with a front yard setback of twenty-five feet (25') from the property line, except for Lots 22-24 Block 42 which shall have an increased setback from the property line as noted on the recorded partial replat of Lots 22-24 Block 42 of Jersey Village; except for Lots 1-9 Block 37A and Lots 18-26 Block 43 which shall have an increased setback from the property line as noted on the second recorded replats of Lots 1-9 Block 37A and Lots 18-26 Block 43 of Jersey Village; except for Tracts 1 & 1A Block 53 which shall have an increased setback from the property line as noted on the amended recorded replat of Tracts 1 & 1A Block 53 of Jersey Village; except for Lot 1 Lakeside which shall have an increased setback from the property line as noted on the recorded plat of Estates-Cy-Fair.

<b>Table 14-101B: Setbacks (feet) for Non-Residential Buildings</b>	
<b>Non-Residential Buildings</b>	
Front	Twenty-five feet (25') to front lot line
Side	Twenty-five feet (25') to side lot line
Rear	Twenty-five feet (25') to rear lot line

(c) Height.

1) Single-family residences shall not exceed two and one half (2½) stories in height, except for Blocks 26, 38, 41, 42 and 47, which shall not exceed one and one half (1½) stories.

a. The maximum height of a two and one half (2½) story home shall be thirty-five feet (35').

b. The maximum height of a one and one half (1½) story home shall be twenty-five feet (25').

- 2) Nonresidential structures shall not exceed thirty-five feet (35') in height.
- 3) Calculating maximum height in district A. The maximum height for a single-family dwelling, structure, or accessory structure shall be calculated from the minimum flood elevation protection standards enumerated in Article IX "Storm Drainage and Flood Damage Prevention".
- 4) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void."

**SECTION 4. THAT** Section 14-101(j)(3)a. of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

"a. Exceed eight (8) feet in height, except for chain-link fencing;"

**SECTION 5. THAT** Section 14-102(a) through (d) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**"Sec. 14-102. Regulations for district B (townhouse/patio home district).**

(a) Use regulations. No building or land shall be used and no building shall be hereafter erected, moved or altered in district B except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-102A</b>	
<b>Setbacks for Single-Family Residential, Townhouses, Patio Homes, and Related Structures</b>	
<b>Single-Family Residential</b>	
Front	Twenty-five feet (25') to front lot line
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
<b>Townhouses and Patio Homes<sup>(2)</sup></b>	
Front	Twenty-five feet (25') to front lot line
Rear <sup>(3)</sup>	Sixteen feet (16') to rear lot line



Side <sup>(4)</sup>	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
<b>Freestanding Structures ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Detached Private Garages ( ≥ 70' to front lot line)</b>	
Front	Seventy feet (70') to front lot line
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Attached Private Garage</b>	
Front	Twenty-five feet (25') to front wall of the dwelling
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Attached Carports</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Detached Carports ( ≥ 70' to front lot line)</b>	

Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling

<b>Notes</b>	
<p>(1) Where one (1) or more lots have frontage on a street, all other lots in that block with side lot lines on the same street shall have a side-street setback requirement of twenty-five feet (25') (all structures).</p> <p>(2) For townhouse lots, the setbacks are modified as follows when required:</p> <ul style="list-style-type: none"> <li>a. Buildings that do not abut a building on an adjacent lot with a common firewall between them shall not be closer than five feet (5') to a side lot line on that side.</li> <li>b. Abutting buildings shall have a common firewall that complies with current city building codes.</li> <li>c. A series of abutting buildings shall not have a combined width of greater than three hundred feet (300').</li> <li>d. Each group of abutting buildings shall be separated on the side by an open space of not less than ten feet (10') to the next side lot line.</li> </ul> <p>(3) Excluding fencing.</p> <p>(4) Zero feet (0') for townhouses and one (1) side of patio homes.</p>	

<b>Table 14-102B: Setbacks (feet) for Non-Residential Buildings</b>	
<b>Non-Residential Buildings</b>	
Front	Twenty-five feet (25') to front lot line
Side	Twenty-five feet (25') to side lot line
Rear	Twenty-five feet (25') to rear lot line

(c) Building area. For townhouses and patio homes: The building area shall be not less than one thousand four hundred (1,400) square feet.

(d) Height.

1) For single-family detached residences, the maximum height of a two and one-half (2½) story home shall be thirty-five (35) feet.

- 2) For townhouses and patio homes: The height of buildings shall not exceed two (2) stories and thirty (30) feet.
- 3) For other uses: Buildings shall not exceed twenty-five (25) feet in height.
- 4) Nonresidential structures shall not exceed thirty-five (35) feet in height.
- 5) Calculating the maximum height in district B. The maximum height for a single-family dwelling, townhouse, patio home, structure, or accessory structure shall be calculated from the minimum flood elevation protection standards enumerated in Article IX “Storm Drainage and Flood Damage Prevention”.
- 6) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.”

**SECTION 6. THAT** Section 14-102(j)(1) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(j) Fences and walls.

1) Fences and walls in district B shall not:

- a. Exceed eight (8) feet in height, except for chain-link fencing.
- b. Chain-link fencing shall be a maximum of six (6) feet in height.
- c. Be topped with barbed or razor wire.
- d. Be electrified.
- e. Be constructed of (or modified with) any fencing material(s) intended to be injurious or malicious in nature (such as, but not limited to, broken glass or metal spikes) that have the potential to cause bodily harm or injury.”

**SECTION 7. THAT** Section 14-103(a) through (d) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-103. Regulations for district C—Townhouse/patio home district.**

(a) Use regulations. No building or land shall be used and no building shall be hereafter erected, moved or altered in district C except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-103: Setbacks (feet) for Townhouses, Patio Homes, and Related Structures</b>	
<b>Townhouses and Patio Homes<sup>(3)</sup></b>	
Front	Twenty-five feet (25') to front lot line
Rear <sup>(1)</sup>	Sixteen feet (16') to rear lot line
Side <sup>(2)</sup>	Seven and one-half feet (7.5') to side lot line
Side Street	Ten feet (10') to side street lot line
<b>Freestanding Structures (≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street	Ten feet (10') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Detached Private Garages (≥ 70' to front lot line)</b>	
Front	Seventy feet (70') to front lot line
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street	Twenty feet (20') to side street lot line
<b>Attached Private Garages</b>	
Front	Twenty-five feet (25') to front wall of the dwelling
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Attached Carports</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line

Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Detached Carports ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Notes</b>	
<p>(1) Excluding fencing.</p> <p>(2) Zero feet (0') for townhouses and one side of patio homes.</p> <p>(3) For townhouse lots, the setbacks are modified as follows when required:</p> <ul style="list-style-type: none"> <li>a. Building that do not abut a building on an adjacent lot with a common firewall between them shall not be closer than five feet (5') to a side lot line on that side.</li> <li>b. Abutting building shall have a common firewall that complies with current city building codes.</li> <li>c. A series of abutting buildings shall not have a combined width of greater than three hundred feet (300') feet.</li> <li>d. Each group of abutting building shall be separated on the side by an open space of not less than ten feet (10') to the next side lot line.</li> </ul>	

(c) Building area for townhouses and patio homes shall be not less than one thousand four hundred (1,400) square feet.

(d) Height.

1) For single-family detached residences, the maximum height of a two and one half (2½) story home shall be thirty-five (35) feet.

2) For townhouses and patio homes: The height of buildings shall not exceed two (2) stories and thirty (30) feet.

3) For other uses: Buildings shall not exceed twenty-five (25) feet in height.

4) Calculating the maximum height in district C. The maximum height for a single-family dwelling, townhouse, patio home, structure, or accessory structure shall be calculated from the minimum flood elevation protection standards enumerated in Article IX “Storm Drainage and Flood Damage Prevention”.

5) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.”

**SECTION 8. THAT** Section 14-103(i) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(i) Fences and hedges.

1) No fence in district C shall be permitted in the front yard, extending past the building setback line. For side street fencing, where one or more lots have frontage on the street, wrought iron style fencing may be installed to within two (2) feet of the public sidewalk and shall not encroach beyond the side lot line.

2) Fences and hedges in district C may not be erected or planted directly on a property line without the express agreement of the property owners on both sides of the property line.

3) Fences in district C shall not:

a. Exceed eight (8) feet in height, except for chain-link fencing.

b. Be topped with barbed or razor wire.

c. Be electrified.

d. Be constructed of (or modified with) any fencing material(s) intended to be injurious or malicious in nature (such as, but not limited to, broken glass or metal spikes) that have the potential to cause bodily harm or injury.

4) Fences in district C shall be constructed of the following materials, such as:

a. Chain-link

i. All chain-link fencing to be a minimum of four (4) feet in height, a maximum of six (6) feet in height, and shall be a minimum of eleven (11) gauge galvanized material

ii. All chain-link fencing higher than four (4) feet shall be a minimum of nine (9) gauge galvanized material.

b. Redwood

c. Cedar

d. Wrought iron

e. Brick or other approved material of equal quality.”

**SECTION 9. THAT** Section 14-104(a) through (d) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-104. Regulations for district M (multifamily dwelling district).**

(a) Use regulations. No building or land shall be used and no building shall be hereafter erected, moved or altered in district M except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-104: Setbacks (feet) for Single-Family Residential and Related Structures</b>	
<b>Multi-Family Residential</b>	
Front	Twenty-five feet (25') to front lot line
Rear <sup>(1)</sup>	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(2)</sup>	Ten feet (10') to side street lot line
<b>Detached Carports (≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Notes</b>	
(1) Where one (1) or more lots have frontage on a street, all other lots in that block with side lot lines on the same street shall have a setback requirement of twenty-five feet (25').	
(2) Excluding fencing.	

(c) Building area.

1) Multi-family buildings shall contain not less than two thousand (2,000) square feet nor more than twenty-one thousand (21,000) square feet of ground floor area.

2) Accessory buildings shall contain not less than one hundred (100) square feet nor more than fifteen thousand (15,000) square feet of ground floor area. Accessory structures shall be constructed of permanent material.

3) Portable buildings of a temporary nature are prohibited.

(d) Height.

1) No building shall exceed fifty (50) feet or three (3) stories in height.

2) Calculating the maximum height in district M. The maximum height for a multi-family dwelling shall be calculated from the minimum flood elevation standards specified in Article IX “Storm Drainage and Flood Damage Prevention”.

3) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.”

**SECTION 10. THAT** Section 14-104(i) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(i) Screening/Fencing Standards..

1) Screening. Refuse containers or like equipment outside of an enclosed space shall be screened from public view, either from adjacent buildings or adjacent property, both private and public. Such screens shall be permanent and opaque and of wood, metal or masonry material and shall be at least as high as the screened object, and in no case shall be less than six (6) feet in height.

2) Interior fences in district M shall be a maximum of eight (8) feet in height, shall be permanent and must be of the following types:

a. Redwood;

b. Cedar;

c. Wrought iron;

d. Brick or masonry; or,

e. Chain-link (sport court enclosures only) shall be maximum of twelve (12) feet in height and shall be a minimum of nine (9) gauge galvanized material.

3) No fence in district M shall:

a. Be topped with barbed or razor wire.

b. Be electrified.



c. Be constructed of (or modified with) any fencing material(s) intended to be injurious or malicious in nature (such as, but not limited to, broken glass or metal spikes) that have the potential to cause bodily harm or injury.”

**SECTION 11. THAT** in the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 12. THAT** all other ordinances or parts of ordinances in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed.

**SECTION 13. THAT** any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine as provided in Section 1-8.

**SECTION 14. THAT** this Ordinance shall be in full force and effect from and after its passage.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2023.

**FOR THE CITY:**

\_\_\_\_\_  
**BOBBY WARREN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Lorri Coody, City Secretary**

**CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM:** 15

**AGENDA SUBJECT:** Consider Resolution No. 2023-21, receiving the Planning and Zoning Commission’s Final Report concerning the proposal to amend Chapter 14 “Building and Development” by amending Section 14-5 Definitions, Section 14-11 General Penalty, Continuing Violations, Section 14-88 Regulations applying to all Districts, Sections 105 thru 110 Commercial Use Regulations, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Landscaping Standards in order to allow for updates to commercial development standards.

**Department/Prepared By:** Lorri Coody, City Secretary **Date Submitted:** April 20, 2023

**EXHIBITS:** Resolution No. 2023-21  
EX A – PZ Final Report - DRAFT

**BACKGROUND INFORMATION:**

The Planning and Zoning Commission met on November 9, 2022, November 21, 2022, and March 27, 2023, to discuss and take appropriate action regarding amendments to the Code of Ordinance by amending Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards.

The Commission recommended in its preliminary report, which was submitted to Council at its April 17, 2023, meeting, that Council amend Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards. Additionally, the Commission requested that a Joint Public Hearing be ordered for May 17, 2023.

Since April 17, 2023, additional edits have been made to the proposed ordinance at the request of staff as follows:

1. Should the Hotel/Motel Definition match what is in the Chapter 18 Hotel Code Ordinance that “Guest rooms must be accessible only through interior corridors of the hotel building. The lobby and registration area must communicate directly with corridors/elevators to attain interior room access;”
  - o **Hotel/motel definition in Sec. 14-5 revised to include hotel code ordinance language.**
  - o **Hotel and motel means a building in which lodging is provided or offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby. Guest rooms must be accessible only through interior corridors of the hotel building. The lobby and registration area must communicate directly with corridors/elevators to attain interior room access.**
2. We define Short Term Rental, but they are not a listed use in the table. We currently have at least one in Zone G (in the Senior apartments). If we allow residential above commercial it seems we should add STR’s to the use table.
  - o **Added to Use Table as P in district G. Please let us know if you would like STRs to be permitted in additional commercial districts.**

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**

3. The following uses are defined in the proposed Sec 14-5, but are not in the Permitted and Conditional Use Table
- Adult Entertainment
    - **Added to Use Table as SUP in district H.**
  - Agriculture
    - **Added to Use Table as P in all districts.**
  - Apartment
    - **Definition struck from 14-5 due to redundancy with "Dwelling, multiple-family"**
  - Child-Care Center
    - **"Child-care center" is included in the Use Table entry "Child day-care operation (licensed child-care centers and school-age program centers)".**
    - **Definitions for "Child-care center" and "School-age program center" to remain in Sec. 14-5 to describe the differences between these facilities.**
  - Club
    - **Club added to "Bar" definition**
      - **Bar/club means an establishment that derives fifty-one (51) percent or more of its income from the sale of alcoholic beverages. Such beverages are intended for consumption on the premises.**
  - Commercial Building
    - **Definition not intended for use table.**
    - **Commercial building definition revised to the following:**
      - **Commercial building means any building where commercial activities take place, other than home occupations as defined in this section.**
    - **Home occupation definition added to Sec. 14-5 to facilitate this change.**
      - **Home occupation means an accessory occupational use conducted entirely within a dwelling unit by its inhabitants that is clearly incidental to the use of the structure for residential purposes and that does not change the residential character of the site. A home occupation may include an operation in which members of the immediate family sell or offer for sale articles which they produce on the premises; but home occupation does not include operations that use persons who do not reside on the premises to either (1) sell or offer for sale such articles, or (2) produce such articles. Additionally, animal hospitals, animal kennels, barber shops, beauty shops, clinics, doctor's offices, dress shops, hospitals, insurance offices, millinery shops, real estate offices, tearooms, tourist homes, palm readers, fortune tellers, among others and as examples only, are not home occupations.**
  - New computer and electronics store
    - **Definition struck from Sec. 14-5. Use intentionally removed.**
  - Critical facilities
    - **Definition not intended for use table.**
  - Distribution is listed in definitions but in the table it is "Distribution and warehousing"
    - **Definition revised in Sec. 14-5 to read "Distribution and warehousing" for consistency with Use Table.**
  - Dwelling - (all dwelling definitions)
    - **Dwelling definitions not intended for Commercial Use Table, specific dwelling types included in Residential Use Table (Single-family, townhomes, multi-family).**
  - Filling stations
    - **Definition struck from Sec. 14-5 due to redundancy with new term "Gasoline filling station".**
  - Integrated business development
    - **Definition not intended for Commercial Use Table, definition needed to describe shopping centers and other coordinated developments.**

- Retail establishment selling or offering for sale any alcoholic beverage
  - **Definition struck from Sec. 14-5 due to the creation of new uses that make this definition redundant.**
- School age program center
  - **"School age program center" is included in the Use Table entry "Child day-care operation (licensed child-care centers and school-age program centers)".**
  - **Definitions for "Child-care center" and "School-age program center" to remain in Sec. 14-5 to describe the differences between these facilities.**
- Service Centers
  - **Definition struck from Sec. 14-5 due to the concept of "Service centers" being reworked into individual uses rather than various types of service centers.**
- Underground structure
  - **Definition not intended for Commercial Use Table. This is needed to delineate/describe a type of construction.**
- Unified Development
  - **Definition struck from Sec. 14-5 as Unified Development is a term that is not needed and encompassed better by other definitions.**
- 4. Book store is defined, but in the table it's bookstore (space between the words)
  - **Space removed from definition in Sec. 14-5 for consistency with Use Table.**
- 5. Hookah bar/lounge seems to take a step back in the definition by adding the word primarily again.
  - **The definitions for "Hookah bar/lounge", "Junk or salvage yard", and "Restaurant" were revised to strike the word primarily at the 10/27/22 Special Session of the JV City Council (Ord. 2022-40). We have revised our definitions in Sec. 14-5 to reflect where the definitions currently stand with "primarily" removed.**
- 6. Parking Lot – I think we should consider making those as accessory only, or at a minimum with an SUP. We don't want more parking lots just for parking sake. One of the dealerships has one on Castlebridge that has been empty since it was built.
  - **Parking lot definition updated: *Parking lot* means any location that is used for the short-term outdoor storage of passenger motor vehicles. Overflow parking for motor vehicles sales is specifically prohibited outside the Motor Vehicle Sales Overlay District.**
  - **Parking lot use table entries updated to SUP in districts F, G, H, J, J-1, K**
- 7. In the table I think CBD shop and Carwash lines should be swapped to keep the correct alphabetical order
  - **Swapped to alphabetical order in Commercial Use Table.**
- 8. Real estate, rental, and leasing office and railroad and related facilities lines should be swapped to keep the correct alphabetical order
  - **Swapped to alphabetical order in Commercial Use Table.**
- 9. Single-family dwelling is duplicated between that one and Dwelling, single family.
  - **The definitions for "Dwelling, single-family" and "Single-family dwelling" are both present in the live version of the code. The definition for "Single-family dwelling" has been struck from Sec. 14-5 as it was redundant and the less descriptive of the two definitions.**
- 10. We would want a driving range to be a SUP at a minimum, and not permitted by right with an entertainment complex.
  - **Definition of "Golf course, country club, and driving range" revised to "Golf course and country club" in Sec. 14-5.**
    - ***Golf course and country club* means a tract of land laid out with a least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, a driving range, and shelters as accessory uses.**

- Definition of "Multi-purpose entertainment complex" revised to remove explicit reference to driving ranges in Sec. 14-5.
  - *Multi-purpose entertainment complex* means an establishment that may include food and drink sales and provides the general public with amusement or activities, including but not limited to bowling alleys, laser tag, mini-golf, bumper cars, skating rinks, trampoline parks, theatres, or similar activities.
- Definition for "Driving range" added to Sec. 14-5.
  - *Driving range* means a commercial business equipped with distance markers, clubs, balls, and tees for practicing golf drives and putting. This definition specifically does not include miniature golf courses or golf courses.
- Commercial use table line-item entry for "Golf course, country club, and driving range" revised to "Golf course and country club"
- Commercial use table line-item entry added for "Driving range", SUP in districts F, J, J-1, K

On May 17, 2023, the City Council and the Planning and Zoning Commission will conduct the joint public hearing and the Planning and Zoning Commission will make its final report and recommendation.

*A draft final report of the expected findings of the Commission is included in the Council Packet for review.*

**RECOMMENDED ACTION:**

**MOTION:** To approve Resolution No. 2023-21, receiving the Planning and Zoning Commission's Final Report concerning the proposal to amend Chapter 14 "Building and Development" by amending Section 14-5 Definitions, Section 14-11 General Penalty, Continuing Violations, Section 14-88 Regulations applying to all Districts, Sections 105 thru 110 Commercial Use Regulations, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Landscaping Standards in order to allow for updates to commercial development standards.

**RESOLUTION NO. 2023-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, RECEIVING THE PLANNING AND ZONING COMMISSION’S FINAL REPORT CONCERNING THE PROPOSAL TO AMEND CHAPTER 14 “BUILDING AND DEVELOPMENT” BY AMENDING SECTION 14-5 DEFINITIONS, SECTION 14-11 GENERAL PENALTY, CONTINUING VIOLATIONS, SECTION 14-88 REGULATIONS APPLYING TO ALL DISTRICTS, SECTIONS 105 THRU 110 COMMERCIAL USE REGULATIONS, SECTION 14-244 PERMITS AND FEES, SECTION 14-252 COMMERCIAL SIGNS, SECTION 14-283 OFF STREET PARKING, AND SECTION 14-309 LANDSCAPING STANDARDS IN ORDER TO ALLOW FOR UPDATES TO COMMERCIAL DEVELOPMENT STANDARDS.**

\* \* \* \* \*

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS:**

**THAT**, the Planning and Zoning Commission’s Final Report, as it relates to the proposal to amend Chapter 14 “Building and Development” by amending Section 14-5 Definitions, Section 14-11 General Penalty, Continuing Violations, Section 14-88 Regulations applying to all Districts, Sections 105 thru 110 Commercial Use Regulations, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Landscaping Standards in order to allow for updates to commercial development standards, is hereby received. The report is attached hereto as “Exhibit A.”

**PASSED AND APPROVED** this the 17<sup>th</sup> day of May 2023.

\_\_\_\_\_  
Bobby Warren, Mayor

**ATTEST:**

\_\_\_\_\_  
Lorri Coody, City Secretary



# Exhibit A to the Resolution

## The Planning and Zoning Commission's Final Report

### Commercial Code Amendments



**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION  
FINAL REPORT  
COMMERCIAL CODE AMENDMENTS**

The Planning and Zoning Commission has met on November 9, 2022, November 21, 2022, and March 27, 2023, and in its preliminary report recommended that City Council amend the Jersey Village Code of Ordinances at Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards.

The preliminary report was submitted to the Jersey Village City Council at its April 17, 2023, meeting. The report was received, and the City Council ordered a Joint Public Hearing for May 17, 2023.

On May 17, 2023, the City Council and the Jersey Village Planning and Zoning Commission conducted a joint public hearing, which gave the public an opportunity to make comments concerning the proposed amendment.

The Planning and Zoning Commission after duly considering all the information before it including that gathered at the Joint Public Hearing with City Council on May 17, 2023, recommends that City Council amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development” by amending Section 14-5 Definitions, Section 14-11 General Penalty, Continuing Violations, Section 14-88 Regulations applying to all Districts, Sections 105 thru 110 Commercial Use Regulations, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Landscaping Standards in order to allow for updates to commercial development standards.

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

Respectfully submitted, this 17th day of May 2023.

s/Rick Faircloth, Chairman

**ATTEST:**

s/Lorri Coody, City Secretary



Exhibit A

Proposed Ordinance

DRAFT

ORDINANCE NO. 2023-xx

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT”, BY AMENDING SECTION 14-5 “DEFINITIONS” TO UPDATE THE DEFINITIONS USED IN CHAPTER 14; ADDING A SECTION 14-11 “GENERAL PENALTY; CONTINUING VIOLATIONS” TO PROVIDE PENALTIES FOR VIOLATIONS OF CHAPTER 14; AMENDING SECTION 14-88 “REGULATIONS THAT APPLY TO ALL DISTRICTS” TO PROVIDE GENERAL COMMERCIAL USE REGULATIONS; AMENDING SECTIONS 14-105 THROUGH 14-110 TO PROVIDE COMMERCIAL USE REGULATIONS; AMENDING SECTION 14-244(b)(1)c REGARDING EXCEPTIONS TO REQUIRED SIGN PERMITS; AMENDING SECTIONS 14-252(2)b.1(a) AND 14-252(2)c.1 REGARDING SIGNS IN COMMERCIAL ZONES; AMENDING SECTION 14-283 REGARDING OFF STREET PARKING STANDARDS; AMENDING SECTION 14-309 REGARDING LANDSCAPING IN COMMERCIAL ZONES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND, PROVIDING AN EFFECTIVE DATE.

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

**WHEREAS**, the Planning & Zoning Commission (the “Commissions”) has issued its report and has recommended amendments to the Code to add and amend portions of Chapter 14 of the Code to allow for updated development standards related to commercial development; and

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

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

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

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

**SECTION 2. THAT** Section 14-5 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-5. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*AE* means areas of the base (one percent or 100-year) flood where base flood elevations have been

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

determined.

*Accessory building* means a building or structure customarily incidental and subordinate to the principal structure and located on the same lot as the principal building.

*Accessory use of a building* means a subordinate use or building customarily incident to and located on the lots occupied by the main use or building.

*Adult entertainment* means an adult cabaret, adult encounter parlor, adult lounge, adult modeling studio, adult bookstore, adult movie theater, or any establishment whose business is the offering to customers of a product or service which is intended to provide sexual stimulation or sexual gratification to such customers, and which is distinguished by or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical areas. See also Chapter 18, Article II, Section 18- 31.

*Advertising* means to seek the attraction, or to direct the attention, of the public to any goods, services, merchandise, purpose or cause.

*Agriculture* means any land or building used for pasturage, floriculture, dairying, horticulture, forestry and livestock or poultry husbandry.

*Alley* means a legally established private access easement affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

*Alluvial fan flooding* means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

*Alter* means to change, rearrange, enlarge, extend or reduce any structure or part thereof on the same site.

*Alterations* means any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls or partitions, columns, beams or girders; or any change which may be referred to in this chapter as “altered” or “reconstructed.”

*Apex* means a point on an alluvial fan or similar landform below which the low path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

*Apparel manufacturing* means a facility for the manufacture of garments.

*Appeal* means, for floodplain management purposes, a request for a review of the floodplain administrator’s interpretation of any provision of this chapter or a request for a variance.

*Appurtenant structure*, for floodplain management purposes, means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

*Area of future conditions flood hazard* means the land area that would be inundated by the one percent annual chance (100 year) flood based on future hydrological conditions.

*Area of shallow flooding* means a designated AO, AH, AR/AO, AR/AH or VO zone on a community's flood insurance rate map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

*Area of special flood hazard (ASFH)—also referred to as a special flood hazard area (SFHA)* — means the land in the floodplain within a community subject to a 0.2 percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-30, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/A, VO, V1-30, VE, V or X Shaded Zones.

*Art gallery* means a room or building used for the display or sale of works of art.

*As-built documents* means(s) legal papers prepared by a registered professional engineer and confirming that the public improvements are constructed as shown.

*Assembling* means a facility where previously manufactured parts are put or fit together for final assembly.

*Auto body shop* means any shop or garage, other than a private garage, where bodywork and painting are performed.

*Automobile repair shop* means a facility used for the repair or replacement of engines, transmissions, differentials, drivetrains, or any parts thereof, in addition to the replacement of parts, service, and incidental repairs to private passenger vehicles. A private passenger vehicle is defined as automobiles, motorcycles, station wagons, vans, SUVs, or pickup trucks reserved for personal use.

*Bail bond service* means an establishment that offers to act as a surety and pledges money or property as bail for the appearance of a defendant in court.

*Bakery (industrial)* means an establishment that is permitted for the production and/or wholesaling of baked goods, but where over the counter or other retail dispensing of baked goods shall be allowed incidental to the main use.

*Bank, financial institution, and insurance service institution* means an institution that is licensed to accept checking and savings deposits, make loans, and provide insurance.

*Bar/club* means an establishment that derives fifty-one (51) percent or more of its income from the sale of alcoholic beverages. Such beverages are intended for consumption on the premises.

*Barber, beauty store, or salon* means an establishment that offers goods and services related to barbering, cosmetology, and hairdressing.

*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year.

*Base flood elevation (BFE) or base flood level* means the elevation above mean sea level that floodwaters have been calculated to reach during the base flood at a specific location.

*Basement*, for floodplain management purposes, means any area of the building having its floor subgrade (below ground level) on all sides.

*Beer and wine sales* means an establishment that sells beer and wine not to exceed 17 percent alcohol by volume. This type of establishment can be stand-alone, or function as an ancillary use to a retail establishment.

*Berm* means a manmade, formed, earth mound of definite height and width used for obscuring purposes; the intent of which is to provide a transition between uses of differing intensity.

*Billboard* means an off-premises sign.

*Block* means a tract or parcel of land designated as such on a subdivision plat surrounded by streets or other physical obstructions.

*Blockface* means the properties abutting on one side of a street between the two nearest intersecting streets or other physical features, such as a watercourse or unsubdivided land, that defines the end of the block.

*Bookstore* means a retail establishment that, engages in the sale, rental, or other charge-for-use of books, magazines, newspapers, greeting cards, postcards, videotapes, computer software, or any other printed or electronically conveyed information or media, excluding any “adult bookstore,” “adult theater,” “theater,” or “studio theater.”

*Boundary sewer line* means a sewer line installed in a street bounding a development or faced on only one side by a development, which can also serve property not included in the development on the opposite side of the street.

*Boundary water line* means a water line, installed in a street bounding a development or faced on only one side by a development, which can also serve property not included in the development on the opposite side of the street.

*Breakaway wall* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

*Brew pub* means an establishment that is authorized to brew, bottle, can, package, and label beer, and sell or offer without charge, on the premises to ultimate consumers for consumption on or off those premises, malt beverages produced by the holder, in or from a lawful container to the extent the sales or offers are allowed under the holder's other permits or licenses. Food may also be served at this establishment.

*Broadcasting studio* means commercial and public communications uses, including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings.

*Buffer* means the area, space or physical means which is established to protect or insulate one land use or one building from another. Generally, buffering will be the use of landscaping (other than mere grass on a flat terrain) or the use of landscaping along with berms, walls or decorative fences that at least partially and periodically obstruct the view from the street and adjacent property in a continuous manner, of vehicular use areas, parking lots and their parked cars, and/or detention ponds.

*Buffer yard* means a strip of land, including any specified type and amount of planting or structures which may be required to protect one type of land use from another, or minimize or eliminate conflicts.

*Build* means to convert, enlarge, reconstruct or alter a building or structure.

*Building.* See the definitions within the adopted building codes.

*Building area* means ground floor area computed by calculating the outside dimensions of exterior walls, excluding the floor area of garages, open or screened porches, basements or semifurnished storage rooms not used for residential purposes.

*Building contractor and related activities* means a facility used for conducting business related to the construction of buildings, either residential or commercial, including but not limited to the storage and operation of machinery and materials, fabrication of building-related products, and the provision of services.

*Building height* means the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on a sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

*Building line* means a line parallel to the front lot line. A minimum building line is the same as the minimum required front setback line.

*Building materials, sales, and storage* means any location used for the sale and storage of materials used for the construction of various building-related projects, including but not limited to: residential and commercial structures, and site improvements.

*Building, principal* means a building in which is conducted the main or principal use of the lot on which such building is located.

*Business frontage* means the linear measurement from outer wall to outer wall of the side of the building which faces or fronts a street and which generally contains the primary entrance to the building.

*Business purposes* means the erection or use of any property, building, structure, permanent or temporary, for the primary purpose of conducting in such building or structure or on such property a lawful commercial enterprise in compliance with all ordinances and regulations of the city governing such activity. The term “business purpose” shall not include any property, building or structure erected or used for the primary purpose of securing a permit to erect a sign.

*Cabana or dressing room* means a small structure for use as a bathhouse adjacent to a swimming pool.

*Cafe and cafeteria* means a restaurant or dining room located in part of a business in which customers serve themselves or are served from a counter and pay before eating.

*Cannabidiol shop (CBD shop)*. A business establishment for which more than 15 percent of sales are derived from the retail sale of products related to or derived from CBD oil (cannabidiol) or hemp. This includes, but is not limited to, oils, vitamins, supplements, food, personal care, and garments.

*Car wash* means a facility intended for washing and cleaning of passenger vehicles which allows washing of multiple vehicles in a tandem arrangement while moving through the structure, to include detail areas, vacuum areas and a lobby.

*Carport* means a permanent structure that is attached to a residence or private garage, that covers a driveway, and that consists of a roof and one or more sides.

*Cell phone and computer repair business* means a business that provides small-scale electronic repair services for items of the general public, including, but not limited to cellphone repair, computer repair, and, other related minor repairs.

*Certificate of compliance* means a certificate issued by the city to a party intending to initiate any work or change any use of property in the city.

*Child-care center* means a facility licensed by the State of Texas to provide care at a location other than the permit holder’s home, for seven or more children under 14 years of age, for less than 24 hours per day, but at least two hours a day, three or more days per week (40 TAC § 745.37(2)(D)).

*Child day-care operation (licensed child-care centers and school-age program centers)* means a facility licensed, certified, or registered by the Department of Family and Protective Services to provide assessment, care, training, education, custody, treatment, or supervision for a child who is not related by blood, marriage, or adoption to the owner or operator of the facility for all or part of

the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers.

*Cigar shop/lounge* means a retail cigar establishment that excludes minors that in some cases includes an enclosed area within or attached to the establishment to be used as private cigar smokers' lounge.

*City of Jersey Village: water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants, and water wells* means any water system provided and maintained by the City of Jersey Village or a utility company that the city agency has specifically approved as acceptable.

*Cleaners (clothing), tailor, and retail laundry* means an establishment that washes, adjusts, and repairs personal clothing items.

*Clinic* means a building, other than a hospital as herein defined, used by one or more licensed physicians for the purpose of receiving and treating patients.

*Clothing boutique* means a small retail establishment that sells fashionable clothing or accessories.

*Club* means an organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics or similar activities, but not operated for profit and open only to members and not the general public.

*Cold storage plant* means a facility where, for compensation or reward received or promised, wildlife or fish or parts of them are processed and stored, either fresh or frozen, for later consumption.

*Commercial building* means any building where commercial activities take place, other than home occupations as defined in this section.

*Commercial message* means a message placed or caused to be placed before the public by a person directly involved in the manufacture or sale of the products, property, accommodations, services, attractions or activities or possible substitutes for those things which are the subject of the message; and that refers to the offer for sale or existence for sale of products, property, accommodations, services, attractions or activities that are offered or exist for sale or for hire; or that attracts attention to a business or to products, property, accommodations, services, attractions or activities that are offered or exist for sale or for hire.

*Commercial vehicle* means any motor vehicle, trailer, or semi-trailer designed or used to carry freight, passengers for a fee, or merchandise in the furtherance of any commercial enterprise and having a gross weight of more than 10,000 pounds.

*Commercial vehicle repair shop* means a facility used for the repair or replacement of engines, transmissions, differentials, drivetrains, or any parts thereof, in addition to the replacement of parts, service, and incidental repairs to commercial vehicles.



*Concrete product manufacturer* means a facility in which concrete products are constructed for the purposes of decoration or artistic expression for sale off-premises.

*Condominium*. See *Unified development*.

*Conveyance* means, unless otherwise determined by the city engineer, the flow of water during the base flood with a velocity that is greater than one foot per second or a depth that is greater than one foot.

*Courts* means an open space, bounded on more than two sides by the walls of a building. An inner court is a court surrounded by the exterior walls of a building. An outer court has one side open to a street or alley, yard or other permanent open space.

*Credit access business* means a business that obtains credit for a consumer from an independent third-party lender in the form of a deferred presentment transaction or a motor vehicle title loan.

*Critical facilities* means those facilities essential to the preservation of life and property, including, but not limited to schools, nursing homes, blood banks, health care facilities including those storing vital medical records, housing likely to contain occupants who may not be sufficiently mobile to avoid death or injury during a flood, hospitals, police, fire and emergency response installations, facilities used for the storage of critical records, and commercial installations which produce, use or store hazardous materials or hazardous waste as referenced in the high-hazard group (group H) of the adopted International Building Code and International Fire Code.

*Critical feature* means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

*Curbline* means an imaginary line drawn along the edge of the pavement on either side of a public street.

*Dancing studio, exercise class, and martial arts facility* means a facility in which students are instructed and educated on the particulars of a physical art form. This does not include adult uses such as adult cabaret.

*Density* means the average number of dwelling units per acre for the entire development, including streets.

*Department store* means a retail establishment that conducts business under a single owner's name wherein a variety of unrelated merchandise and services are housed and are exhibited and sold directly to the customer for whom the goods and services are furnished.

*Design flood elevation (DFE)* means the elevation above base flood elevation (BFE) that the community requires - also referred to as freeboard.

*Developer* means any person who improves or subdivides a tract of land or improves or takes any

action preparatory to the erection, improvement or movement of any building or structure on a tract of land.

*Development*, for floodplain management purposes, means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

*Distribution and warehousing* means any location where goods are received and/or stored for delivery to the ultimate customer at remote locations.

*District* means an area of land for which there are uniform zoning regulations governing the use of buildings and premises, density of development, yard requirements and height regulations.

*Double-faced sign* means a single sign with two parallel sign faces back-to-back.

*Driving range* means a commercial business equipped with distance markers, clubs, balls, and tees for practicing golf drives and putting. This definition specifically does not include miniature golf courses or golf courses.

*Drug store and pharmacy* means a retail establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.

*Dry cleaning and laundry plant (industrial)* means a facility used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in volatile solvents including, but not by way of limitation, solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and the processes incidental thereto.

*Dwelling, multiple-family* means a building used or designed as a residence for three or more families living together independently of each other.

*Dwelling, single-family* means a detached building, designed for, or occupied exclusively by, one family.

*Dwelling, two-family* means a detached building, designed for, or occupied by, two families living independently of each other.

*Dwelling unit* means one or more rooms with bathroom and principal kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking and sleeping purposes.

*Easement, utility* means a right held by the city to make use of the land of another for a limited purpose, such as right of passage.

*Educational institution, service, and learning center* means any public, parochial, private, charitable, or nonprofit school, junior college, or university.

*Electrical sign* means a sign containing electrical wiring or utilizing electric current, but not a sign

illuminated by an exterior light source.

*Elevated building* means, for insurance purposes, a non-basement building, which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns.

*Elevation certificate* means a statement from an engineer or surveyor licensed by the State of Texas on the most current FEMA form certifying that the lowest floor of the structure has been elevated at least as high as required by this chapter, as well as the elevation of equipment and adjacent grade.

*Erected* means built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage and the like shall be considered a part of erection.

*Excavation* means any breaking of ground, except common household gardening, general farming and ground care.

*Existing construction* means, for the purposes of determining flood insurance rates, structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. The term “existing construction” may also be referred to as “existing structures.”

*Existing manufactured home park or subdivision*, for floodplain management purposes, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

*Expansion to an existing manufactured home park or subdivision*, for floodplain management purposes, means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

*Family* means:

- (1) One person, or a group of two or more persons living together and related by blood, marriage or legal adoption, living together as a single housekeeping unit. The person thus constituting a family may also include gratuitous guests and domestic servants.
- (2) A group of individuals not related by blood, marriage or legal adoption, but living together as a single housekeeping unit. For controlling of residential density, each such group of four individuals shall constitute of a family.
- (3) A group of not more than eight individuals, not related by blood, marriage or legal adoption,

which group is comprised of individuals with disabilities protected under the Fair Housing Act, and where the group is not established within one-half mile of an existing like group.

(4) A group of not more than six persons with disabilities and two supervisors residing in a qualified community home, as defined by the Texas Community Homes for Disabled Persons Location Act.

*Farm implement machinery sales and storage* means a facility that focuses on the sale and sales-related storage of farm implements and machinery together with the attachments, special service tools, or repair parts for such implements and machinery.

*Farmers market* means a food market temporary in nature at which local vendors sell various fruits, vegetables, meats, cheese, baked goods, and handmade items directly to consumers.

*Filling* means the depositing or dumping of any matter into or onto the ground except common household gardening and general maintenance.

*Firewall* means a wall made of fireproof material to prevent the spread of a fire from one part of a building to another.

*Flag lot* means a lot which has minimum frontage on a public street, which is reached via a private drive or lane whose width some distance back from the street right-of-way, meets all ordinance requirements.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Flood elevation study* means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

*Flood insurance rate map (FIRM)* means an official map of a community, on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazards areas (SFHA)/areas of special flood hazards (ASFH) and the risk premium zones applicable to the community.

*Flood insurance study (FIS)*. See *Flood elevation study*.

*Flood protection system* means those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes

hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

*Floodplain development permit* means a permit issued under the provisions of this chapter for any development of a site located within a Jersey Village special flood hazard area (SFHA)/area of special flood hazards (ASFH).

*Floodplain management* means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

*Floodplain management regulations* means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

*Flood proofing* means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodproofing certificate* means a certificate issued by a registered professional engineer licensed in the State of Texas which states that he has developed and/or reviewed the structural design, specifications, and plans for the construction of a structure or improvement covered by the certificate and that the design and methods of construction are in accordance with accepted standards of practice for meeting the following requirements:

- (1) The floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2 percent chance flood; and
- (2) Together with attendant utility and sanitary facilities, the structures are designed so that below the 0.2 percent chance flood level the structures are watertight with walls impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

*Floodway*. See *Regulatory floodway*.

*Florist and flower shop* means a retail establishment whose principal activity is the selling of plants that are not grown on the site and conducting business within an enclosed building.

*Food processing and packaging, with the exception of slaughtering* means a facility that prepares, processes, or cans and packages food products.

*Food truck* means a mobile vehicle equipped with facilities for cooking and selling food.

*Food truck park* means a property where two or more food trucks congregate to offer food or beverages for sale to the public.

*Freeboard.* See *Design flood elevation*.

*Freestanding structure* means any building for the support, shelter or enclosure of persons, animals, chattels or moveable property of any kind and surrounded by yards or open space and not containing permanent provisions for living, sleeping or cooking.

*Functionally dependent use* means, for floodplain management purposes, a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

*Furniture manufacturing* means a facility that manufactures or assembles articles such as tables, chairs, desks, or cabinets for use indoor or outdoor.

*Garage, front load,* means a private garage where the vehicle access doors to the garage face toward and are generally visible from a public view.

*Garage, J-swing* means a garage upon which the entry point from the street is located in front of the house and the garage door is perpendicular to the front of the house. A J-swing garage must have at least two windows, each 12 square feet or greater, oriented toward the front or the lot.

*Garage, private* means a garage intended for private use by the resident family with a ground floor capacity for not more than four automobiles or trucks of which not more than one vehicle shall be used for commercial purposes.

*Garage, private, detached* means a private garage constructed as a freestanding structure.

*Garage, public* means a structure used for the short-term parking of vehicles.

*Garage, sideloaded* means a private garage where the vehicle access doors to the garage are perpendicular to the front lot line and, therefore, are generally not visible from a public way, unless the lot is a corner lot and the garage loads to a side street.

*Gasoline filling station* means an establishment or portion thereof used partly or entirely for storing or dispensing flammable liquids, combustible liquids, liquified flammable gas, or flammable gas into the fuel tanks of motor vehicles.

*General retail* means a shop or establishment for the sale of goods or merchandise from a fixed location, such as a department store, boutique, or kiosk, in small or individual lots for direct consumption by the purchaser. Retail shops or retail trade specifically excludes: pawnshops, head/smoke shops, and hookah bars/lounges.

*Golf course and country club* means a tract of land laid out with a least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.

*Grade* means a ground elevation established for the purpose of controlling the number of stories and the height of any structure. The building grade shall be determined by the level of the ground adjacent to the walls of any structure if the finished grade is level. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the structure.

*Grand opening* means the commencement of operation by a business in a new location or the assumption of ownership of an existing business by a new owner or group of owners.

*Grocery store* means a retail establishment for the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

*Ground sign* means a sign which is a pole sign, a monument sign or a nonconforming billboard which exists on the effective date of the ordinance. See Figure 14-19.

*Habitable floor* means, for the purpose of flood hazard regulation, any floor usable for the following purposes which include working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used for storage purposes only is not a habitable floor.

*Half-street* means a vehicular accessway created if only a portion of the required right-of-way width or pavement width is dedicated and/or constructed.

*Hardware store* means a retail establishment where items such as plumbing, heating, and electrical supplies, sporting goods, and paints are sold.

*Head/smoke shop* means any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store, or similar retail use that only sells conventional cigars, cigarettes, or tobacco as an ancillary sale shall not be defined as a “smoke shop and tobacco store” and shall not be subject to the restrictions in this chapter.

*Health club*, also includes the terms *athletic club*, *gym*, *fitness studio*, and *fitness center*, means a place of business which provides a place for a variety of physical exercises including facilities or studios for personal training, physical fitness training, weight and aerobic training, free weights, spinning/cycling, circuit training, yoga, Pilates, racquetball/squash courts, group fitness classes, boxing, wrestling, martial arts training, basketball courts, swimming pools and swimming lessons.

*Heating, plumbing and air conditioning, sale and repair* means a facility that offers parts, maintenance, and repair services for heating, ventilation, air conditioners, and related plumbing.

*Highest adjacent grade* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic structure* means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
  - a. by an approved state program as determined by the Secretary of the Interior or;
  - b. Directly by the Secretary of the Interior in states without approved programs.

*Home good store* means a retail establishment that offers the sale of furniture, linens, cooking products, art, and other home accessories.

*Home occupation* means an accessory occupational use conducted entirely within a dwelling unit by its inhabitants that is clearly incidental to the use of the structure for residential purposes and that does not change the residential character of the site. A home occupation may include an operation in which members of the immediate family sell or offer for sale articles which they produce on the premises; but home occupation does not include operations that use persons who do not reside on the premises to either:

- (1) sell or offer for sale such articles; or,
- (2) produce such articles. Additionally, animal hospitals, animal kennels, barber shops, beauty shops, clinics, doctor's offices, dress shops, hospitals, insurance offices, millinery shops, real estate offices, tearooms, tourist homes, palm readers, fortune tellers, among others and as examples only, are not home occupations.

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

*Hospital* means an institution, licensed by the state department of health, providing primary health services and medical or surgical care to persons suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.



*Hotel and motel* means a building in which lodging is provided or offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby. Guest rooms must be accessible only through interior corridors of the hotel building. The lobby and registration area must communicate directly with corridors/elevators to attain interior room access.

*Industrial* means a business, plant or enterprise for production of goods, merchandise or machines.

*Instrument and meter manufacturing* means a facility for the manufacturing of electronic instruments and meters for measuring the amount of electricity consumed by a residence, a business, or an electrically powered device.

*Integrated business development* means commercial development such as a strip center, mall, multitenant office building, commercial center or industrial complex in which two or more separate businesses occupy a single structure or multiple structures which share on-site parking facilities and common driveways.

*Jewelry and watch manufacturing* means a facility for the manufacturing or assembling of jewelry or watches.

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

*Levee* means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

*Levee system* means a flood protection system which consists of a levee or levees and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

*Library and museum* means any location that engages in the loan, or display of books, paintings, sculptures, or other works of art.

*Liquor store (excluding drive-up or pick-up services)* means a retail establishment permitted by the Texas Alcoholic Beverage Commission (TABC) to sell liquor, malt, and vinous liquors on-premises to consumers for off-premise consumption.

*Logo sign* means a sign operated and maintained by the state department of highways and public transportation within the public right-of-way along a country toll road which bears the name and trademark design of a business.

*Lot* means an undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement.

*Lot depth* means the distance on a horizontal plane between the midpoint of the front lot line and the midpoint of the rear lot line.

*Lot line, front* means, for interior lots, a line separating the lot from the street; for corner lots, a line separating the narrowest street frontage of the lot from the street, except in those cases where the deed restrictions specify another line as the front lot line. In all cases the front lot line of a nonresidential lot shall be that side adjacent to the highest volume street.

*Lot line, rear* means a lot line opposite and most distant from the front lot line.

*Lot line, side* means any lot line not a front line or rear lot line.

*Lot lines* means front, rear, or side lot lines, or a combination thereof.

*Lot of record* means a lot which is part of a platted subdivision, the plat of which is recorded in the office of the county clerk; a parcel or lot the deed for which was recorded in the office of the county clerk prior to March 1, 1982, and which has not been partitioned in any manner since that time.

*Lot width* means the distance on a horizontal plane between the midpoint of the side lot lines.

*Lowest floor* means, for floodplain management purposes, the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

*Machining* means a manufacturing process that creates the desired shape by removing unwanted material from a larger piece of material.

*Manufacture of printed material* means a facility involved in the manufacturing and publishing of periodicals, books, or other printed materials.

*Manufactured home* means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailer, travel trailers and other similar vehicles placed on a site for greater than 190 consecutive days. For insurance purposes the term "manufactured home" does not include a "recreational vehicle."

*Manufactured home park or subdivision*, for floodplain management purposes, means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

*Marquee* means a roof-like structure of a permanent nature projecting from the wall of a building.

*Marquee sign* means a sign on a marquee. See Figure 14-19.

*Masonry* means that form of construction composed of stone, brick, concrete, hollow clay tile, decorative concrete block or tile, glass block or other similar building units or materials or a combination of these materials laid up unit by unit and set in mortar. For the purposes of this definition, true stucco is considered masonry.

*Massage establishment* means a structure in which massage therapy is advertised for, provided, supported, or allowed. A massage establishment shall be licensed under V.T.C.A., Occupations Code Ch.455. A massage establishment shall in no way advertise for, provide, support, or allow any activity that is contemplated under chapter 18, article II of this Code.

*Massage therapy* means the services contemplated in V.T.C.A., Occupations Code Ch. 455. Massage therapy includes, but is not limited to, the business of manipulation of the human body by hand or through a mechanical or electrical apparatus, and includes stroking, kneading, percussion, compression, vibration, friction, nerve strokes, and other similar actions. Massage therapy includes, but is not limited to, massage, therapeutic massage, massage technology, myotherapy, body massage, and body rubbing. Massage therapy includes reflexology only when such reflexology involves work on the hands and feet and no other part of the human body is touched. Where massage therapy is permitted under this Code and under V.T.C.A., Occupations Code Ch. 455, it shall in no way permit the advertisement for, provision, support, or allowance of any activity that is contemplated under chapter 18, article II of this Code.

*Mean sea level* means, for purposes of the National Flood Insurance Program, the North American Vertical Datum of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

*Medical and dental office* means an establishment used exclusively by physicians, dentists, chiropractors, acupuncturists, physical therapists, and other health-related offices. No overnight patients occupy the premises.

*Medical research and development* means a facility that conducts biology, chemistry, pharmacology, and toxicology research, development, and controlled production of medicines, medical procedures, or improving the application of those already available.

*Mini storage lot* means any structure designed or built with compartments to be used for individual storage of household items or business inventory by two or more clients on a lease or rental basis. In no case may storage spaces be used in a retail, wholesale, business, or service function, nor shall the storage spaces be used for workshops, hobby shops, manufacturing, or similar uses or functions.

*Mini-storage facilities* means any structure designed or built with compartments to be used for individual storage of household items or business inventory by two or more clients on a lease or rental basis. In no case may storage spaces be used in a retail, wholesale, business, or service function, nor shall the storage spaces be used for workshops, hobby shops, manufacturing, or similar uses or functions.

*Miniature golf course* means an establishment providing a novelty golf game played with a putter on a miniature course usually having tunnels, bridges, sharp corners, and obstacles.

*Minimum flood protection elevation* is the community's design flood elevation in any given area, and specifically means the 0.2 percent flood elevation, plus two feet, or three feet for critical facilities and floodway locations. See table 14-5 in section 14-222(5).

*Mobile home* means a movable or portable dwelling structure which is constructed to be towed on its own chassis, is capable of being connected to public utilities, and is designed for year-round living as a single-family dwelling unit without the necessity of a permanent foundation. The term "mobile home" shall not include pickup campers, travel trailers, motor homes, converted buses, tent trailers or other transportable structures designed for temporary use (see also *Manufactured home*).

*Mobile (manufactured) home park* means a parcel of land under single ownership on which two or more mobile (manufactured) homes are occupied as residences. Any mobile (manufactured) home facility where two or more units are intended for long-term residential use (beyond 90 days) is considered a mobile (manufactured) home park for purposes of applying development standards.

*Model home* means a single-family residential structure used temporarily as an office for the sale of single-family residential structures in the same platted subdivision.

*Monument sign* means a ground sign supported by a solid base which is equal to but not more than 15 percent larger than the sign face base which contains no commercial message and is not attached to any building. See Figure 14-19.

*Motor vehicle sales* means an establishment used for the sale or rental of automobiles, trucks, motorcycles, motor homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. This use includes new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.

*Multifaced sign* means a single sign with two or more faces which are not parallel or back-to-back.

*Multi-family housing for senior citizens* means a multi-family development intended for the sole occupancy of senior citizens.

*Multi-purpose entertainment complex* means an establishment that may include food and drink sales and provides the general public with amusement or activities, including but not limited to bowling alleys, laser tag, mini-golf, bumper cars, skating rinks, trampoline parks, theatres, or similar activities.

*Municipal and governmental buildings, police stations and fire stations* means Government offices including but not limited to, accounting, auditing and bookkeeping services; engineering and planning; attorneys; court services; technology services; public safety services; public works; utilities; administrative office facilities; management, public relations services; and related

government uses.

*Musical instrument shops and supply store.* A retail establishment focused on the sale of musical instruments, equipment, and related components.

*Nameplate* means a sign which denotes only the name of the person occupying the premises.

*New construction* means, for the purpose of determining flood hazard insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commences on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

*New manufactured home park or subdivision,* for floodplain management purposes, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

*Noncommercial message* means a message that is not a commercial message.

*Noncommercial sign* means a sign directing attention to a purpose or cause not created or existing for the generation of profit or for the remuneration of individuals including, but not limited to, religious, charitable, civic or educational purposes or causes.

*Nonconforming building (nonconforming structure)* means a building or structure (or portion thereof) lawfully existing at the time of adoption of the ordinance from which this chapter derives, or subsequent amendment thereto, that does not conform to the provisions of this chapter relative to height, bulk, area, placement or yards for the district in which it is located.

*Nonconforming use* means the use of a building or structure or of a parcel or tract of land, lawfully existing at the time of adoption of this chapter or subsequent amendment thereto, that does not conform to the regulations of the district in which it is situated.

*Nursing care center* means a facility that provide nursing services and custodial care on a 24-hour basis for three or more unrelated individuals who for reasons of illness, physical infirmity, or advanced age, require such services.

*Off-premises sign* means a sign which identifies a use, facility or service which is not located on the premises where such sign is displayed; identifies a product which is not produced, sold or manufactured on the premises where such sign is displayed; or advertises or otherwise directs attention to a product, service, activity, person, institution, facility or business which may or may not be identified by a brand name and which occurs or is primarily conducted, sold, manufactured, produced or offered elsewhere than on the premises where such sign is displayed.

*Office supply store* means a retail establishment focusing on the sale of machines, equipment, stationery, and other items found in personal and business offices.

*Oil, gas, and minerals; extraction, production, drilling operations, etc.* includes and shall mean any hole or bore, to any sand, formation, strata or depth, which is drilled, bored, sunk, dug, or put down for the purpose of either exploring for or ascertaining the existence of oil, gas, liquid hydrocarbon, or for the purpose of producing and recovering any oil, gas, liquid hydrocarbon, or wellbores for disposal of saltwater or other oil and gas waste. All technical or oil and gas industry words or phrases used in this article and not specifically defined herein or in the Texas Railroad Commission Rules for Oil, Gas and Geothermal Operations or Pipeline Safety Rules shall have the meaning customarily attributable thereto by prudent operators in the oil and gas industry.

*On-premises sign* means a sign which identifies the name of the owner or occupant of the premises on which the sign is located; identifies a use, facility or service located on the premises where such sign is displayed; identifies a product which produced, sold or manufactured on the premises where the sign is located; or advertises or otherwise directs attention to a product, service, activity, person, institution, facility or business which may or may not be identified by a brand name and which occurs or is primarily conducted, sold, manufactured, produced or offered on the premises where the sign is located.

*Optical goods manufacturing* means a facility that manufactures eyeglasses, contact lenses, or any related items (i.e. contact solution, cases, etc.).

*Owner* means any owner, authorized agent or contractor who constructs, enlarges, alters, repairs, moves or changes the occupancy of a building or structure.

*Parking lot* means any location that is used for the short-term outdoor storage of passenger motor vehicles. Overflow parking for motor vehicles sales is specifically prohibited outside the Motor Vehicle Sales Overlay District.

*Pavement width* means the portion of the surface of the street available for vehicular traffic; if curbed, it is that portion of the street between the back of the curb and back of the curb.

*Pawnshop* shall have the meaning set out in V.T.C.A., Finance Code § 371.003.

*Permanent Produce market* means a specified land area managed by a single operator who leases space/stalls for the outdoor sales of fresh fruit and produce foods products; meat and fish items; plants and flowers; or, bakery goods, dairy products, delicatessen, and grocery items. Does not include a temporary event farmers market.

*Person* means an individual, firm, partnership, corporation, company, association, joint stock association or governmental entity. It includes a trustee, receiver, assignee or similar representative of any of them.

*Pet and pet supply store* means a retail establishment that sells animals and pet care resources to

the public.

*Place of worship* means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such purpose.

*Planned unit development (PUD)*. See *Unified development*.

*Plant Nursery* means an establishment where plants are propagated and grown to a desired size for sale to the public, businesses, and commercial gardeners.

*Pool supply store* means a retail establishment that sells equipment and chemical treatments for pools and hot tubs.

*Portable sign* means a sign designed or constructed to be easily moved from one location to another, including signs mounted upon, or designed to be mounted upon, a trailer, bench, wheeled carrier or other motorized or nonmotorized mobile structure or vehicle, whether or not its wheels have been removed. For the purpose of this chapter, trailer signs and signs on benches are portable signs.

*Precious metal dealer* means any natural person, partnership, or corporation, either as principal or agent engaging in the business of buying secondhand items containing precious metal, including, but not limited to jewelry, watches, eating utensils, candlesticks, and religious and decorative objects.

*Principal use* means the main use to which the premises are devoted and the principal use for which the premises exist.

*Private street* means a vehicular accessway under private ownership and maintenance providing access to building units in the interior of a lot.

*Professional and technical services* means an establishment that specializes in performing professional and technical activities for others. Activities performed include, but are not limited to, legal advice and representation; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; consulting services; advertising services; photographic services; translation and interpretation services; and other professional and technical services.

*Professional office and business office* means professional and business offices including accounting, auditing and bookkeeping services; advertising agencies; architectural, engineering, planning, and surveying services; attorneys; counseling services; court reporting services; data processing and computer services; detective agencies and similar services; employment, stenographic, secretarial, and word processing services; administrative office facilities; photography and commercial art studios; writers and artists offices outside the home. Does not include medical offices or offices that are incidental and accessory to another business or sales activity that is the principal use. Incidental offices that are customarily accessories to another use

are allowed as part of an approved principal use.

*Projecting sign* means a sign which is affixed to a building wall or structure and which extends beyond the building wall or structure more than 12 inches.

*Public improvement* means one or more of the following: water lines and appurtenances, sewer lines and appurtenances, streets and/or drainage facilities.

*Public park and playground, public recreational facility, and community building* means any public location managed by the city for use by the residents.

*Public right-of-way* means any part of a right-of-way, not privately owned or controlled, which the city or other governmental agency is responsible for maintaining.

*Public street* means the entire width between property lines of any road, street, way, alley, bridge or other similar thoroughfare, not privately owned or controlled, which is open to the public for vehicular traffic and which the city or other governmental agency is responsible for maintaining.

*Public utility* means any person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telephone, telegraph, transportation or water.

*Railroad and related facilities* means public or private right-of-way on which tracks for trains are constructed. Railroad yards and stations shall be classified as cargo or passenger terminals and are a permitted incidental use.

*Reader panel* means a permanently constructed changeable copy bulletin board, lighted or unlighted, with detachable precut letters and figures.

*Real estate, rental, and leasing office* means an establishment that arranges the sale, renting, or management of homes, land, and buildings for their owners or their clients.

*Recreational vehicle* means a vehicle which is:

- (1) built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projections;
- (3) designed to be self-propelled or permanently towable by a light duty truck; and,
- (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Regulatory floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the



water surface elevation more than a designated height.

*Reserve* means a tract of land created within a plat that is not divided into lots or proposed for development at the time of platting.

*Residential* means a tract of land designed for or used exclusively to contain a dwelling unit. A primary residential area shall mean a street in which a majority of the total front footage is used for residential purposes.

*Restaurant and delicatessen* means an establishment that serves food and may offer any alcoholic beverage (beer, wine, ale, and distilled spirits) to customers for consumption on premises and may not derive more than fifty-one (51) percent of its sales from alcoholic beverages.

*Right-of-way* means a street, alley or other thoroughfare or easement permanently established for passage of persons, vehicles or the location of utilities. The right-of-way is delineated by legally established lines or boundaries.

*Riverine* means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

*Roof sign* means a sign erected or maintained above or on the sloped roof of any building or above the parapet wall or the mansard roof of a flat-roof building.

*Roofline* means the height above finished grade of the upper beam, rafter, ridge or purlin of any building.

*School-age program center* means a facility licensed by the State of Texas providing supervision and recreation, skills instruction, or skills training for at least two hours a day and three days a week to children attending pre-kindergarten through grade six. A school-age program operates before or after the customary school day and may also operate during school holidays, the summer period, or any other time when school is not in session (40 TAC § 745.37(2)(H)).

*Scientific research and development* means a facility in which scientific research, investigation, testing, or experimentation is conducted, but not including the manufacturing or sales of products, except as incidental to the main purpose of the laboratory.

*Screening* means fences, walls, trees, shrubbery and other landscape elements used to conceal or interfere with the view and reduce noise impact thereof from adjacent properties and public rights-of-way at street level in accordance with the standards set forth in this chapter.

*Setback* means the minimum unoccupied distance between the lot line and the principal and accessory buildings, as required in this chapter.

*Setback, front* means the minimum unoccupied distance, extending the full lot width, between the principal and accessory buildings and the front lot line.

*Setback, rear* means the minimum required unoccupied distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front lot line.

*Setback, side* means the minimum required unoccupied distance, extending from the front setback to the rear setback, between the principal and accessory buildings and the side lot line.

*Sheet metal processing* means a facility that processes sheet metal (usually below 6 millimeters), this includes, but is not limited to, shearing, blanking, bending, welding, riveting, molding, and surface treatment.

*Short-term rental* means the rental of all or part of a residential property to a person who is not a permanent resident, and who does not have the right to use or possess the property for at least 30 consecutive days.

*Sign* means any structure, part thereof or device of inscription which is located upon, attached to, or painted or represented on any land or on the outside of any building or structure, or on an awning, canopy, marquee or similar appendage, or displayed or shown so as to be seen from the outside of the building or structure, and which displays or includes any numeral letter, work model, banner, emblem, insignia, symbol, device, monogram, heraldry, trademark, light or other representation used as or in the nature of an announcement, advertisement, attention arrester, direction warning or designation of any person, industry or activity, or any combination thereof.

*Sign and architectural graphic manufacturing* means a facility where signs and graphics are manufactured for sale for the purpose of advertising, delivering messages, or decoration.

*Sign area* means the total square footage of all sign faces, including that portion of the sign structure or trim which contains any wording, symbols, identifying color or pictures; provided, however, that in the case of a double-faced sign, the sign area shall be the total square footage of one face.

*Sign face* means the sign face area of any sign upon, against or through which the message is displayed or illustrated; provided, however, that the sign face area of a sign on which the words, letters or symbols are independently mounted shall be that of the smallest regular geometric form that will wholly contain all of the message. See Figure 14-19.

*Sign structure* means a structure which supports or is capable of supporting a sign. A sign structure may be a single pole and may or may not be an integral part of a building.

*Single-occupant detached commercial or industrial building* means a commercial or industrial building which contains a single occupant and which is not a part of an integrated business development or which is located in a reserve that is part of, but is physically separated by a distance of more than 50 feet from any other structure in, an integrated business development.

*Site plan* means a plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this chapter.

*Special flood hazard area (SFHA).* See *Area of special flood hazard*.

*Specialty food store* means an establishment that offers premium food products including baked goods, candy and chocolate, snacks, dairy products, coffee, tea, soft drinks, and gourmet foods.

*Spectacular sign* means a sign that has one or more of the following as elements in its physical structure:

- (1) Automatically changing advertising that changes more often than once every five minutes (not including date, time, temperature);
- (2) Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating or spot lights, or similar devices;
- (3) Lights or colored elements creating a continuously moving, shimmering or prismatic effect; or
- (4) Rotating or moving parts.

*Sporting good sales* means a retail establishment that offers for sale sporting goods, equipment, athletic apparel, and other merchandise that reflects a sports theme.

*Stadium* means a building with tiers of seats designed to accommodate spectator sports and other types of public amusement and entertainment.

*Start of construction* [for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)], for flood hazard management purposes, includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways, nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

*Story* means that part of a building between the surface of a floor and the ceiling immediately above.

*Story, half* means that which covers a floor area of not more than 50 percent of the floor area and the ceiling immediately above.

*Street* means any public or private street or easement used for access.

*Street, arterial* means roads of regional importance or the main roads of a community. Direct access is primarily limited to significant land uses.

*Street, collector* means that which provides access to nonresidential land uses and connects residential streets to the system's arterial streets.

*Street, expressway* means a road intended to serve interstate or high speed, high volume urban traffic. Access to an expressway is limited to other expressways and major streets.

*Street frontage* means the length of a lot or tract of land which is adjacent to a public or private street.

*Streetline* means the line establishing the outer most boundary of the street right-of-way.

*Street, local* means a street which provides access to adjacent land; characterized by low volume and low speeds.

*Structural alterations* means any change in the supporting members of a structure, such as bearing walls, columns, beams or girders.

*Structure* means anything constructed or erected, which requires location on the ground or attached to something having a location on the ground including, but not limited to, buildings of all types, advertising signs and billboards, but excluding basketball goals and ornamental yard lights. (See also the adopted building codes.)

*Structure*, for floodplain management purposes, means a walled and roofed building or structure, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. This includes a fence or a wall per the adopted building codes.

*Subdivision plat* means a map or drawing of a proposed subdivision prepared in a manner suitable for recording in the county records and containing accurate and detailed engineering and survey data, dimensions, dedicatory statements and certificates. (For Preliminary plat: See section 14-55(1); for Final plat: See section 14-55(2)).

*Substantial damage*, for flood hazard management purposes, means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial improvement*, for flood hazard management purposes, means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

(1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or,

(2) Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

*Tattoo parlor and body modification shop* means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of placing designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. This use does not include permanent make-up associated with an accessory use in an established salon.

*Telecommunication tower* means a facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers, or similar structures supporting said equipment, equipment buildings, parking areas, and other accessory development.

*Telephone switching facility* means a facility housing a telecommunications system used in the public switched telephone network (PSTN) or in large enterprises.

*Temporary building* means a building used for a temporary period of time in connection with construction on the premises of which it is located, real estate sales, and educational, municipal or church functions.

*Temporary sign* means a sign constructed of cloth, canvas, light fabric, cardboard, wallboard or other light material. A portable sign shall not be considered a temporary sign.

*Theater* means an establishment for showing live performances, movies, and motion pictures. This term does not include adult entertainment.

*Townhouse* means a structure which is one of a series of dwelling units designed and used for only single-family occupancy, ground to sky, with no entrances or exits to or from the adjoining structures, if any.

*Truck terminal* means any premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.

*Underground shelter* means any structure built primarily below ground level.

*Use* means the purpose or activity for which any land or building is designed, arranged or intended, or for which it is so occupied or maintained, and shall include any manner of such activity with

respect to the standards of this chapter.

*Utility structure* means any structure built for the storage of tools, such as garden and lawn equipment, or for projects and hobby activities, such as carpentry.

*Utility substation and power lines* means electric power lines and electric substations, including accessory uses customarily incidental thereto; provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind. The height and area, construction, and other regulations provided by this section shall not apply to uses allowed in the subpart.

*Variance*, for flood hazard management purposes, means a grant of relief by a community from the terms of a floodplain management regulation (For full requirements see section 60.6 of the National Flood Insurance Program.)

*Veterinarian services* means a facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases wherein the animals are limited to dogs, cats, or other comparable household pets and wherein the overnight care of said animals is prohibited except when necessary in the medical treatment of the animal.

*Violation*, for flood hazard management purposes, means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 14-225 and in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program is presumed to be in violation until such time as that documentation is provided.

*Wall line* means the surface that connects the foundation to the roof.

*Wall sign* means a flat sign, either of solid face construction or individual letters, symbols or pictures, erected, installed or printed, which is placed against the exterior wall of any building or structure and which does not extend more than eight inches from the exterior wall and does not extend above the wall line.

*Water surface elevation* means the height, in relation to the North American Vertical Datum (NGVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

*Watercourse* means a definite channel of a stream in which water flows within a defined bed and banks, originating from a definite source. The water may flow continuously or intermittently, and if the latter, with some degree of regularity, depending on the characteristics of the source.

*Wholesale or warehousing business* means an establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers

and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use.

*Wine tasting rooms/facility.* An establishment that sells or gives free samples of wine to customers for consumption on premises.

*Woodworking shop, artisanal* means a facility that manipulates wood to produce articles for sale of artistic quality or effect or handmade workmanship.

*X shaded zone* means areas subject to a 0.2 percent chance of flooding in any given year; areas of 1.0 percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees from one percent annual chance flood.

*X unshaded zone* means areas of minimal flood hazard, outside of the 0.2 percent chance of flood.

*Yard, front* means the space enclosed by the front lot line, the side lot lines and a line parallel to the front lot line and even with the main building or any projections thereof, other than steps, or planter box.

*Yard, rear* means the space unoccupied, except for freestanding buildings between the rear of the main building (dwelling) and the rear lot line.

*Yard, side* means the open space between a building and the side lot lines, but not including any part of the front or rear yards.

*Zero property line housing* means housing commonly known as patio homes. It is a detached living unit constructed on a smaller lot in which one side of the unit is placed on the property line without openings. This concept utilizes the entire lot with a living unit that has a private side and rear yard. The front yard of the unit is reduced in size to contain the auto ingress and egress area along with the guest entry area.

*Zoning district map* means the map incorporated into this chapter and made a part of this chapter by reference thereto.”

**SECTION 3. THAT** Section 14-11 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-11. – General penalty; continuing violations.**

(1) Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punished by a fine of not exceeding \$2,000.00 for violations of all such provisions that govern building fire safety, zoning, or public health and sanitation, including but not limited to graffiti, dumping of refuse, and not exceeding \$500.00 for all other

violations; provided, however, that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

(2) The owner or owners of any building, premises, improvements, implement, thing or part thereof, where anything is a violation of this Code, or any person, architect, builder, contractor, subcontractor, corporation, director, officer, agent, servant or employee who may have assisted in the commission of any such violation, shall be guilty of a separate offense and, upon conviction thereof, shall be fined as provided herein.

(3) The City Manager and/or their designee are authorized and empowered to issue a citation for any violations of the City Code known to have occurred or to be occurring as provided in this section. Such citation shall be enforceable through the Municipal Court of the City of Jersey Village, Texas.

(4) The City Manager and/or their designee are authorized and empowered to post signage indicating the violation on the property in question. If no part of the subject property is visible from a public right-of-way, the signage shall be posted along the nearest street right-of-way in a location that does not obstruct sight lines that are necessary for public safety. The inadvertent removal of the posted signage shall be subject to citation.

(5) It is an affirmative defense in any proceeding to enforce any portion of this Code that relates to zoning or any ordinance of the city that relates to zoning that the condition or activity in question is: (i) controlled by the city itself or its officers, agents, employees, or contractors, in the course of their duties for the city, and (ii) approved by the city council.”

**SECTION 4. THAT** Section 14-88 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows (the existing diagram “Example 14-7: Bufferyard Standards is not affected by the repeal and replace adopted in this Section, and such diagram shall remain in place in the Code as it now exists):

**“Sec. 14-88. Regulations that apply to all districts.**

(a) *General regulations.*

(1) No use of private or public property, whether it be residential, business, commercial or industrial, shall be permitted if that use is so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.

(2) No use of public street right-of-way or public sidewalk or adjacent property, either private or public, shall be permitted if that use inhibits or hinders the movement of normal traffic on that street or sidewalk.

(3) City maintenance personnel must be allowed free access to utility easement and street



rights-of-way so they can perform maintenance and repair of utility systems.

a. No buildings or structures of any type or size, other than fences, shall be permitted on utility easements.

b. If fences are located on utility easements, city maintenance personnel may remove such fences at any time for the purpose of gaining access to utility systems, and no liability will be incurred for damages to, repair of or replacement of such fences.

(4) Any building which has been damaged by fire or other causes to the extent of more than 50 percent of its value shall be rebuilt in conformity with this article, as though it were a new building, or removed. This shall not apply to damaged structures outside the 100-year (one percent probability) floodplain, in regards to slab height, where the footprint of a structure is not modified and the slab is intact. The building shall be secured from entrance by any unauthorized persons within 24 hours after all embers are extinguished. A building permit is required before removal, repair or reconstruction commences which shall be started within 60 days of the date the damage occurs and shall be completed within a reasonable time, but not later than 150 days after the damage occurs. Before occupancy will be permitted a certificate of occupancy shall be required.

(5) Whenever any street is abandoned, the boundaries of any districts that lie along one side of each street are automatically extended to the centerline of such street.

(6) No platted lot shall be reduced in size and no lot area shall be reduced or diminished so that the lot size or the yards shall be smaller than prescribed by this chapter. These regulations shall not apply in District D.

(7) No individual water well or piping for such system shall be connected in any way to any public water supply system.

(8) Add-on construction. After a certificate of occupancy has been issued for a building in accordance with section 14-7(b), no add-on type of construction such as patio covers, carports, balconies, stoops, porches or any structural alteration of the building shall be made unless a new building permit is first obtained from the development officer in accordance with Chapter 14. The plans must be submitted to and approved by the development officer. Requests for a building permit to allow add-on type construction or structural alteration of a building shall indicate that the proposed construction will be in harmony with the style of the original building.

(9) No permit for the erection, alteration, reconstruction, conversion or use of any building shall be issued by the development officer unless the plan required by Chapter 14 provides for a sidewalk to be constructed on all street sides of such building. This subsection shall apply to all districts of the city, with the exception of Block 42.

(10) Lighting of off-street parking areas and/or for external illumination of any building and grounds shall be arranged so that the source of light is concealed or shielded from public view

and from adjacent residential properties and does not interfere with traffic. These regulations shall not apply in District D.

(11) Temporary buildings shall be permitted only in connection with construction on the premises on which located, which buildings shall be removed upon completion or abandonment of the construction; real estate sales offices during development of residential subdivision in which they are located and limited to sales of property in such subdivisions; and educational, municipal or church functions operated for the benefit of the public. It shall be unlawful for any person to erect, construct, enlarge, place, locate or relocate any temporary building on premises within the city, or cause the same to be done, without first obtaining a building permit therefor in accordance with section 14-114. It shall be unlawful for any person to use or occupy a temporary building without first obtaining a certificate of occupancy therefor in accordance with section 14-7(b). A certificate of occupancy shall be limited to the duration of the intended use not to exceed one year; provided, however, that the certificate of occupancy may be extended as follows:

- a. Where the temporary building is used for the contractors' offices, equipment storage, model homes and real estate sales offices for residential projects, the certificate of occupancy may be extended at one-year intervals until the project is 90 percent constructed; and
- b. Where the temporary building is for a use other than described in subsection (21)a of this section, the certificate of occupancy may be extended for one additional one-year period.

A temporary building shall be in compliance with the terms of the building code and all other applicable laws and ordinances. A temporary building shall not be used in any manner constituting a nuisance or interfering with the quiet enjoyment of the neighborhood. These regulations shall not apply in District D.

(12) A nonresidential building may not be erected on a lot abutting a subdivision containing residential structures closer to the subdivision than 50 feet for a one-story building, 100 feet for a two-story building, or 150 feet for a three or more-story building. These regulations shall not apply in District D.

(13) No sleeping quarters other than those within a permanent residential structure, hotel or motel shall be used for longer than seven days within a 30-day period; provided that a recreational vehicle or portable building may be used for temporary housing and sleeping quarters by a person whose residence is uninhabitable as a result of flood, fire or environmental conditions if parked on a paved surface on a private property and with appropriate sewer and electrical connections. No person shall occupy a recreational vehicle or portable building for temporary housing and sleeping quarters without first receiving a permit for such use from the building official. The building official shall issue a permit if the conditions set forth herein are met. The permit shall be valid for the period of time necessary to restore the residence to habitability, as determined by the building official, but not to exceed 120 days. Any extension to such permit will require approval of the building official and director of public works. These

regulations shall not apply in District D.

(14) Any finished floor that is elevated more than 12 inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.

(b) *Building setbacks.* Unless otherwise specifically provided elsewhere in this article, all buildings and structures located in a district within the city shall conform to the following setbacks (as measured from the property line):

Lot Line	Setback (In Feet)	Modifier
Front	25	—
Rear	25	(1) Excluding fencing
Side street	10	(1) 25 feet where one or more lots have frontage on the street.
Side	7½	(2) Zero feet for townhouses and one side of patio homes.

**SECTION 5. THAT** Section 14-105 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**Sec. 14-105. Commercial Permitted and Conditional Use Tables.**

**a. Table 14-105(A). – Commercial Permitted Uses**

KEY/LEGEND	
P = Permitted Use	
PC = Permitted with Conditions	
SUP = Special Use Permit	
District F	First Business District
District G	Second Business District
District H	Industrial District
District J	Third Business District
District J-1	Fourth Business District
District K	Fifth Business District
MVSOD	Motor Vehicles Sales Overlay District

USE	District						
	F	G	H	J	J-1	K	MVSOD
Adult entertainment.			SUP				
Agriculture.	P	P	P	P	P	P	
Apparel manufacturing.			PC <sup>(1)</sup>				
Art gallery.	P	P		P	P	P	
Assembling.				PC <sup>(2)</sup>	PC <sup>(2)</sup>	PC <sup>(2)</sup>	
Auto body shop.		SUP					
Automobile repair shop.			PC <sup>(3)</sup>				
Bail bond service.			SUP				
Bakery (industrial).			PC <sup>(4)</sup>				
Bank, financial, and insurance service institution.	P	P		P	P	P	
Barber, beauty store, or salon.	P	P		P	P	P	
Bar/club.	SUP	SUP	SUP	SUP	SUP	SUP	
Beer and wine sales.	SUP	SUP	SUP	SUP	SUP	SUP	
Bookstore.	P	P		P	P	P	
Brew pub.	SUP	SUP	SUP	SUP	SUP	SUP	
Broadcasting Studio.				P	P	P	
Building contractor and related activities.			P				
Building materials, sales, and storage.			P			P	
Cafe and cafeteria.	P	P		P	P	P	
Cannabidiol shop (CBD shop).					P		
Carwash.		SUP	SUP				
Cell phone and computer repair business.			SUP				
Child day-care operation (licensed child-care centers and school-age program centers).	SUP	SUP				SUP	
Cigar shop/lounge.	SUP			SUP	SUP		

City of Jersey Village: water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.	P	P		P	P	P	
Cleaners (clothing), tailor, and retail laundry.	P	P		P	P	P	
Clinic.		P		P	P	P	
Clothing boutique.	P	P		P	P	P	
Cold storage plant.			P				
Commercial vehicle repair shop.			PC <sup>(5)</sup>				
Concrete product manufacturer.			SUP				
Credit access business.			SUP				
Customarily incidental use.	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	
Dancing studio, exercise class, and martial arts facility.	P	P		P	P	P	
Department store.	P	P		P	P	P	
Distribution and warehousing.			P	P	P	P	
Driving range.	SUP			SUP	SUP	SUP	
Drug store and pharmacy.	SUP	SUP		SUP	SUP	SUP	
Dry cleaning and laundry plant (industrial).			SUP				
Educational institution, services, and learning center.	P	P		P	P	P	
Farm implement machinery sales and storage.			P				
Farmers market.	P	P	P	P	P	P	
Florist and flower shop.	P	P		P	P	P	
Food processing and packaging, with the exception of slaughtering.			SUP				
Food truck park.				P			
Furniture manufacturing.			PC <sup>(7)</sup>				
Garage, public.	P	P		P	P	P	
Gasoline filling station.	PC <sup>(8)</sup>	PC <sup>(8)</sup>	PC <sup>(8)</sup>	PC <sup>(8)</sup>	PC <sup>(8)</sup>	PC <sup>(8)</sup>	
General retail.	P	P		P	P	P	
Golf course and country club.	SUP			SUP	SUP	SUP	
Grocery store.	P		P	P	P	P	

Grocery store.	P		P	P	P	P	
Hardware store.		P	P	P	P	P	
Head/smoke shop.			SUP				
Health club.	P			P	P	P	
Heating, plumbing and air conditioning, sale, and repair.			PC <sup>(9)</sup>				
Home good store.	P	P		P	P	P	
Hookah bar/lounge.			SUP				
Hospital.	P	P		P	P	P	
Hotel and motel.	P	P		P	P	P	
Instrument and meter manufacturing.			PC				
Jewelry and watch manufacturing.			SUP				
Junk or salvage yard.			SUP				
Library and museum.	P	P		P	P	P	
Liquor store (excluding drive-up or pick-up services).	SUP	SUP	SUP	SUP	SUP	SUP	
Machining.			PC <sup>(10)</sup>				
Manufacture of printed material.			PC <sup>(11)</sup>	PC <sup>(11)</sup>	PC <sup>(11)</sup>	PC <sup>(11)</sup>	
Massage establishment.	SUP						
Medical and dental office.	P	P		P	P	P	
Medical research and development.			SUP				
Mini-storage lot.			SUP				
Mini-storage facility.			SUP			SUP	
Miniature golf course.	P	P	P	P	P	P	
Motor vehicle sales.							PC <sup>(12)</sup>
Multi-family housing for senior citizens.		SUP					
Multi-purpose entertainment complex.	P	P	P	P	P	P	
Municipal and governmental buildings, police stations and fire stations.	P	P	P	P	P	P	
Musical instrument shop and supply store.	P	P		P	P	P	
Nursing care center.				SUP	SUP	SUP	

Office supply store.	P	P		P	P	P	
Oil, gas, and minerals; extraction, production, drilling operations, etc.			PC <sup>(13)</sup>				
Optical goods manufacturing.			PC <sup>(14)</sup>				
Parking lot.	SUP	SUP	SUP	SUP	SUP	SUP	
Pawnshop.					P		
Permanent produce market.			SUP				
Pet and pet supply store.	P	P		P	P	P	
Place of worship.	P	P		P	P	P	
Plant nursery.			P			P	
Pool supply store.	P	P		P	P	P	
Precious metal dealer.			SUP				
Professional office and business office.	P	P	P	P	P	P	
Professional and technical services.	P	P	P	P	P	P	
Public park and playground, public recreational facility, and community building.	P	P		P	P	P	
Railroad and related facilities.			P				
Real estate, rental, and leasing office.	P	P		P	P	P	
Restaurant and delicatessen.	P	P		P	P	P	
Scientific research and development.			P	P	P	P	
Sheet metal processing.			PC <sup>(15)</sup>				
Short-term rental.		P					
Sign and architectural graphic manufacturing.			PC <sup>(16)</sup>	PC <sup>(16)</sup>	PC <sup>(16)</sup>	PC <sup>(16)</sup>	
Specialty food store.	P	P		P	P	P	
Sporting good sales.	PC <sup>(17)</sup>	PC <sup>(17)</sup>		PC <sup>(17)</sup>	PC <sup>(17)</sup>	PC <sup>(17)</sup>	
Stadium	SUP	SUP	SUP	SUP	SUP	SUP	
Tattoo parlor and body modification shop.			SUP				
Telecommunication tower.		SUP	P				
Telephone switching facility.	SUP	SUP				SUP	
Temporary building.			PC <sup>(18)</sup>				

<b>Theater.</b>	<b>P</b>	<b>P</b>		<b>P</b>	<b>P</b>	<b>P</b>	
<b>Truck terminal.</b>			<b>SUP</b>				
<b>Utility substation and power lines.</b>	<b>PC<sup>(19)</sup></b>		<b>PC<sup>(19)</sup></b>	<b>PC<sup>(19)</sup></b>	<b>PC<sup>(19)</sup></b>	<b>PC<sup>(19)</sup></b>	
<b>Veterinarian services.</b>	<b>SUP</b>	<b>SUP</b>		<b>SUP</b>	<b>SUP</b>	<b>SUP</b>	
<b>Wholesale or warehousing.</b>		<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	
<b>Wine tasting room/facility.</b>	<b>P</b>	<b>P</b>		<b>P</b>	<b>P</b>	<b>P</b>	
<b>Woodworking shop, artisanal.</b>			<b>PC<sup>(20)</sup></b>				

**b. Table 14-105(B). – Commercial Conditional Uses**

<b>#</b>	<b>Conditional Uses</b>	<b>Zoning District</b>	<b>Conditions</b>
<b>1</b>	<b>Apparel manufacturing.</b>	<b>H</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>
<b>2</b>	<b>Assembling.</b>	<b>J, J-1, K</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>
<b>3</b>	<b>Automobile repair shop.</b>	<b>H</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>
<b>4</b>	<b>Bakery (industrial).</b>	<b>H</b>	<b>Provided that such use be not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of emission of odor, gases, and/or fumes.</b>
<b>5</b>	<b>Commercial vehicle repair shop.</b>	<b>H</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>



6	Customarily incidental use.	F, G, H, J, J-1, K	Must be customarily incidental to a permitted principal use located on the same building site and listed in Table 14-105(A), provided that such use is not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke, or pollution of any kind.
7	Furniture manufacturing.	H	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
8	Gasoline filling station.	F, G, H, J, J-1, K	Must have a minimum separation distance of 3,000 feet measured from property line to property line from any currently existing gasoline filling station. Provided that all storage tanks for gasoline shall be below the surface of the ground.
9	Heating, plumbing and air conditioning, sales, and repair.	H	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
10	Machining.	H	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
11	Manufacture of printed material.	H, J, J-1, K	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
12	Motor vehicle sales	MVSOD	Vehicles held for sales, lease, or rental in any business or industrial district shall not be parked or stored on unpaved surfaces.

13	Oil, gas, and minerals; extraction, production, drilling operations, etc.	H	No oil, gas or other mineral exploration, production or drilling operations for minerals of any kind shall be conducted on any lot or parcel of land within the city except in zoning district H
14	Optical goods manufacturing.	H	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
15	Sheet metal processing.	H	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
16	Sign and architectural graphic manufacturing.	H, J, J-1, K	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
17	Sporting good sales.	F, G, J, J-1, K	Sporting goods sales, not including boats, boat motors, mopeds, recreational vehicles, ATVs, golf carts, motorcycles, or motor bikes.
18	Temporary building.	H	Must be incidental to the construction of buildings permitted in the district and which shall be removed when work is complete.
19	Utility substation and power lines.	F, H, J, J-1, K	Provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind.
20	Woodworking shop, artisanal.	H	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.

**SECTION 6. THAT** Section 14-106 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14–106. Regulations for district F (first business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district F except as provided in Sec. 14-105.

(b) Setbacks.

<b>Setbacks (feet) for District F (first business district)</b>	
<b>Nonresidential buildings (See note 1)</b>	
<b>Front</b>	<b>25’ to the front property line</b>
<b>Rear</b>	<b>10’ to the rear property line</b>
<b>Side street</b>	<b>10’ to the side street line</b>
<b>Side</b>	<b>10’ to the side property line</b>
<b>Notes:</b>	
<b>Note 1: Any nonresidential building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for a three- or four-story.</b>	

(c) *Height and area regulations.* The heights of buildings, the minimum area of buildings, and the minimum lot size upon any lot or parcel of land in district F shall be as follows:

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* The building area of each building shall be not less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.

(3) *Lot size.* The minimum lot size as established in Sec. 14-137. Table 14-2 shall apply.

(4) *Open area.*

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking areas.

(d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible.

(e) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also Sections 14-310 and 14-311 for landscaping standards.

(f) *Screening.*

(1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(4) The quality and type of materials used structurally for the walls shall conform with those

specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

(5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(g) *Commercial waste enclosures.* Garbage and refuse containers in district F shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) *Fencing standards.*

(1) Fences in district F shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality; or,
- e. Chain-link. Where chain link fencing is constructed within district F, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 7. THAT** Section 14-107 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-107. Regulations for district G (second business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district G except as provided in Sec. 14-105.

(b) Setbacks.

<b>Setbacks (feet) for District G (second business district)</b>	
<b>Building or structures (See Notes 1, 2)</b>	
<b>Front</b>	<b>25’ to the front property line</b>
<b>Rear</b>	<b>10’ to the rear property line</b>
<b>Side street</b>	<b>10’ to the side street property line</b>
<b>Side</b>	<b>10’ to the side property line</b>
<b>Notes:</b>	
<b>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</b>	
<b>Note 2: Buildings and other structures may abut adjacent buildings or other structures at the side lot line, provided that they are separated by a firewall which complies with current city building codes. Each group of abutting buildings shall be separated on the side by an open space of not less than ten feet to the next side lot line or side street line.</b>	

(c) *Height and area regulations.* The heights of buildings, the minimum area of buildings, and the minimum lot size upon any lot or parcel of land in district G shall be as follows:

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* The building area of each building shall be not less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.

(3) *Lot size.* The minimum lot size shall be as established for nonresidential lots in Sec. 14-137. Table 14-2, Lot Standards in this Code.

(4) *Open area.*

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking areas.

(d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible.

(e) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also sections 14-310 and 14-311 for landscaping standards.

(f) *Screening.*

(1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

(5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(g) *Commercial waste enclosures.* Garbage and refuse containers in district G shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) *Fencing standards.*

(1) Fences in district G shall be constructed of the following materials, such as:

a. Redwood;

b. Cedar;

c. Wrought iron;

d. Brick or other approved masonry material of equal quality; or,

e. Chain-link. Where chain link fencing is constructed within district G, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 8. THAT** Section 14-108 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:



**“Sec. 14–108. Regulations for district H (industrial district).**

(a) *Use regulation.* No building or land shall be used, and no building shall be erected moved or altered in district H except for as provided in Sec. 14-105.

(b) Setbacks.

<b>Setbacks (feet) for District H (industrial district)</b>	
<b>Buildings or structures (See Note 1)</b>	
<b>Front</b>	<b>25’ to the front property line</b>
<b>Rear</b>	<b>25’ to the rear property line</b>
<b>Side street</b>	<b>25’ to the side street property line</b>
<b>Side</b>	<b>25’ to the side property line</b>
<b>Notes:</b>	
<b>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</b>	

(c) *Height and area regulations.*

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* No limitations.

(d) *Construction.* No limitations.

(e) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also Secs. 14-310 and 14-311 for landscaping standards.

(f) *Screening.*

(1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

(5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(g) *Commercial waste enclosures.* Garbage and refuse containers in district H shall be screened

from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) *Fencing standards.*

(1) Fences in district H shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link. Where chain link fencing is constructed within district H, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 9. THAT** Section 14-109 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-109. Regulations for district J (third business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district J except as provided in Sec. 14-105.

(b) *Setbacks.*

<b>Setbacks (feet) for District J (third business district)</b>	
<b>Buildings or structures (See Notes 1, 2)</b>	
<b>Front</b>	<b>25’ to the front lot line</b>
<b>Rear</b>	<b>10’ to a rear lot line</b>
<b>Side street</b>	<b>10’ to the side street lot line</b>
<b>Side</b>	<b>10’ to the side lot line</b>
<b>Notes</b>	

**Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.**

**Note 2: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.**

(c) *Height and area regulations for district J.*

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* The building area of each building shall not be less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.

(3) *Open area.*

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.

(d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible. Service center front elevation shall consist of a minimum of 15 percent glass.

(e) *Outside storage.* There shall be no outside storage except as permitted under subsection (j h)(1) of this section.

(f) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also sections 14-310 and 14-311 for landscaping standards.

(g) *Screening.*

(1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

(5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as

established in this article and other legal recourse.

(h) *Commercial waste enclosures.* Garbage and refuse containers in district J shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(i) *Fencing standards.*

(1) Fences in district J shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality; or,
- e. Chain-link. Where chain link fencing is constructed within district J, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 10. THAT** Section 14-109.1 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-109.1. Regulations for district J-1 (fourth business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved, or altered in district J-1 except as provided in Sec. 14-105.

(b) *Setbacks.*

<b>Setbacks (feet) for District J-1 (fourth business district)</b>	
<b>Buildings or structures (See Note 1)</b>	
<b>Front</b>	<b>25’ to the front lot line</b>
<b>Rear</b>	<b>10’ to the rear lot line</b>
<b>Side street</b>	<b>10’ to the side street lot line</b>
<b>Side</b>	<b>25’ to the side lot line</b>

Notes
<p><b>Note 1: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.</b></p>

(c) *Height and area regulations for district J-1.*

- (1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.
- (2) *Building area.* The building area of each building shall not be less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.
- (3) *Open area.*
  - a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.
  - b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.

(d) *Buffering.*

- (1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.
- (2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.
- (3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.
- (4) See also sections 14-310 and 14-311 for landscaping standards.

(e) *Screening.*

- (1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided,

however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

(5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(f) *Commercial waste enclosures.* Garbage and refuse containers in district J-1 shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(g) *Fencing standards.*

(1) Fences in district J-1 shall be constructed of the following materials, such as:



- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality; or,
- e. Chain-link. Where chain link fencing is constructed within district J-1, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 11. THAT** Section 14-110 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-110. Regulations for district K (fifth business district).**

- (a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district K except as provided in Sec. 14-105.
- (b) Setbacks.

<b>Setbacks (feet) for District K (fifth business district)</b>	
<b>Nonresidential buildings</b>	
<b>Front</b>	<b>25’ to the front lot line</b>
<b>Rear</b>	<b>25’ to the rear lot line</b>
<b>Side street</b>	<b>25’ to the side street lot line</b>
<b>Side</b>	<b>25’ to the side lot line</b>
<b>Notes</b>	
<p><b>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</b></p>	
<p><b>Note 2: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.</b></p>	

(c) *Height and area regulations in district K.*

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* The building area of each building shall not be less than 1,000 square feet of ground floor area, provided that gasoline filling stations shall contain not less than 500 square feet of ground floor area.

(3) *Open area.*

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped. See article XII of this chapter.

b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.

c. Notwithstanding anything to the contrary contained in this section, distribution warehouse subdivisions in excess of 70 acres shall have a minimum of ten percent total open area including stormwater detention and utility easement area.

(d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible. Service center front elevation shall consist of a minimum of 15 percent glass.

(e) *Outside storage.* There shall be no outside storage except as permitted under subsection (h)(1) of this section. Distribution warehouse subdivisions in excess of 70 acres may have associated outside storage of inventories, machinery and other similar materials within the project if screened from the view of adjacent properties by:

a. Opaque fencing made of wood, metal or masonry material not less than six feet in height nor more than ten feet in height;

b. Fencing not less than six feet in height nor more than ten feet in height with dense opaque landscaping of not less than three feet in width and capable of attaining five to ten feet in height within 18 months of planting; or

c. Existing buildings, provided that the total area devoted to outside storage shall not exceed ten percent of the building area.

(f) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also sections 14-310 and 14-311 for landscaping standards.

(g) *Screening.*

(1) Notwithstanding anything to the contrary contained in this section, distribution warehouse subdivisions in excess of 70 acres may have unscreened refuse containers located adjacent to the distribution warehouse buildings, provided they are at a minimum distance of 120 feet from any street right-of-way.

(2) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(3) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(4) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(5) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used

in residential construction within the city.

(6) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(7) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(8) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(h) *Commercial waste enclosures.* Garbage and refuse containers in district K shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(i) *Fencing standards.*

(1) Fences in district K shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality; or,
- e. Chain-link. Where chain link fencing is constructed within district K, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 12. THAT** Section 14-224(b)(1)c. of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“c. Wall signs not over 5 square feet.”

**SECTION 13. THAT** Section 14-252(2)b.1.(a) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(a) *Size and number.* Wall signs are permitted for each single-occupant detached building not to exceed the lesser of 25% of the elevation where the signs are located or 1,000 square feet.”

**SECTION 14. THAT** Section 14-252(2)c.1. of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“1. *Wall signs.*

(a) *Size and number.* Each business establishment in an integrated business development may have wall signage not to exceed the lesser of 25% of the elevation where the signs are located or 1,000 square feet.

(b) *Location and height.* A wall sign may not project above the wall line of a building except for buildings with parapet walls, in which case the sign shall be flush with the wall and shall not project above the parapet. Signs placed on mansard roofs must be perpendicular to the ground with all structural supports covered from view. Wall signs identifying businesses in an integrated business development may only be placed the front building elevation, unless the business is located on a corner of such a development, in which case, side elevation signs are permitted.”

**SECTION 15. THAT** Section 14-283 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**Sec. 14-283. Table 14-11 off-street parking standards.**

**OFF-STREET PARKING STANDARDS**

NAICS Codes	Land Use Category	Off-Street Parking Standards	Special Provisions
31-33	MANUFACTURING:	1 parking space per max # of workers on any one shift.	
48, 51, 22	TRANSPORTATION, COMMUNICATIONS, UTILITIES:		

48	Bus terminals/airports	To be determined by the planning commission	
48	Motor freight terminals/warehousing	1 parking space per max # of workers on any one shift.	
42	WHOLESALE TRADE:	3.3 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 2
44-45	RETAIL TRADE:		
45	General merchandise	4 parking spaces per 1,000 square feet of gross leasable area	
44	Automotive stores	1 parking space per 800 square feet of floor area plus site area	
72	Eating/drinking places	1 parking space per 4 seats	
52, 52, 53	GENERAL OFFICE (FINANCE, INSURANCE, REAL ESTATE, ETC.):	5 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 3
54, 56, 61, 72, 81	SERVICES:		
72	Hotel, motel	1 parking space per bedroom	
56, 81	Personal services	4 parking spaces per 1,000 square feet of gross leasable area	
81	Funeral homes	1 parking space per 4 seats	Minimum spaces: 3
73, 54	Business services	3.3 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 3
81	Automotive repair services	1 parking space per 375 square feet of gross floor area plus 4 spaces per repair bay	Minimum spaces: 4
71	Amusement and recreation	1 parking space per 4 seats	
80, 62	Health services	4 parking spaces per 1,000 square feet of gross floor area	

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62	Personal care facility	1 parking space per 6 beds	
62	Hospital	1 parking space per 2 beds	
54	Legal	5 parking spaces per 1,000 square feet of gross floor area	Minimum spaces: 3
61	Elementary school	2 parking spaces per classroom	
61	Secondary school	10 parking spaces per classroom	
62	Childcare services	1 parking space per 7 children	Minimum spaces: 5
71	Museums, cultural centers	3.3 parking spaces per 1,000 square feet of floor area	Minimum spaces: 10
81	Religious organizations	1 parking space per 4 seats	
2361	RESIDENTIAL:		
2361	1 and 2 family dwellings	2 parking spaces per dwelling unit	
2361	MULTIFAMILY:		
2361	1 bedroom	1.5 parking spaces per dwelling unit	(1)
2361	2 bedrooms	2.5 parking spaces per dwelling unit	(1)
2361	3 or more bedrooms	3.5 parking spaces per dwelling unit	(1)
2361	Roominghouse, boardinghouse	1 parking space per 2 beds	
2361	Congregate housing	1 parking space per 2 beds	

(1) For multifamily complexes with ten or more units, the required number of guest parking spaces will be determined by multiplying the total number of parking spaces otherwise required for such apartment complex by 0.05.

(2) Parking for office areas shall be provided according to the standards for office uses in this table.”

**SECTION 16. THAT** Section 14-309 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-309. Specific standards.**

(a) *Residential lots.*

(1) Residential lots shall have landscaped areas which in the aggregate include not less than 50

percent of the area contained within the building setbacks.

(2) A minimum of two trees (either existing or planted) measuring one inch or greater in diameter four feet above the ground at time of planting or measurement (if existing) are required within the front or side street setback areas.

(3) Landscaping shall be in harmony with the surrounding area adequate to minimize visual monotony and barrenness.

(b) *Nonresidential lots.*

(1) At least ten percent of the total area within a lot shall contain landscaped areas. Multi-family lots shall dedicate an additional twenty percent of total area within a lot to landscaped areas.

(2) A landscaped area ten feet in width shall be provided adjacent to each street right of way. Drives and sidewalks shall not be included in the required landscaped area except to the extent to which they may be required to cross the buffer to provide access.

(3) All open, unpaved space including, but not limited to, front, side and rear building setback areas shall be landscaped.

(4) An average of at least ten feet and a minimum of five feet shall be a landscaped area and walkway between the building and parking areas.

(5) Trees required. Trees, either existing or planted, measuring a minimum of two inches average diameter measured four feet above ground level at the time of planting or measurement (if existing) shall be provided according to the following standards:

a. In lots containing 20,000 square feet or less, one tree per 2,000 square feet, or fraction thereof;

b. In lots containing more than 20,000 square feet, but less than 100,000 square feet, ten trees, plus one tree per 2,500 square feet or fraction thereof in excess of 10,000 square feet;

c. In lots containing more than 100,000 square feet, 46 trees plus one tree per 5,000 square feet, or fraction thereof, over 100,000 square feet;

d. A minimum of 25 percent of the trees required by this section shall be canopy trees with the remainder in noncanopy trees. Each tree planted shall be in a planting area with a radius not less than three feet measured from tree trunk to the near edge of the landscaped area. All tree plantings shall be encompassed with an approved curb barrier to prevent access by vehicular traffic.

(6) Tree removal. The clearance of any land and/or the removal of one or more trees with a caliper size greater than 10 inches (measured at 4 feet above ground level) in the course of



developing a commercial lot, shall require an equivalent total replacement caliper to be provided by the planting of replacement trees. The following documents must be provided prior to removal:

- a. Tree Survey/Landscape Plan:
  1. Existing trees on the site;
  2. Tree proposed for removal;
  3. Locations indicated for replacement tree; and
  4. Note indicating how irrigation will be provided to new plantings.
- b. Tree Disposition/Protection Plan shall include a Tree Table showing:
  1. Caliper size (inches);
  2. Quantity; and
  3. Species.

(7) Tree replacement. When required to replace one or more trees, it is permitted to provide the equivalent total caliper by planting several smaller replacement trees in lieu of one larger replacement tree. Trees determined to be in undesirable or poor health by an Arborist are not subject to this section. Due to the heavily wooded nature of some vacant lots, there may be instances in which it is not feasible to reasonably develop the property while preserving existing trees or matching their aggregated caliper size. In these instances, prospective developers may submit an alternative plan for tree preservation and replacement, which may be approved by the City Manager and/or their designee. If, after reviewing the plan, the official determines that reasonable efforts to preserve or replace trees have not been exhausted, the official's decision may be appealed to the city council, which shall have the final decision.

(8) Permitted replacement trees. Replacement trees shall be selected from the species listed below:

- a. Oak, Pine, Elm, Hickory, Maple, Ash, Magnolia; or
- b. Alternative replacement tree(s). A request for alternative species shall be subject to approval by the City Manager and/or their designee.

(9) Ground signs. A landscaped area not less than ten feet in width shall be located around the supporting structure of each ground sign and extending not less than three feet beyond each end. A hedge or other durable planting, which is not less than one foot in height at the time of planting and which will attain an average height of at least three feet shall extend the entire length and width of the required landscaped setup. Two flowering trees, not less than eight feet

in height, shall be located within the required landscape setup. The remainder of the landscaped setup may be in grass or a decorative ground cover.

(10) Parking lots and other vehicular areas. Vehicular use areas, parking areas, parking lots, and their parked vehicles shall have effective buffering from the street view. A minimum amount of the total area of all vehicular use areas and parking areas of a lot shall be devoted to landscaped islands, peninsulas, or medians. The minimum total area in such islands, peninsulas, and medians shall be 90 square feet for each 12 parking spaces therein. No parking space shall be located further than 50 feet from a permeable landscaped island, peninsula or median or tree. All islands, peninsulas and medians required in the areas stated above, shall be more or less evenly distributed throughout such parking areas, respectively; however, the distribution and location of landscaped islands, peninsulas, and medians may be adjusted to accommodate existing trees or other natural features so long as the total area requirement for landscaped islands, peninsulas, and medians for the respective parking areas above is satisfied.”

**SECTION 17. THAT** in the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 18. THAT** all other ordinances or parts of ordinances in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed.

**SECTION 19. THAT** any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine as provided in Section 1-8.

**SECTION 20. THAT** this Ordinance shall be in full force and effect from and after its passage.

**PASSED, APPROVED, AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2023.**

**FOR THE CITY:**

\_\_\_\_\_  
**BOBBY WARREN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Lorri Coody, City Secretary**

**CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM:** I6

**AGENDA SUBJECT:** Consider Ordinance No. 2023-12, amending Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards.

**Department/Prepared By:** Lorri Coody, City Secretary **Date Submitted:** April 20, 2023

**EXHIBITS:** Ordinance No. 2023-12

**BACKGROUND INFORMATION:**

The Planning and Zoning Commission met on March 27, 2023, to discuss and take appropriate action regarding the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards.

The Planning and Zoning Commission submitted its preliminary report to Council on April 17, 2023, and a Joint Public Hearing was ordered for May 17, 2023.

On May 17, 2023, the City Council and the Planning and Zoning Commission conducted a joint public hearing and the Planning and Zoning Commission made its final report and recommendations.

All of the procedural requirements of Section 14-84(c)(2) items a through c have been met. This item is to approve the ordinance that will enact the final recommendation from the Planning and Zoning Commission regarding the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.

**RECOMMENDED ACTION:**

**MOTION:** To approve Ordinance No. 2023-12, amending Chapter 14 “Building and Development”, by amending Sections 14-100 through 14-104 to allow for updates to residential development standards.

**ORDINANCE NO. 2023-12**

**AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT”, BY AMENDING SECTIONS 14-100 THROUGH 14-104 TO ALLOW FOR UPDATES TO RESIDENTIAL DEVELOPMENT STANDARDS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the Planning & Zoning Commission (the “Commissions”) has issued its report and has recommended amendments to the Code to add and amend portions of Chapter 14 of the Code to allow for updated development standards related to residential development; and

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

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

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

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

**SECTION 2. THAT** Section 14-100 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**Sec. 14-100. Residential Permitted Use Table.**

<b>USE</b>	<b>District A</b>	<b>District B</b>	<b>District C</b>	<b>District M</b>
Churches or other places of worship and related schools	PC <sup>(1)</sup>	PC <sup>(1)</sup>		
Electric Power Lines and Substations	PC <sup>(2)</sup>	PC <sup>(2)</sup>		
Golf Courses and Country Clubs	P	P		
Home Occupations	PC <sup>(3)</sup>	PC <sup>(3)</sup>	PC <sup>(3)</sup>	PC <sup>(3)</sup>
Model Homes	PC <sup>(4)</sup>	PC <sup>(4)</sup>	PC <sup>(4)</sup>	

Multi-family Dwellings				PC <sup>(5)</sup>
Municipal Government Buildings, Police Stations, Fire Stations, and Public Libraries	P	P		
Patio Homes		P	P	
Public Parks and Playgrounds, Public Recreational Facilities, Public Schools, Community Buildings and Public Museums not operated for profit	P	P		
Short-term Rentals	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>
Single-Family Dwelling	P	P		
Townhouses		PC <sup>(7)</sup>	PC <sup>(7)</sup>	
Water Supply Reservoirs, Filter Beds, Towers, Surface or Below Surface Tanks, Artesian Wells, Water Pumping Plants and Water Wells	P	P		
Additional Structures. Accessory uses and freestanding structures in addition to a single-family dwelling:				
Accessory Quarters	PC <sup>(8)</sup>	PC <sup>(8)</sup>		
Cabana/Dressing Room	A	A	A	A
Detached Carport	A	A		A
Detached Private Garage (1 per building site)	A	A		
Gazebo	A	A	A	A
Greenhouse	A	A	A	A
Hobby Structure	A	A	A	A
Pet House	A	A		
Playhouse	A	A		
Pool	A	A	A	A

Pool Cover	A	A	A	A
Utility Structure	A	A		
PC Notes.				
<p><i>Note 1:</i> Churches or other places of worship which shall:</p> <p>(1) Contain not less than four thousand square feet (4,000 sq ft) of ground floor area.</p> <p>(2) No church or other place of worship shall be constructed on a lot having less than five (5) acres of total area.</p>				
<p><i>Note 2:</i> Power lines and substations may include accessory uses customarily incidental thereto; provided such accessory uses shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibration, noise, emission of odor, dust, smoke, or pollution.</p>				
<p><i>Note 3:</i> To operate a home occupation, the following standards shall be met:</p> <p>(1) The home occupation must be clearly incidental to the use of the dwelling as a residence;</p> <p>(2) No outdoor sign, display or storage of materials, goods, supplies or equipment shall be allowed;</p> <p>(3) There shall be no change to the exterior of the building nor any visible evidence or signs that the residence contains a home occupation;</p> <p>(4) A home occupation shall not generate a nuisance such as traffic, on-street parking, noise, and electrical interference or hazards;</p> <p>(5) The maximum area devoted to a home occupation shall be twenty-five percent (25%) of the gross floor area of the dwelling unit; and</p> <p>(6) The home occupation shall not use employees who do not reside on the premises.</p>				
<p><i>Note 4:</i> Provided that a builder may have no more than one model home in a subdivision. A model home must have a temporary certificate of occupancy and may be open for business only between the hours of six o'clock (6:00) a.m. and nine o'clock (9:00) p.m. Use of a structure as a model home shall terminate on the first of the following events to occur:</p> <p>(1) Thirty (30) days after building permits have been issued for ninety percent (90%) of the lots in the subdivision;</p> <p>(2) Thirty (30) days after building permits have been issued for all lots owned by the builder in the subdivision; or</p> <p>(3) One hundred eighty (180) days after issuance of the latest building permit to the builder for a lot in the subdivision.</p>				
<p><i>Note 5:</i> New multi-family dwelling districts shall contain less than one hundred (100) acres of land.</p>				
<p><i>Note 6:</i> No short-term rental home shall be permitted within a five thousand foot (5,000') radius, measured from property line to property line, from any other previously established short-term rental home.</p>				
<p><i>Note 7:</i> No "flats" or apartment style building shall be constructed in single-family townhouse style dwelling units in a unified development.</p>				
<p><i>Note 8:</i> Accessory quarters shall comply with all the following standards:</p> <p>(1) Accessory quarters (may include a full kitchen) must be located on the same building site as a principal building containing a single-family dwelling (detached) use;</p> <p>(2) Must include no more than six hundred square feet (600sqft) of gross floor area; unless located on the second story of a garage, in which case the maximum gross floor area is the footprint of the garage; and</p>				

(3) An existing private garage structure shall not be converted to habitable space for the purpose of constructing accessory quarters.

<b>Legend</b>
P = Permitted Use
A = Accessory Use
PC = Permitted Use with Conditions

**SECTION 3. THAT** Sections 14-101(a) through (c) of the Code of Ordinances, City of Jersey Village, Texas are hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-101. Regulations for district A (single-family dwelling district).**

(a) Use regulations. No building or land shall be used, and no building shall be hereafter erected, moved or altered in district A except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-101A: Setbacks (feet) for Single-Family Residential and Related Structures</b>	
<b>Single-Family Residential</b>	
Front <sup>(2),(3),(4)</sup>	Twenty-five feet (25') to front lot line
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
<b>Freestanding Structures ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Detached Private Garages ( ≥ 70' to front lot line)</b>	
Front	Seventy feet (70') to front lot line
Rear	Ten feet (10') to rear lot line

Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Attached Private Garages</b>	
Front	Twenty-five feet (25') behind front façade wall closest to front lot line
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street line
<b>Attached Carports</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Detached Carports ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Notes</b>	



(1) Where one or more lots have frontage on a street, all other lots in that block with side lot lines on the same street shall have a side-street setback requirement of twenty-five feet (25') (all structures).

(2) Single-family residences shall be constructed with a front yard setback of twenty-five feet (25') from the property line, except for Lots 6-11 Block 20, Lots 1-14 Block 21, Lots 1-25 Block 25, Lots 1-41 Block 26, Lots 1-22 Block 27, Lots 1-24 Block 28, Lots 1-36 Block 30, Lots 23-44 Block 31, Lots 6-13 Block 32, Lots 1-28 Block 33, Lots 6-8 Block 36, Lots 1-15 Block 38, Lots 1-3 Block 41, Lot 5 Block 41, Lots 1-21 Block 42, Lots 25-48 Block 42, Lots 1-4 Block 43, Lots 1-7 Block 47, Lots 1-31 Block 48, Lots 1-21 Block 49, Lots 1-11 Block 50, Lots 2-6 Block 53, Lots 10-12 Block 54, Lots 1-25 Block 55, Lots 1-19 Block 56, Lots 1-27 Block 61, Lots 1-39 Block 62, Lots 1-29 Block 63, Lots 1-20 Block 64, Lots 1-15 Block 65, which shall have an increased setback from the property line as noted on the recorded plat of Jersey Village.

(3) Single-family residences shall be constructed with a front yard setback of twenty-five feet (25') from the property line, except for Tracts 1-11A Block 19, Tracts 1-5 Block 20, Lots 26-44 Block 25, Lots 1-9 Block 54, Lots 1-14 Block 59, Lots 1-8 Block 60, and Lots 1-21 Block 69 which shall have an increased setback from the property line as noted on the recorded plat of Jersey Village Country Club Estates.

(4) Single-family residences shall be constructed with a front yard setback of twenty-five feet (25') from the property line, except for Lots 22-24 Block 42 which shall have an increased setback from the property line as noted on the recorded partial replat of Lots 22-24 Block 42 of Jersey Village; except for Lots 1-9 Block 37A and Lots 18-26 Block 43 which shall have an increased setback from the property line as noted on the second recorded replats of Lots 1-9 Block 37A and Lots 18-26 Block 43 of Jersey Village; except for Tracts 1 & 1A Block 53 which shall have an increased setback from the property line as noted on the amended recorded replat of Tracts 1 & 1A Block 53 of Jersey Village; except for Lot 1 Lakeside which shall have an increased setback from the property line as noted on the recorded plat of Estates-Cy-Fair.

<b>Table 14-101B: Setbacks (feet) for Non-Residential Buildings</b>	
<b>Non-Residential Buildings</b>	
Front	Twenty-five feet (25') to front lot line
Side	Twenty-five feet (25') to side lot line
Rear	Twenty-five feet (25') to rear lot line

(c) Height.

1) Single-family residences shall not exceed two and one half (2½) stories in height, except for Blocks 26, 38, 41, 42 and 47, which shall not exceed one and one half (1½) stories.

a. The maximum height of a two and one half (2½) story home shall be thirty-five feet (35').

b. The maximum height of a one and one half (1½) story home shall be twenty-five feet (25').

- 2) Nonresidential structures shall not exceed thirty-five feet (35') in height.
- 3) Calculating maximum height in district A. The maximum height for a single-family dwelling, structure, or accessory structure shall be calculated from the minimum flood elevation protection standards enumerated in Article IX "Storm Drainage and Flood Damage Prevention".
- 4) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void."

**SECTION 4. THAT** Section 14-101(j)(3)a. of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

"a. Exceed eight (8) feet in height, except for chain-link fencing;"

**SECTION 5. THAT** Section 14-102(a) through (d) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**"Sec. 14-102. Regulations for district B (townhouse/patio home district).**

(a) Use regulations. No building or land shall be used and no building shall be hereafter erected, moved or altered in district B except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-102A</b>	
<b>Setbacks for Single-Family Residential, Townhouses, Patio Homes, and Related Structures</b>	
<b>Single-Family Residential</b>	
Front	Twenty-five feet (25') to front lot line
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
<b>Townhouses and Patio Homes<sup>(2)</sup></b>	
Front	Twenty-five feet (25') to front lot line
Rear <sup>(3)</sup>	Sixteen feet (16') to rear lot line

Side <sup>(4)</sup>	Seven and one-half feet (7.5') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
<b>Freestanding Structures ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Ten feet (10') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Detached Private Garages ( ≥ 70' to front lot line)</b>	
Front	Seventy feet (70') to front lot line
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Attached Private Garage</b>	
Front	Twenty-five feet (25') to front wall of the dwelling
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Attached Carports</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
<b>Detached Carports ( ≥ 70' to front lot line)</b>	

Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded) <sup>(1)</sup>	Twenty feet (20') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling

<b>Notes</b>	
<p>(1) Where one (1) or more lots have frontage on a street, all other lots in that block with side lot lines on the same street shall have a side-street setback requirement of twenty-five feet (25') (all structures).</p> <p>(2) For townhouse lots, the setbacks are modified as follows when required:</p> <ul style="list-style-type: none"> <li>a. Buildings that do not abut a building on an adjacent lot with a common firewall between them shall not be closer than five feet (5') to a side lot line on that side.</li> <li>b. Abutting buildings shall have a common firewall that complies with current city building codes.</li> <li>c. A series of abutting buildings shall not have a combined width of greater than three hundred feet (300').</li> <li>d. Each group of abutting buildings shall be separated on the side by an open space of not less than ten feet (10') to the next side lot line.</li> </ul> <p>(3) Excluding fencing.</p> <p>(4) Zero feet (0') for townhouses and one (1) side of patio homes.</p>	

<b>Table 14-102B: Setbacks (feet) for Non-Residential Buildings</b>	
<b>Non-Residential Buildings</b>	
Front	Twenty-five feet (25') to front lot line
Side	Twenty-five feet (25') to side lot line
Rear	Twenty-five feet (25') to rear lot line

(c) Building area. For townhouses and patio homes: The building area shall be not less than one thousand four hundred (1,400) square feet.

(d) Height.

1) For single-family detached residences, the maximum height of a two and one-half (2½) story home shall be thirty-five (35) feet.

- 2) For townhouses and patio homes: The height of buildings shall not exceed two (2) stories and thirty (30) feet.
- 3) For other uses: Buildings shall not exceed twenty-five (25) feet in height.
- 4) Nonresidential structures shall not exceed thirty-five (35) feet in height.
- 5) Calculating the maximum height in district B. The maximum height for a single-family dwelling, townhouse, patio home, structure, or accessory structure shall be calculated from the minimum flood elevation protection standards enumerated in Article IX “Storm Drainage and Flood Damage Prevention”.
- 6) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.”

**SECTION 6. THAT** Section 14-102(j)(1) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(j) Fences and walls.

1) Fences and walls in district B shall not:

- a. Exceed eight (8) feet in height, except for chain-link fencing.
- b. Chain-link fencing shall be a maximum of six (6) feet in height.
- c. Be topped with barbed or razor wire.
- d. Be electrified.
- e. Be constructed of (or modified with) any fencing material(s) intended to be injurious or malicious in nature (such as, but not limited to, broken glass or metal spikes) that have the potential to cause bodily harm or injury.”

**SECTION 7. THAT** Section 14-103(a) through (d) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-103. Regulations for district C—Townhouse/patio home district.**

(a) Use regulations. No building or land shall be used and no building shall be hereafter erected, moved or altered in district C except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-103: Setbacks (feet) for Townhouses, Patio Homes, and Related Structures</b>	
<b>Townhouses and Patio Homes<sup>(3)</sup></b>	
Front	Twenty-five feet (25') to front lot line
Rear <sup>(1)</sup>	Sixteen feet (16') to rear lot line
Side <sup>(2)</sup>	Seven and one-half feet (7.5') to side lot line
Side Street	Ten feet (10') to side street lot line
<b>Freestanding Structures (≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street	Ten feet (10') to side street lot line
To Dwelling	Ten feet (10') to single-family dwelling
<b>Detached Private Garages (≥ 70' to front lot line)</b>	
Front	Seventy feet (70') to front lot line
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street	Twenty feet (20') to side street lot line
<b>Attached Private Garages</b>	
Front	Twenty-five feet (25') to front wall of the dwelling
Rear	Twenty-five feet (25') to rear lot line
Side	Seven and one-half feet (7.5') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Attached Carports</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line

Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Detached Carports ( ≥ 70' to front lot line)</b>	
Rear	Ten feet (10') to rear lot line
Side	Three feet (3') to side lot line
Side Street (Front-loaded)	Ten feet (10') to side street lot line
Side Street (Side-loaded)	Twenty feet (20') to side street lot line
<b>Notes</b>	
<p>(1) Excluding fencing.</p> <p>(2) Zero feet (0') for townhouses and one side of patio homes.</p> <p>(3) For townhouse lots, the setbacks are modified as follows when required:</p> <ul style="list-style-type: none"> <li>a. Building that do not abut a building on an adjacent lot with a common firewall between them shall not be closer than five feet (5') to a side lot line on that side.</li> <li>b. Abutting building shall have a common firewall that complies with current city building codes.</li> <li>c. A series of abutting buildings shall not have a combined width of greater than three hundred feet (300') feet.</li> <li>d. Each group of abutting building shall be separated on the side by an open space of not less than ten feet (10') to the next side lot line.</li> </ul>	

(c) Building area for townhouses and patio homes shall be not less than one thousand four hundred (1,400) square feet.

(d) Height.

1) For single-family detached residences, the maximum height of a two and one half (2½) story home shall be thirty-five (35) feet.

2) For townhouses and patio homes: The height of buildings shall not exceed two (2) stories and thirty (30) feet.

3) For other uses: Buildings shall not exceed twenty-five (25) feet in height.

4) Calculating the maximum height in district C. The maximum height for a single-family dwelling, townhouse, patio home, structure, or accessory structure shall be calculated from the minimum flood elevation protection standards enumerated in Article IX “Storm Drainage and Flood Damage Prevention”.

5) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.”

**SECTION 8. THAT** Section 14-103(i) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(i) Fences and hedges.

1) No fence in district C shall be permitted in the front yard, extending past the building setback line. For side street fencing, where one or more lots have frontage on the street, wrought iron style fencing may be installed to within two (2) feet of the public sidewalk and shall not encroach beyond the side lot line.

2) Fences and hedges in district C may not be erected or planted directly on a property line without the express agreement of the property owners on both sides of the property line.

3) Fences in district C shall not:

a. Exceed eight (8) feet in height, except for chain-link fencing.

b. Be topped with barbed or razor wire.

c. Be electrified.

d. Be constructed of (or modified with) any fencing material(s) intended to be injurious or malicious in nature (such as, but not limited to, broken glass or metal spikes) that have the potential to cause bodily harm or injury.

4) Fences in district C shall be constructed of the following materials, such as:

a. Chain-link

i. All chain-link fencing to be a minimum of four (4) feet in height, a maximum of six (6) feet in height, and shall be a minimum of eleven (11) gauge galvanized material

ii. All chain-link fencing higher than four (4) feet shall be a minimum of nine (9) gauge galvanized material.

b. Redwood

c. Cedar



- d. Wrought iron
- e. Brick or other approved material of equal quality.”

**SECTION 9. THAT** Section 14-104(a) through (d) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-104. Regulations for district M (multifamily dwelling district).**

(a) Use regulations. No building or land shall be used and no building shall be hereafter erected, moved or altered in district M except for as provided in Sec. 14-100.

(b) Setbacks.

<b>Table 14-104: Setbacks (feet) for Single-Family Residential and Related Structures</b>	
<b>Multi-Family Residential</b>	
Front	Twenty-five feet (25’) to front lot line
Rear <sup>(1)</sup>	Twenty-five feet (25’) to rear lot line
Side	Seven and one-half feet (7.5’) to side lot line
Side Street <sup>(2)</sup>	Ten feet (10’) to side street lot line
<b>Detached Carports (≥ 70’ to front lot line)</b>	
Rear	Ten feet (10’) to rear lot line
Side	Three feet (3’) to side lot line
Side Street (Front-loaded)	Ten feet (10’) to side street lot line
Side Street (Side-loaded)	Twenty feet (20’) to side street lot line
<b>Notes</b>	
(1) Where one (1) or more lots have frontage on a street, all other lots in that block with side lot lines on the same street shall have a setback requirement of twenty-five feet (25’).	
(2) Excluding fencing.	

(c) Building area.

1) Multi-family buildings shall contain not less than two thousand (2,000) square feet nor more than twenty-one thousand (21,000) square feet of ground floor area.

2) Accessory buildings shall contain not less than one hundred (100) square feet nor more than fifteen thousand (15,000) square feet of ground floor area. Accessory structures shall be constructed of permanent material.

3) Portable buildings of a temporary nature are prohibited.

(d) Height.

1) No building shall exceed fifty (50) feet or three (3) stories in height.

2) Calculating the maximum height in district M. The maximum height for a multi-family dwelling shall be calculated from the minimum flood elevation standards specified in Article IX “Storm Drainage and Flood Damage Prevention”.

3) Any finished floor that is elevated more than twelve (12) inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight (8) inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.”

**SECTION 10. THAT** Section 14-104(i) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(i) Screening/Fencing Standards..

1) Screening. Refuse containers or like equipment outside of an enclosed space shall be screened from public view, either from adjacent buildings or adjacent property, both private and public. Such screens shall be permanent and opaque and of wood, metal or masonry material and shall be at least as high as the screened object, and in no case shall be less than six (6) feet in height.

2) Interior fences in district M shall be a maximum of eight (8) feet in height, shall be permanent and must be of the following types:

a. Redwood;

b. Cedar;

c. Wrought iron;

d. Brick or masonry; or,

e. Chain-link (sport court enclosures only) shall be maximum of twelve (12) feet in height and shall be a minimum of nine (9) gauge galvanized material.

3) No fence in district M shall:

a. Be topped with barbed or razor wire.

b. Be electrified.

c. Be constructed of (or modified with) any fencing material(s) intended to be injurious or malicious in nature (such as, but not limited to, broken glass or metal spikes) that have the potential to cause bodily harm or injury.”

**SECTION 11. THAT** in the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 12. THAT** all other ordinances or parts of ordinances in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed.

**SECTION 13. THAT** any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine as provided in Section 1-8.

**SECTION 14. THAT** this Ordinance shall be in full force and effect from and after its passage.

**PASSED, APPROVED, AND ADOPTED this 17th day of May 2023.**

**FOR THE CITY:**

\_\_\_\_\_  
**Bobby Warren, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Lorri Coody, City Secretary**



## CITY COUNCIL - CITY OF JERSEY VILLAGE, TEXAS - AGENDA REQUEST

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM:** I7

**AGENDA SUBJECT:** Consider Ordinance No. 2023-13, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 14 “Building and Development”, by amending Section 14-5 “Definitions” to update the definitions used in Chapter 14; adding a Section 14-11 “General Penalty; Continuing Violations” to provide penalties for violations of Chapter 14; amending Section 14-88 “Regulations that apply to all Districts” to provide general commercial use regulations; amending Sections 14-105 through 14-110 to provide commercial use regulations; amending Section 14-244(b)(1)c regarding exceptions to required sign permits; amending Sections 14-252(2)b.1(a) and 14-252(2)c.1 regarding signs in commercial zones; amending Section 14-283 regarding off street parking standards; amending Section 14-309 regarding landscaping in commercial zones; providing a severability clause; providing for repeal; providing a penalty as provided by Section 1-8 of the code; and providing an effective date.

**Department/Prepared By:** Lorri Coody, City Secretary **Date Submitted:** April 20, 2023

**EXHIBITS:** Ordinance No. 2023-13

### **BACKGROUND INFORMATION:**

The Planning and Zoning Commission met on November 9, 2022, November 21, 2022, and March 27, 2023, to discuss and take appropriate action regarding the proposal to amend the Jersey Village Code of Ordinances at Section 14-5 Definitions, Section 14-11 Penalty, Section 14-88 All Districts, Sections 105 thru 110, Section 14-244 Permits and Fees, Section 14-252 Commercial Signs, Section 14-283 Off Street Parking, and Section 14-309 Specific Standards to allow for updates to commercial development standards.

The Planning and Zoning Commission submitted its preliminary report to Council on April 17, 2023, and a Joint Public Hearing was ordered for May 17, 2023.

On May 17, 2023, the City Council and the Planning and Zoning Commission conducted a joint public hearing and the Planning and Zoning Commission made its final report and recommendations.

All of the procedural requirements of Section 14-84(c)(2) items a through c have been met. This item is to approve the ordinance that will enact the final recommendation from the Planning and Zoning Commission regarding the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.

### **RECOMMENDED ACTION:**

**MOTION:** To approve Ordinance No. 2023-13, amending Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, by amending Chapter 14 “Building and Development”, by amending Section 14-5 “Definitions” to update the definitions used in Chapter 14; adding a Section 14-11 “General Penalty; Continuing Violations” to provide penalties for violations of Chapter 14; amending Section 14-88 “Regulations that apply to all Districts” to provide general commercial use regulations; amending Sections 14-105 through 14-110 to provide commercial use regulations; amending Section 14-244(b)(1)c regarding exceptions to required sign permits; amending Sections 14-252(2)b.1(a) and 14-252(2)c.1 regarding signs in commercial zones; amending Section 14-283 regarding off street parking standards; amending Section 14-309 regarding landscaping in commercial zones; providing a severability clause; providing for repeal; providing a penalty as provided by Section 1-8 of the code; and providing an effective date.

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

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**Sec. 14-5. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*AE* means areas of the base (one percent or 100-year) flood where base flood elevations have been determined.

*Accessory building* means a building or structure customarily incidental and subordinate to the principal structure and located on the same lot as the principal building.

*Accessory use of a building* means a subordinate use or building customarily incident to and located on the lots occupied by the main use or building.

*Adult entertainment* means an adult cabaret, adult encounter parlor, adult lounge, adult modeling studio, adult bookstore, adult movie theater, or any establishment whose business is the offering to customers of a product or service which is intended to provide sexual stimulation or sexual gratification to such customers, and which is distinguished by or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical areas. See also Chapter 18, Article II, Section 18-31.

*Advertising* means to seek the attraction, or to direct the attention, of the public to any goods, services, merchandise, purpose or cause.

*Agriculture* means any land or building used for pasturage, floriculture, dairying, horticulture, forestry and livestock or poultry husbandry.

*Alley* means a legally established private access easement affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

*Alluvial fan flooding* means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

*Alter* means to change, rearrange, enlarge, extend or reduce any structure or part thereof on the same site.

*Alterations* means any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls or partitions, columns, beams or girders; or any change which may be referred to in this chapter as "altered" or "reconstructed."

~~*Apartment* means a dwelling unit in a multiple-family dwelling.~~

*Apex* means a point on an alluvial fan or similar landform below which the low path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

*Apparel manufacturing* means a facility for the manufacture of garments.

*Appeal* means, for floodplain management purposes, a request for a review of the floodplain administrator's interpretation of any provision of this chapter or a request for a variance.

*Appurtenant structure*, for floodplain management purposes, means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

*Area of future conditions flood hazard* means the land area that would be inundated by the one percent annual chance (100 year) flood based on future ~~conditions hydrology~~ hydrological conditions.

*Area of shallow flooding* means a designated AO, AH, AR/AO, AR/AH or VO zone on a community's flood insurance rate map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

*Area of special flood hazard (ASFH)—also referred to as a special flood hazard area (SFHA)* — means the land in the floodplain within a community subject to a 0.2 percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-30, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/A, VO, V1-30, VE, V or X Shaded Zones.

*Art gallery* means a room or building used for the display or sale of works of art.

*As-built documents* means (s) legal papers documents prepared by a registered professional engineer and confirming that the public improvements are constructed as shown.

*Assembling* means a facility where previously manufactured parts are put or fit together for final assembly.

*Auto body shop* means any shop or garage, other than a private garage, where bodywork and painting are performed.

*Automobile repair shop* means a facility used for the repair or replacement of engines, transmissions, differentials, drivetrains, or any parts thereof, in addition to the replacement of parts, service, and incidental repairs to private passenger vehicles. A private passenger vehicle is defined as automobiles, motorcycles, station wagons, vans, SUVs, or pickup trucks reserved for personal use.

~~*Bail bond service* means an establishment that makes available to the public undertakings of bail in connection with judicial proceedings.~~

*Bail bond service* means an establishment that offers to act as a surety and pledges money or property as bail for the appearance of a defendant in court.

*Bakery (industrial)* means an establishment that is permitted for the production and/or wholesaling of baked goods, but where over the counter or other retail dispensing of baked goods shall be allowed incidental to the main use.

*Bank, financial institution, and insurance service institution* means an institution that is licensed to accept checking and savings deposits, make loans, and provide insurance.

*Bar/club* means an establishment that derives fifty-one (51) percent or more of its income from the sale of alcoholic beverages. Such beverages are intended for consumption on the premises.

*Barber, beauty store, or salon* means an establishment that offers goods and services related to barbering, cosmetology, and hairdressing.

*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year.

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*Base flood elevation (BFE) or base flood level* means the elevation above mean sea level that floodwaters have been calculated to reach during the base flood at a specific location.

*Basement*, for floodplain management purposes, means any area of the building having its floor subgrade (below ground level) on all sides.

*Beer and wine sales* means an establishment that sells beer and wine not to exceed 17 percent alcohol by volume. This type of establishment can be stand-alone, or function as an ancillary use to a retail establishment.

*Berm* means a manmade, formed, earth mound of definite height and width used for obscuring purposes; the intent of which is to provide a transition between uses of differing intensity.

*Billboard* means an off-premises sign.

*Block* means a tract or parcel of land designated as such on a subdivision plat surrounded by streets or other physical obstructions.

*Blockface* means the properties abutting on one side of a street between the two nearest intersecting streets or other physical features, such as a watercourse or unsubdivided land, that defines the end of the block.

*Bookstore* means a retail establishment that, engages in the sale, rental, or other charge-for-use of books, magazines, newspapers, greeting cards, postcards, videotapes, computer software, or any other printed or electronically conveyed information or media, excluding any “adult bookstore,” “adult theater,” “theater,” or “studio theater.”

*Boundary sewer line* means a sewer line installed in a street bounding a development or faced on only one side by a development, which can also serve property not included in the development on the opposite side of the street.

*Boundary water line* means a water line, installed in a street bounding a development or faced on only one side by a development, which can also serve property not included in the development on the opposite side of the street.

*Breakaway wall* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

*Brew pub* means an establishment that is authorized to brew, bottle, can, package, and label beer, and sell or offer without charge, on the premises to ultimate consumers for consumption on or off those premises, malt beverages produced by the holder, in or from a lawful container to the extent the sales or offers are allowed under the holder's other permits or licenses. Food may also be served at this establishment.

*Broadcasting studio* means commercial and public communications uses, including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings.

*Buffer* means the area, space or physical means which is established to protect or insulate one land use or one building from another. Generally, buffering will be the use of landscaping (other than mere grass on a flat terrain) or the use of landscaping along with berms, walls or decorative fences that at least partially and periodically obstruct the view from the street and adjacent property in a continuous manner, of vehicular use areas, parking lots and their parked cars, and /or detention ponds.

*Buffer yard* means a strip of land, including any specified type and amount of planting or structures which may be required to protect one type of land use from another, or minimize or eliminate conflicts between them.

*Build* means to convert, enlarge, reconstruct or alter a building or structure.

*Building*. See the definitions within the adopted building codes.

*Building area* means ground floor area computed by using calculating the outside dimensions of exterior walls, excluding the floor area of garages, open or screened porches, basements or semifurnished storage rooms not used for residential purposes.

*Building contractor and related activities* means a facility used for conducting business related to the construction of buildings, either residential or commercial, including but not limited to the storage and operation of machinery and materials, fabrication of building-related products, and the provision of services.

*Building height* means the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on a sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

*Building line* means a line parallel to the front lot line. A minimum building line is the same as the minimum required front setback line.

*Building materials, sales, and storage* means any location used for the sale and storage of materials used for the construction of various building-related projects, including but not limited to: residential and commercial structures, and site improvements.

*Building, principal* means a building in which is conducted the main or principal use of the lot on which such building is located.

*Business frontage* means the linear measurement from outer wall to outer wall of the side of the building which faces or fronts a street and which generally contains the primary entrance to the building.

*Business purposes* means the erection or use of any property, building, structure, permanent or temporary, for the primary purpose of conducting in such building or structure or on such property a lawful commercial enterprise in compliance with all ordinances and regulations of the city governing such activity. The term "business purpose" shall not include any property, building or structure erected or used for the primary purpose of securing a permit to erect a sign.

*Cabana or dressing room* means a small structure for use as a bathhouse adjacent to a swimming pool.

*Cafe and cafeteria* means a restaurant or dining room located in part of a business in which customers serve themselves or are served from a counter and pay before eating.

*Cannabidiol shop (CBD shop)*. A business establishment for which more than 15 percent of sales are derived from the retail sale of products related to or derived from CBD oil (cannabidiol) or hemp. This includes, but is not limited to, oils, vitamins, supplements, food, personal care, and garments.



*Car wash facility* means a facility of the tunnel unit type intended for washing and cleaning of passenger vehicles which allows washing of multiple vehicles in a tandem arrangement while moving through the structure, to include detail areas, vacuum areas and a lobby.

*Carport* means a permanent structure that is attached to a residence or private garage, that covers a driveway, and that consists of a roof and one or more sides.

*Cell phone and computer repair business* means a business that provides small-scale electronic repair services for items of the general public, including, but not limited to: cellphone repair~~z~~ computer repair~~z~~ and~~z~~ other related minor repairs.

*Certificate of compliance* means a certificate issued by the city to a party intending to initiate any work or change any use of property in the city.

*Child-care center* means a facility licensed by the State of Texas to provide care at a location other than the permit holder's home, for seven or more children under 14 years of age, for less than 24 hours per day, but at least two hours a day, three or more days per week (40 TAC § 745.37(2)(D)).

*Child day-care operation (licensed child-care centers and school-age program centers)* means a facility licensed, certified, or registered by the Department of Family and Protective Services to provide assessment, care, training, education, custody, treatment, or supervision for a child who is not related by blood, marriage, or adoption to the owner or operator of the facility for all or part of the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers.

*Cigar shop/lounge* means a retail cigar establishment that excludes minors that in some cases includes an enclosed area within or attached to the establishment to be used as private cigar smokers' lounge.

*City of Jersey Village: water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants, and water wells* means any water system provided and maintained by the city of Jersey Village or a utility company that the city agency has specifically approved as acceptable.

*Cleaners (clothing), tailor, and retail laundry* means an establishment that washes, adjusts, and repairs personal clothing items.

~~*Clinic* means the office of one or more licensed doctors who may or may not be associated in the practice of their profession.~~

*Clinic* means a building, other than a hospital as herein defined, used by one or more licensed physicians for the purpose of receiving and treating patients.

*Clothing boutique* means a small retail establishment that sells fashionable clothing or accessories.

*Club* means an organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics or similar activities, but not operated for profit and open only to members and not the general public.

*Cold storage plant* means a facility where, for compensation or reward received or promised, wildlife or fish or parts of them are processed and stored, either fresh or frozen, for later consumption.

*Commercial building* means any building ~~other than a single family residence~~ where commercial activities take place, other than home occupations as defined in this section.

*Commercial message* means a message placed or caused to be placed before the public by a person directly involved in the manufacture or sale of the products, property, accommodations, services, attractions or activities or possible substitutes for those things which are the subject of the message; and that refers to the offer for sale or existence for sale of products, property, accommodations, services, attractions or activities that are offered or exist for sale or for hire; or that attracts attention to a business or to products, property, accommodations, services, attractions or activities that are offered or exist for sale or for hire.

*Commercial vehicle* means any motor vehicle, trailer, or semi-trailer designed or used to carry freight, passengers for a fee, or merchandise in the furtherance of any commercial enterprise and having a gross weight of more than 10,000 pounds.

*Commercial vehicle repair shop* means a facility used for the repair or replacement of engines, transmissions, differentials, drivetrains, or any parts thereof, in addition to the replacement of parts, service, and incidental repairs to commercial vehicles.

~~*Concrete products manufacturer* means a plant for the manufacture or mixing of concrete, cement, and concrete and cement products, including any apparatus and uses incident to such manufacturing and mixing.~~

*Concrete product manufacturer* means a facility in which concrete products are constructed for the purposes of decoration or artistic expression for sale off-premises.

*Condominium.* See *Unified development.*

*Conveyance* means, unless otherwise determined by the city engineer, the flow of water during the base flood with a velocity that is greater than one foot per second or a depth that is greater than one foot.

*Courts* means an open space, bounded on more than two sides by the walls of a building. An inner court is a court entirely surrounded by the exterior walls of a building. An outer court has one side open to a street or alley, yard or other permanent open space.

~~*Credit access business (payday loan/auto title)* means an establishment providing loans to individuals in exchange for personal checks as collateral.~~

*Credit access business* means a business that obtains credit for a consumer from an independent third-party lender in the form of a deferred presentment transaction or a motor vehicle title loan.

*Critical facilities* means those facilities essential to the preservation of life and property, including, but not limited to schools, nursing homes, blood banks, health care facilities including those storing vital medical records, housing likely to contain occupants who may not be sufficiently mobile to avoid death or injury during a flood, hospitals, police, fire and emergency response installations, facilities used for the storage of critical records, and commercial installations which produce, use or store hazardous materials or hazardous waste as referenced in the high-hazard group (group H) of the adopted International Building Code and International Fire Code.

*Critical feature* means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

*Curblin*e means an imaginary line drawn along the edge of the pavement on either side of a public street.

Dancing studio, exercise class, and martial arts facility means a facility in which students are instructed and educated on the particulars of a physical art form. This does not include adult uses such as adult cabaret.

*Density* means the average number of dwelling units per acre for the entire development, including streets.

Department store means a retail establishment that conducts business under a single owner's name wherein a variety of unrelated merchandise and services are housed and are exhibited and sold directly to the customer for whom the goods and services are furnished.

*Design flood elevation (DFE)* means the elevation above base flood elevation (BFE) that the community requires - also referred to as freeboard.

*Developer* means any person who improves or subdivides a tract of land or improves or takes any action preparatory to the erection, improvement or movement of any building or structure on a tract of land.

*Development*, for floodplain management purposes, means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Distribution and warehousing means any location where goods are received and/or stored for delivery to the ultimate customer at remote locations.

*District* means an area of land for which there are uniform zoning regulations governing the use of buildings and premises, density of development, yard requirements and height regulations.

*Double-faced sign* means a single sign with two parallel sign faces back-to-back.

Driving range means a commercial business equipped with distance markers, clubs, balls, and tees for practicing golf drives and putting. This definition specifically does not include miniature golf courses or golf courses.

Drug store and pharmacy means a retail establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.

Dry cleaning and laundry plant (industrial) means a facility used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in volatile solvents including, but not by way of limitation, solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and the processes incidental thereto.

*Dwelling, multiple-family* means a building used or designed as a residence for three or more families living together independently of each other.

*Dwelling, single-family* means a detached building, designed for, or occupied exclusively by one family.

*Dwelling, two-family* means a detached building, designed for, or occupied by two families living independently of each other.

*Dwelling unit* means one or more rooms with bathroom and principal kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking and sleeping purposes.

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*Easement, utility* means a right held by the city to make use of the land of another for a limited purpose, such as right of passage.

*Educational institution, service, and learning center* means any public, parochial, private, charitable, or nonprofit school, junior college, or university.

*Electrical sign* means a sign containing electrical wiring or utilizing electric current, but not a sign illuminated by an exterior light source.

*Elevated building* means, for insurance purposes, a non-basement building, which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns.

*Elevation certificate* means a statement from an engineer or surveyor licensed by the State of Texas on the most current FEMA form certifying that the lowest floor of the structure has been elevated at least as high as required by this chapter, as well as the elevation of equipment and adjacent grade.

*Erected* means built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage and the like shall be considered a part of erection.

*Excavation* means any breaking of ground, except common household gardening, general farming and ground care.

*Existing construction* means, for the purposes of determining flood insurance rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. The term "existing construction" may also be referred to as "existing structures."

*Existing manufactured home park or subdivision*, for floodplain management purposes, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

*Expansion to an existing manufactured home park or subdivision*, for floodplain management purposes, means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

*Family* means:

- (1) One person, or a group of two or more persons living together and related by blood, marriage or legal adoption, living together as a single housekeeping unit. The person thus constituting a family may also include gratuitous guests and domestic servants.
- (2) A group of individuals not related by blood, marriage or legal adoption, but living together as a single housekeeping unit. For controlling of residential density, each such group of four individuals shall constitute of a family.
- (3) A group of not more than eight individuals, not related by blood, marriage or legal adoption, which group is comprised of individuals with disabilities protected under the Fair Housing Act, and where the group is not established within one-half mile of an existing like group.

- (4) A group of not more than six persons with disabilities and two supervisors residing in a qualified community home, as defined by the Texas Community Homes for Disabled Persons Location Act.

*Farm implement machinery sales and storage* means a facility that focuses on the sale and sales-related storage of farm implements and machinery together with the attachments, special service tools, or repair parts for such implements and machinery.

*Farmers market* means a food market temporary in nature at which local vendors sell various fruits, vegetables, meats, cheese, baked goods, and handmade items directly to consumers.

*Filling* means the depositing or dumping of any matter into or onto the ground except common household gardening and general maintenance.

~~*Filling stations* means any building or premises used for the dispensing, sale or offering for sale or retail of any automobile fuels or oils. If the dispensing, sale or offering for sale is incidental to a public garage, the premises shall be classified as a public garage.~~

*Firewall* means a wall made of fireproof material to prevent the spread of a fire from one part of a building to another.

*Flag lot* means a lot which has minimum frontage on a public street, which is reached via a private drive or lane whose width some distance back from the street right-of-way, meets all ordinance requirements.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Flood elevation study* means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

*Flood insurance rate map (FIRM)* means an official map of a community, on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazards areas (SFHA)/areas of special flood hazards (ASFH) and the risk premium zones applicable to the community.

*Flood insurance study (FIS).* See *Flood elevation study*.

*Flood protection system* means those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

*Floodplain development permit* means a permit issued under the provisions of this chapter for any development of a site located within a Jersey Village special flood hazard area (SFHA)/area of special flood hazards (ASFH).

*Floodplain management* means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

*Floodplain management regulations* means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

*Flood proofing* means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodproofing certificate* means a certificate issued by a registered professional engineer licensed in the State of Texas which states that he has developed and/or reviewed the structural design, specifications, and plans for the construction of a structure or improvement covered by the certificate and that the design and methods of construction are in accordance with accepted standards of practice for meeting the following requirements:

- (1) The floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2 percent chance flood; and
- (2) Together with attendant utility and sanitary facilities, the structures are designed so that below the 0.2 percent chance flood level the structures are watertight with walls impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

*Floodway.* See *Regulatory floodway*.

*Florist and flower shop* means a retail establishment whose principal activity is the selling of plants that are not grown on the site and conducting business within an enclosed building.

*Food processing and packaging, with the exception of slaughtering* means a facility that prepares, processes, or cans and packages food products.

*Food truck* means a mobile vehicle equipped with facilities for cooking and selling food.

*Food truck park* means a property where two or more food trucks congregate to offer food or beverages for sale to the public.

*Freeboard.* See *Design flood elevation*.

*Freestanding structure* means any building for the support, shelter or enclosure of persons, animals, chattels or moveable property of any kind and surrounded by yards or open space and not containing permanent provisions for living, sleeping or cooking.

*Functionally dependent use* means, for floodplain management purposes, a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

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Furniture manufacturing means a facility that manufactures or assembles articles such as tables, chairs, desks, or cabinets for use indoor or outdoor.

*Garage, front load*, means a private garage where the vehicle access doors to the garage face toward and are generally visible from a public view.

*Garage, J-swing* means a garage upon which the entry point from the street is located in front of the house and the garage door is perpendicular to the front of the house. A J-swing garage must have at least two windows, each 12 square feet or greater, oriented toward the front or the lot.

*Garage, private* means a garage intended for private use by the resident family with a ground floor capacity for not more than four automobiles or trucks of which not more than one vehicle shall be used for commercial purposes.

*Garage, private, detached* means a private garage constructed as a freestanding structure.

~~Garage, public means a building, or portion thereof, other than a private or storage garage, designed or used for servicing, repairing, equipping, hiring, selling or storing motor driven vehicles.~~

Garage, public means a structure used for the short-term parking of vehicles.

*Garage, sideloaded* means a private garage where the vehicle access doors to the garage are perpendicular to the front lot line and, therefore, are generally not visible from a public way, unless the lot is a corner lot and the garage loads to a side street.

Gasoline filling station means an establishment or portion thereof used partly or entirely for storing or dispensing flammable liquids, combustible liquids, liquified flammable gas, or flammable gas into the fuel tanks of motor vehicles.

General retail means a shop or establishment for the sale of goods or merchandise from a fixed location, such as a department store, boutique, or kiosk, in small or individual lots for direct consumption by the purchaser. Retail shops or retail trade specifically excludes: pawnshops, head/smoke shops, and hookah bars/lounges.

Golf course and country club means a tract of land laid out with a least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.

*Grade* means a ground elevation established for the purpose of controlling the number of stories and the height of any structure. The building grade shall be determined by the level of the ground adjacent to the walls of any structure if the finished grade is level. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the structure.

*Grand opening* means the commencement of operation by a business in a new location or the assumption of ownership of an existing business by a new owner or group of owners.

Grocery store means a retail establishment for the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

*Ground sign* means a sign which is a pole sign, a monument sign or a nonconforming billboard which exists on the effective date of the ordinance. See Figure 14-19.

*Habitable floor* means, for the purpose of flood hazard regulation, any floor usable for the following purposes which include working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used for storage purposes only is not a habitable floor.

*Half-street* means a vehicular accessway created if only a portion of the required right-of-way width or pavement width is dedicated and/or constructed.

*Hardware store* means a retail establishment where items such as plumbing, heating, and electrical supplies, sporting goods, and paints are sold.

*Head/smoke shop* means any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store, or similar retail use that only sells conventional cigars, cigarettes, or tobacco as an ancillary sale shall not be defined as a "smoke shop and tobacco store" and shall not be subject to the restrictions in this chapter.

*Health club*, also includes the terms *athletic club, gym, fitness studio, and fitness center*, means a place of business which provides a place for a variety of physical exercises including facilities or studios for personal training, physical fitness training, weight and aerobic training, free weights, spinning/cycling, circuit training, yoga, Pilates, racquetball/squash courts, group fitness classes, boxing, wrestling, martial arts training, basketball courts, swimming pools and swimming lessons.

*Heating, plumbing and air conditioning, sale and repair* means a facility that offers parts, maintenance, and repair services for heating, ventilation, air conditioners, and related plumbing.

*Highest adjacent grade* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic structure* means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
  - a. by an approved state program as determined by the Secretary of the Interior or;
  - b. Directly by the Secretary of the Interior in states without approved programs.

*Home good store* means a retail establishment that offers the sale of furniture, linens, cooking products, art, and other home accessories.

*Home occupation* means an accessory occupational use conducted entirely within a dwelling unit by its inhabitants that is clearly incidental to the use of the structure for residential purposes and that does not change the residential character of the site. A home occupation may include an operation in



which members of the immediate family sell or offer for sale articles which they produce on the premises; but home occupation does not include operations that use persons who do not reside on the premises to either (1) sell or offer for sale such articles, or (2) produce such articles. Additionally, animal hospitals, animal kennels, barber shops, beauty shops, clinics, doctor's offices, dress shops, hospitals, insurance offices, millinery shops, real estate offices, tearooms, tourist homes, palm readers, fortune tellers, among others and as examples only, are not home occupations.

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

*Hospital* means an institution, licensed by the state department of health, providing primary health services and medical or surgical care to persons suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.

*Hotel and motel* means a building in which lodging is provided or offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby. Guest rooms must be accessible only through interior corridors of the hotel building. The lobby and registration area must communicate directly with corridors/elevators to attain interior room access.

*Industrial* means a business, plant or enterprise for production of goods, merchandise or machines.

*Instrument and meter manufacturing* means a facility for the manufacturing of electronic instruments and meters for measuring the amount of electricity consumed by a residence, a business, or an electrically powered device.

*Integrated business development* means commercial development such as a strip center, mall, multitenant office building, commercial center or industrial complex in which two or more separate businesses occupy a single structure or multiple structures which share on-site parking facilities and common driveways.

*Jewelry and watch manufacturing* means a facility for the manufacturing or assembling of jewelry or watches.

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

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

*Levee* means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

*Levee system* means a flood protection system which consists of a levee or levees and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

*Library and museum* means any location that engages in the loan, or display of books, paintings, sculptures, or other works of art.

Liquor store (excluding drive-up or pick-up services) means a retail establishment permitted by the Texas Alcoholic Beverage Commission (TABC) to sell liquor, malt, and vinous liquors on-premises to consumers for off-premise consumption.

*Logo sign* means a sign operated and maintained by the state department of highways and public transportation within the public right-of-way along a country toll road which bears the name and trademark design of a business.

*Lot* means an undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement.

*Lot depth* means the distance on a horizontal plane between the midpoint of the front lot line and the midpoint of the rear lot line.

*Lot lines* means the lines bounding a lot as follows:

- (1) *Lot line, front* means, for interior lots, a line separating the lot from the street; for corner lots, a line separating the narrowest street frontage of the lot from the street, except in those cases where the deed restrictions specify another line as the front lot line. In all cases the front lot line of a nonresidential lot shall be that side adjacent to the highest volume street.
- (2) *Lot line, rear* means a lot line opposite and most distant from the front lot line.
- (3) *Lot line, side* means any lot line not a front line or rear lot line.

*Lot of record* means a lot which is part of a platted subdivision, the plat of which is recorded in the office of the county clerk; a parcel or lot the deed for which was recorded in the office of the county clerk prior to March 1, 1982, and which has not been partitioned in any manner since that time.

*Lot width* means the distance on a horizontal plane between the midpoint of the side lot lines.

*Lowest floor* means, for floodplain management purposes, the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

Machining means a manufacturing process that creates the desired shape by removing unwanted material from a larger piece of material.

Manufacture of printed material means a facility involved in the manufacturing and publishing of periodicals, books, or other printed materials.

*Manufactured home* means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailer, travel trailers and other similar vehicles placed on a site for greater than 190 consecutive days. For insurance purposes the term "manufactured home" does not include a "recreational vehicle."

*Manufactured home park or subdivision*, for floodplain management purposes, means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

*Marquee* means a roof-like structure of a permanent nature projecting from the wall of a building.

*Marquee sign* means a sign on a marquee. See Figure 14-19.

*Masonry* means that form of construction composed of stone, brick, concrete, hollow clay tile, decorative concrete block or tile, glass block or other similar building units or materials or a combination of these materials laid up unit by unit and set in mortar. For the purposes of this definition, true stucco is considered masonry.

*Massage establishment* means a structure in which massage therapy is advertised for, provided, supported, or allowed. A massage establishment shall be licensed under V.T.C.A., Occupations Code ch. 455. A massage establishment shall in no way advertise for, provide, support, or allow any activity that is contemplated under chapter 18, article II of this Code.

*Massage therapy* means the services contemplated in V.T.C.A., Occupations Code ch. 455. Massage therapy includes, but is not limited to, the business of manipulation of the human body by hand or through a mechanical or electrical apparatus, and includes stroking, kneading, percussion, compression, vibration, friction, nerve strokes, and other similar actions. Massage therapy includes, but is not limited to, massage, therapeutic massage, massage technology, myotherapy, body massage, and body rubbing. Massage therapy includes reflexology only when such reflexology involves work on the hands and feet and no other part of the human body is touched. Where massage therapy is permitted under this Code and under V.T.C.A., Occupations Code ch. 455, it shall in no way permit the advertisement for, provision, support, or allowance of any activity that is contemplated under chapter 18, article II of this Code.

*Mean sea level* means, for purposes of the National Flood Insurance Program, the North American Vertical Datum of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

*Medical and dental office* means an establishment used exclusively by physicians, dentists, chiropractors, acupuncturists, physical therapists, and other health-related offices. No overnight patients occupy the premises.

*Medical research and development* means a facility that conducts biology, chemistry, pharmacology, and toxicology research, development, and controlled production of medicines, medical procedures, or improving the application of those already available.

*Mini storage lot* means any structure designed or built with compartments to be used for individual storage of household items or business inventory by two or more clients on a lease or rental basis. In no case may storage spaces be used in a retail, wholesale, business, or service function, nor shall the storage spaces be used for workshops, hobby shops, manufacturing, or similar uses or functions.

*Mini-storage facilities* means any structure designed or built with compartments to be used for individual storage of household items or business inventory by two or more clients on a lease or rental basis. In no case may storage spaces be used in a retail, wholesale, business, or service function, nor shall the storage spaces be used for workshops, hobby shops, manufacturing, or similar uses or functions.

*Miniature golf course* means an establishment providing a novelty golf game played with a putter on a miniature course usually having tunnels, bridges, sharp corners, and obstacles.

*Minimum flood protection* elevation is the community's design flood elevation in any given area, and specifically means the 0.2 percent flood elevation, plus two feet, or three feet for critical facilities and floodway locations. See table 14-5 in section 14-222(5).

*Mobile home* means a movable or portable dwelling structure which is constructed to be towed on its own chassis, is capable of being connected to public utilities, and is designed for year-round living as a single-family dwelling unit without the necessity of a permanent foundation. The term "mobile home" shall not include pickup campers, travel trailers, motor homes, converted buses, tent trailers or other transportable structures designed for temporary use (see also *Manufactured home*).

*Mobile (manufactured) home park* means a parcel of land under single ownership on which two or more mobile (manufactured) homes are occupied as residences. Any mobile (manufactured) home facility where two or more units are intended for long-term residential use (beyond 90 days) is considered a mobile (manufactured) home park for purposes of applying development standards.

*Model home* means a single-family residential structure used temporarily as an office for the sale of single-family residential structures in the same platted subdivision.

*Monument sign* means a ground sign supported by a solid base which is equal to but not more than 15 percent larger than the sign face base which contains no commercial message and is not attached to any building. See Figure 14-19.

~~*Motor vehicle sales means the use of a site for sale or rental of automobiles, trucks, motorcycles, motor homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. This use includes new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.*~~

~~*Motor vehicle sales means an establishment used for the sale or rental of automobiles, trucks, motorcycles, motor homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. This use includes new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.*~~

*Multifaced sign* means a single sign with two or more faces which are not parallel or back-to-back.

~~*Multi-family housing for senior citizens means a multi-family development intended for the sole occupancy of senior citizens.*~~

~~*Multi-purpose entertainment complex means an establishment that may include food and drink sales and provides the general public with amusement or activities, including but not limited to bowling alleys, laser tag, mini-golf, bumper cars, skating rinks, trampoline parks, theatres, or similar activities.*~~

~~*Municipal and governmental buildings, police stations and fire stations means Government offices including but not limited to, accounting, auditing and bookkeeping services; engineering and planning; attorneys; court services; technology services; public safety services; public works; utilities; administrative office facilities; management, public relations services; and related government uses.*~~

~~*Musical instrument shops and supply store. A retail establishment focused on the sale of musical instruments, equipment, and related components.*~~

*Nameplate* means a sign which denotes only the name of the person occupying the premises.

*New construction* means, for the purpose of determining flood hazard insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after

December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commences on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

*New manufactured home park or subdivision*, for floodplain management purposes, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

*Noncommercial message* means a message that is not a commercial message.

*Noncommercial sign* means a sign directing attention to a purpose or cause not created or existing for the generation of profit or for the remuneration of individuals including, but not limited to, religious, charitable, civic or educational purposes or causes.

*Nonconforming building (nonconforming structure)* means a building or structure (or portion thereof) lawfully existing at the time of adoption of the ordinance from which this chapter derives, or subsequent amendment thereto, that does not conform to the provisions of this chapter relative to height, bulk, area, placement or yards for the district in which it is located.

*Nonconforming use* means the use of a building or structure or of a parcel or tract of land, lawfully existing at the time of adoption of this chapter or subsequent amendment thereto, that does not conform to the regulations of the district in which it is situated.

*Nursing care center* means a facility that provide nursing services and custodial care on a 24-hour basis for three or more unrelated individuals who for reasons of illness, physical infirmity, or advanced age, require such services.

*Off-premises sign* means a sign which identifies a use, facility or service which is not located on the premises where such sign is displayed; identifies a product which is not produced, sold or manufactured on the premises where such sign is displayed; or advertises or otherwise directs attention to a product, service, activity, person, institution, facility or business which may or may not be identified by a brand name and which occurs or is primarily conducted, sold, manufactured, produced or offered elsewhere than on the premises where such sign is displayed.

*Office supply store* means a retail establishment focusing on the sale of machines, equipment, stationery, and other items found in personal and business offices.

*Oil, gas, and minerals; extraction, production, drilling operations, etc.* includes and shall mean any hole or bore, to any sand, formation, strata or depth, which is drilled, bored, sunk, dug, or put down for the purpose of either exploring for or ascertaining the existence of oil, gas, liquid hydrocarbon, or for the purpose of producing and recovering any oil, gas, liquid hydrocarbon, or wellbores for disposal of saltwater or other oil and gas waste. All technical or oil and gas industry words or phrases used in this article and not specifically defined herein or in the Texas Railroad Commission Rules for Oil, Gas and Geothermal Operations or Pipeline Safety Rules shall have the meaning customarily attributable thereto by prudent operators in the oil and gas industry.

*On-premises sign* means a sign which identifies the name of the owner or occupant of the premises on which the sign is located; identifies a use, facility or service located on the premises where such sign

is displayed; identifies a product which produced, sold or manufactured on the premises where the sign is located; or advertises or otherwise directs attention to a product, service, activity, person, institution, facility or business which may or may not be identified by a brand name and which occurs or is primarily conducted, sold, manufactured, produced or offered on the premises where the sign is located.

*Optical goods manufacturing means a facility that manufactures eyeglasses, contact lenses, or any related items (i.e. contact solution, cases, etc.).*

*Owner* means any owner, authorized agent or contractor who constructs, enlarges, alters, repairs, moves or changes the occupancy of a building or structure.

*Parking lot means any location that is used for the short-term outdoor storage of passenger motor vehicles. Overflow parking for motor vehicles sales is specifically prohibited outside the Motor Vehicle Sales Overlay District.*

*Pavement width* means the portion of the surface of the street available for vehicular traffic; if curbed, it is that portion of the street between the back of the curb and back of the curb.

*Pawnshop* shall have the meaning set out in V.T.C.A., Finance Code § 371.003.

*Permanent Produce market means a specified land area managed by a single operator who leases space/stalls for the outdoor sales of fresh fruit and produce foods products; meat and fish items; plants and flowers; or, bakery goods, dairy products, delicatessen, and grocery items. Does not include a temporary event farmers market.*

*Person* means an individual, firm, partnership, corporation, company, association, joint stock association or governmental entity. It includes a trustee, receiver, assignee or similar representative of any of them.

*Pet and pet supply store means a retail establishment that sells animals and pet care resources to the public.*

*Church-Place of worship means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such purpose.*

*Planned unit development (PUD).* See *Unified development.*

*Plant Nursery means an establishment where plants are propagated and grown to a desired size for sale to the public, businesses, and commercial gardeners.*

*Pool supply store means a retail establishment that sells equipment and chemical treatments for pools and hot tubs.*

*Portable sign* means a sign designed or constructed to be easily moved from one location to another, including signs mounted upon, or designed to be mounted upon, a trailer, bench, wheeled carrier or other motorized or nonmotorized mobile structure or vehicle, whether or not its wheels have been removed. For the purpose of this chapter, trailer signs and signs on benches are portable signs.

*Precious metal dealer (gold exchange) means a person licensed to engage in the business of purchasing and selling crafted precious metal.*

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Precious metal dealer means any natural person, partnership, or corporation, either as principal or agent engaging in the business of buying secondhand items containing precious metal, including, but not limited to jewelry, watches, eating utensils, candlesticks, and religious and decorative objects.

*Principal use* means the main use to which the premises are devoted and the principal use for which the premises exist.

*Private street* means a vehicular accessway under private ownership and maintenance providing access to building units in the interior of a lot.

Professional and technical services means an establishment that specializes in performing professional and technical activities for others. Activities performed include, but are not limited to, legal advice and representation; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; consulting services; advertising services; photographic services; translation and interpretation services; and other professional and technical services.

Professional office and business office means professional and business offices including accounting, auditing and bookkeeping services; advertising agencies; architectural, engineering, planning, and surveying services; attorneys; counseling services; court reporting services; data processing and computer services; detective agencies and similar services; employment, stenographic, secretarial, and word processing services; administrative office facilities; photography and commercial art studios; writers and artists offices outside the home. Does not include medical offices or offices that are incidental and accessory to another business or sales activity that is the principal use. Incidental offices that are customarily accessories to another use are allowed as part of an approved principal use.

*Projecting sign* means a sign which is affixed to a building wall or structure and which extends beyond the building wall or structure more than 12 inches.

*Public improvement* means one or more of the following: water lines and appurtenances, sewer lines and appurtenances, streets and/or drainage facilities.

Public park and playground, public recreational facility, and community building means any public location managed by the city for use by the residents.

*Public right-of-way* means any part of a right-of-way, not privately owned or controlled, which the city or other governmental agency is responsible for maintaining.

*Public street* means the entire width between property lines of any road, street, way, alley, bridge or other similar thoroughfare, not privately owned or controlled, which is open to the public for vehicular traffic and which the city or other governmental agency is responsible for maintaining.

*Public utility* means any person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telephone, telegraph, transportation or water.

Railroad and related facilities means public or private right-of-way on which tracks for trains are constructed. Railroad yards and stations shall be classified as cargo or passenger terminals and are a permitted incidental use.

*Reader panel* means a permanently constructed changeable copy bulletin board, lighted or unlighted, with detachable precut letters and figures.

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*Real estate, rental, and leasing office* means an establishment that arranges the sale, renting, or management of homes, land, and buildings for their owners or their clients.

*Recreational vehicle* means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Regulatory floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

*Reserve* means a tract of land created within a plat that is not divided into lots or proposed for development at the time of platting.

*Residential* means a tract of land designed for or used exclusively to contain a dwelling unit. A primary residential area shall mean a street in which a majority of the total front footage is used for residential purposes.

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

~~*Restaurant and delicatessen* means an establishment that serves food and may offer any alcoholic beverage (beer, wine, ale, and distilled spirits) to customers for consumption on premises and may not derive more than fifty-one (51) percent of its sales from alcoholic beverages.~~

~~*Retail establishment selling or offering for sale any alcoholic beverage* means a store which sells or offers to sell alcoholic beverages for off-premises consumption.~~

*Right-of-way* means a street, alley or other thoroughfare or easement permanently established for passage of persons, vehicles or the location of utilities. The right-of-way is delineated by legally established lines or boundaries.

*Riverine* means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

*Roof sign* means a sign erected or maintained above or on the sloped roof of any building or above the parapet wall or the mansard roof of a flat-roof building.

*Roofline* means the height above finished grade of the upper beam, rafter, ridge or purlin of any building.

*School-age program center* means a facility licensed by the State of Texas providing supervision and recreation, skills instruction, or skills training for at least two hours a day and three days a week to children attending pre-kindergarten through grade six. A school-age program operates before or after the customary school day and may also operate during school holidays, the summer period, or any other time when school is not in session (40 TAC § 745.37(2)(H)).



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*Scientific research and development* means a facility in which scientific research, investigation, testing, or experimentation is conducted, but not including the manufacturing or sales of products, except as incidental to the main purpose of the laboratory.

*Screening* means fences, walls, trees, shrubbery and other landscape elements used to conceal or interfere with the view and reduce noise impact thereof from adjacent properties and public rights-of-way at street level in accordance with the standards set forth in this chapter.

~~*Service centers* means a one-story building containing a minimum of 25 percent office space. The remaining space shall be used for other business functions governed by use regulations for District J.~~

*Setback* means the minimum unoccupied distance between the lot line and the principal and accessory buildings, as required in this chapter.

*Setback, front* means the minimum unoccupied distance, extending the full lot width, between the principal and accessory buildings and the front lot line.

*Setback, rear* means the minimum required unoccupied distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front lot line.

*Setback, side* means the minimum required unoccupied distance, extending from the front setback to the rear setback, between the principal and accessory buildings and the side lot line.

*Sheet metal processing* means a facility that processes sheet metal (usually below 6 millimeters), this includes, but is not limited to, shearing, blanking, bending, welding, riveting, molding, and surface treatment.

*Short-term rental* means the rental of all or part of a residential property to a person who is not a permanent resident, and who does not have the right to use or possess the property for at least 30 consecutive days.

*Sign* means any structure, part thereof or device of inscription which is located upon, attached to, or painted or represented on any land or on the outside of any building or structure, or on an awning, canopy, marquee or similar appendage, or displayed or shown so as to be seen from the outside of the building or structure, and which displays or includes any numeral letter, work model, banner, emblem, insignia, symbol, device, monogram, heraldry, trademark, light or other representation used as or in the nature of an announcement, advertisement, attention arrester, direction warning or designation of any person, industry or activity, or any combination thereof.

*Sign and architectural graphic manufacturing* means a facility where signs and graphics are manufactured for sale for the purpose of advertising, delivering messages, or decoration.

*Sign area* means the total square footage of all sign faces, including that portion of the sign structure or trim which contains any wording, symbols, identifying color or pictures; provided, however, that in the case of a double-faced sign, the sign area shall be the total square footage of one face.

*Sign face* means the sign face area of any sign upon, against or through which the message is displayed or illustrated; provided, however, that the sign face area of a sign on which the words, letters or symbols are independently mounted shall be that of the smallest regular geometric form that will wholly contain all of the message. See Figure 14-19.

*Sign structure* means a structure which supports or is capable of supporting a sign. A sign structure may be a single pole and may or may not be an integral part of a building.

~~*Single-family dwelling* means a building containing only one dwelling unit and/or occupied by only one family or group of individuals included within the definition of family.~~

*Single-occupant detached commercial or industrial building* means a commercial or industrial building which contains a single occupant and which is not a part of an integrated business development or which is located in a reserve that is part of, but is physically separated by a distance of more than 50 feet from any other structure in, an integrated business development.

*Site plan* means a plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this chapter.

*Special flood hazard area (SFHA)*. See *Area of special flood hazard*.

*Specialty food store* means an establishment that offers premium food products including baked goods, candy and chocolate, snacks, dairy products, coffee, tea, soft drinks, and gourmet foods.

*Spectacular sign* means a sign that has one or more of the following as elements in its physical structure:

- (1) Automatically changing advertising that changes more often than once every five minutes (not including date, time, temperature);
- (2) Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating or spot lights, or similar devices;
- (3) Lights or colored elements creating a continuously moving, shimmering or prismatic effect; or
- (4) Rotating or moving parts.

*Sporting good sales* means a retail establishment that offers for sale sporting goods, equipment, athletic apparel, and other merchandise that reflects a sports theme.

*Stadium* means a building with tiers of seats designed to accommodate spectator sports and other types of public amusement and entertainment.

*Start of construction* [for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)], for flood hazard management purposes, includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways, nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

*Story* means that part of a building between the surface of a floor and the ceiling immediately above.

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*Story, half* means that which covers a floor area of not more than 50 percent of the floor area and the ceiling immediately above.

*Street* means any public or private street or easement used for access.

*Street, arterial* means roads of regional importance or the main roads of a community. Direct access is primarily limited to significant land uses.

*Street, collector* means that which provides access to nonresidential land uses and connects residential streets to the system's arterial streets.

*Street, expressway* means a road intended to serve interstate or high speed, high volume urban traffic. Access to an expressway is limited to other expressways and major streets.

*Street frontage* means the length of a lot or tract of land which is adjacent to a public or private street.

*Streetline* means the line establishing the outer most boundary of the street right-of-way.

*Street, local* means a street which provides access to adjacent land; characterized by low volume and low speeds.

*Structural alterations* means any change in the supporting members of a structure, such as bearing walls, columns, beams or girders.

*Structure* means anything constructed or erected, which requires location on the ground or attached to something having a location on the ground including, but not limited to, buildings of all types, advertising signs and billboards, but excluding basketball goals and ornamental yard lights. (See also the adopted building codes.)

*Structure, for floodplain management purposes*, means a walled and roofed building or structure, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. This includes a fence or a wall per the adopted building codes.

*Subdivision plat* means a map or drawing of a proposed subdivision prepared in a manner suitable for recording in the county records and containing accurate and detailed engineering and survey data, dimensions, dedicatory statements and certificates.

(1) Preliminary plat: See section 14-55(1).

(2) Final plat: See section 14-55(2).

*Substantial damage, for flood hazard management purposes*, means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial improvement, for flood hazard management purposes*, means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

- (2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

*Tattoo parlor and body modification shop* means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of placing designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. This use does not include permanent make-up associated with an accessory use in an established salon.

*Telecommunication tower* means a facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers, or similar structures supporting said equipment, equipment buildings, parking areas, and other accessory development.

*Telephone switching facility* means a facility housing a telecommunications system used in the public switched telephone network (PSTN) or in large enterprises.

*Temporary building* means a building used for a temporary period of time in connection with construction on the premises of which it is located, real estate sales, and educational, municipal or church functions.

*Temporary sign* means a sign constructed of cloth, canvas, light fabric, cardboard, wallboard or other light material. A portable sign shall not be considered a temporary sign.

*Theater* means an establishment for showing live performances, movies, and motion pictures. This does not include adult entertainment.

*Townhouse* means a structure which is one of a series of dwelling units designed and used for only single-family occupancy, ground to sky, with no entrances or exits to or from the adjoining structures, if any.

*Truck terminal* means any premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.

*Underground shelter* means any structure built primarily below ground level.

~~*Unified development* means the separate ownership of single units or apartments in a multiple unit structure with common elements. (See Vernon's Ann. Civ. St. art. 1301a.)~~

*Use* means the purpose or activity for which any land or building is designed, arranged or intended, or for which it is so occupied or maintained, and shall include any manner of such activity with respect to the standards of this chapter.

*Utility structure* means any structure built primarily for the storage of tools, such as garden and lawn equipment, or for projects and hobby activities, such as carpentry.

*Utility substation and power lines* means electric power lines and electric substations, including accessory uses customarily incidental thereto; provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or

pollution of any other kind. The height and area, construction, and other regulations provided by this section shall not apply to uses allowed in the subpart.

*Variance*, for flood hazard management purposes, means a grant of relief by a community from the terms of a floodplain management regulation (For full requirements see section 60.6 of the National Flood Insurance Program.)

*Veterinarian services* means a facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases wherein the animals are limited to dogs, cats, or other comparable household pets and wherein the overnight care of said animals is prohibited except when necessary in the medical treatment of the animal.

*Violation*, for flood hazard management purposes, means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 14-225 and in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program is presumed to be in violation until such time as that documentation is provided.

*Wall line* means the surface that connects the foundation to the roof.

*Wall sign* means a flat sign, either of solid face construction or individual letters, symbols or pictures, erected, installed or printed, which is placed against the exterior wall of any building or structure and which does not extend more than eight inches from the exterior wall and does not extend above the wall line.

*Water surface elevation* means the height, in relation to the North American Vertical Datum (NGVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

*Watercourse* means a definite channel of a stream in which water flows within a defined bed and banks, originating from a definite source. The water may flow continuously or intermittently, and if the latter, with some degree of regularity, depending on the characteristics of the source.

*Wholesale or warehousing business* means an establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use.

*Wine tasting rooms/facility.* An establishment that sells or gives free samples of wine to customers for consumption on premises.

*Woodworking shop, artisanal* means a facility that manipulates wood to produce articles for sale of artistic quality or effect or handmade workmanship.

*X shaded zone* means areas subject to a 0.2 percent chance of flooding in any given year; areas of 1.0 percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees from one percent annual chance flood.

*X unshaded zone* means areas of minimal flood hazard, outside of the 0.2 percent chance of flood.

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*Yard, front* means the space enclosed by the front lot line, the side lot lines and a line parallel to the front lot line and even with the main building or any projections thereof, other than steps, or planter box.

*Yard, rear* means the space unoccupied, except for freestanding buildings between the rear of the main building (dwelling) and the rear lot line.

*Yard, side* means the open space between a building and the side lot lines, but not including any part of the front or rear yards.

*Zero property line housing* means housing commonly known as patio homes. It is a detached living unit constructed on a smaller lot in which one side of the unit is placed on the property line without openings. This concept utilizes the entire lot with a living unit that has a private side and rear yard. The front yard of the unit is reduced in size to contain the auto ingress and egress area along with the guest entry area.

*Zoning district map* means the map incorporated into this chapter and made a part of this chapter by reference thereto.

(Ord. No. 95-04, § 1(art. 12), 2-20-95; Ord. No. 98-24, § 1, 11-16-98; Ord. No. 99-04, § 1, 2-15-99; Ord. No. 99-17, § 2, 8-16-99; Ord. No. 00-11, §§ 1, 2, 3-20-00; Ord. No. 00-16, § 1, 5-15-00; Ord. No. 00-17, § 1, 5-9-00; Ord. No. 00-21, §§ 1, 2, 6-19-00; Ord. No. 01-30, § 10, 10-15-01; Ord. No. 02-33, § 1, 12-16-02; Ord. No. 03-24, § 1, 6-16-03; Ord. No. 2006-9, § 1, 2-20-06; Ord. No. 2009-22, § 3, 5-18-09; Ord. No. 2010-40, § 1, 8-23-10; Ord. No. 2010-55, § 1, 12-13-10; Ord. No. 2011-28, § 1, 6-20-11; Ord. No. 2013-10, § 1, 3-18-13; Ord. No. 2013-45, § 1, 12-16-13; Ord. No. 2013-46, § 1(Exh. A), 12-16-13; Ord. No. 2014-35, § 2, 10-20-14; Ord. No. 2017-28, § 2(Exh. A), 7-17-17; Ord. No. 2018-31, § 2(Exh. A), 12-17-18; Ord. No. 2020-28, § 2(Exh. A), 12-21-20; Ord. No. 2021-32, § 1, 7-19-21; Ord. No. 2022-14, § 2, 4-18-22; Ord. No. 2022-31, § 2, 7-18-22)

Cross reference(s)—Definitions generally, § 1-2.

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**Sec. 14-11. – Reserved General penalty; continuing violations.****(a) Continuing violations.**

- (1) Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punished by a fine of not exceeding \$2,000.00 for violations of all such provisions that govern building fire safety, zoning, or public health and sanitation, including but not limited to graffiti, dumping of refuse, and not exceeding \$500.00 for all other violations; provided, however, that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense.
- (2) The owner or owners of any building, premises, improvements, implement, thing or part thereof, where anything is a violation of this Code, or any person, architect, builder, contractor, subcontractor, corporation, director, officer, agent, servant or employee who may have assisted in the commission of any such violation, shall be guilty of a separate offense and, upon conviction thereof, shall be fined as provided herein.
- (3) The City Manager and/or their designee are authorized and empowered to issue a citation for any violations of the City Code known to have occurred or to be occurring as provided in subsections (a) or (b) of this section. Such citation shall be enforceable through the Municipal Court of the City of Jersey Village, Texas.
- (4) The City Manager and/or their designee are authorized and empowered to post signage indicating the violation on the property in question. If no part of the subject property is visible from a public right-of-way, the signage shall be posted along the nearest street right-of-way in a location that does not obstruct sight lines that are necessary for public safety. The inadvertent removal of the posted signage shall be subject to citation.
- (5) It is an affirmative defense in any proceeding to enforce any portion of this Code that relates to zoning or any ordinance of the city that relates to zoning that the condition or activity in question is: (i) controlled by the city itself or its officers, agents, employees, or contractors, in the course of their duties for the city, and (ii) approved by the city council.

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## Sec. 14-88. Regulations that apply to all districts.

### (a) *General regulations.*

- (1) No use of private or public property, whether it be residential, business, commercial or industrial, shall be permitted if that use is so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.
- (2) No use of public street right-of-way or public sidewalk or adjacent property, either private or public, shall be permitted if that use inhibits or hinders the movement of normal traffic on that street or sidewalk.
- (3) City maintenance personnel must be allowed free access to utility easement and street rights-of-way so they can perform maintenance and repair of utility systems.
  - a. No buildings or structures of any type or size, other than fences, shall be permitted on utility easements.
  - b. If fences are located on utility easements, city maintenance personnel may remove such fences at any time for the purpose of gaining access to utility systems, and no liability will be incurred for damages to, repair of or replacement of such fences.
- (4) Any building which has been damaged by fire or other causes to the extent of more than 50 percent of its value shall be rebuilt in conformity with this article, as though it were a new building, or removed. This shall not apply to damaged structures outside the 100-year (one percent probability) floodplain, in regards to slab height, where the footprint of a structure is not modified and the slab is intact. The building shall be secured from entrance by any unauthorized persons within 24 hours after all embers are extinguished. A building permit is required before removal, repair or reconstruction commences which shall be started within 60 days of the date the damage occurs and shall be completed within a reasonable time, but not later than 150 days after the damage occurs. Before occupancy will be permitted a certificate of occupancy shall be required.
- (5) Whenever any street is abandoned, the boundaries of any districts that lie along one side of each street are automatically extended to the centerline of such street.
- ~~(6) Vehicles held for sale, lease or rental in any business or industrial district shall not be parked or stored on unpaved surfaces.~~
- ~~(6 7)~~ No platted lot shall be reduced in size and no lot area shall be reduced or diminished so that the lot size or the yards shall be smaller than prescribed by this chapter. These regulations shall not apply in District D.
- ~~(7 8)~~ No individual water well or piping for such system shall be connected in any way to any public water supply system.
- ~~(9) No oil, gas or other mineral exploration, production or drilling operations for minerals of any kind shall be conducted on any lot or parcel of land within the city except in zoning district H (industrial district).~~
- ~~(8 10)~~ Add-on construction. After a certificate of occupancy has been issued for a building in accordance with section 14-7(b), no add-on type of construction such as patio covers, carports, balconies, stoops, porches or any structural alteration of the building shall be made unless a new building permit is first obtained from the development officer in accordance with Chapter 14. The plans must be submitted to and approved by the development officer. Requests for a building permit to allow add-on type construction or structural alteration of a building shall indicate that the proposed construction will be in harmony with the style of the original building.



~~(9 11)~~ No permit for the erection, alteration, reconstruction, conversion or use of any building shall be issued by the development officer unless the plan required by Chapter 14 provides for a sidewalk to be constructed on all street sides of such building. This subsection shall apply to all districts of the city, with the exception of Block 42.

~~(12) Buffering. Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below. Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas. Bufferyards shall be provided according to the standards provided in Example 14-7. See also sections 14-310 and 14-311 for landscaping standards. These regulations shall not apply in District D.~~

~~(13) Screening.~~

- ~~a. For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.~~
- ~~b. All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.~~
- ~~c. No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.~~
- ~~d. The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.~~
- ~~e. Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.~~
- ~~f. Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.~~
- ~~g. If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.~~
- ~~h. The use of barbed wire, razor wire or any other similar material is not allowed.~~

~~These regulations shall not apply in District D.~~

- (10 14) Lighting of off-street parking areas and/or for external illumination of any building and grounds shall be arranged so that the source of light is concealed or shielded from public view and from adjacent residential properties and does not interfere with traffic. These regulations shall not apply in District D.
- (11 15) Temporary buildings shall be permitted only in connection with construction on the premises on which located, which buildings shall be removed upon completion or abandonment of the construction; real estate sales offices during development of residential subdivision in which they are located and limited to sales of property in such subdivisions; and educational, municipal or church functions operated for the benefit of the public. It shall be unlawful for any person to erect, construct, enlarge, place, locate or relocate any temporary building on premises within the city, or cause the same to be done, without first obtaining a building permit therefor in accordance with section 14-114. It shall be unlawful for any person to use or occupy a temporary building without first obtaining a certificate of occupancy therefor in accordance with section 14-7(b). A certificate of occupancy shall be limited to the duration of the intended use not to exceed one year; provided, however, that the certificate of occupancy may be extended as follows:
- Where the temporary building is used for the contractors' offices, equipment storage, model homes and real estate sales offices for residential projects, the certificate of occupancy may be extended at one-year intervals until the project is 90 percent constructed; and
  - Where the temporary building is for a use other than described in subsection (21)a of this section, the certificate of occupancy may be extended for one additional one-year period.

A temporary building shall be in compliance with the terms of the building code and all other applicable laws and ordinances. A temporary building shall not be used in any manner constituting a nuisance or interfering with the quiet enjoyment of the neighborhood. These regulations shall not apply in District D.

~~(16) Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.~~

~~(17) Garbage and refuse containers in commercial and industrial zoning districts shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high. These regulations shall not apply in District D.~~

~~(18) Fencing standards. Where chain link fencing is constructed within the city, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11 gauge galvanized material and all fencing higher than four feet shall be a minimum of nine gauge galvanized material. The use of barbed wired, razor wire or similar material shall not be allowed in residential zoning districts. Barbed wire and razor wire may be used in commercial and industrial districts in combination with the above approved fencing material and shall be installed on top of the fence with the total height above ground not to exceed seven feet. These regulations shall not apply in District D.~~

- (12 19) A nonresidential building may not be erected on a lot abutting a subdivision containing residential structures closer to the subdivision than 50 feet for a one-story building, 100 feet for a two-story building, or 150 feet for a three or more-story building. These regulations shall not apply in District D.
- (13 20) No sleeping quarters other than those within a permanent residential structure, hotel or motel shall be used for longer than seven days within a 30-day period; provided that a recreational vehicle or portable building may be used for temporary housing and sleeping quarters by a person whose residence is uninhabitable as a result of flood, fire or environmental conditions if parked on a paved

surface on a private property and with appropriate sewer and electrical connections. No person shall occupy a recreational vehicle or portable building for temporary housing and sleeping quarters without first receiving a permit for such use from the building official. The building official shall issue a permit if the conditions set forth herein are met. The permit shall be valid for the period of time necessary to restore the residence to habitability, as determined by the building official, but not to exceed 120 days. Any extension to such permit will require approval of the building official and director of public works. These regulations shall not apply in District D.


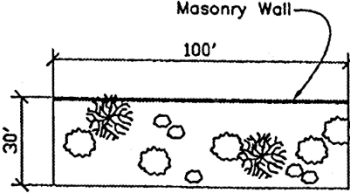

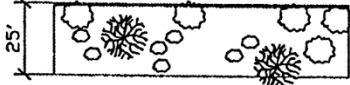


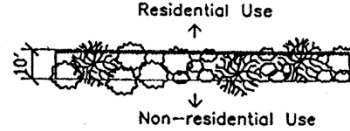
(14 24) Any finished floor that is elevated more than 12 inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.

(b) *Building setbacks.* Unless otherwise specifically provided elsewhere in this article, all buildings and structures located in a district within the city shall conform to the following setbacks (as measured from the property line):

Lot Line	Setback (In Feet)	Modifier
Front	25	—
Rear	25	(1) Excluding fencing
Side street	10	(1) 25 feet where one or more lots have frontage on the street.
Side	7½	(2) Zero feet for townhouses and one side of patio homes.

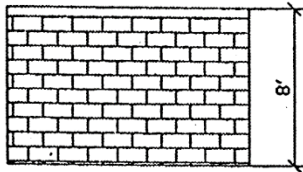
(Ord. No. 95-04, § 1(302), 2-20-95; Ord. No. 96-08, § 2, 6-17-96; Ord. No. 97-04, §§ 1, 2, 4-21-97; Ord. No. 99-05, §§ 2—4, 2-15-99; Ord. No. 99-31, §§ 2—5, 11-15-99; Ord. No. 00-26, § 1, 8-21-00; Ord. No. 01-30, §§ 3, 7, 10-15-01; Ord. No. 02-16, § 1, 7-15-02; Ord. No. 03-17, §§ 1, 2, 4-21-03; Ord. No. 04-06, § 1, 3-15-04; Ord. No. 04-08, § 2, 5-17-04; Ord. No. 04-25, § 1, 12-20-04; Ord. No. 2006-5, § 1, 3-20-06; Ord. No. 2006-8, § 1, 2-20-06; Ord. No. 2008-22, § 1, 7-21-08; Ord. No. 2009-22, §§ 1, 2, 5-18-09; Ord. No. 2011-14, § 1(Exh. A), 3-21-11; Ord. No. 2011-25, §§ 9—11, 5-23-11; Ord. No. 2013-46, § 2(Exh. A), 12-16-13; Ord. No. 2017-55, § 2, 12-18-17; Ord. No. 2019-29, § 2, 6-17-19)

# BUFFERYARD STANDARDS

<u>REQUIRED PLANT UNITS/100'</u>		Plant Unit Multiplier	
3 Canopy Trees		.6	
6 Understory Trees		.8	
9 Shrubs		.9	
<b>Note:</b> To determine the total number of required plant units per 100 yard of bufferyard take the plant unit multiplier appropriate for the width of the bufferyard and multiply by number required for each plant type. Always round to the nearest whole number.		1	

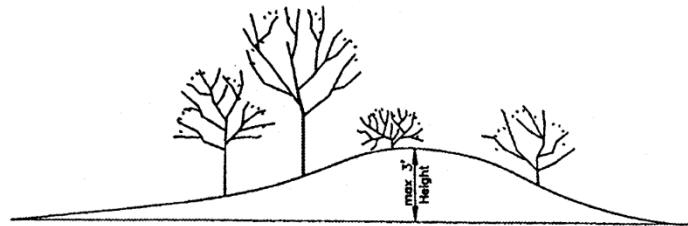
**Example:** To determine number of required canopy trees for 100' long and 25' wide bufferyard:

$0.8 \times 3 = 2.4$   
Assume 2 canopy trees.



Masonry Wall (Obscuring Wall)  
(Common or face brick, decorative block, etc., decorative side facing residential lots)

## BERMS



Example  
14 - 7

Example 14-7 Bufferyard Standards

**Sec. 14-105. Commercial Permitted and Conditional Use Tables.**

**a. Table 14-105(A). – Commercial Permitted Uses**

<b><u>KEY/LEGEND</u></b>	
<b><u>P = Permitted Use</u></b>	
<b><u>PC = Permitted with Conditions</u></b>	
<b><u>SUP = Special Use Permit</u></b>	
<b><u>District F</u></b>	<b><u>First Business District</u></b>
<b><u>District G</u></b>	<b><u>Second Business District</u></b>
<b><u>District H</u></b>	<b><u>Industrial District</u></b>
<b><u>District J</u></b>	<b><u>Third Business District</u></b>
<b><u>District J-1</u></b>	<b><u>Fourth Business District</u></b>
<b><u>District K</u></b>	<b><u>Fifth Business District</u></b>
<b><u>MVSOD</u></b>	<b><u>Motor Vehicles Sales Overlay District</u></b>

<u>USE</u>	<u>District F</u>	<u>District G</u>	<u>District H</u>	<u>District J</u>	<u>District J-1</u>	<u>District K</u>	<u>MVSOD</u>
<u>Adult entertainment.</u>			<u>SUP</u>				
<u>Agriculture.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Apparel manufacturing.</u>			<u>PC<sup>(1)</sup></u>				
<u>Art gallery.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Assembling.</u>				<u>PC<sup>(2)</sup></u>	<u>PC<sup>(2)</sup></u>	<u>PC<sup>(2)</sup></u>	
<u>Auto body shop.</u>		<u>SUP</u>					
<u>Automobile repair shop.</u>			<u>PC<sup>(3)</sup></u>				
<u>Bail bond service.</u>			<u>SUP</u>				
<u>Bakery (industrial).</u>			<u>PC<sup>(4)</sup></u>				
<u>Bank, financial, and insurance service institution.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Barber, beauty store, or salon.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Bar/club.</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Beer and wine sales.</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	

<u>USE</u>	<u>District F</u>	<u>District G</u>	<u>District H</u>	<u>District J</u>	<u>District J-1</u>	<u>District K</u>	<u>MVSOD</u>
<u>Bookstore.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Brew pub.</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Broadcasting Studio.</u>				<u>P</u>	<u>P</u>	<u>P</u>	
<u>Building contractor and related activities.</u>			<u>P</u>				
<u>Building materials, sales, and storage.</u>			<u>P</u>			<u>P</u>	
<u>Cafe and cafeteria.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Cannabidiol shop (CBD shop).</u>					<u>P</u>		
<u>Carwash.</u>		<u>SUP</u>	<u>SUP</u>				
<u>Cell phone and computer repair business.</u>			<u>SUP</u>				
<u>Child day-care operation (licensed child-care centers and school-age program centers).</u>	<u>SUP</u>	<u>SUP</u>				<u>SUP</u>	
<u>Cigar shop/lounge.</u>	<u>SUP</u>			<u>SUP</u>	<u>SUP</u>		
<u>City of Jersey Village: water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Cleaners (clothing), tailor, and retail laundry.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Clinic.</u>		<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Clothing boutique.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Cold storage plant.</u>			<u>P</u>				
<u>Commercial vehicle repair shop.</u>			<u>PC<sup>(5)</sup></u>				
<u>Concrete product manufacturer.</u>			<u>SUP</u>				
<u>Credit access business.</u>			<u>SUP</u>				
<u>Customarily incidental use.</u>	<u>PC<sup>(6)</sup></u>	<u>PC<sup>(6)</sup></u>	<u>PC<sup>(6)</sup></u>	<u>PC<sup>(6)</sup></u>	<u>PC<sup>(6)</sup></u>	<u>PC<sup>(6)</sup></u>	
<u>Dancing studio, exercise class, and martial arts facility.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Department store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Distribution and warehousing.</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Driving range.</u>	<u>SUP</u>			<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Drug store and pharmacy.</u>	<u>SUP</u>	<u>SUP</u>		<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	

<u>USE</u>	<u>District F</u>	<u>District G</u>	<u>District H</u>	<u>District J</u>	<u>District J-1</u>	<u>District K</u>	<u>MVSOD</u>
<u>Dry cleaning and laundry plant (industrial).</u>			<u>SUP</u>				
<u>Educational institution, services, and learning center.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Farm implement machinery sales and storage.</u>			<u>P</u>				
<u>Farmers market.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Florist and flower shop.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Food processing and packaging, with the exception of slaughtering.</u>			<u>SUP</u>				
<u>Food truck park.</u>				<u>P</u>			
<u>Furniture manufacturing.</u>			<u>PC<sup>(7)</sup></u>				
<u>Garage, public.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Gasoline filling station.</u>	<u>PC<sup>(8)</sup></u>	<u>PC<sup>(8)</sup></u>	<u>PC<sup>(8)</sup></u>	<u>PC<sup>(8)</sup></u>	<u>PC<sup>(8)</sup></u>	<u>PC<sup>(8)</sup></u>	
<u>General retail.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Golf course and country club.</u>	<u>SUP</u>			<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Grocery store.</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Hardware store.</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Head/smoke shop.</u>			<u>SUP</u>				
<u>Health club.</u>	<u>P</u>			<u>P</u>	<u>P</u>	<u>P</u>	
<u>Heating, plumbing and air conditioning, sale, and repair.</u>			<u>PC<sup>(9)</sup></u>				
<u>Home good store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Hookah bar/lounge.</u>			<u>SUP</u>				
<u>Hospital.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Hotel and motel.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Instrument and meter manufacturing.</u>			<u>PC</u>				
<u>Jewelry and watch manufacturing.</u>			<u>SUP</u>				
<u>Junk or salvage yard.</u>			<u>SUP</u>				
<u>Library and museum.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	

<u>USE</u>	<u>District F</u>	<u>District G</u>	<u>District H</u>	<u>District J</u>	<u>District J-1</u>	<u>District K</u>	<u>MVSOD</u>
<u>Liquor store (excluding drive-up or pick-up services).</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Machining.</u>			<u>PC<sup>(10)</sup></u>				
<u>Manufacture of printed material.</u>			<u>PC<sup>(11)</sup></u>	<u>PC<sup>(11)</sup></u>	<u>PC<sup>(11)</sup></u>	<u>PC<sup>(11)</sup></u>	
<u>Massage establishment.</u>	<u>SUP</u>						
<u>Medical and dental office.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Medical research and development.</u>			<u>SUP</u>				
<u>Mini-storage lot.</u>			<u>SUP</u>				
<u>Mini-storage facility.</u>			<u>SUP</u>			<u>SUP</u>	
<u>Miniature golf course.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Motor vehicle sales.</u>							<u>PC<sup>(12)</sup></u>
<u>Multi-family housing for senior citizens.</u>		<u>SUP</u>					
<u>Multi-purpose entertainment complex .</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Municipal and governmental buildings, police stations and fire stations.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Musical instrument shop and supply store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Nursing care center.</u>				<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Office supply store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Oil, gas, and minerals; extraction, production, drilling operations, etc.</u>			<u>PC<sup>(13)</sup></u>				
<u>Optical goods manufacturing.</u>			<u>PC<sup>(14)</sup></u>				
<u>Parking lot.</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Pawnshop.</u>					<u>P</u>		
<u>Permanent produce market.</u>			<u>SUP</u>				
<u>Pet and pet supply store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Place of worship.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Plant nursery.</u>			<u>P</u>			<u>P</u>	
<u>Pool supply store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Precious metal dealer.</u>			<u>SUP</u>				
<u>Professional office and business office.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	



<u>USE</u>	<u>District F</u>	<u>District G</u>	<u>District H</u>	<u>District J</u>	<u>District J-1</u>	<u>District K</u>	<u>MVSOD</u>
<u>Professional and technical services.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Public park and playground, public recreational facility, and community building.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Railroad and related facilities.</u>			<u>P</u>				
<u>Real estate, rental, and leasing office.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Restaurant and delicatessen.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Scientific research and development.</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Sheet metal processing.</u>			<u>PC<sup>(15)</sup></u>				
<u>Short-term rental.</u>		<u>P</u>					
<u>Sign and architectural graphic manufacturing.</u>			<u>PC<sup>(16)</sup></u>	<u>PC<sup>(16)</sup></u>	<u>PC<sup>(16)</sup></u>	<u>PC<sup>(16)</sup></u>	
<u>Specialty food store.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Sporting good sales.</u>	<u>PC<sup>(17)</sup></u>	<u>PC<sup>(17)</sup></u>		<u>PC<sup>(17)</sup></u>	<u>PC<sup>(17)</sup></u>	<u>PC<sup>(17)</sup></u>	
<u>Stadium</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Tattoo parlor and body modification shop.</u>			<u>SUP</u>				
<u>Telecommunication tower.</u>		<u>SUP</u>	<u>P</u>				
<u>Telephone switching facility.</u>	<u>SUP</u>	<u>SUP</u>				<u>SUP</u>	
<u>Temporary building.</u>			<u>PC<sup>(18)</sup></u>				
<u>Theater.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Truck terminal.</u>			<u>SUP</u>				
<u>Utility substation and power lines.</u>	<u>PC<sup>(19)</sup></u>		<u>PC<sup>(19)</sup></u>	<u>PC<sup>(19)</sup></u>	<u>PC<sup>(19)</sup></u>	<u>PC<sup>(19)</sup></u>	
<u>Veterinarian services.</u>	<u>SUP</u>	<u>SUP</u>		<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	
<u>Wholesale or warehousing.</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Wine tasting room/facility.</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Woodworking shop, artisanal.</u>			<u>PC<sup>(20)</sup></u>				

**b. Table 14-105(B). – Commercial Conditional Uses**

<u>#</u>	<u>Conditional Uses</u>	<u>Zoning District</u>	<u>Conditions</u>
<u>1</u>	<u>Apparel manufacturing.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>2</u>	<u>Assembling.</u>	<u>J, J-1, K</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>3</u>	<u>Automobile repair shop.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>4</u>	<u>Bakery (industrial).</u>	<u>H</u>	<u>Provided that such use be not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of emission of odor, gases, and/or fumes.</u>
<u>5</u>	<u>Commercial vehicle repair shop.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>6</u>	<u>Customarily incidental use.</u>	<u>F, G, H, J, J-1, K</u>	<u>Must be customarily incidental to a permitted principal use located on the same building site and listed in Table 14-105(A), provided that such use is not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke, or pollution of any kind.</u>

<u>#</u>	<u>Conditional Uses</u>	<u>Zoning District</u>	<u>Conditions</u>
<u>7</u>	<u>Furniture manufacturing.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>8</u>	<u>Gasoline filling station.</u>	<u>F, G, H, J, J-1, K</u>	<u>Must have a minimum separation distance of 3,000 feet measured from property line to property line from any currently existing gasoline filling station.</u> <u>Provided that all storage tanks for gasoline shall be below the surface of the ground.</u>
<u>9</u>	<u>Heating, plumbing and air conditioning, sales, and repair.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>10</u>	<u>Machining.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>11</u>	<u>Manufacture of printed material.</u>	<u>H, J, J-1, K</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>12</u>	<u>Motor vehicle sales</u>	<u>MVSOD</u>	<u>Vehicles held for sales, lease, or rental in any business or industrial district shall not be parked or stored on unpaved surfaces.</u>
<u>13</u>	<u>Oil, gas, and minerals; extraction, production, drilling operations, etc.</u>	<u>H</u>	<u>No oil, gas or other mineral exploration, production or drilling operations for minerals of any kind shall be conducted on any lot or parcel of land within the city except in zoning district H</u>

#	<u>Conditional Uses</u>	<u>Zoning District</u>	<u>Conditions</u>
<u>14</u>	<u>Optical goods manufacturing.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>15</u>	<u>Sheet metal processing.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>16</u>	<u>Sign and architectural graphic manufacturing.</u>	<u>H, J, J-1, K</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>
<u>17</u>	<u>Sporting good sales.</u>	<u>F, G, J, J-1, K</u>	<u>Sporting goods sales, not including boats, boat motors, mopeds, recreational vehicles, ATVs, golf carts, motorcycles, or motor bikes.</u>
<u>18</u>	<u>Temporary building.</u>	<u>H</u>	<u>Must be incidental to the construction of buildings permitted in the district and which shall be removed when work is complete.</u>
<u>19</u>	<u>Utility substation and power lines.</u>	<u>F, H, J, J-1, K</u>	<u>Provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind.</u>
<u>20</u>	<u>Woodworking shop, artisanal.</u>	<u>H</u>	<u>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</u>

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**Sec. 14-~~105~~ 106. Regulations for district F (first business district).**

- (a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district F except for ~~one or more of the following uses:~~ as provided in Sec. 14-105.
- ~~(1) Townhouses and patio homes.~~
  - ~~(2) Banks.~~
  - ~~(3) Barber and beauty shops.~~
  - ~~(4) Professional offices and business offices.~~
  - ~~(5) Educational institutions.~~
  - ~~(6) Hospitals, clinics and nursing care centers.~~
  - ~~(7) Churches and other places of worship.~~
  - ~~(8) Hotels and motels.~~
  - ~~(9) Public parks and playgrounds, public recreational facilities and community buildings.~~
  - ~~(10) Municipal and governmental buildings, police stations and fire stations.~~
  - ~~(11) Parking lots.~~
  - ~~(12) Gasoline filling stations, provided that all storage tanks for gasoline shall be below the surface of the ground.~~
  - ~~(13) Restaurants, cafes and cafeterias.~~
  - ~~(14) Stores and shops for retail sales and personal service shops.~~
  - ~~(15) Theaters.~~
  - ~~(16) Water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.~~
  - ~~(17) Garages, public.~~
  - ~~(18) Accessory uses customarily incident to any of the above uses, provided that such use is not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.~~
  - ~~(19) Golf courses, country clubs, miniature golf courses, and driving ranges.~~
  - ~~(20) Electric power lines and electric substations, including accessory uses customarily incidental thereto; provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind. The height and area, construction, and other regulations provided by this section shall not apply to uses allowed in the subpart.~~
  - ~~(21) The following uses are permitted in district F with a specific use permit:~~
    - ~~a. Telephone switching facilities;~~
    - ~~b. Child day care operations (licensed child care centers and school age program centers);~~
    - ~~c. Car wash facilities.~~
    - ~~d. Retail establishment selling or offering for sale any alcoholic beverage.~~
    - ~~e. Massage establishment.~~
  - ~~(22) Model homes as permitted in district A.~~
  - ~~(23) Grocery store.~~
  - ~~(24) Health club.~~

(b) Setbacks.

<u>Setbacks (feet) for District F (first business district)</u>	
<u>Nonresidential buildings (See note 1)</u>	
<u>Front</u>	<u>25' to the front property line</u>
<u>Rear</u>	<u>10' to the rear property line</u>
<u>Side street</u>	<u>10' to the side street line</u>
<u>Side</u>	<u>10' to the side property line</u>
<u>Notes:</u>	
<u>Note 1: Any nonresidential building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for a three- or four-story.</u>	

~~(b c)~~ *Height and area regulations.* The heights of buildings, the minimum area of buildings, and the minimum lot size ~~and the minimum dimensions of yards~~ upon any lot or parcel of land in district F shall be as follows:

- (1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height. Buildings shall not exceed 56 feet in height except gasoline filling stations shall not exceed one story in height. For townhouse and patio homes, the height and area regulations provided in subsection 14-103(b) shall apply.
- (2) *Building area.* The building area of each building shall be not less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area. ~~For townhouse and patio homes, the height and area regulations provided in subsection 14-103(b) shall apply.~~
- ~~(3) *Location on lot.* For townhouse and patio home lots, the setbacks established in subsection 14-103(b) shall apply. Any nonresidential building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for a three- or four-story. For nonresidential buildings the setbacks established in subsection 14-88(b) are modified as follows: Buildings or structures shall not be located closer than 25 feet to the front property line, or ten feet to a side lot line or street line or ten feet to a rear lot line.~~
- ~~(4 3)~~ *Lot size.* The minimum lot size as established in Sec. 14-137. Table 14-2 shall apply.
- ~~(5 4)~~ *Open area.*
  - a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.
  - b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking areas.

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(e d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible.

(e) Buffering.

- (1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.
- (2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.
- (3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.
- (4) See also Sections 14-310 and 14-311 for landscaping standards.

(f) Screening.

- (1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
- (2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
- (3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
- (4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
- (5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
- (6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
- (7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

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(g) Commercial waste enclosures.

(1) Garbage and refuse containers in district F shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) Fencing standards.

(1) Fences in district F shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district F, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.



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**Sec. 14-~~106~~ 107. Regulations for district G (second business district).**

- (a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district G except for ~~one or more of the following uses:~~ as provided in Sec. 14-105.
- ~~(1) Banks.~~
  - ~~(2) Barber and beauty shops.~~
  - ~~(3) Professional offices and business offices.~~
  - ~~(4) Educational institutions.~~
  - ~~(5) Hospitals, clinics and nursing care centers.~~
  - ~~(6) Churches and other places of worship.~~
  - ~~(7) Hotels and motels.~~
  - ~~(8) Restaurants, cafes and cafeterias.~~
  - ~~(9) Stores and shops for retail sales and personal service shops.~~
  - ~~(10) Theaters.~~
  - ~~(11) Gasoline filling stations, provided that all storage tanks for gasoline shall be below the surface of the ground.~~
  - ~~(12) Mini-warehouse storage facilities on lots of eight acres or more.~~
  - ~~(13) Garages, public.~~
  - ~~(14) Parking lots.~~
  - ~~(15) Water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.~~
  - ~~(16) Public parks and playgrounds, public recreational facilities and community buildings.~~
  - ~~(17) Municipal and governmental buildings, police stations and fire stations.~~
  - ~~(18) Accessory uses customarily incident to any of the above uses, provided that such use is not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.~~
  - ~~(19) The following uses are permitted in district G with a specific use permit:~~
    - ~~a. Telephone switching facilities.~~
    - ~~b. Multifamily housing for senior citizens.~~
    - ~~c. Telecommunication towers.~~
    - ~~d. Auto body shops.~~
    - ~~e. Child day care operations (licensed child care centers and school age program centers).~~
    - ~~f. Retail establishment selling or offering for sale any alcoholic beverage.~~

(b) Setbacks.

<u>Setbacks (feet) for District G (second business district)</u>	
<u>Building or structures (See Notes 1, 2)</u>	
<u>Front</u>	<u>25' to the front property line</u>
<u>Rear</u>	<u>10' to the rear property line</u>
<u>Side street</u>	<u>10' to the side street property line</u>
<u>Side</u>	<u>10' to the side property line</u>
<u>Notes:</u>	
<u>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</u>	
<u>Note 2: Buildings and other structures may abut adjacent buildings or other structures at the side lot line, provided that they are separated by a firewall which complies with current city building codes. Each group of abutting buildings shall be separated on the side by an open space of not less than ten feet to the next side lot line or side street line.</u>	

~~(b c)~~ **Height and area regulations.** The heights of buildings, the minimum area of buildings, and the minimum lot size ~~and the minimum dimensions of yards~~ upon any lot or parcel of land in district G shall be as follows:

- (1) **Height.** Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height. Buildings shall not exceed 56 feet in height except gasoline filling stations shall not exceed one story in height.
- (2) **Building area.** The building area of each building shall be not less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.
- ~~(3) **Location on lot.** The setbacks established in subsection 14-88(b) are modified as follows: Buildings or structures shall not be located closer than 25 feet to the front property line, or ten feet to a side street line or ten feet to a rear lot line except when abutting a residential lot. Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story. Buildings and other structures may abut adjacent buildings or other structures at the side lot line, provided that they are separated by a firewall which complies with current city building codes. Each group of abutting buildings shall be separated on the side by an open space of not less than ten feet to the next side lot line or side street line.~~
- ~~(4 3)~~ **Lot size.** The minimum lot size shall be as established for nonresidential lots in Sec. 14-137, Table 14-2, Lot Standards in this Code.
- ~~(5 4)~~ **Open area.**
  - a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

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- b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking areas.
- (e d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible.
- (e) *Buffering.*
- (1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.
  - (2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.
  - (3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.
  - (4) See also sections 14-310 and 14-311 for landscaping standards.
- (f) *Screening.*
- (1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
  - (2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
  - (3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
  - (4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
  - (5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
  - (6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
  - (7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and

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welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(g) Commercial waste enclosures.

(1) Garbage and refuse containers in district G shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) Fencing standards.

(1) Fences in district G shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district G, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.

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**Sec. 14-~~107~~ 108. Regulations for district H (industrial district).**

- (a) *Use regulation.* ~~No building or land shall be used, and no building shall be erected moved or altered in district H except for as provided in Sec. 14-105. This district is established to provide locations for manufacturing and assembly plants and warehouses. All the uses permitted in this district shall have their operations conducted entirely within enclosed buildings and shall not emit any dust, smoke, odor or fumes outside of the building housing the operation or produce a noise level at the property line that is greater than the average noise level occurring on the adjacent street.~~

~~(1) Permitted uses:~~

- ~~a. Apparel manufacturing.~~
- ~~b. Automobile and truck repair and rebuilding shop.~~
- ~~c. Bakery.~~
- ~~d. Building contractor and related activities.~~
- ~~e. Building materials, sales and storage.~~
- ~~f. Cabinet making.~~
- ~~g. Carwash.~~
- ~~h. Cold storage plant.~~
- ~~i. Dry cleaning and laundry plant.~~
- ~~j. Electrical equipment assembly.~~
- ~~k. Farm implement machinery sales and storage.~~
- ~~l. Furniture manufacturing.~~
- ~~m. Grocery store.~~
- ~~n. Heating, plumbing and air conditioning, sales and repair.~~
- ~~o. Instrument and meter manufacturing.~~
- ~~p. Mixing plants for concrete or paving materials.~~
- ~~q. Optical goods manufacturing.~~
- ~~r. Printing and publishing.~~
- ~~s. Professional offices.~~
- ~~t. Railroad and related facilities.~~
- ~~u. Retail sales.~~
- ~~v. Restaurant.~~
- ~~w. Service station.~~
- ~~x. Sheet metal processing.~~
- ~~y. Signs: Advertising, business, occupancy, and temporary.~~
- ~~z. Telecommunications towers.~~
- ~~aa. Temporary building which is incidental to the construction of buildings permitted in the district and which shall be removed when work is complete.~~
- ~~bb. Woodworking shop.~~

(b) Setbacks.

<u>Setbacks (feet) for District H (industrial district)</u>	
<u>Buildings or structures (See Note 1)</u>	
<u>Front</u>	<u>25' to the front property line</u>
<u>Rear</u>	<u>25' to the rear property line</u>
<u>Side street</u>	<u>25' to the side street property line</u>
<u>Side</u>	<u>25' to the side property line</u>
<u>Notes:</u>	
<u>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</u>	

(b c) Height and area regulations.

- (1) Height. No limitation Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.
- (2) Building area. No limitations.
- ~~(3) Location lot. All buildings and structures shall conform to the setback standards established in subsection 14-88(b).~~

(e d) Construction. No limitations.

~~(d) Specific use. The following uses are permitted in district H with a specific use permit:~~

- ~~(1) Bail bond service;~~
- ~~(2) Cell phone and computer repair business;~~
- ~~(3) Concrete products manufacture;~~
- ~~(4) Credit access business;~~
- ~~(5) Food processing and packaging, with the exception of slaughtering;~~
- ~~(6) Head/smoke shops;~~
- ~~(7) Hookah bars/lounge;~~
- ~~(8) Jewelry and watch manufacturing;~~
- ~~(9) Junk or salvage yard;~~
- ~~(10) Mini storage lots;~~
- ~~(11) Precious metal dealer;~~
- ~~(12) Produce market;~~
- ~~(13) Retail establishment selling or offering for sale any alcoholic beverage;~~
- ~~(14) Tattoo shop;~~

- ~~(15) Truck terminal; and~~  
~~(16) Wholesale or warehousing.~~

(e) Buffering.

- (1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.
- (2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.
- (3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.
- (4) See also Secs. 14-310 and 14-311 for landscaping standards.

(f) Screening.

- (1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
- (2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
- (3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
- (4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
- (5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
- (6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
- (7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

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(g) Commercial waste enclosures.

(1) Garbage and refuse containers in district H shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) Fencing standards.

(1) Fences in district H shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district H, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.



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**Sec. 14-109. Regulations for district J (third business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district J except for ~~one or more of the following uses:~~ as provided in Sec. 14-105.

~~(1) All uses permitted in district F except townhouses and patio homes.~~

~~(2) Service centers limited to the following uses:~~

~~a. Assembling.~~

~~b. Communications.~~

~~c. Data processing.~~

~~d. Distribution.~~

~~e. Food service.~~

~~f. General administration.~~

~~g. Jobbing.~~

~~h. Light storage.~~

~~i. Nonretail sales.~~

~~j. Office.~~

~~k. Professional.~~

~~l. Research and development.~~

~~m. Servicing.~~

~~n. Wholesaling.~~

~~o. Light manufacturing. The following uses are acceptable under light manufacturing and any other use of a similar kind so long as it does not produce noise, odor, pollution or other features that are no greater or more objectionable to a reasonable person than the following uses:~~

~~1. Precision instrument machining.~~

~~2. Electronic and mechanical assembly.~~

~~3. Sign and architectural graphic manufacturing.~~

~~4. Manufacture of printed material.~~

~~p. Or combination of such uses.~~

(b) Setbacks.

<u>Setbacks (feet) for District J (third business district)</u>	
<u>Buildings or structures (See Notes 1, 2)</u>	
<u>Front</u>	<u>25' to the front lot line</u>
<u>Rear</u>	<u>10' to a rear lot line</u>
<u>Side street</u>	<u>10' to the side street lot line</u>
<u>Side</u>	<u>10' to the side lot line</u>
<u>Notes</u>	
<u>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</u>	
<u>Note 2: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.</u>	

(b c) Height and area regulations for district J.

- (1) Height. Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.
  - a. ~~Office buildings shall not exceed four stories with a maximum height of 56 feet, except gasoline filling stations shall not exceed one story in height.~~
  - b. ~~For service centers, the height of the buildings shall not exceed 16 feet and shall not exceed one story.~~
  - c. ~~For service centers height shall be measured from the ground finished floor to the highest point of the roof deck.~~
  - d. ~~Office buildings, education buildings, retail stores, parking garages, hospitals and hotels which exceed four stories in height shall be permitted north of U.S. 290, and west of Jones Road.~~
- (2) Building area. The building area of each building shall not be less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.
- ~~(3) Location on lot. The setbacks established in section 14-88(b) are modified as follows: Buildings or structures shall not be located closer than 25 feet to the front property line, or 25 feet to a side lot line or ten feet to a rear lot line. Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.~~

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- (4 3) *Open area.*
- a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.
  - b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.
- (e d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible. Service center front elevation shall consist of a minimum of 15 percent glass.
- (d e) *Other regulations in district J Outside storage.*
- ~~(1) Screening. Refuse containers or like equipment outside of an enclosed space shall be screened from public view, either from adjacent buildings or adjacent property, both private and public. Such screens shall be permanent and opaque and of wood, metal or masonry material and shall be at least as high as the screened object, and in no case shall be less than six feet in height.~~
  - (2 1) *Outside storage.* There shall be no outside storage except as permitted under subsection (j h)(1) of this section ~~of these J district provisions.~~
- (e) ~~Specific use. The following uses are permitted in district J with a specific use permit: Retail establishment selling or offering for sale any alcoholic beverage.~~
- (f) *Buffering.*
- (1) ~~Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.~~
  - (2) ~~Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.~~
  - (3) ~~Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.~~
  - (4) ~~See also sections 14-310 and 14-311 for landscaping standards.~~
- (g) *Screening.*
- (1) ~~For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.~~
  - (2) ~~All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face~~

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concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

- (3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
- (4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
- (5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
- (6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
- (7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(h) Commercial waste enclosures.

- (1) Garbage and refuse containers in district J shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(i) Fencing standards.

(1) Fences in district J shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district J, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.

**Sec. 14-109.1. Regulations for district J-1 (fourth business district).**

(a) ~~Use regulations.~~ No building or land shall be used and no building shall be erected, moved, or altered in district J-1 except for ~~one or more of the following uses:~~ as provided in Sec. 14-105.

~~(1) All uses permitted in district J;~~

~~(2) Pawnshops; and~~

~~(3) CBD shop.~~

~~(b) Specific use.~~ The following uses are permitted in district J-1 with a specific use permit: Retail establishment selling or offering for sale any alcoholic beverage.

(b) Setbacks.

<u>Setbacks (feet) for District J-1 (fourth business district)</u>	
<u>Buildings or structures (See Note 1)</u>	
<u>Front</u>	<u>25' to the front lot line</u>
<u>Rear</u>	<u>10' to the rear lot line</u>
<u>Side street</u>	<u>10' to the side street lot line</u>
<u>Side</u>	<u>25' to the side lot line</u>
<u>Notes</u>	
<u>Note 1: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.</u>	

(c) Height and area regulations for district J-1.

(1) Height. Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) Building area. The building area of each building shall not be less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.

(3) Open area.

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

b. Building fronts. An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.

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(d) Buffering.

- (1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.
- (2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.
- (3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.
- (4) See also sections 14-310 and 14-311 for landscaping standards.

(e) Screening.

- (1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
- (2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
- (3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
- (4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
- (5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
- (6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
- (7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(f) Commercial waste enclosures.

- (1) Garbage and refuse containers in district J-1 shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

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(g) Fencing standards.

(1) Fences in district J-1 shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district J-1, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.

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**Sec. 14-110. Regulations for district K (fifth business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district K except for ~~one or more of the following uses:~~ as provided in Sec. 14-105.

~~(1) All uses permitted in district F, first business district.~~

~~(2) Service centers limited to the following uses (25 percent office space):~~

~~a. Assembling.~~

~~b. Communications.~~

~~c. Data processing.~~

~~d. Distribution.~~

~~e. Food service.~~

~~f. General administration.~~

~~g. Jobbing.~~

~~h. Light storage.~~

~~i. Nonretail sales.~~

~~j. Office.~~

~~k. Professional.~~

~~l. Research and development.~~

~~m. Servicing.~~

~~n. Wholesaling.~~

~~o. Light manufacturing. The following uses are acceptable under light manufacturing and any other use of a similar kind so long as it does not produce noise, odor, pollution or other features that are no greater or more objectionable to a reasonable person than the following uses:~~

~~1. Precision instrument machining.~~

~~2. Electronic and mechanical assembly.~~

~~3. Sign and architectural graphic manufacturing.~~

~~4. Manufacture of printed material.~~

~~p. Combinations of the above-listed uses.~~

~~(3) Distribution warehouses limited to the following uses:~~

~~a. Assembling.~~

~~b. Communication.~~

~~c. Data processing.~~

~~d. Food service.~~

~~e. General administration.~~

~~f. Jobbing.~~



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- ~~g. Warehousing.~~
  - ~~h. Nonretail sales.~~
  - ~~i. Office.~~
  - ~~j. Professional.~~
  - ~~k. Research and development.~~
  - ~~l. Service.~~
  - ~~m. Wholesaling.~~
  - ~~n. Distribution.~~
  - ~~o. Manufacturing. The following uses are acceptable under manufacturing any other use of a similar kind so long as it does not produce noise, odor, pollution or other features that are no greater or more objectionable to a reasonable person than the following uses:
    - ~~1. Precision instrument machining.~~
    - ~~2. Electronic and mechanical assembly.~~
    - ~~3. Sign and architectural graphic manufacturing.~~
    - ~~4. Manufacture of printed material.~~
    - ~~5. Computer component assembly.~~~~
  - ~~p. Combinations of the above listed uses.~~
  - ~~q. Uses specifically prohibited are:
    - ~~1. Stamping;~~
    - ~~2. Drop forging; or~~
    - ~~3. Other uses of similar kind that would produce noise, odor, pollution or other features that are objectionable to a reasonable person.~~~~
  - ~~(4) The following uses are permitted in district K with a specific use permit:
    - ~~a. Telephone switching facilities.~~
    - ~~b. Mini-storage facilities.~~
    - ~~c. Child day care operations (licensed child care centers and school-age program centers).~~
    - ~~d. Retail establishment selling or offering for sale any alcoholic beverage.~~~~

(b) Setbacks.

<u>Setbacks (feet) for District K (fifth business district)</u>	
<u>Nonresidential buildings</u>	
<u>Front</u>	<u>25' to the front lot line</u>
<u>Rear</u>	<u>25' to the rear lot line</u>
<u>Side street</u>	<u>25' to the side street lot line</u>
<u>Side</u>	<u>25' to the side lot line</u>
<u>Notes</u>	
<u>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</u>	
<u>Note 2: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.</u>	

(b c) Height and area regulations in district K.

- (1) Height. Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.
  - a. Gasoline filling stations shall not exceed one story in height.
  - b. The height of service center buildings shall not exceed 16 feet and shall not exceed one story. Height shall be measured from the ground finished floor to the highest point of the roof deck.
  - c. Office buildings, education buildings, retail stores, parking garages, hospitals and hotels which exceed four stories in height shall be permitted if located not less than 425 feet from the southern boundary of district A.
  - d. The height of distribution warehouse buildings shall not exceed 40 feet and shall not exceed two stories. Building height shall be measured from the finished floor, regardless of whether the floor is at dock height or ground level, to the height of the roof deck. No second story windows may face district A unless located at least 225 feet from district A.
- (2) Building area. The building area of each building shall not be less than 1,000 square feet of ground floor area, provided that gasoline filling stations shall contain not less than 500 square feet of ground floor area.
- ~~(3) Location on lot. The setbacks established in subsection 14-88(b) are modified as follows: Buildings or structures shall not be located closer than 25 feet to the front property line, or 25 feet to a side lot line or ten feet to a rear lot line. Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.~~

(4.3) *Open area.*

- a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped. See article XII of this chapter.
- b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.
- c. Notwithstanding anything to the contrary contained in this section, distribution warehouse subdivisions in excess of 70 acres shall have a minimum of ten percent total open area including stormwater detention and utility easement area.

(e.d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible. Service center front elevation shall consist of a minimum of 15 percent glass.

(d.e) *Outside storage regulations in district K.*

~~(1) *Screening.* Refuse containers or like equipment outside enclosed spaces shall be screened from public view, from adjacent buildings or from adjacent property, both private and public. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet in height.~~

~~(2) *Unscreened containers.* Notwithstanding anything to the contrary contained in this section, distribution warehouse subdivisions in excess of 70 acres may have unscreened refuse containers located adjacent to the distribution warehouse buildings, provided they are at a minimum distance of 120 feet from any street right-of-way.~~

(3.1) *Outside storage.* There shall be no outside storage except as permitted under subsection (d.h)(2.1) of this section. Distribution warehouse subdivisions in excess of 70 acres may have associated outside storage of inventories, machinery and other similar materials within the project if screened from the view of adjacent properties by:

- a. Opaque fencing made of wood, metal or masonry material not less than six feet in height nor more than ten feet in height;
- b. Fencing not less than six feet in height nor more than ten feet in height with dense opaque landscaping of not less than three feet in width and capable of attaining five to ten feet in height within 18 months of planting; or
- c. Existing buildings, provided that the total area devoted to outside storage shall not exceed ten percent of the building area.

(f) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also sections 14-310 and 14-311 for landscaping standards.

(g) Screening.

- (1) Notwithstanding anything to the contrary contained in this section, distribution warehouse subdivisions in excess of 70 acres may have unscreened refuse containers located adjacent to the distribution warehouse buildings, provided they are at a minimum distance of 120 feet from any street right-of-way.
- (2) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.
- (3) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.
- (4) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.
- (5) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.
- (6) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.
- (7) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.
- (8) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(h) Commercial waste enclosures.

- (1) Garbage and refuse containers in district K shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

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(i) Fencing standards.

(1) Fences in district K shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link
  - i. Where chain link fencing is constructed within district K, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.

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## Sec. 14-244. Permits and fees.

- (a) *Permit required.* It shall be unlawful for any person to construct, reconstruct, alter or use a sign, or for any owner or occupant of land to allow the construction, reconstruction, alteration, or use of a sign on land owned or occupied by such person, without first having secured a written permit from the city to do so, subject to the exceptions set forth in subsection (b) of this section. It is an affirmative defense to prosecution under this subsection that a sign is excepted under subsection (b) of this section from the requirement of a project.
- (b) *Exceptions.*
- (1) Permits shall not be required under this article for on-premises signs of the following descriptions:
    - a. The repainting, cleaning or maintenance of a sign;
    - b. Signs painted on glass surfaces or windows or doors which do not cover more than 50 percent of the total surface area;
    - c. Wall signs not over ~~25~~ 5 square feet in area;
    - d. Signs erected by governmental agencies and their lessees;
    - e. Railroad signs;
    - f. Legal notices and noninternally illuminated house numbers not less than two inches nor more than six inches in height;
    - g. A sign not greater than 32 square feet in area setting forth information concerning a building or other structure under repair or construction or advertising the sale or rental of the premises as permitted by section 14-252;
    - h. Any sign:
      1. Erected or maintained pursuant to and in discharge of any governmental function;
      2. Required by law, ordinance or governmental regulation; or
      3. Located on property owned, leased or under the control of a governmental entity.
    - i. Signs on private property not greater than four square feet in area and four feet in height that contain no advertising (except logo) and that direct the movement of traffic, warn of obstacles or overhead clearances or that control parking, including entrance and exit signs.
    - j. National, state, municipal, religious, and corporate flags; provided that the total flag display allowed is equal to or less than one-third of the flagpole height. The maximum number of flagpoles allowed for a single occupant detached business and integrated business developments shall be three. The maximum size of any one flag shall be ten feet by 19 feet.
    - k. Historical and commemorative plaques of recognized historical societies and organizations not greater than 15 square feet in area.
    - l. Decorations clearly incidental, customary and commonly associated with a national, local, ethnic or religious holiday; provided, however, that such decorations are displayed for only the length of time that such holiday or event is normally and customarily celebrated by the public.
    - m. Nameplates, not exceeding two square feet in area, for residents or occupants of commercial, industrial and professional buildings or dwellings, apartments, boardinghouses or roominghouses or other similar facilities.

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- n. Protection or security signs, not exceeding four square feet in area, erected by the occupant of a premises denoting security devices or no trespassing.
  - o. Signs located in the interior of a building which are designed and located to be viewed by patrons within the building and not by persons outside the building.
  - p. Signs on vehicles required by any governmental agency.
  - q. Signs on licensed commercial vehicles, including trailers; provided, however, that such vehicles shall not be used as parked or stationary outdoor signs and further provided that such vehicles or trailers are not designed or constructed for the primary purpose of providing an advertising medium.
  - r. Director signs, menu boards and the like which are designed to be read from a distance no greater than ten feet. (i.e. fast food drive thru menus.)
- (c) *Application.* An application for a construction permit shall be submitted on a form provided by the city and shall be accompanied by plans, drawn to scale, which shall include the following:
- (1) The dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached;
  - (2) The dimensions of the sign's supporting members;
  - (3) The proposed location of the sign in relation to the face of the building, on, in front of which it is to be located;
  - (4) The proposed location of the sign in relation to the boundaries of the lot or parcel of land upon which it is to be located;
  - (5) The location of all electrical transmission lines within 30 feet of any part of the proposed sign or sign structure;
  - (6) Plans and specifications if applicable for the electrical system of the sign;
  - (7) The dimensions and location of all existing signs whether exempt from these guidelines or permitted under them on the premises;
  - (8) The address or location of the proposed sign;
  - (9) The names and signatures of sign owners, landowners, sign erector;
  - (10) The area of the sign face; and
  - (11) Business frontage (if integrated business development/shopping center).
- (d) *Operating permits.* Operating permits expire December 31 of each year and shall be renewed within 60 days prior to the expiration date. Failure to renew the operating permit by the established deadline shall result in the assessment of late fees as detailed in the adopted fee schedule of the city. It shall be unlawful for any person to maintain or use, or to permit or suffer the use of on premises owned by or under the control of such person, a sign for which a permit is required by subsection (a) of this section without securing an annual operating permit from the city.
- (e) *Operating permits for existing signs.*
- (1) The building official shall not issue an operating permit for an existing sign that was erected in violation of any law or ordinance in effect at the time of its erection or for an existing sign that does not comply with the provisions of section 14-248.
  - (2) Nonconforming signs. Existing signs that were erected in compliance with all laws and ordinances in effect at the time of their erection must conform with the provisions of this article when an operating

permit is issued after January 1, 2005. Existing signs that were erected in violation of any law or ordinance in effect at the time of their erection must conform to the provisions of this article prior to issuance of an operating permit. The conformity dates for the removal or modification of those signs for which the conformity date is required to be extended or for which the city is required to compensate the owner or operator by the state or federal law shall be extended for so long as the conformity date extension or compensation is required by state or federal law. When any sign or a substantial part thereof is blown down or otherwise destroyed, or taken down or removed for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on such sign, it shall not be re-erected, reconstructed, repaired, or rebuilt, except in full conformance with this article. For purposes of this section and section 14-259, a sign or substantial part thereof is considered to have been destroyed only if the cost of repairing the sign is more than 60 percent of the cost of erecting a new sign of the same type at the same location.

- (f) *Subterfuge.* A permit secured before or after the effective date of this article which has been secured through subterfuge and not in full compliance with the provisions of this article shall be revoked by the building official in accordance with the procedures for revocation provided by this article.
- (g) *Construction permit effectiveness; removal permit.* A permit for construction of a sign shall become null and void unless construction of the sign is completed within 180 days from issuance. A permit may be renewed one time for a period not to exceed 180 days.
- (h) *Fees.* Each application shall be accompanied by the payment of a fee in accordance with the duly adopted schedule of fees.
- (i) *No refund of fees.* The applicant for, or holder of, a permit shall not be entitled to a refund of any fee paid.
- (j) *Deposit or bond.* When any work on a sign structure is to be done on the pavement side of the curblin or on or over public property which may cause the city to sustain loss, damage or injury to public property, or to be put to expense in correcting conditions resulting therefrom, the building official shall require the person proposing to do such work to furnish a bond in the amount of \$25,000.00 in a form satisfactory to the city attorney, or to post a deposit of a like amount, to indemnify the city against any cost that may be incurred or any loss, damage or injury that may be sustained by the city because of such work, and as a guaranty of compliance with this and other applicable laws and ordinances. Such required bond or deposit shall be furnished or posted before a permit is issued for the work.

(Ord. No. 00-16, § 2, 5-15-00; Ord. No. 03-24, § 4, 6-16-03; Ord. No. 2010-46, § 1, 10-18-10)



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## Sec. 14-252. Signs in commercial and industrial zoning districts.

The following signs are permitted in commercial and industrial zoning districts when maintained in good condition:

- (1) *Temporary signs.*
  - a. *For sale, rental or lease signs for commercial lots or structures.* One nonilluminated temporary on-premises ground sign not exceeding 64 square feet shall be allowed for each commercial unit or vacant lot in a platted commercial development in order to give information concerning leasing, renting or selling of such while the unit or lot is actually available for lease, rent or sale. The sign may be located anywhere on the premises; provided, however, that such sign shall not project beyond the property line and shall not have a height greater than eight feet above the natural ground level. No permit shall be required for the erection of such signs.
  - b. *Under construction or to be constructed signs.* Temporary ground signs, not to exceed eight feet in height and 32 square feet in size, are allowed for commercial or industrial developments which are under construction in addition to permanent signs as provided by this section in order to give information concerning leasing, renting, selling, financing and/or contracting. The temporary "under construction" sign shall be removed 12 months from the date of its erection or when the construction of the development is completed, whichever first occurs. The sign shall be placed a minimum of ten feet behind the street right-of-way and not in the clear view triangle. See Figure 14-5. No permit shall be required for the erection of such signs.
  - c. *Banner signs.*
    1. *Grand opening signs.* One wall sign, in the form of a banner no greater than 32 square feet in area, advertising a grand opening celebration is allowed for a period not to exceed 30 days. Such 30-day period shall begin on the date of erection of the sign, and the sign shall be removed prior to the expiration of the thirtieth day. A grand opening sign shall comply with the location and height standards for wall signs contained in subsection (2)b.1 of this section. No permit shall be required for the erection of such signs.
    2. *Special event signs.* One wall sign, in the form of a banner not to exceed 32 square feet in area, advertising special events such as activities, sales or special consignments may be displayed for a period not to exceed one calendar month (i.e. from the date first displayed through the date minus one day of the next month) and shall be removed not later than one day after such activity or sale is completed. Each commercial or industrial establishment shall be limited to not more than four special even signs per calendar year. Such signs shall not be painted directly on the window glass and shall not utilize fluorescent paint or any type of reflectors. Each such sign must be permitted at least three business days prior to the erection or placement of the sign.
      - (a) *Location and height.* The location and height of such signs will be in accordance with the standards for wall signs contained in subsection (2)b.1 of this section; provided, however, that where such required wall is not available, the special event sign may be suspended by means of ropes or cables between two vertical poles, stakes or freestanding supports. The location of banners shall not obstruct pedestrian traffic or be within the clear view triangle. See Figure 14-5.
      - (b) *Pennants and ribbon streamers.* In the case of a special event consisting of more than one activity occurring at the same time, pennant and ribbon streamers may be used to outline the area of each activity, to separate each activity from the other, to provide a designated path for those attending the

event or move from one activity to another without confusion, and to designate a proper parking area for those attending the event. Pennant and ribbon streamers shall not be erected more than four feet above ground level.

3. *Changing display signs.* One wall sign, in the form of a banner, with a maximum surface area of 200 square feet or two wall signs, in the form of a banner, with a maximum total surface area of 200 square feet advertising special sales opportunities may be displayed on buildings located on lots fronting U.S. Highway 290. No banner shall exceed 50 percent of the area of the wall on which the sign is displayed nor be mounted within 12 inches of any corner, change of elevation, change of building facade material, glass, or other signage. A banner shall not extend above the roofline or over a glass area, or wrap around a corner of a building. A banner shall be attached with not less than four attachment points, one for each corner, and shall have an attachment point a minimum of every 48 inches on all sides. All banners shall be mounted parallel and level with the ground. All banners shall be professionally constructed. For the purpose of this section, the area of the wall is defined as the wall surface on which the banner is mounted, bounded by any change of surface such as corners, changes of elevation of the structure, changes of building facade material, glass or other signage. An annual permit is required. The city shall be notified in writing, on a form provided by the city, of any change in the permitted signage.

(2) *Permanent signs.*

- a. *Commercial and industrial subdivisions.* A commercial or industrial subdivision containing not less than 40 acres of land may have one permanent identification monument type ground sign not to exceed eight feet in height and not to exceed 32 square feet in surface area at each major street entrance to the subdivision.
- b. *Single-occupant detached commercial and industrial buildings.* Single-occupant detached commercial and industrial buildings may have the following signs:
  1. *Wall signs.*
    - (a) *Size and number.* Wall signs are permitted for each single-occupant detached building ~~with an aggregate allowable sign area of one square foot for each linear foot of street frontage not to exceed the lesser of 25% of the elevation where the signs are located or 1,000 square feet. Only the street frontage that contains the main entrance shall be used for sign size calculations. No more than 50 percent of any wall may be covered with wall sign(s).~~
    - (b) *Location and height.* A wall sign may not project above the wall line of a building except for buildings with parapet walls, in which case the sign shall be flush with the wall and shall not project above the parapet. Signs placed on mansard roofs must be perpendicular to the ground with all permanent structural supports covered from view. Wall signs may be placed on the front or sides but not on the rear of buildings.
  2. *Ground signs.*
    - (a) *Size and number.* A single-occupant detached commercial or industrial building, may have one ground sign. A pole or monument type ground sign not more than 50 square feet in area is permitted for each lot or tract of land with a street frontage of 100 linear feet or more on which a single-occupant detached building is located;
    - (b) *Location and height.* A ground sign shall not exceed eight feet in height and shall be set back not less than ten feet from the street right-of-way and not less

than 25 feet from interior or rear property lines. A ground sign shall not be located within 100 feet of another ground sign, measured from the closest points of the signs; provided however the 100-foot separation does not apply to additional signs permitted elsewhere in this article for signs on the same property.

- (c) *[Commercial property.]* Any lot on which a commercial building may be legally constructed shall be allowed to have a ground, monument type, sign not to exceed 25 square feet in sign face area and not to exceed four feet in height. The sign shall be located as close to the center of the lot's street frontage as possible and at least ten feet from the street right-of-way in front of the structure. This will not effect [affect] the location of any other ground sign allowed by this article with regards to the 100-foot separation requirement in subsection (b) above.

3. *Canopy signs.*

- (a) *Size and number.* The allowable sign face area for canopy signs shall not exceed 50 percent of the canopy surface. This sign face area shall be included in the total signage allowed for wall signs, see subsection (2)b.1. of this section.
- (b) *Location and height.* Canopy signs must be an integral part of the canopy, i.e. painted or sewn and must not extend above the wall line.

- c. *Signs permitted in integrated business developments.* It shall be the responsibility of the integrated business development owner/leasing manager to advise the tenants of, and monitor compliance with, the sign ordinance. No signs shall be allowed in integrated business developments except as follows:

1. *Wall signs.*

- (a) *Size and number.* Each business establishment in an integrated business development may have a wall sign ~~age not to exceed 50 percent of the wall fascia area designated for that establishment not to exceed the lesser of 25% of the elevation where the signs are located or 1,000 square feet. Individual letters shall not exceed 24 inches in height. See Figure 14-20.~~
- (b) *Location and height.* A wall sign may not project above the wall line of a building except for buildings with parapet walls, in which case the sign shall be flush with the wall and shall not project above the parapet. Signs placed on mansard roofs must be perpendicular to the ground with all structural supports covered from view. Wall signs identifying businesses in an integrated business development may only be placed on any wall of the building in which the business is located except the rear wall the front building elevation, unless the business is located on a corner of such a development, in which case, side elevation signs are permitted.

2. *Ground signs.*

- (a) *Size and number.* The aggregate sign area for all ground signs in an integrated business development shall not exceed 400 square feet and shall not exceed one square foot of sign area for each 300 square feet of gross leasable area or square footage of the buildings; provided, however, that each sign must meet spacing, size and height requirements contained in this subsection. Each integrated business development shall be allowed one 32 square foot ground sign on each street frontage.

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- (b) *Location and height.* A ground sign shall not exceed eight feet in height and shall be set back not less than ten feet from street rights-of-way and not less than 50 feet from interior or rear property lines. A ground sign shall not be located within 100 feet of another ground sign, measured from the closest points of the two signs. If consistent with the above location and setback requirements, a ground sign allowed for a tract may be placed on any street frontage.

3. *Canopy signs.*

- (a) *Size and number.* The allowable sign face area for canopies shall not exceed 50 percent of the canopy surface. This sign face area shall be included in the total signage allowed for wall signs, see subsection (2)b.1.(a) of this section.
- (b) *Location and height.* Canopy signs must be an integral part of the canopy, i.e. painted or sewn and shall not extend above the wall line.

(Ord. No. 00-16, § 2, 5-15-00; Ord. No. 03-24, § 3, 6-16-03; Ord. No. 04-04, § 1, 2-16-04)

**Sec. 14-283. Table 14-11 off-street parking standards.**

OFF-STREET PARKING STANDARDS

<u>SIC-Group</u> <u>NAICS Codes</u>	Land Use Category	Off-Street Parking Standards	Special Provisions
<del>20-39</del> <u>31-33</u>	MANUFACTURING:	1 parking space per <del>1,000</del> square-feet of gross-leasable area <u>max # of workers on any one shift.</u>	
<del>40-49</del> <u>48/51/22</u>	TRANSPORTATION/COMMUNICATIONS/UTILITIES:		
<del>41</del> <u>48</u>	Bus terminals/airports	To be determined by the planning commission	
<del>42</del> <u>48</u>	Motor freight terminals/warehousing	1 parking space per <del>1,000</del> square-feet of gross-leasable area <u>max # of workers on any one shift.</u>	
<del>50-51</del> <u>42</u>	WHOLESALE TRADE:	3.3 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 2
<del>52-59</del> <u>44-45</u>	RETAIL TRADE:		
<del>53</del> <u>45</u>	General merchandise	<del>5</del> <u>4</u> parking spaces per 1,000 square feet of gross leasable area	
<del>55</del> <u>44</u>	Automotive stores	1 parking space per 800 square feet of floor area plus site area	
<del>58</del> <u>72</u>	Eating/drinking places	1 parking space per <del>2</del> <u>4</u> seats	
<del>60-67</del> <u>52/52/53</u>	GENERAL OFFICE (FINANCE/INSURANCE/REAL ESTATE, ETC.):	5 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 3

<del>70-89</del> <u>54, 56, 61, 72, 81</u>	SERVICES:		
<del>70</del> <u>72</u>	Hotel, motel	1 parking space per bedroom	
<del>72</del> <u>56, 81</u>	Personal services	<del>5</del> <u>4</u> parking spaces per 1,000 square feet of gross leasable area	
<del>726</del> <u>81</u>	Funeral homes	1 parking space per 4 seats	Minimum spaces: 3
<del>73</del> <u>54</u>	Business services	3.3 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 3
<del>75</del> <u>81</u>	Automotive repair services	<del>4</del> parking spaces per service bay <u>1</u> parking space per 375 square feet of gross floor area plus <u>4</u> spaces per repair bay	Minimum spaces: 4
<del>78-79</del> <u>71</u>	Amusement and recreation	1 parking space per 4 seats	
<del>80</del> <u>62</u>	Health services	4 parking spaces per 1,000 square feet of gross floor area	
<del>805</del> <u>62</u>	Personal care facility	1 parking space per 6 beds	
<del>806</del> <u>62</u>	Hospital	1 parking space per 2 beds	
<del>81</del> <u>54</u>	Legal	5 parking spaces per 1,000 square feet of gross floor area	Minimum spaces: 3
<del>82</del> <u>61</u>	Elementary school	2 parking spaces per classroom	

<del>82</del> <u>61</u>	Secondary school	10 parking spaces per classroom	
<del>83</del> <u>62</u>	Childcare services	1 parking space per 7 children	Minimum spaces: 5
<del>84</del> <u>71</u>	Museums, cultural centers	3.3 parking spaces per 1,000 square feet of floor area	Minimum spaces: 10
<del>86</del> <u>81</u>	Religious organizations	1 parking space per 4 seats	
<del>N/C</del> <u>2361</u>	RESIDENTIAL:		
<u>2361</u>	1 and 2 family dwellings	2 parking spaces per dwelling unit	
<u>2361</u>	Multifamily:		
<u>2361</u>	1 bedroom	1.5 parking spaces per dwelling unit	<sup>(1)</sup>
<u>2361</u>	2 bedrooms	2.5 parking spaces per dwelling unit	<sup>(1)</sup>
<u>2361</u>	3 or more bedrooms	3.5 parking spaces per dwelling unit	<sup>(1)</sup>
<u>2361</u>	Roominghouse/boardinghouse	1 parking space per 2 beds	
<u>2361</u>	Congregate housing	1 parking space per 2 beds	

<sup>(1)</sup> For multifamily complexes with ten or more units, the required number of guest parking spaces will be determined by multiplying the total number of parking spaces otherwise required for such apartment complex by 0.05.

<sup>(2)</sup> Parking for office areas shall be provided according to the standards for office uses in this table.

(Ord. No. 95-04, § 1(table 10-1), 2-20-95; Ord. No. 97-32, § 4, 12-15-97)

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## Sec. 14-309. Specific standards.

### (a) Residential lots.

- (1) Residential lots shall have landscaped areas which in the aggregate include not less than 50 percent of the area contained within the building setbacks.
- (2) A minimum of two trees (either existing or planted) measuring one inch or greater in diameter four feet above the ground at time of planting or measurement (if existing) are required within the front or side street setback areas.
- (3) Landscaping shall be in harmony with the surrounding area adequate to minimize visual monotony and barrenness.

### (b) Nonresidential lots.

- (1) At least ten percent of the total area within a lot shall contain landscaped areas. Multi-family lots shall dedicate an additional twenty percent of total area within a lot to landscaped areas.
- (2) A landscaped area ten feet in width shall be provided adjacent to each street right of way. Drives and sidewalks shall not be included in the required landscaped area except to the extent to which they may be required to cross the buffer to provide access.
- (3) All open, unpaved space including, but not limited to, front, side and rear building setback areas shall be landscaped.
- (4) An average of at least ten feet and a minimum of five feet shall be a landscaped area and walkway between the building and parking areas.
- (5) Trees required. Trees, either existing or planted, measuring a minimum of two inches average diameter measured four feet above ground level at the time of planting or measurement (if existing) shall be provided according to the following standards:
  - a. In lots containing 20,000 square feet or less, one tree per 2,000 square feet, or fraction thereof;
  - b. In lots containing more than 20,000 square feet, but less than 100,000 square feet, ten trees, plus one tree per 2,500 square feet or fraction thereof in excess of 10,000 square feet;
  - c. In lots containing more than 100,000 square feet, 46 trees plus one tree per 5,000 square feet, or fraction thereof, over 100,000 square feet;
  - d. A minimum of 25 percent of the trees required by this section shall be canopy trees with the remainder in noncanopy trees.

Each tree planted shall be in a planting area with a radius not less than three feet measured from tree trunk to the near edge of the landscaped area. All tree plantings shall be encompassed with an approved curb barrier to prevent access by vehicular traffic.

- (6) Tree removal. The clearance of any land and/or the removal of one or more trees with a caliper size greater than 10 inches (measured at 4 feet above ground level) in the course of developing a commercial lot, shall require an equivalent total replacement caliper to be provided by the planting of replacement trees. The following documents must be provided prior to removal:

- a. Tree Survey/Landscape Plan:

1. Existing trees on the site;
2. Tree proposed for removal;
3. Locations indicated for replacement tree; and



4. Note indicating how irrigation will be provided to new plantings.b. Tree Disposition/Protection Plan:1. Tree Table:

- i. Caliper size (inches);
- ii. Quantity; and
- iii. Species.

(7) Tree replacement. When required to replace one or more trees, it is permitted to provide the equivalent total caliper by planting several smaller replacement trees in lieu of one larger replacement tree. Trees determined to be in undesirable or poor health by an Arborist are not subject to this section.

- a. Due to the heavily wooded nature of some vacant lots, there may be instances in which it is not feasible to reasonably develop the property while preserving existing trees or matching their aggregated caliper size. In these instances, prospective developers may submit an alternative plan for tree preservation and replacement, which may be approved by the City Manager and/or their designee. If, after reviewing the plan, the official determines that reasonable efforts to preserve or replace trees have not been exhausted, the official's decision may be appealed to the city council, which shall have the final decision.

(8) Permitted replacement trees. Replacement trees shall be selected from the species listed below:

- a. Oak, Pine, Elm, Hickory, Maple, Ash, Magnolia; or
- b. Alternative replacement tree(s). A request for alternative species shall be subject to approval by the City Manager and/or their designee.

~~(6 9)~~ Ground signs. A landscaped area not less than ten feet in width shall be located around the supporting structure of each ground sign and extending not less than three feet beyond each end. A hedge or other durable planting, which is not less than one foot in height at the time of planting and which will attain an average height of at least three feet shall extend the entire length and width of the required landscaped setup. Two flowering trees, not less than eight feet in height, shall be located within the required landscape setup. The remainder of the landscaped setup may be in grass or a decorative ground cover.

~~(7 10)~~ Parking lots and other vehicular areas. Vehicular use areas, parking areas, parking lots, and their parked vehicles shall have effective buffering from the street view. A minimum amount of the total area of all vehicular use areas and parking areas of a lot shall be devoted to landscaped islands, peninsulas, or medians. The minimum total area in such islands, peninsulas, and medians shall be 90 square feet for each 12 parking spaces therein. No parking space shall be located further than 50 feet from a permeable landscaped island, peninsula or median or tree. All islands, peninsulas and medians required in the areas stated above, shall be more or less evenly distributed throughout such parking areas, respectively; however, the distribution and location of landscaped islands, peninsulas, and medians may be adjusted to accommodate existing trees or other natural features so long as the total area requirement for landscaped islands, peninsulas, and medians for the respective parking areas above is satisfied.

(Ord. No. 00-15, § 4, 5-15-00)

Editor's note(s)—Ord. No. 00-15, § 4, adopted May 15, 2000, repealed § 14-309, which pertained to procedures, and derived from Ord. No. 95-04, § 1(1103), adopted Feb. 20, 1995. Section 4 of said Ord. No. 00-15 adopted new provisions to read as herein set out.

**ORDINANCE NO. 2023-13**

**AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14 “BUILDING AND DEVELOPMENT”, BY AMENDING SECTION 14-5 “DEFINITIONS” TO UPDATE THE DEFINITIONS USED IN CHAPTER 14; ADDING A SECTION 14-11 “GENERAL PENALTY; CONTINUING VIOLATIONS” TO PROVIDE PENALTIES FOR VIOLATIONS OF CHAPTER 14; AMENDING SECTION 14-88 “REGULATIONS THAT APPLY TO ALL DISTRICTS” TO PROVIDE GENERAL COMMERCIAL USE REGULATIONS; AMENDING SECTIONS 14-105 THROUGH 14-110 TO PROVIDE COMMERCIAL USE REGULATIONS; AMENDING SECTION 14-244(b)(1)c REGARDING EXCEPTIONS TO REQUIRED SIGN PERMITS; AMENDING SECTIONS 14-252(2)b.1(a) AND 14-252(2)c.1 REGARDING SIGNS IN COMMERCIAL ZONES; AMENDING SECTION 14-283 REGARDING OFF STREET PARKING STANDARDS; AMENDING SECTION 14-309 REGARDING LANDSCAPING IN COMMERCIAL ZONES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND, PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the Planning & Zoning Commission (the “Commissions”) has issued its report and has recommended amendments to the Code to add and amend portions of Chapter 14 of the Code to allow for updated development standards related to commercial development; and

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

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

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

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

**SECTION 2. THAT** Section 14-5 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-5. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*AE* means areas of the base (one percent or 100-year) flood where base flood elevations have been

determined.

*Accessory building* means a building or structure customarily incidental and subordinate to the principal structure and located on the same lot as the principal building.

*Accessory use of a building* means a subordinate use or building customarily incident to and located on the lots occupied by the main use or building.

*Adult entertainment* means an adult cabaret, adult encounter parlor, adult lounge, adult modeling studio, adult bookstore, adult movie theater, or any establishment whose business is the offering to customers of a product or service which is intended to provide sexual stimulation or sexual gratification to such customers, and which is distinguished by or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical areas. See also Chapter 18, Article II, Section 18- 31.

*Advertising* means to seek the attraction, or to direct the attention, of the public to any goods, services, merchandise, purpose or cause.

*Agriculture* means any land or building used for pasturage, floriculture, dairying, horticulture, forestry and livestock or poultry husbandry.

*Alley* means a legally established private access easement affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

*Alluvial fan flooding* means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

*Alter* means to change, rearrange, enlarge, extend or reduce any structure or part thereof on the same site.

*Alterations* means any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls or partitions, columns, beams or girders; or any change which may be referred to in this chapter as “altered” or “reconstructed.”

*Apex* means a point on an alluvial fan or similar landform below which the low path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

*Apparel manufacturing* means a facility for the manufacture of garments.

*Appeal* means, for floodplain management purposes, a request for a review of the floodplain administrator’s interpretation of any provision of this chapter or a request for a variance.

*Appurtenant structure*, for floodplain management purposes, means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

*Area of future conditions flood hazard* means the land area that would be inundated by the one percent annual chance (100 year) flood based on future hydrological conditions.

*Area of shallow flooding* means a designated AO, AH, AR/AO, AR/AH or VO zone on a community's flood insurance rate map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

*Area of special flood hazard (ASFH)—also referred to as a special flood hazard area (SFHA)* — means the land in the floodplain within a community subject to a 0.2 percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-30, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/A, VO, V1-30, VE, V or X Shaded Zones.

*Art gallery* means a room or building used for the display or sale of works of art.

*As-built documents* means(s) legal papers prepared by a registered professional engineer and confirming that the public improvements are constructed as shown.

*Assembling* means a facility where previously manufactured parts are put or fit together for final assembly.

*Auto body shop* means any shop or garage, other than a private garage, where bodywork and painting are performed.

*Automobile repair shop* means a facility used for the repair or replacement of engines, transmissions, differentials, drivetrains, or any parts thereof, in addition to the replacement of parts, service, and incidental repairs to private passenger vehicles. A private passenger vehicle is defined as automobiles, motorcycles, station wagons, vans, SUVs, or pickup trucks reserved for personal use.

*Bail bond service* means an establishment that offers to act as a surety and pledges money or property as bail for the appearance of a defendant in court.

*Bakery (industrial)* means an establishment that is permitted for the production and/or wholesaling of baked goods, but where over the counter or other retail dispensing of baked goods shall be allowed incidental to the main use.

*Bank, financial institution, and insurance service institution* means an institution that is licensed to accept checking and savings deposits, make loans, and provide insurance.

*Bar/club* means an establishment that derives fifty-one (51) percent or more of its income from the sale of alcoholic beverages. Such beverages are intended for consumption on the premises.

*Barber, beauty store, or salon* means an establishment that offers goods and services related to barbering, cosmetology, and hairdressing.

*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year.

*Base flood elevation (BFE) or base flood level* means the elevation above mean sea level that floodwaters have been calculated to reach during the base flood at a specific location.

*Basement*, for floodplain management purposes, means any area of the building having its floor subgrade (below ground level) on all sides.

*Beer and wine sales* means an establishment that sells beer and wine not to exceed 17 percent alcohol by volume. This type of establishment can be stand-alone, or function as an ancillary use to a retail establishment.

*Berm* means a manmade, formed, earth mound of definite height and width used for obscuring purposes; the intent of which is to provide a transition between uses of differing intensity.

*Billboard* means an off-premises sign.

*Block* means a tract or parcel of land designated as such on a subdivision plat surrounded by streets or other physical obstructions.

*Blockface* means the properties abutting on one side of a street between the two nearest intersecting streets or other physical features, such as a watercourse or unsubdivided land, that defines the end of the block.

*Bookstore* means a retail establishment that, engages in the sale, rental, or other charge-for-use of books, magazines, newspapers, greeting cards, postcards, videotapes, computer software, or any other printed or electronically conveyed information or media, excluding any “adult bookstore,” “adult theater,” “theater,” or “studio theater.”

*Boundary sewer line* means a sewer line installed in a street bounding a development or faced on only one side by a development, which can also serve property not included in the development on the opposite side of the street.

*Boundary water line* means a water line, installed in a street bounding a development or faced on only one side by a development, which can also serve property not included in the development on the opposite side of the street.

*Breakaway wall* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

*Brew pub* means an establishment that is authorized to brew, bottle, can, package, and label beer, and sell or offer without charge, on the premises to ultimate consumers for consumption on or off those premises, malt beverages produced by the holder, in or from a lawful container to the extent the sales or offers are allowed under the holder's other permits or licenses. Food may also be served at this establishment.

*Broadcasting studio* means commercial and public communications uses, including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings.

*Buffer* means the area, space or physical means which is established to protect or insulate one land use or one building from another. Generally, buffering will be the use of landscaping (other than mere grass on a flat terrain) or the use of landscaping along with berms, walls or decorative fences that at least partially and periodically obstruct the view from the street and adjacent property in a continuous manner, of vehicular use areas, parking lots and their parked cars, and/or detention ponds.

*Buffer yard* means a strip of land, including any specified type and amount of planting or structures which may be required to protect one type of land use from another, or minimize or eliminate conflicts.

*Build* means to convert, enlarge, reconstruct or alter a building or structure.

*Building.* See the definitions within the adopted building codes.

*Building area* means ground floor area computed by calculating the outside dimensions of exterior walls, excluding the floor area of garages, open or screened porches, basements or semifurnished storage rooms not used for residential purposes.

*Building contractor and related activities* means a facility used for conducting business related to the construction of buildings, either residential or commercial, including but not limited to the storage and operation of machinery and materials, fabrication of building-related products, and the provision of services.

*Building height* means the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on a sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

*Building line* means a line parallel to the front lot line. A minimum building line is the same as the minimum required front setback line.

*Building materials, sales, and storage* means any location used for the sale and storage of materials used for the construction of various building-related projects, including but not limited to: residential and commercial structures, and site improvements.

*Building, principal* means a building in which is conducted the main or principal use of the lot on which such building is located.

*Business frontage* means the linear measurement from outer wall to outer wall of the side of the building which faces or fronts a street and which generally contains the primary entrance to the building.

*Business purposes* means the erection or use of any property, building, structure, permanent or temporary, for the primary purpose of conducting in such building or structure or on such property a lawful commercial enterprise in compliance with all ordinances and regulations of the city governing such activity. The term “business purpose” shall not include any property, building or structure erected or used for the primary purpose of securing a permit to erect a sign.

*Cabana or dressing room* means a small structure for use as a bathhouse adjacent to a swimming pool.

*Cafe and cafeteria* means a restaurant or dining room located in part of a business in which customers serve themselves or are served from a counter and pay before eating.

*Cannabidiol shop (CBD shop)*. A business establishment for which more than 15 percent of sales are derived from the retail sale of products related to or derived from CBD oil (cannabidiol) or hemp. This includes, but is not limited to, oils, vitamins, supplements, food, personal care, and garments.

*Car wash* means a facility intended for washing and cleaning of passenger vehicles which allows washing of multiple vehicles in a tandem arrangement while moving through the structure, to include detail areas, vacuum areas and a lobby.

*Carport* means a permanent structure that is attached to a residence or private garage, that covers a driveway, and that consists of a roof and one or more sides.

*Cell phone and computer repair business* means a business that provides small-scale electronic repair services for items of the general public, including, but not limited to cellphone repair, computer repair, and, other related minor repairs.

*Certificate of compliance* means a certificate issued by the city to a party intending to initiate any work or change any use of property in the city.

*Child-care center* means a facility licensed by the State of Texas to provide care at a location other than the permit holder’s home, for seven or more children under 14 years of age, for less than 24 hours per day, but at least two hours a day, three or more days per week (40 TAC § 745.37(2)(D)).

*Child day-care operation (licensed child-care centers and school-age program centers)* means a facility licensed, certified, or registered by the Department of Family and Protective Services to provide assessment, care, training, education, custody, treatment, or supervision for a child who is not related by blood, marriage, or adoption to the owner or operator of the facility for all or part of

the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers.

*Cigar shop/lounge* means a retail cigar establishment that excludes minors that in some cases includes an enclosed area within or attached to the establishment to be used as private cigar smokers' lounge.

*City of Jersey Village: water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants, and water wells* means any water system provided and maintained by the City of Jersey Village or a utility company that the city agency has specifically approved as acceptable.

*Cleaners (clothing), tailor, and retail laundry* means an establishment that washes, adjusts, and repairs personal clothing items.

*Clinic* means a building, other than a hospital as herein defined, used by one or more licensed physicians for the purpose of receiving and treating patients.

*Clothing boutique* means a small retail establishment that sells fashionable clothing or accessories.

*Club* means an organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics or similar activities, but not operated for profit and open only to members and not the general public.

*Cold storage plant* means a facility where, for compensation or reward received or promised, wildlife or fish or parts of them are processed and stored, either fresh or frozen, for later consumption.

*Commercial building* means any building where commercial activities take place, other than home occupations as defined in this section.

*Commercial message* means a message placed or caused to be placed before the public by a person directly involved in the manufacture or sale of the products, property, accommodations, services, attractions or activities or possible substitutes for those things which are the subject of the message; and that refers to the offer for sale or existence for sale of products, property, accommodations, services, attractions or activities that are offered or exist for sale or for hire; or that attracts attention to a business or to products, property, accommodations, services, attractions or activities that are offered or exist for sale or for hire.

*Commercial vehicle* means any motor vehicle, trailer, or semi-trailer designed or used to carry freight, passengers for a fee, or merchandise in the furtherance of any commercial enterprise and having a gross weight of more than 10,000 pounds.

*Commercial vehicle repair shop* means a facility used for the repair or replacement of engines, transmissions, differentials, drivetrains, or any parts thereof, in addition to the replacement of parts, service, and incidental repairs to commercial vehicles.



*Concrete product manufacturer* means a facility in which concrete products are constructed for the purposes of decoration or artistic expression for sale off-premises.

*Condominium.* See *Unified development.*

*Conveyance* means, unless otherwise determined by the city engineer, the flow of water during the base flood with a velocity that is greater than one foot per second or a depth that is greater than one foot.

*Courts* means an open space, bounded on more than two sides by the walls of a building. An inner court is a court surrounded by the exterior walls of a building. An outer court has one side open to a street or alley, yard or other permanent open space.

*Credit access business* means a business that obtains credit for a consumer from an independent third-party lender in the form of a deferred presentment transaction or a motor vehicle title loan.

*Critical facilities* means those facilities essential to the preservation of life and property, including, but not limited to schools, nursing homes, blood banks, health care facilities including those storing vital medical records, housing likely to contain occupants who may not be sufficiently mobile to avoid death or injury during a flood, hospitals, police, fire and emergency response installations, facilities used for the storage of critical records, and commercial installations which produce, use or store hazardous materials or hazardous waste as referenced in the high-hazard group (group H) of the adopted International Building Code and International Fire Code.

*Critical feature* means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

*Curbline* means an imaginary line drawn along the edge of the pavement on either side of a public street.

*Dancing studio, exercise class, and martial arts facility* means a facility in which students are instructed and educated on the particulars of a physical art form. This does not include adult uses such as adult cabaret.

*Density* means the average number of dwelling units per acre for the entire development, including streets.

*Department store* means a retail establishment that conducts business under a single owner's name wherein a variety of unrelated merchandise and services are housed and are exhibited and sold directly to the customer for whom the goods and services are furnished.

*Design flood elevation (DFE)* means the elevation above base flood elevation (BFE) that the community requires - also referred to as freeboard.

*Developer* means any person who improves or subdivides a tract of land or improves or takes any

action preparatory to the erection, improvement or movement of any building or structure on a tract of land.

*Development*, for floodplain management purposes, means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

*Distribution and warehousing* means any location where goods are received and/or stored for delivery to the ultimate customer at remote locations.

*District* means an area of land for which there are uniform zoning regulations governing the use of buildings and premises, density of development, yard requirements and height regulations.

*Double-faced sign* means a single sign with two parallel sign faces back-to-back.

*Driving range* means a commercial business equipped with distance markers, clubs, balls, and tees for practicing golf drives and putting. This definition specifically does not include miniature golf courses or golf courses.

*Drug store and pharmacy* means a retail establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.

*Dry cleaning and laundry plant (industrial)* means a facility used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in volatile solvents including, but not by way of limitation, solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and the processes incidental thereto.

*Dwelling, multiple-family* means a building used or designed as a residence for three or more families living together independently of each other.

*Dwelling, single-family* means a detached building, designed for, or occupied exclusively by, one family.

*Dwelling, two-family* means a detached building, designed for, or occupied by, two families living independently of each other.

*Dwelling unit* means one or more rooms with bathroom and principal kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking and sleeping purposes.

*Easement, utility* means a right held by the city to make use of the land of another for a limited purpose, such as right of passage.

*Educational institution, service, and learning center* means any public, parochial, private, charitable, or nonprofit school, junior college, or university.

*Electrical sign* means a sign containing electrical wiring or utilizing electric current, but not a sign

illuminated by an exterior light source.

*Elevated building* means, for insurance purposes, a non-basement building, which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns.

*Elevation certificate* means a statement from an engineer or surveyor licensed by the State of Texas on the most current FEMA form certifying that the lowest floor of the structure has been elevated at least as high as required by this chapter, as well as the elevation of equipment and adjacent grade.

*Erected* means built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage and the like shall be considered a part of erection.

*Excavation* means any breaking of ground, except common household gardening, general farming and ground care.

*Existing construction* means, for the purposes of determining flood insurance rates, structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. The term “existing construction” may also be referred to as “existing structures.”

*Existing manufactured home park or subdivision*, for floodplain management purposes, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

*Expansion to an existing manufactured home park or subdivision*, for floodplain management purposes, means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

*Family* means:

- (1) One person, or a group of two or more persons living together and related by blood, marriage or legal adoption, living together as a single housekeeping unit. The person thus constituting a family may also include gratuitous guests and domestic servants.
- (2) A group of individuals not related by blood, marriage or legal adoption, but living together as a single housekeeping unit. For controlling of residential density, each such group of four individuals shall constitute of a family.
- (3) A group of not more than eight individuals, not related by blood, marriage or legal adoption,

which group is comprised of individuals with disabilities protected under the Fair Housing Act, and where the group is not established within one-half mile of an existing like group.

(4) A group of not more than six persons with disabilities and two supervisors residing in a qualified community home, as defined by the Texas Community Homes for Disabled Persons Location Act.

*Farm implement machinery sales and storage* means a facility that focuses on the sale and sales-related storage of farm implements and machinery together with the attachments, special service tools, or repair parts for such implements and machinery.

*Farmers market* means a food market temporary in nature at which local vendors sell various fruits, vegetables, meats, cheese, baked goods, and handmade items directly to consumers.

*Filling* means the depositing or dumping of any matter into or onto the ground except common household gardening and general maintenance.

*Firewall* means a wall made of fireproof material to prevent the spread of a fire from one part of a building to another.

*Flag lot* means a lot which has minimum frontage on a public street, which is reached via a private drive or lane whose width some distance back from the street right-of-way, meets all ordinance requirements.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Flood elevation study* means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

*Flood insurance rate map (FIRM)* means an official map of a community, on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazards areas (SFHA)/areas of special flood hazards (ASFH) and the risk premium zones applicable to the community.

*Flood insurance study (FIS)*. See *Flood elevation study*.

*Flood protection system* means those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes

hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

*Floodplain development permit* means a permit issued under the provisions of this chapter for any development of a site located within a Jersey Village special flood hazard area (SFHA)/area of special flood hazards (ASFH).

*Floodplain management* means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

*Floodplain management regulations* means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

*Flood proofing* means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodproofing certificate* means a certificate issued by a registered professional engineer licensed in the State of Texas which states that he has developed and/or reviewed the structural design, specifications, and plans for the construction of a structure or improvement covered by the certificate and that the design and methods of construction are in accordance with accepted standards of practice for meeting the following requirements:

- (1) The floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2 percent chance flood; and
- (2) Together with attendant utility and sanitary facilities, the structures are designed so that below the 0.2 percent chance flood level the structures are watertight with walls impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

*Floodway*. See *Regulatory floodway*.

*Florist and flower shop* means a retail establishment whose principal activity is the selling of plants that are not grown on the site and conducting business within an enclosed building.

*Food processing and packaging, with the exception of slaughtering* means a facility that prepares, processes, or cans and packages food products.

*Food truck* means a mobile vehicle equipped with facilities for cooking and selling food.

*Food truck park* means a property where two or more food trucks congregate to offer food or beverages for sale to the public.

*Freeboard.* See *Design flood elevation*.

*Freestanding structure* means any building for the support, shelter or enclosure of persons, animals, chattels or moveable property of any kind and surrounded by yards or open space and not containing permanent provisions for living, sleeping or cooking.

*Functionally dependent use* means, for floodplain management purposes, a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

*Furniture manufacturing* means a facility that manufactures or assembles articles such as tables, chairs, desks, or cabinets for use indoor or outdoor.

*Garage, front load,* means a private garage where the vehicle access doors to the garage face toward and are generally visible from a public view.

*Garage, J-swing* means a garage upon which the entry point from the street is located in front of the house and the garage door is perpendicular to the front of the house. A J-swing garage must have at least two windows, each 12 square feet or greater, oriented toward the front or the lot.

*Garage, private* means a garage intended for private use by the resident family with a ground floor capacity for not more than four automobiles or trucks of which not more than one vehicle shall be used for commercial purposes.

*Garage, private, detached* means a private garage constructed as a freestanding structure.

*Garage, public* means a structure used for the short-term parking of vehicles.

*Garage, sideloaded* means a private garage where the vehicle access doors to the garage are perpendicular to the front lot line and, therefore, are generally not visible from a public way, unless the lot is a corner lot and the garage loads to a side street.

*Gasoline filling station* means an establishment or portion thereof used partly or entirely for storing or dispensing flammable liquids, combustible liquids, liquified flammable gas, or flammable gas into the fuel tanks of motor vehicles.

*General retail* means a shop or establishment for the sale of goods or merchandise from a fixed location, such as a department store, boutique, or kiosk, in small or individual lots for direct consumption by the purchaser. Retail shops or retail trade specifically excludes: pawnshops, head/smoke shops, and hookah bars/lounges.

*Golf course and country club* means a tract of land laid out with a least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.

*Grade* means a ground elevation established for the purpose of controlling the number of stories and the height of any structure. The building grade shall be determined by the level of the ground adjacent to the walls of any structure if the finished grade is level. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the structure.

*Grand opening* means the commencement of operation by a business in a new location or the assumption of ownership of an existing business by a new owner or group of owners.

*Grocery store* means a retail establishment for the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

*Ground sign* means a sign which is a pole sign, a monument sign or a nonconforming billboard which exists on the effective date of the ordinance. See Figure 14-19.

*Habitable floor* means, for the purpose of flood hazard regulation, any floor usable for the following purposes which include working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used for storage purposes only is not a habitable floor.

*Half-street* means a vehicular accessway created if only a portion of the required right-of-way width or pavement width is dedicated and/or constructed.

*Hardware store* means a retail establishment where items such as plumbing, heating, and electrical supplies, sporting goods, and paints are sold.

*Head/smoke shop* means any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store, or similar retail use that only sells conventional cigars, cigarettes, or tobacco as an ancillary sale shall not be defined as a “smoke shop and tobacco store” and shall not be subject to the restrictions in this chapter.

*Health club*, also includes the terms *athletic club*, *gym*, *fitness studio*, and *fitness center*, means a place of business which provides a place for a variety of physical exercises including facilities or studios for personal training, physical fitness training, weight and aerobic training, free weights, spinning/cycling, circuit training, yoga, Pilates, racquetball/squash courts, group fitness classes, boxing, wrestling, martial arts training, basketball courts, swimming pools and swimming lessons.

*Heating, plumbing and air conditioning, sale and repair* means a facility that offers parts, maintenance, and repair services for heating, ventilation, air conditioners, and related plumbing.

*Highest adjacent grade* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic structure* means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
  - a. by an approved state program as determined by the Secretary of the Interior or;
  - b. Directly by the Secretary of the Interior in states without approved programs.

*Home good store* means a retail establishment that offers the sale of furniture, linens, cooking products, art, and other home accessories.

*Home occupation* means an accessory occupational use conducted entirely within a dwelling unit by its inhabitants that is clearly incidental to the use of the structure for residential purposes and that does not change the residential character of the site. A home occupation may include an operation in which members of the immediate family sell or offer for sale articles which they produce on the premises; but home occupation does not include operations that use persons who do not reside on the premises to either:

- (1) sell or offer for sale such articles; or,
- (2) produce such articles. Additionally, animal hospitals, animal kennels, barber shops, beauty shops, clinics, doctor's offices, dress shops, hospitals, insurance offices, millinery shops, real estate offices, tearooms, tourist homes, palm readers, fortune tellers, among others and as examples only, are not home occupations.

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

*Hospital* means an institution, licensed by the state department of health, providing primary health services and medical or surgical care to persons suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.



*Hotel and motel* means a building in which lodging is provided or offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby. Guest rooms must be accessible only through interior corridors of the hotel building. The lobby and registration area must communicate directly with corridors/elevators to attain interior room access.

*Industrial* means a business, plant or enterprise for production of goods, merchandise or machines.

*Instrument and meter manufacturing* means a facility for the manufacturing of electronic instruments and meters for measuring the amount of electricity consumed by a residence, a business, or an electrically powered device.

*Integrated business development* means commercial development such as a strip center, mall, multitenant office building, commercial center or industrial complex in which two or more separate businesses occupy a single structure or multiple structures which share on-site parking facilities and common driveways.

*Jewelry and watch manufacturing* means a facility for the manufacturing or assembling of jewelry or watches.

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

*Levee* means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

*Levee system* means a flood protection system which consists of a levee or levees and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

*Library and museum* means any location that engages in the loan, or display of books, paintings, sculptures, or other works of art.

*Liquor store (excluding drive-up or pick-up services)* means a retail establishment permitted by the Texas Alcoholic Beverage Commission (TABC) to sell liquor, malt, and vinous liquors on-premises to consumers for off-premise consumption.

*Logo sign* means a sign operated and maintained by the state department of highways and public transportation within the public right-of-way along a country toll road which bears the name and trademark design of a business.

*Lot* means an undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement.

*Lot depth* means the distance on a horizontal plane between the midpoint of the front lot line and the midpoint of the rear lot line.

*Lot line, front* means, for interior lots, a line separating the lot from the street; for corner lots, a line separating the narrowest street frontage of the lot from the street, except in those cases where the deed restrictions specify another line as the front lot line. In all cases the front lot line of a nonresidential lot shall be that side adjacent to the highest volume street.

*Lot line, rear* means a lot line opposite and most distant from the front lot line.

*Lot line, side* means any lot line not a front line or rear lot line.

*Lot lines* means front, rear, or side lot lines, or a combination thereof.

*Lot of record* means a lot which is part of a platted subdivision, the plat of which is recorded in the office of the county clerk; a parcel or lot the deed for which was recorded in the office of the county clerk prior to March 1, 1982, and which has not been partitioned in any manner since that time.

*Lot width* means the distance on a horizontal plane between the midpoint of the side lot lines.

*Lowest floor* means, for floodplain management purposes, the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

*Machining* means a manufacturing process that creates the desired shape by removing unwanted material from a larger piece of material.

*Manufacture of printed material* means a facility involved in the manufacturing and publishing of periodicals, books, or other printed materials.

*Manufactured home* means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailer, travel trailers and other similar vehicles placed on a site for greater than 190 consecutive days. For insurance purposes the term "manufactured home" does not include a "recreational vehicle."

*Manufactured home park or subdivision*, for floodplain management purposes, means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

*Marquee* means a roof-like structure of a permanent nature projecting from the wall of a building.

*Marquee sign* means a sign on a marquee. See Figure 14-19.

*Masonry* means that form of construction composed of stone, brick, concrete, hollow clay tile, decorative concrete block or tile, glass block or other similar building units or materials or a combination of these materials laid up unit by unit and set in mortar. For the purposes of this definition, true stucco is considered masonry.

*Massage establishment* means a structure in which massage therapy is advertised for, provided, supported, or allowed. A massage establishment shall be licensed under V.T.C.A., Occupations Code Ch.455. A massage establishment shall in no way advertise for, provide, support, or allow any activity that is contemplated under chapter 18, article II of this Code.

*Massage therapy* means the services contemplated in V.T.C.A., Occupations Code Ch. 455. Massage therapy includes, but is not limited to, the business of manipulation of the human body by hand or through a mechanical or electrical apparatus, and includes stroking, kneading, percussion, compression, vibration, friction, nerve strokes, and other similar actions. Massage therapy includes, but is not limited to, massage, therapeutic massage, massage technology, myotherapy, body massage, and body rubbing. Massage therapy includes reflexology only when such reflexology involves work on the hands and feet and no other part of the human body is touched. Where massage therapy is permitted under this Code and under V.T.C.A., Occupations Code Ch. 455, it shall in no way permit the advertisement for, provision, support, or allowance of any activity that is contemplated under chapter 18, article II of this Code.

*Mean sea level* means, for purposes of the National Flood Insurance Program, the North American Vertical Datum of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

*Medical and dental office* means an establishment used exclusively by physicians, dentists, chiropractors, acupuncturists, physical therapists, and other health-related offices. No overnight patients occupy the premises.

*Medical research and development* means a facility that conducts biology, chemistry, pharmacology, and toxicology research, development, and controlled production of medicines, medical procedures, or improving the application of those already available.

*Mini storage lot* means any structure designed or built with compartments to be used for individual storage of household items or business inventory by two or more clients on a lease or rental basis. In no case may storage spaces be used in a retail, wholesale, business, or service function, nor shall the storage spaces be used for workshops, hobby shops, manufacturing, or similar uses or functions.

*Mini-storage facilities* means any structure designed or built with compartments to be used for individual storage of household items or business inventory by two or more clients on a lease or rental basis. In no case may storage spaces be used in a retail, wholesale, business, or service function, nor shall the storage spaces be used for workshops, hobby shops, manufacturing, or similar uses or functions.

*Miniature golf course* means an establishment providing a novelty golf game played with a putter on a miniature course usually having tunnels, bridges, sharp corners, and obstacles.

*Minimum flood protection elevation* is the community’s design flood elevation in any given area, and specifically means the 0.2 percent flood elevation, plus two feet, or three feet for critical facilities and floodway locations. See table 14-5 in section 14-222(5).

*Mobile home* means a movable or portable dwelling structure which is constructed to be towed on its own chassis, is capable of being connected to public utilities, and is designed for year-round living as a single-family dwelling unit without the necessity of a permanent foundation. The term “mobile home” shall not include pickup campers, travel trailers, motor homes, converted buses, tent trailers or other transportable structures designed for temporary use (see also *Manufactured home*).

*Mobile (manufactured) home park* means a parcel of land under single ownership on which two or more mobile (manufactured) homes are occupied as residences. Any mobile (manufactured) home facility where two or more units are intended for long-term residential use (beyond 90 days) is considered a mobile (manufactured) home park for purposes of applying development standards.

*Model home* means a single-family residential structure used temporarily as an office for the sale of single-family residential structures in the same platted subdivision.

*Monument sign* means a ground sign supported by a solid base which is equal to but not more than 15 percent larger than the sign face base which contains no commercial message and is not attached to any building. See Figure 14-19.

*Motor vehicle sales* means an establishment used for the sale or rental of automobiles, trucks, motorcycles, motor homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. This use includes new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.

*Multifaced sign* means a single sign with two or more faces which are not parallel or back-to-back.

*Multi-family housing for senior citizens* means a multi-family development intended for the sole occupancy of senior citizens.

*Multi-purpose entertainment complex* means an establishment that may include food and drink sales and provides the general public with amusement or activities, including but not limited to bowling alleys, laser tag, mini-golf, bumper cars, skating rinks, trampoline parks, theatres, or similar activities.

*Municipal and governmental buildings, police stations and fire stations* means Government offices including but not limited to, accounting, auditing and bookkeeping services; engineering and planning; attorneys; court services; technology services; public safety services; public works; utilities; administrative office facilities; management, public relations services; and related

government uses.

*Musical instrument shops and supply store.* A retail establishment focused on the sale of musical instruments, equipment, and related components.

*Nameplate* means a sign which denotes only the name of the person occupying the premises.

*New construction* means, for the purpose of determining flood hazard insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commences on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

*New manufactured home park or subdivision,* for floodplain management purposes, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

*Noncommercial message* means a message that is not a commercial message.

*Noncommercial sign* means a sign directing attention to a purpose or cause not created or existing for the generation of profit or for the remuneration of individuals including, but not limited to, religious, charitable, civic or educational purposes or causes.

*Nonconforming building (nonconforming structure)* means a building or structure (or portion thereof) lawfully existing at the time of adoption of the ordinance from which this chapter derives, or subsequent amendment thereto, that does not conform to the provisions of this chapter relative to height, bulk, area, placement or yards for the district in which it is located.

*Nonconforming use* means the use of a building or structure or of a parcel or tract of land, lawfully existing at the time of adoption of this chapter or subsequent amendment thereto, that does not conform to the regulations of the district in which it is situated.

*Nursing care center* means a facility that provide nursing services and custodial care on a 24-hour basis for three or more unrelated individuals who for reasons of illness, physical infirmity, or advanced age, require such services.

*Off-premises sign* means a sign which identifies a use, facility or service which is not located on the premises where such sign is displayed; identifies a product which is not produced, sold or manufactured on the premises where such sign is displayed; or advertises or otherwise directs attention to a product, service, activity, person, institution, facility or business which may or may not be identified by a brand name and which occurs or is primarily conducted, sold, manufactured, produced or offered elsewhere than on the premises where such sign is displayed.

*Office supply store* means a retail establishment focusing on the sale of machines, equipment, stationery, and other items found in personal and business offices.

*Oil, gas, and minerals; extraction, production, drilling operations, etc.* includes and shall mean any hole or bore, to any sand, formation, strata or depth, which is drilled, bored, sunk, dug, or put down for the purpose of either exploring for or ascertaining the existence of oil, gas, liquid hydrocarbon, or for the purpose of producing and recovering any oil, gas, liquid hydrocarbon, or wellbores for disposal of saltwater or other oil and gas waste. All technical or oil and gas industry words or phrases used in this article and not specifically defined herein or in the Texas Railroad Commission Rules for Oil, Gas and Geothermal Operations or Pipeline Safety Rules shall have the meaning customarily attributable thereto by prudent operators in the oil and gas industry.

*On-premises sign* means a sign which identifies the name of the owner or occupant of the premises on which the sign is located; identifies a use, facility or service located on the premises where such sign is displayed; identifies a product which produced, sold or manufactured on the premises where the sign is located; or advertises or otherwise directs attention to a product, service, activity, person, institution, facility or business which may or may not be identified by a brand name and which occurs or is primarily conducted, sold, manufactured, produced or offered on the premises where the sign is located.

*Optical goods manufacturing* means a facility that manufactures eyeglasses, contact lenses, or any related items (i.e. contact solution, cases, etc.).

*Owner* means any owner, authorized agent or contractor who constructs, enlarges, alters, repairs, moves or changes the occupancy of a building or structure.

*Parking lot* means any location that is used for the short-term outdoor storage of passenger motor vehicles. Overflow parking for motor vehicles sales is specifically prohibited outside the Motor Vehicle Sales Overlay District.

*Pavement width* means the portion of the surface of the street available for vehicular traffic; if curbed, it is that portion of the street between the back of the curb and back of the curb.

*Pawnshop* shall have the meaning set out in V.T.C.A., Finance Code § 371.003.

*Permanent Produce market* means a specified land area managed by a single operator who leases space/stalls for the outdoor sales of fresh fruit and produce foods products; meat and fish items; plants and flowers; or, bakery goods, dairy products, delicatessen, and grocery items. Does not include a temporary event farmers market.

*Person* means an individual, firm, partnership, corporation, company, association, joint stock association or governmental entity. It includes a trustee, receiver, assignee or similar representative of any of them.

*Pet and pet supply store* means a retail establishment that sells animals and pet care resources to

the public.

*Place of worship* means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such purpose.

*Planned unit development (PUD)*. See *Unified development*.

*Plant Nursery* means an establishment where plants are propagated and grown to a desired size for sale to the public, businesses, and commercial gardeners.

*Pool supply store* means a retail establishment that sells equipment and chemical treatments for pools and hot tubs.

*Portable sign* means a sign designed or constructed to be easily moved from one location to another, including signs mounted upon, or designed to be mounted upon, a trailer, bench, wheeled carrier or other motorized or nonmotorized mobile structure or vehicle, whether or not its wheels have been removed. For the purpose of this chapter, trailer signs and signs on benches are portable signs.

*Precious metal dealer* means any natural person, partnership, or corporation, either as principal or agent engaging in the business of buying secondhand items containing precious metal, including, but not limited to jewelry, watches, eating utensils, candlesticks, and religious and decorative objects.

*Principal use* means the main use to which the premises are devoted and the principal use for which the premises exist.

*Private street* means a vehicular accessway under private ownership and maintenance providing access to building units in the interior of a lot.

*Professional and technical services* means an establishment that specializes in performing professional and technical activities for others. Activities performed include, but are not limited to, legal advice and representation; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; consulting services; advertising services; photographic services; translation and interpretation services; and other professional and technical services.

*Professional office and business office* means professional and business offices including accounting, auditing and bookkeeping services; advertising agencies; architectural, engineering, planning, and surveying services; attorneys; counseling services; court reporting services; data processing and computer services; detective agencies and similar services; employment, stenographic, secretarial, and word processing services; administrative office facilities; photography and commercial art studios; writers and artists offices outside the home. Does not include medical offices or offices that are incidental and accessory to another business or sales activity that is the principal use. Incidental offices that are customarily accessories to another use

are allowed as part of an approved principal use.

*Projecting sign* means a sign which is affixed to a building wall or structure and which extends beyond the building wall or structure more than 12 inches.

*Public improvement* means one or more of the following: water lines and appurtenances, sewer lines and appurtenances, streets and/or drainage facilities.

*Public park and playground, public recreational facility, and community building* means any public location managed by the city for use by the residents.

*Public right-of-way* means any part of a right-of-way, not privately owned or controlled, which the city or other governmental agency is responsible for maintaining.

*Public street* means the entire width between property lines of any road, street, way, alley, bridge or other similar thoroughfare, not privately owned or controlled, which is open to the public for vehicular traffic and which the city or other governmental agency is responsible for maintaining.

*Public utility* means any person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telephone, telegraph, transportation or water.

*Railroad and related facilities* means public or private right-of-way on which tracks for trains are constructed. Railroad yards and stations shall be classified as cargo or passenger terminals and are a permitted incidental use.

*Reader panel* means a permanently constructed changeable copy bulletin board, lighted or unlighted, with detachable precut letters and figures.

*Real estate, rental, and leasing office* means an establishment that arranges the sale, renting, or management of homes, land, and buildings for their owners or their clients.

*Recreational vehicle* means a vehicle which is:

- (1) built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projections;
- (3) designed to be self-propelled or permanently towable by a light duty truck; and,
- (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Regulatory floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the



water surface elevation more than a designated height.

*Reserve* means a tract of land created within a plat that is not divided into lots or proposed for development at the time of platting.

*Residential* means a tract of land designed for or used exclusively to contain a dwelling unit. A primary residential area shall mean a street in which a majority of the total front footage is used for residential purposes.

*Restaurant and delicatessen* means an establishment that serves food and may offer any alcoholic beverage (beer, wine, ale, and distilled spirits) to customers for consumption on premises and may not derive more than fifty-one (51) percent of its sales from alcoholic beverages.

*Right-of-way* means a street, alley or other thoroughfare or easement permanently established for passage of persons, vehicles or the location of utilities. The right-of-way is delineated by legally established lines or boundaries.

*Riverine* means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

*Roof sign* means a sign erected or maintained above or on the sloped roof of any building or above the parapet wall or the mansard roof of a flat-roof building.

*Roofline* means the height above finished grade of the upper beam, rafter, ridge or purlin of any building.

*School-age program center* means a facility licensed by the State of Texas providing supervision and recreation, skills instruction, or skills training for at least two hours a day and three days a week to children attending pre-kindergarten through grade six. A school-age program operates before or after the customary school day and may also operate during school holidays, the summer period, or any other time when school is not in session (40 TAC § 745.37(2)(H)).

*Scientific research and development* means a facility in which scientific research, investigation, testing, or experimentation is conducted, but not including the manufacturing or sales of products, except as incidental to the main purpose of the laboratory.

*Screening* means fences, walls, trees, shrubbery and other landscape elements used to conceal or interfere with the view and reduce noise impact thereof from adjacent properties and public rights-of-way at street level in accordance with the standards set forth in this chapter.

*Setback* means the minimum unoccupied distance between the lot line and the principal and accessory buildings, as required in this chapter.

*Setback, front* means the minimum unoccupied distance, extending the full lot width, between the principal and accessory buildings and the front lot line.

*Setback, rear* means the minimum required unoccupied distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front lot line.

*Setback, side* means the minimum required unoccupied distance, extending from the front setback to the rear setback, between the principal and accessory buildings and the side lot line.

*Sheet metal processing* means a facility that processes sheet metal (usually below 6 millimeters), this includes, but is not limited to, shearing, blanking, bending, welding, riveting, molding, and surface treatment.

*Short-term rental* means the rental of all or part of a residential property to a person who is not a permanent resident, and who does not have the right to use or possess the property for at least 30 consecutive days.

*Sign* means any structure, part thereof or device of inscription which is located upon, attached to, or painted or represented on any land or on the outside of any building or structure, or on an awning, canopy, marquee or similar appendage, or displayed or shown so as to be seen from the outside of the building or structure, and which displays or includes any numeral letter, work model, banner, emblem, insignia, symbol, device, monogram, heraldry, trademark, light or other representation used as or in the nature of an announcement, advertisement, attention arrester, direction warning or designation of any person, industry or activity, or any combination thereof.

*Sign and architectural graphic manufacturing* means a facility where signs and graphics are manufactured for sale for the purpose of advertising, delivering messages, or decoration.

*Sign area* means the total square footage of all sign faces, including that portion of the sign structure or trim which contains any wording, symbols, identifying color or pictures; provided, however, that in the case of a double-faced sign, the sign area shall be the total square footage of one face.

*Sign face* means the sign face area of any sign upon, against or through which the message is displayed or illustrated; provided, however, that the sign face area of a sign on which the words, letters or symbols are independently mounted shall be that of the smallest regular geometric form that will wholly contain all of the message. See Figure 14-19.

*Sign structure* means a structure which supports or is capable of supporting a sign. A sign structure may be a single pole and may or may not be an integral part of a building.

*Single-occupant detached commercial or industrial building* means a commercial or industrial building which contains a single occupant and which is not a part of an integrated business development or which is located in a reserve that is part of, but is physically separated by a distance of more than 50 feet from any other structure in, an integrated business development.

*Site plan* means a plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this chapter.

*Special flood hazard area (SFHA).* See *Area of special flood hazard*.

*Specialty food store* means an establishment that offers premium food products including baked goods, candy and chocolate, snacks, dairy products, coffee, tea, soft drinks, and gourmet foods.

*Spectacular sign* means a sign that has one or more of the following as elements in its physical structure:

- (1) Automatically changing advertising that changes more often than once every five minutes (not including date, time, temperature);
- (2) Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating or spot lights, or similar devices;
- (3) Lights or colored elements creating a continuously moving, shimmering or prismatic effect; or
- (4) Rotating or moving parts.

*Sporting good sales* means a retail establishment that offers for sale sporting goods, equipment, athletic apparel, and other merchandise that reflects a sports theme.

*Stadium* means a building with tiers of seats designed to accommodate spectator sports and other types of public amusement and entertainment.

*Start of construction* [for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)], for flood hazard management purposes, includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways, nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

*Story* means that part of a building between the surface of a floor and the ceiling immediately above.

*Story, half* means that which covers a floor area of not more than 50 percent of the floor area and the ceiling immediately above.

*Street* means any public or private street or easement used for access.

*Street, arterial* means roads of regional importance or the main roads of a community. Direct access is primarily limited to significant land uses.

*Street, collector* means that which provides access to nonresidential land uses and connects residential streets to the system's arterial streets.

*Street, expressway* means a road intended to serve interstate or high speed, high volume urban traffic. Access to an expressway is limited to other expressways and major streets.

*Street frontage* means the length of a lot or tract of land which is adjacent to a public or private street.

*Streetline* means the line establishing the outer most boundary of the street right-of-way.

*Street, local* means a street which provides access to adjacent land; characterized by low volume and low speeds.

*Structural alterations* means any change in the supporting members of a structure, such as bearing walls, columns, beams or girders.

*Structure* means anything constructed or erected, which requires location on the ground or attached to something having a location on the ground including, but not limited to, buildings of all types, advertising signs and billboards, but excluding basketball goals and ornamental yard lights. (See also the adopted building codes.)

*Structure*, for floodplain management purposes, means a walled and roofed building or structure, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. This includes a fence or a wall per the adopted building codes.

*Subdivision plat* means a map or drawing of a proposed subdivision prepared in a manner suitable for recording in the county records and containing accurate and detailed engineering and survey data, dimensions, dedicatory statements and certificates. (For Preliminary plat: See section 14-55(1); for Final plat: See section 14-55(2)).

*Substantial damage*, for flood hazard management purposes, means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial improvement*, for flood hazard management purposes, means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

(1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or,

(2) Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

*Tattoo parlor and body modification shop* means an establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of placing designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. This use does not include permanent make-up associated with an accessory use in an established salon.

*Telecommunication tower* means a facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers, or similar structures supporting said equipment, equipment buildings, parking areas, and other accessory development.

*Telephone switching facility* means a facility housing a telecommunications system used in the public switched telephone network (PSTN) or in large enterprises.

*Temporary building* means a building used for a temporary period of time in connection with construction on the premises of which it is located, real estate sales, and educational, municipal or church functions.

*Temporary sign* means a sign constructed of cloth, canvas, light fabric, cardboard, wallboard or other light material. A portable sign shall not be considered a temporary sign.

*Theater* means an establishment for showing live performances, movies, and motion pictures. This term does not include adult entertainment.

*Townhouse* means a structure which is one of a series of dwelling units designed and used for only single-family occupancy, ground to sky, with no entrances or exits to or from the adjoining structures, if any.

*Truck terminal* means any premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.

*Underground shelter* means any structure built primarily below ground level.

*Use* means the purpose or activity for which any land or building is designed, arranged or intended, or for which it is so occupied or maintained, and shall include any manner of such activity with

respect to the standards of this chapter.

*Utility structure* means any structure built for the storage of tools, such as garden and lawn equipment, or for projects and hobby activities, such as carpentry.

*Utility substation and power lines* means electric power lines and electric substations, including accessory uses customarily incidental thereto; provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind. The height and area, construction, and other regulations provided by this section shall not apply to uses allowed in the subpart.

*Variance*, for flood hazard management purposes, means a grant of relief by a community from the terms of a floodplain management regulation (For full requirements see section 60.6 of the National Flood Insurance Program.)

*Veterinarian services* means a facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases wherein the animals are limited to dogs, cats, or other comparable household pets and wherein the overnight care of said animals is prohibited except when necessary in the medical treatment of the animal.

*Violation*, for flood hazard management purposes, means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 14-225 and in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program is presumed to be in violation until such time as that documentation is provided.

*Wall line* means the surface that connects the foundation to the roof.

*Wall sign* means a flat sign, either of solid face construction or individual letters, symbols or pictures, erected, installed or printed, which is placed against the exterior wall of any building or structure and which does not extend more than eight inches from the exterior wall and does not extend above the wall line.

*Water surface elevation* means the height, in relation to the North American Vertical Datum (NGVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

*Watercourse* means a definite channel of a stream in which water flows within a defined bed and banks, originating from a definite source. The water may flow continuously or intermittently, and if the latter, with some degree of regularity, depending on the characteristics of the source.

*Wholesale or warehousing business* means an establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers

and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use.

*Wine tasting rooms/facility.* An establishment that sells or gives free samples of wine to customers for consumption on premises.

*Woodworking shop, artisanal* means a facility that manipulates wood to produce articles for sale of artistic quality or effect or handmade workmanship.

*X shaded zone* means areas subject to a 0.2 percent chance of flooding in any given year; areas of 1.0 percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees from one percent annual chance flood.

*X unshaded zone* means areas of minimal flood hazard, outside of the 0.2 percent chance of flood.

*Yard, front* means the space enclosed by the front lot line, the side lot lines and a line parallel to the front lot line and even with the main building or any projections thereof, other than steps, or planter box.

*Yard, rear* means the space unoccupied, except for freestanding buildings between the rear of the main building (dwelling) and the rear lot line.

*Yard, side* means the open space between a building and the side lot lines, but not including any part of the front or rear yards.

*Zero property line housing* means housing commonly known as patio homes. It is a detached living unit constructed on a smaller lot in which one side of the unit is placed on the property line without openings. This concept utilizes the entire lot with a living unit that has a private side and rear yard. The front yard of the unit is reduced in size to contain the auto ingress and egress area along with the guest entry area.

*Zoning district map* means the map incorporated into this chapter and made a part of this chapter by reference thereto.”

**SECTION 3. THAT** Section 14-11 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-11. – General penalty; continuing violations.**

(1) Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punished by a fine of not exceeding \$2,000.00 for violations of all such provisions that govern building fire safety, zoning, or public health and sanitation, including but not limited to graffiti, dumping of refuse, and not exceeding \$500.00 for all other

violations; provided, however, that no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

(2) The owner or owners of any building, premises, improvements, implement, thing or part thereof, where anything is a violation of this Code, or any person, architect, builder, contractor, subcontractor, corporation, director, officer, agent, servant or employee who may have assisted in the commission of any such violation, shall be guilty of a separate offense and, upon conviction thereof, shall be fined as provided herein.

(3) The City Manager and/or their designee are authorized and empowered to issue a citation for any violations of the City Code known to have occurred or to be occurring as provided in this section. Such citation shall be enforceable through the Municipal Court of the City of Jersey Village, Texas.

(4) The City Manager and/or their designee are authorized and empowered to post signage indicating the violation on the property in question. If no part of the subject property is visible from a public right-of-way, the signage shall be posted along the nearest street right-of-way in a location that does not obstruct sight lines that are necessary for public safety. The inadvertent removal of the posted signage shall be subject to citation.

(5) It is an affirmative defense in any proceeding to enforce any portion of this Code that relates to zoning or any ordinance of the city that relates to zoning that the condition or activity in question is: (i) controlled by the city itself or its officers, agents, employees, or contractors, in the course of their duties for the city, and (ii) approved by the city council.”

**SECTION 4. THAT** Section 14-88 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows (the existing diagram “Example 14-7: Bufferyard Standards is not affected by the repeal and replace adopted in this Section, and such diagram shall remain in place in the Code as it now exists):

**“Sec. 14-88. Regulations that apply to all districts.**

(a) *General regulations.*

(1) No use of private or public property, whether it be residential, business, commercial or industrial, shall be permitted if that use is so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by vibration, noise, view or the emission of odor, dust, smoke or pollution of any other kind.

(2) No use of public street right-of-way or public sidewalk or adjacent property, either private or public, shall be permitted if that use inhibits or hinders the movement of normal traffic on that street or sidewalk.

(3) City maintenance personnel must be allowed free access to utility easement and street



rights-of-way so they can perform maintenance and repair of utility systems.

a. No buildings or structures of any type or size, other than fences, shall be permitted on utility easements.

b. If fences are located on utility easements, city maintenance personnel may remove such fences at any time for the purpose of gaining access to utility systems, and no liability will be incurred for damages to, repair of or replacement of such fences.

(4) Any building which has been damaged by fire or other causes to the extent of more than 50 percent of its value shall be rebuilt in conformity with this article, as though it were a new building, or removed. This shall not apply to damaged structures outside the 100-year (one percent probability) floodplain, in regards to slab height, where the footprint of a structure is not modified and the slab is intact. The building shall be secured from entrance by any unauthorized persons within 24 hours after all embers are extinguished. A building permit is required before removal, repair or reconstruction commences which shall be started within 60 days of the date the damage occurs and shall be completed within a reasonable time, but not later than 150 days after the damage occurs. Before occupancy will be permitted a certificate of occupancy shall be required.

(5) Whenever any street is abandoned, the boundaries of any districts that lie along one side of each street are automatically extended to the centerline of such street.

(6) No platted lot shall be reduced in size and no lot area shall be reduced or diminished so that the lot size or the yards shall be smaller than prescribed by this chapter. These regulations shall not apply in District D.

(7) No individual water well or piping for such system shall be connected in any way to any public water supply system.

(8) Add-on construction. After a certificate of occupancy has been issued for a building in accordance with section 14-7(b), no add-on type of construction such as patio covers, carports, balconies, stoops, porches or any structural alteration of the building shall be made unless a new building permit is first obtained from the development officer in accordance with Chapter 14. The plans must be submitted to and approved by the development officer. Requests for a building permit to allow add-on type construction or structural alteration of a building shall indicate that the proposed construction will be in harmony with the style of the original building.

(9) No permit for the erection, alteration, reconstruction, conversion or use of any building shall be issued by the development officer unless the plan required by Chapter 14 provides for a sidewalk to be constructed on all street sides of such building. This subsection shall apply to all districts of the city, with the exception of Block 42.

(10) Lighting of off-street parking areas and/or for external illumination of any building and grounds shall be arranged so that the source of light is concealed or shielded from public view

and from adjacent residential properties and does not interfere with traffic. These regulations shall not apply in District D.

(11) Temporary buildings shall be permitted only in connection with construction on the premises on which located, which buildings shall be removed upon completion or abandonment of the construction; real estate sales offices during development of residential subdivision in which they are located and limited to sales of property in such subdivisions; and educational, municipal or church functions operated for the benefit of the public. It shall be unlawful for any person to erect, construct, enlarge, place, locate or relocate any temporary building on premises within the city, or cause the same to be done, without first obtaining a building permit therefor in accordance with section 14-114. It shall be unlawful for any person to use or occupy a temporary building without first obtaining a certificate of occupancy therefor in accordance with section 14-7(b). A certificate of occupancy shall be limited to the duration of the intended use not to exceed one year; provided, however, that the certificate of occupancy may be extended as follows:

- a. Where the temporary building is used for the contractors' offices, equipment storage, model homes and real estate sales offices for residential projects, the certificate of occupancy may be extended at one-year intervals until the project is 90 percent constructed; and
- b. Where the temporary building is for a use other than described in subsection (21)a of this section, the certificate of occupancy may be extended for one additional one-year period.

A temporary building shall be in compliance with the terms of the building code and all other applicable laws and ordinances. A temporary building shall not be used in any manner constituting a nuisance or interfering with the quiet enjoyment of the neighborhood. These regulations shall not apply in District D.

(12) A nonresidential building may not be erected on a lot abutting a subdivision containing residential structures closer to the subdivision than 50 feet for a one-story building, 100 feet for a two-story building, or 150 feet for a three or more-story building. These regulations shall not apply in District D.

(13) No sleeping quarters other than those within a permanent residential structure, hotel or motel shall be used for longer than seven days within a 30-day period; provided that a recreational vehicle or portable building may be used for temporary housing and sleeping quarters by a person whose residence is uninhabitable as a result of flood, fire or environmental conditions if parked on a paved surface on a private property and with appropriate sewer and electrical connections. No person shall occupy a recreational vehicle or portable building for temporary housing and sleeping quarters without first receiving a permit for such use from the building official. The building official shall issue a permit if the conditions set forth herein are met. The permit shall be valid for the period of time necessary to restore the residence to habitability, as determined by the building official, but not to exceed 120 days. Any extension to such permit will require approval of the building official and director of public works. These

regulations shall not apply in District D.

(14) Any finished floor that is elevated more than 12 inches above natural grade shall be provided with a dropped brick ledge or dropped veneer so as to leave no more than eight inches of slab exposed. All crawl spaces resulting from pier-and-beam and stem-wall types of construction must provide dropped veneers with vents sufficient to cover the sub-slab void.

(b) *Building setbacks.* Unless otherwise specifically provided elsewhere in this article, all buildings and structures located in a district within the city shall conform to the following setbacks (as measured from the property line):

Lot Line	Setback (In Feet)	Modifier
Front	25	—
Rear	25	(1) Excluding fencing
Side street	10	(1) 25 feet where one or more lots have frontage on the street.
Side	7½	(2) Zero feet for townhouses and one side of patio homes.

**SECTION 5. THAT** Section 14-105 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**Sec. 14-105. Commercial Permitted and Conditional Use Tables.**

**a. Table 14-105(A). – Commercial Permitted Uses**

KEY/LEGEND	
P = Permitted Use	
PC = Permitted with Conditions	
SUP = Special Use Permit	
District F	First Business District
District G	Second Business District
District H	Industrial District
District J	Third Business District
District J-1	Fourth Business District
District K	Fifth Business District
MVSOD	Motor Vehicles Sales Overlay District

USE	District						
	F	G	H	J	J-1	K	MVSOD
Adult entertainment.			SUP				
Agriculture.	P	P	P	P	P	P	
Apparel manufacturing.			PC <sup>(1)</sup>				
Art gallery.	P	P		P	P	P	
Assembling.				PC <sup>(2)</sup>	PC <sup>(2)</sup>	PC <sup>(2)</sup>	
Auto body shop.		SUP					
Automobile repair shop.			PC <sup>(3)</sup>				
Bail bond service.			SUP				
Bakery (industrial).			PC <sup>(4)</sup>				
Bank, financial, and insurance service institution.	P	P		P	P	P	
Barber, beauty store, or salon.	P	P		P	P	P	
Bar/club.	SUP	SUP	SUP	SUP	SUP	SUP	
Beer and wine sales.	SUP	SUP	SUP	SUP	SUP	SUP	
Bookstore.	P	P		P	P	P	
Brew pub.	SUP	SUP	SUP	SUP	SUP	SUP	
Broadcasting Studio.				P	P	P	
Building contractor and related activities.			P				
Building materials, sales, and storage.			P			P	
Cafe and cafeteria.	P	P		P	P	P	
Cannabidiol shop (CBD shop).					P		
Carwash.		SUP	SUP				
Cell phone and computer repair business.			SUP				
Child day-care operation (licensed child-care centers and school-age program centers).	SUP	SUP				SUP	
Cigar shop/lounge.	SUP			SUP	SUP		

City of Jersey Village: water supply reservoirs, filter beds, towers, surface or below surface tanks, artesian wells, water pumping plants and water wells.	P	P		P	P	P	
Cleaners (clothing), tailor, and retail laundry.	P	P		P	P	P	
Clinic.		P		P	P	P	
Clothing boutique.	P	P		P	P	P	
Cold storage plant.			P				
Commercial vehicle repair shop.			PC <sup>(5)</sup>				
Concrete product manufacturer.			SUP				
Credit access business.			SUP				
Customarily incidental use.	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	PC <sup>(6)</sup>	
Dancing studio, exercise class, and martial arts facility.	P	P		P	P	P	
Department store.	P	P		P	P	P	
Distribution and warehousing.			P	P	P	P	
Driving range.	SUP			SUP	SUP	SUP	
Drug store and pharmacy.	SUP	SUP		SUP	SUP	SUP	
Dry cleaning and laundry plant (industrial).			SUP				
Educational institution, services, and learning center.	P	P		P	P	P	
Farm implement machinery sales and storage.			P				
Farmers market.	P	P	P	P	P	P	
Florist and flower shop.	P	P		P	P	P	
Food processing and packaging, with the exception of slaughtering.			SUP				
Food truck park.				P			
Furniture manufacturing.			PC <sup>(7)</sup>				
Garage, public.	P	P		P	P	P	
Gasoline filling station.	PC <sup>(8)</sup>	PC <sup>(8)</sup>	PC <sup>(8)</sup>	PC <sup>(8)</sup>	PC <sup>(8)</sup>	PC <sup>(8)</sup>	
General retail.	P	P		P	P	P	
Golf course and country club.	SUP			SUP	SUP	SUP	
Grocery store.	P		P	P	P	P	

Grocery store.	P		P	P	P	P	
Hardware store.		P	P	P	P	P	
Head/smoke shop.			SUP				
Health club.	P			P	P	P	
Heating, plumbing and air conditioning, sale, and repair.			PC <sup>(9)</sup>				
Home good store.	P	P		P	P	P	
Hookah bar/lounge.			SUP				
Hospital.	P	P		P	P	P	
Hotel and motel.	P	P		P	P	P	
Instrument and meter manufacturing.			PC				
Jewelry and watch manufacturing.			SUP				
Junk or salvage yard.			SUP				
Library and museum.	P	P		P	P	P	
Liquor store (excluding drive-up or pick-up services).	SUP	SUP	SUP	SUP	SUP	SUP	
Machining.			PC <sup>(10)</sup>				
Manufacture of printed material.			PC <sup>(11)</sup>	PC <sup>(11)</sup>	PC <sup>(11)</sup>	PC <sup>(11)</sup>	
Massage establishment.	SUP						
Medical and dental office.	P	P		P	P	P	
Medical research and development.			SUP				
Mini-storage lot.			SUP				
Mini-storage facility.			SUP			SUP	
Miniature golf course.	P	P	P	P	P	P	
Motor vehicle sales.							PC <sup>(12)</sup>
Multi-family housing for senior citizens.		SUP					
Multi-purpose entertainment complex.	P	P	P	P	P	P	
Municipal and governmental buildings, police stations and fire stations.	P	P	P	P	P	P	
Musical instrument shop and supply store.	P	P		P	P	P	
Nursing care center.				SUP	SUP	SUP	

Office supply store.	P	P		P	P	P	
Oil, gas, and minerals; extraction, production, drilling operations, etc.			PC <sup>(13)</sup>				
Optical goods manufacturing.			PC <sup>(14)</sup>				
Parking lot.	SUP	SUP	SUP	SUP	SUP	SUP	
Pawnshop.					P		
Permanent produce market.			SUP				
Pet and pet supply store.	P	P		P	P	P	
Place of worship.	P	P		P	P	P	
Plant nursery.			P			P	
Pool supply store.	P	P		P	P	P	
Precious metal dealer.			SUP				
Professional office and business office.	P	P	P	P	P	P	
Professional and technical services.	P	P	P	P	P	P	
Public park and playground, public recreational facility, and community building.	P	P		P	P	P	
Railroad and related facilities.			P				
Real estate, rental, and leasing office.	P	P		P	P	P	
Restaurant and delicatessen.	P	P		P	P	P	
Scientific research and development.			P	P	P	P	
Sheet metal processing.			PC <sup>(15)</sup>				
Short-term rental.		P					
Sign and architectural graphic manufacturing.			PC <sup>(16)</sup>	PC <sup>(16)</sup>	PC <sup>(16)</sup>	PC <sup>(16)</sup>	
Specialty food store.	P	P		P	P	P	
Sporting good sales.	PC <sup>(17)</sup>	PC <sup>(17)</sup>		PC <sup>(17)</sup>	PC <sup>(17)</sup>	PC <sup>(17)</sup>	
Stadium	SUP	SUP	SUP	SUP	SUP	SUP	
Tattoo parlor and body modification shop.			SUP				
Telecommunication tower.		SUP	P				
Telephone switching facility.	SUP	SUP				SUP	
Temporary building.			PC <sup>(18)</sup>				

<b>Theater.</b>	<b>P</b>	<b>P</b>		<b>P</b>	<b>P</b>	<b>P</b>	
<b>Truck terminal.</b>			<b>SUP</b>				
<b>Utility substation and power lines.</b>	<b>PC<sup>(19)</sup></b>		<b>PC<sup>(19)</sup></b>	<b>PC<sup>(19)</sup></b>	<b>PC<sup>(19)</sup></b>	<b>PC<sup>(19)</sup></b>	
<b>Veterinarian services.</b>	<b>SUP</b>	<b>SUP</b>		<b>SUP</b>	<b>SUP</b>	<b>SUP</b>	
<b>Wholesale or warehousing.</b>		<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	
<b>Wine tasting room/facility.</b>	<b>P</b>	<b>P</b>		<b>P</b>	<b>P</b>	<b>P</b>	
<b>Woodworking shop, artisanal.</b>			<b>PC<sup>(20)</sup></b>				

**b. Table 14-105(B). – Commercial Conditional Uses**

<b>#</b>	<b>Conditional Uses</b>	<b>Zoning District</b>	<b>Conditions</b>
<b>1</b>	<b>Apparel manufacturing.</b>	<b>H</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>
<b>2</b>	<b>Assembling.</b>	<b>J, J-1, K</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>
<b>3</b>	<b>Automobile repair shop.</b>	<b>H</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>
<b>4</b>	<b>Bakery (industrial).</b>	<b>H</b>	<b>Provided that such use be not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities and disposition by reason of emission of odor, gases, and/or fumes.</b>
<b>5</b>	<b>Commercial vehicle repair shop.</b>	<b>H</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>



6	Customarily incidental use.	F, G, H, J, J-1, K	Must be customarily incidental to a permitted principal use located on the same building site and listed in Table 14-105(A), provided that such use is not so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibration, noise, view or the emission of odor, dust, smoke, or pollution of any kind.
7	Furniture manufacturing.	H	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
8	Gasoline filling station.	F, G, H, J, J-1, K	Must have a minimum separation distance of 3,000 feet measured from property line to property line from any currently existing gasoline filling station. Provided that all storage tanks for gasoline shall be below the surface of the ground.
9	Heating, plumbing and air conditioning, sales, and repair.	H	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
10	Machining.	H	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
11	Manufacture of printed material.	H, J, J-1, K	Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.
12	Motor vehicle sales	MVSOD	Vehicles held for sales, lease, or rental in any business or industrial district shall not be parked or stored on unpaved surfaces.

13	<b>Oil, gas, and minerals; extraction, production, drilling operations, etc.</b>	<b>H</b>	<b>No oil, gas or other mineral exploration, production or drilling operations for minerals of any kind shall be conducted on any lot or parcel of land within the city except in zoning district H</b>
14	<b>Optical goods manufacturing.</b>	<b>H</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>
15	<b>Sheet metal processing.</b>	<b>H</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>
16	<b>Sign and architectural graphic manufacturing.</b>	<b>H, J, J-1, K</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>
17	<b>Sporting good sales.</b>	<b>F, G, J, J-1, K</b>	<b>Sporting goods sales, not including boats, boat motors, mopeds, recreational vehicles, ATVs, golf carts, motorcycles, or motor bikes.</b>
18	<b>Temporary building.</b>	<b>H</b>	<b>Must be incidental to the construction of buildings permitted in the district and which shall be removed when work is complete.</b>
19	<b>Utility substation and power lines.</b>	<b>F, H, J, J-1, K</b>	<b>Provided that any such accessory use shall not be so obnoxious or offensive as to be reasonably calculated to disturb persons of ordinary temper, sensibilities, and disposition by reason of vibrations, noise, view or the emission of odor, dust, smoke or pollution of any other kind.</b>
20	<b>Woodworking shop, artisanal.</b>	<b>H</b>	<b>Maintenance, fabrication and repair of equipment or machinery and manufacturing, processing and assembly of materials, products and goods shall be performed only on a paved area located within the building lines of a lot, whether within or outside of a building.</b>

**SECTION 6. THAT** Section 14-106 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14–106. Regulations for district F (first business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district F except as provided in Sec. 14-105.

(b) Setbacks.

<b>Setbacks (feet) for District F (first business district)</b>	
<b>Nonresidential buildings (See note 1)</b>	
<b>Front</b>	<b>25’ to the front property line</b>
<b>Rear</b>	<b>10’ to the rear property line</b>
<b>Side street</b>	<b>10’ to the side street line</b>
<b>Side</b>	<b>10’ to the side property line</b>
<b>Notes:</b>	
<b>Note 1: Any nonresidential building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for a three- or four-story.</b>	

(c) *Height and area regulations.* The heights of buildings, the minimum area of buildings, and the minimum lot size upon any lot or parcel of land in district F shall be as follows:

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* The building area of each building shall be not less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.

(3) *Lot size.* The minimum lot size as established in Sec. 14-137. Table 14-2 shall apply.

(4) *Open area.*

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking areas.

(d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible.

(e) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also Sections 14-310 and 14-311 for landscaping standards.

(f) *Screening.*

(1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(4) The quality and type of materials used structurally for the walls shall conform with those

specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

(5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(g) *Commercial waste enclosures.* Garbage and refuse containers in district F shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) *Fencing standards.*

(1) Fences in district F shall be constructed of the following materials, such as:

a. Redwood;

b. Cedar;

c. Wrought iron;

d. Brick or other approved masonry material of equal quality; or,

e. Chain-link. Where chain link fencing is constructed within district F, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 7. THAT** Section 14-107 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-107. Regulations for district G (second business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district G except as provided in Sec. 14-105.

(b) Setbacks.

<b>Setbacks (feet) for District G (second business district)</b>	
<b>Building or structures (See Notes 1, 2)</b>	
<b>Front</b>	<b>25’ to the front property line</b>
<b>Rear</b>	<b>10’ to the rear property line</b>
<b>Side street</b>	<b>10’ to the side street property line</b>
<b>Side</b>	<b>10’ to the side property line</b>
<b>Notes:</b>	
<b>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</b>	
<b>Note 2: Buildings and other structures may abut adjacent buildings or other structures at the side lot line, provided that they are separated by a firewall which complies with current city building codes. Each group of abutting buildings shall be separated on the side by an open space of not less than ten feet to the next side lot line or side street line.</b>	

(c) *Height and area regulations.* The heights of buildings, the minimum area of buildings, and the minimum lot size upon any lot or parcel of land in district G shall be as follows:

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* The building area of each building shall be not less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.

(3) *Lot size.* The minimum lot size shall be as established for nonresidential lots in Sec. 14-137. Table 14-2, Lot Standards in this Code.

(4) *Open area.*

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking areas.

(d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible.

(e) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also sections 14-310 and 14-311 for landscaping standards.

(f) *Screening.*

(1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

(5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(g) *Commercial waste enclosures.* Garbage and refuse containers in district G shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) *Fencing standards.*

(1) Fences in district G shall be constructed of the following materials, such as:

a. Redwood;

b. Cedar;

c. Wrought iron;

d. Brick or other approved masonry material of equal quality; or,

e. Chain-link. Where chain link fencing is constructed within district G, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 8. THAT** Section 14-108 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:



**“Sec. 14–108. Regulations for district H (industrial district).**

(a) *Use regulation.* No building or land shall be used, and no building shall be erected moved or altered in district H except for as provided in Sec. 14-105.

(b) Setbacks.

<b>Setbacks (feet) for District H (industrial district)</b>	
<b>Buildings or structures (See Note 1)</b>	
<b>Front</b>	<b>25’ to the front property line</b>
<b>Rear</b>	<b>25’ to the rear property line</b>
<b>Side street</b>	<b>25’ to the side street property line</b>
<b>Side</b>	<b>25’ to the side property line</b>
<b>Notes:</b>	
<b>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</b>	

(c) *Height and area regulations.*

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* No limitations.

(d) *Construction.* No limitations.

(e) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also Secs. 14-310 and 14-311 for landscaping standards.

(f) *Screening.*

(1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

(5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(g) *Commercial waste enclosures.* Garbage and refuse containers in district H shall be screened

from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(h) *Fencing standards.*

(1) Fences in district H shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality;
- e. Chain-link. Where chain link fencing is constructed within district H, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 9. THAT** Section 14-109 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-109. Regulations for district J (third business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district J except as provided in Sec. 14-105.

(b) *Setbacks.*

<b>Setbacks (feet) for District J (third business district)</b>	
<b>Buildings or structures (See Notes 1, 2)</b>	
<b>Front</b>	<b>25’ to the front lot line</b>
<b>Rear</b>	<b>10’ to a rear lot line</b>
<b>Side street</b>	<b>10’ to the side street lot line</b>
<b>Side</b>	<b>10’ to the side lot line</b>
<b>Notes</b>	

**Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.**

**Note 2: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.**

(c) *Height and area regulations for district J.*

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* The building area of each building shall not be less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.

(3) *Open area.*

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.

(d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible. Service center front elevation shall consist of a minimum of 15 percent glass.

(e) *Outside storage.* There shall be no outside storage except as permitted under subsection (j h)(1) of this section.

(f) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also sections 14-310 and 14-311 for landscaping standards.

(g) *Screening.*

(1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

(5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as

established in this article and other legal recourse.

(h) *Commercial waste enclosures.* Garbage and refuse containers in district J shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(i) *Fencing standards.*

(1) Fences in district J shall be constructed of the following materials, such as:

- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality; or,
- e. Chain-link. Where chain link fencing is constructed within district J, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 10. THAT** Section 14-109.1 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-109.1. Regulations for district J-1 (fourth business district).**

(a) *Use regulations.* No building or land shall be used and no building shall be erected, moved, or altered in district J-1 except as provided in Sec. 14-105.

(b) *Setbacks.*

<b>Setbacks (feet) for District J-1 (fourth business district)</b>	
<b>Buildings or structures (See Note 1)</b>	
<b>Front</b>	<b>25’ to the front lot line</b>
<b>Rear</b>	<b>10’ to the rear lot line</b>
<b>Side street</b>	<b>10’ to the side street lot line</b>
<b>Side</b>	<b>25’ to the side lot line</b>

Notes
<p><b>Note 1: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.</b></p>

(c) *Height and area regulations for district J-1.*

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* The building area of each building shall not be less than 1,000 square feet of ground floor area except gasoline filling stations which shall contain not less than 500 square feet of ground floor area.

(3) *Open area.*

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped.

b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.

(d) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also sections 14-310 and 14-311 for landscaping standards.

(e) *Screening.*

(1) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided,

however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(2) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principal buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(3) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(4) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used in residential construction within the city.

(5) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(6) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(7) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(f) *Commercial waste enclosures.* Garbage and refuse containers in district J-1 shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(g) *Fencing standards.*

(1) Fences in district J-1 shall be constructed of the following materials, such as:



- a. Redwood;
- b. Cedar;
- c. Wrought iron;
- d. Brick or other approved masonry material of equal quality; or,
- e. Chain-link. Where chain link fencing is constructed within district J-1, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 11. THAT** Section 14-110 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-110. Regulations for district K (fifth business district).**

- (a) *Use regulations.* No building or land shall be used and no building shall be erected, moved or altered in district K except as provided in Sec. 14-105.
- (b) Setbacks.

<b>Setbacks (feet) for District K (fifth business district)</b>	
<b>Nonresidential buildings</b>	
<b>Front</b>	<b>25’ to the front lot line</b>
<b>Rear</b>	<b>25’ to the rear lot line</b>
<b>Side street</b>	<b>25’ to the side street lot line</b>
<b>Side</b>	<b>25’ to the side lot line</b>
<b>Notes</b>	
<b>Note 1: Any building or structure erected on a lot abutting district A may not be closer to the boundary line of district A than 50 feet for a single story, 100 feet for a two-story, or 150 feet for three and four-story.</b>	
<b>Note 2: Buildings and other structures may abut adjacent buildings or other structures at a side lot line, provided that a firewall which complies with current city building codes is erected. Each group of abutting buildings shall be separated on the side by an open space of not less than 25 feet to the next side lot line or side street line.</b>	

(c) *Height and area regulations in district K.*

(1) *Height.* Buildings shall not exceed four stories (56 feet) in total height without an approved Specific Use Permit. Rooftop mechanical equipment shall not be included when determining overall building height.

(2) *Building area.* The building area of each building shall not be less than 1,000 square feet of ground floor area, provided that gasoline filling stations shall contain not less than 500 square feet of ground floor area.

(3) *Open area.*

a. A minimum of ten percent of total area within the property lines shall be devoted to landscaping. All open unpaved space including, but not limited to, front, side and rear building setback areas shall be planted and landscaped. See article XII of this chapter.

b. *Building fronts.* An average of at least ten feet and a minimum of five feet shall be a green area and walkway between the building and parking area.

c. Notwithstanding anything to the contrary contained in this section, distribution warehouse subdivisions in excess of 70 acres shall have a minimum of ten percent total open area including stormwater detention and utility easement area.

(d) *Construction.* The exterior walls on all buildings shall be masonry or concrete construction with masonry, exterior insulation finish system (EIFS), concrete and wood or metal fascia. EIFS must be installed at levels no less than eight feet above grade or platforms. Plain CMU shall not be used for the exterior walls, however, split-face CMU is permissible. Service center front elevation shall consist of a minimum of 15 percent glass.

(e) *Outside storage.* There shall be no outside storage except as permitted under subsection (h)(1) of this section. Distribution warehouse subdivisions in excess of 70 acres may have associated outside storage of inventories, machinery and other similar materials within the project if screened from the view of adjacent properties by:

a. Opaque fencing made of wood, metal or masonry material not less than six feet in height nor more than ten feet in height;

b. Fencing not less than six feet in height nor more than ten feet in height with dense opaque landscaping of not less than three feet in width and capable of attaining five to ten feet in height within 18 months of planting; or

c. Existing buildings, provided that the total area devoted to outside storage shall not exceed ten percent of the building area.

(f) *Buffering.*

(1) Bufferyards will be required on the perimeter, or parts thereof, of a nonresidential development adjoining or surrounding residential developments in conjunction with the screening requirements provided below.

(2) Bufferyards shall be provided to protect the adjacent residential properties from environmental impact of the nonresidential facility such as visual blight, parking or roadway illumination, headlights, noise, blowing paper and dust and service areas.

(3) Bufferyards shall be provided according to the standards provided in Sec. 14-88, Example 14-7.

(4) See also sections 14-310 and 14-311 for landscaping standards.

(g) *Screening.*

(1) Notwithstanding anything to the contrary contained in this section, distribution warehouse subdivisions in excess of 70 acres may have unscreened refuse containers located adjacent to the distribution warehouse buildings, provided they are at a minimum distance of 120 feet from any street right-of-way.

(2) For development of nonresidential lots directly abutting and adjacent to residential zoning districts, an obscuring wall shall be required. The required wall shall be located inside the nonresidential lot lines abutting and adjacent to the residential zoning districts; provided, however, where a masonry wall has been constructed in a residential subdivision abutting nonresidential lots prior to development of the nonresidential lots, the masonry wall in the residential lots shall serve as the required screen and shall meet all requirements required of screens on nonresidential lots. Where a masonry wall of at least six feet in height exists in the residential lots abutting a nonresidential development, the nonresidential developer shall provide a buffer yard one and one-half times the width required elsewhere in this Code with two times the landscaping requirements in lieu of a second masonry wall.

(3) All walls shall be constructed of a solid unpierced masonry material with the surface facing the residential lots constructed of a common or face brick, decorative block or similar material that is compatible with the principle buildings in the adjacent residential areas. Similar material shall not include smooth face concrete masonry blocks or units. Masonry walls shall be erected on a concrete foundation of adequate strength and shall be not less than four inches wider than the wall to be erected.

(4) No opening shall be permitted for access through the wall unless a solid gate equally the height of the wall is provided. Such gate shall remain closed at all times except when in actual use.

(5) The quality and type of materials used structurally for the walls shall conform with those specified in the building code which apply to foundation footing and supporting materials used

in residential construction within the city.

(6) Any person causing an excavation to be made on property adjacent to an existing wall shall protect the excavation in such a manner so that the soil of the adjacent property will not cave in or settle causing damage to the existing wall.

(7) Walls shall be maintained to remain harmonious with the surrounding property by being repaired, rebuilt or replaced at intervals necessary to preserve the health, safety and welfare of the public. Notification of necessary maintenance will be by certified mail from the development officer to the current property owner who is responsible for the maintenance of the walls constructed.

(8) If such freestanding walls are not repaired, rebuilt or replaced within 60 days after receipt of such notification by certified mail that certain maintenance is deemed necessary for the health, safety and welfare of the public, such penalties for violation shall be enforced as established in this article and other legal recourse.

(h) *Commercial waste enclosures.* Garbage and refuse containers in district K shall be screened from public view, from adjacent buildings and from adjacent property, public or private. Screens shall be permanent and opaque and of wood, metal or masonry material, shall be at least as high as the screened object and shall not be less than six feet high.

(i) *Fencing standards.*

(1) Fences in district K shall be constructed of the following materials, such as:

a. Redwood;

b. Cedar;

c. Wrought iron;

d. Brick or other approved masonry material of equal quality; or,

e. Chain-link. Where chain link fencing is constructed within district K, the fencing material should be a minimum of four feet in height and a maximum of six feet in height. All fencing four feet in height shall be a minimum of 11-gauge galvanized material and all fencing higher than four feet shall be a minimum of nine-gauge galvanized material.

(2) The use of barbed wire, razor wire or any other similar material is not allowed.”

**SECTION 12. THAT** Section 14-224(b)(1)c. of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“c. Wall signs not over 5 square feet.”

**SECTION 13. THAT** Section 14-252(2)b.1.(a) of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“(a) *Size and number.* Wall signs are permitted for each single-occupant detached building not to exceed the lesser of 25% of the elevation where the signs are located or 1,000 square feet.”

**SECTION 14. THAT** Section 14-252(2)c.1. of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

“1. *Wall signs.*

(a) *Size and number.* Each business establishment in an integrated business development may have wall signage not to exceed the lesser of 25% of the elevation where the signs are located or 1,000 square feet.

(b) *Location and height.* A wall sign may not project above the wall line of a building except for buildings with parapet walls, in which case the sign shall be flush with the wall and shall not project above the parapet. Signs placed on mansard roofs must be perpendicular to the ground with all structural supports covered from view. Wall signs identifying businesses in an integrated business development may only be placed the front building elevation, unless the business is located on a corner of such a development, in which case, side elevation signs are permitted.”

**SECTION 15. THAT** Section 14-283 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**Sec. 14-283. Table 14-11 off-street parking standards.**

**OFF-STREET PARKING STANDARDS**

NAICS Codes	Land Use Category	Off-Street Parking Standards	Special Provisions
31-33	MANUFACTURING:	1 parking space per max # of workers on any one shift.	
48, 51, 22	TRANSPORTATION, COMMUNICATIONS, UTILITIES:		

48	Bus terminals/airports	To be determined by the planning commission	
48	Motor freight terminals/warehousing	1 parking space per max # of workers on any one shift.	
42	WHOLESALE TRADE:	3.3 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 2
44-45	RETAIL TRADE:		
45	General merchandise	4 parking spaces per 1,000 square feet of gross leasable area	
44	Automotive stores	1 parking space per 800 square feet of floor area plus site area	
72	Eating/drinking places	1 parking space per 4 seats	
52, 52, 53	GENERAL OFFICE (FINANCE, INSURANCE, REAL ESTATE, ETC.):	5 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 3
54, 56, 61, 72, 81	SERVICES:		
72	Hotel, motel	1 parking space per bedroom	
56, 81	Personal services	4 parking spaces per 1,000 square feet of gross leasable area	
81	Funeral homes	1 parking space per 4 seats	Minimum spaces: 3
73, 54	Business services	3.3 parking spaces per 1,000 square feet of gross leasable area	Minimum spaces: 3
81	Automotive repair services	1 parking space per 375 square feet of gross floor area plus 4 spaces per repair bay	Minimum spaces: 4
71	Amusement and recreation	1 parking space per 4 seats	
80, 62	Health services	4 parking spaces per 1,000 square feet of gross floor area	

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

62	Personal care facility	1 parking space per 6 beds	
62	Hospital	1 parking space per 2 beds	
54	Legal	5 parking spaces per 1,000 square feet of gross floor area	Minimum spaces: 3
61	Elementary school	2 parking spaces per classroom	
61	Secondary school	10 parking spaces per classroom	
62	Childcare services	1 parking space per 7 children	Minimum spaces: 5
71	Museums, cultural centers	3.3 parking spaces per 1,000 square feet of floor area	Minimum spaces: 10
81	Religious organizations	1 parking space per 4 seats	
2361	RESIDENTIAL:		
2361	1 and 2 family dwellings	2 parking spaces per dwelling unit	
2361	MULTIFAMILY:		
2361	1 bedroom	1.5 parking spaces per dwelling unit	(1)
2361	2 bedrooms	2.5 parking spaces per dwelling unit	(1)
2361	3 or more bedrooms	3.5 parking spaces per dwelling unit	(1)
2361	Roominghouse, boardinghouse	1 parking space per 2 beds	
2361	Congregate housing	1 parking space per 2 beds	

(1) For multifamily complexes with ten or more units, the required number of guest parking spaces will be determined by multiplying the total number of parking spaces otherwise required for such apartment complex by 0.05.

(2) Parking for office areas shall be provided according to the standards for office uses in this table.”

**SECTION 16. THAT** Section 14-309 of the Code of Ordinances, City of Jersey Village, Texas is hereby amended by repealing and replacing the existing language with language to read as follows:

**“Sec. 14-309. Specific standards.**

(a) *Residential lots.*

(1) Residential lots shall have landscaped areas which in the aggregate include not less than 50

percent of the area contained within the building setbacks.

(2) A minimum of two trees (either existing or planted) measuring one inch or greater in diameter four feet above the ground at time of planting or measurement (if existing) are required within the front or side street setback areas.

(3) Landscaping shall be in harmony with the surrounding area adequate to minimize visual monotony and barrenness.

(b) *Nonresidential lots.*

(1) At least ten percent of the total area within a lot shall contain landscaped areas. Multi-family lots shall dedicate an additional twenty percent of total area within a lot to landscaped areas.

(2) A landscaped area ten feet in width shall be provided adjacent to each street right of way. Drives and sidewalks shall not be included in the required landscaped area except to the extent to which they may be required to cross the buffer to provide access.

(3) All open, unpaved space including, but not limited to, front, side and rear building setback areas shall be landscaped.

(4) An average of at least ten feet and a minimum of five feet shall be a landscaped area and walkway between the building and parking areas.

(5) Trees required. Trees, either existing or planted, measuring a minimum of two inches average diameter measured four feet above ground level at the time of planting or measurement (if existing) shall be provided according to the following standards:

a. In lots containing 20,000 square feet or less, one tree per 2,000 square feet, or fraction thereof;

b. In lots containing more than 20,000 square feet, but less than 100,000 square feet, ten trees, plus one tree per 2,500 square feet or fraction thereof in excess of 10,000 square feet;

c. In lots containing more than 100,000 square feet, 46 trees plus one tree per 5,000 square feet, or fraction thereof, over 100,000 square feet;

d. A minimum of 25 percent of the trees required by this section shall be canopy trees with the remainder in noncanopy trees. Each tree planted shall be in a planting area with a radius not less than three feet measured from tree trunk to the near edge of the landscaped area. All tree plantings shall be encompassed with an approved curb barrier to prevent access by vehicular traffic.

(6) Tree removal. The clearance of any land and/or the removal of one or more trees with a caliper size greater than 10 inches (measured at 4 feet above ground level) in the course of



developing a commercial lot, shall require an equivalent total replacement caliper to be provided by the planting of replacement trees. The following documents must be provided prior to removal:

- a. Tree Survey/Landscape Plan:
  1. Existing trees on the site;
  2. Tree proposed for removal;
  3. Locations indicated for replacement tree; and
  4. Note indicating how irrigation will be provided to new plantings.
- b. Tree Disposition/Protection Plan shall include a Tree Table showing:
  1. Caliper size (inches);
  2. Quantity; and
  3. Species.

(7) Tree replacement. When required to replace one or more trees, it is permitted to provide the equivalent total caliper by planting several smaller replacement trees in lieu of one larger replacement tree. Trees determined to be in undesirable or poor health by an Arborist are not subject to this section. Due to the heavily wooded nature of some vacant lots, there may be instances in which it is not feasible to reasonably develop the property while preserving existing trees or matching their aggregated caliper size. In these instances, prospective developers may submit an alternative plan for tree preservation and replacement, which may be approved by the City Manager and/or their designee. If, after reviewing the plan, the official determines that reasonable efforts to preserve or replace trees have not been exhausted, the official's decision may be appealed to the city council, which shall have the final decision.

(8) Permitted replacement trees. Replacement trees shall be selected from the species listed below:

- a. Oak, Pine, Elm, Hickory, Maple, Ash, Magnolia; or
- b. Alternative replacement tree(s). A request for alternative species shall be subject to approval by the City Manager and/or their designee.

(9) Ground signs. A landscaped area not less than ten feet in width shall be located around the supporting structure of each ground sign and extending not less than three feet beyond each end. A hedge or other durable planting, which is not less than one foot in height at the time of planting and which will attain an average height of at least three feet shall extend the entire length and width of the required landscaped setup. Two flowering trees, not less than eight feet

in height, shall be located within the required landscape setup. The remainder of the landscaped setup may be in grass or a decorative ground cover.

(10) Parking lots and other vehicular areas. Vehicular use areas, parking areas, parking lots, and their parked vehicles shall have effective buffering from the street view. A minimum amount of the total area of all vehicular use areas and parking areas of a lot shall be devoted to landscaped islands, peninsulas, or medians. The minimum total area in such islands, peninsulas, and medians shall be 90 square feet for each 12 parking spaces therein. No parking space shall be located further than 50 feet from a permeable landscaped island, peninsula or median or tree. All islands, peninsulas and medians required in the areas stated above, shall be more or less evenly distributed throughout such parking areas, respectively; however, the distribution and location of landscaped islands, peninsulas, and medians may be adjusted to accommodate existing trees or other natural features so long as the total area requirement for landscaped islands, peninsulas, and medians for the respective parking areas above is satisfied.”

**SECTION 17. THAT** in the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 18. THAT** all other ordinances or parts of ordinances in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed.

**SECTION 19. THAT** any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine as provided in Section 1-8.

**SECTION 20. THAT** this Ordinance shall be in full force and effect from and after its passage.

**PASSED, APPROVED, AND ADOPTED this 17<sup>th</sup> day of May 2023.**

**FOR THE CITY:**

\_\_\_\_\_  
**BOBBY WARREN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Lorri Coody, City Secretary**



## J. MAYOR AND COUNCIL COMMENTS

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make a reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

**K. RECESS THE REGULAR SESSION**

**Recess the Regular Session to Convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.087 Deliberation Regarding Economic Development Negotiations, Sections 551.072 – Deliberations about Real Property and 551.071 – Consultations with Attorney.**

**L. EXECUTIVE SESSION**

1. Pursuant to the Texas Open Meeting Act Section 551.087 Deliberation Regarding Economic Development Negotiations, Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney a closed meeting to deliberate information from a business prospect that the City seeks to locate in Jersey Village TIRZ Number 2 and economic development negotiations, including the possible purchase, exchange or value of real property, related thereto. *Austin Bleess, City Manager*
2. Pursuant to the Texas Open Meeting Act Section 551.072 Deliberations about Real Property, and Section 551.071 Consultations with Attorney, a closed meeting to deliberate the potential and possible sale, exchange or value of real property, located within TIRZ 3. *Austin Bleess, City Manager*

**M. ADJOURN EXECUTIVE SESSION**

**Adjourn the Executive Session, stating the date and time the Executive Session ended and Reconvene the Regular Session.**

**CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM:** N1

**AGENDA SUBJECT:** Discuss and take appropriate action on items discussed in the Executive Session regarding information from a business prospect that the City seeks to locate in Jersey Village TIRZ Number 2 and economic development negotiations, including the possible purchase, exchange or value of real property, related thereto.

**Dept./Prepared By:** Lorri Coody, City Secretary **Date Submitted:** May 9, 2023

**EXHIBITS:**

<b>BUDGETARY IMPACT:</b>	Required Expenditure:	\$
	Amount Budgeted:	\$
	Appropriation Required:	\$

**CITY MANAGER APPROVAL:**

**BACKGROUND INFORMATION:**

This item is to discuss and take appropriate action on items discussed in the Executive Session regarding information from a business prospect that the City seeks to locate in Jersey Village TIRZ Number 2 and economic development negotiations, including the possible purchase, exchange or value of real property, related thereto.

**RECOMMENDED ACTION:**

**MOTION:**

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**

**CITY COUNCIL  
CITY OF JERSEY VILLAGE, TEXAS  
AGENDA REQUEST**

**AGENDA DATE:** May 17, 2023

**AGENDA ITEM:** N2

**AGENDA SUBJECT:** Consider Resolution No. 2023-22, approving the sale of land in Tax Increment Reinvestment Zone Number 3 and authorizing the City Manager to sign any necessary documents to complete the sale.

**Department/Prepared By:** Austin Bless, CM **Date Submitted:** May 9, 2023

**EXHIBITS:** Resolution 2023-22

<b>BUDGETARY IMPACT:</b>	Required Expenditure:	\$
	Amount Budgeted:	\$
	Appropriation Required:	\$

**CITY MANAGER APPROVAL:**

**BACKGROUND INFORMATION:**

This item is to take any action necessary after the Executive Session.

**RECOMMENDED ACTION:**

**MOTION:** To approve Resolution No. 2023-22, approving the sale of land in Tax Increment Reinvestment Zone Number 3 and authorizing the City Manager to sign any necessary documents to complete the sale.

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**

**RESOLUTION NO. 2023-22**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, APPROVING THE SALE OF LAND IN TAX INCREMENT REINVESTMENT ZONE NUMBER 3 AND AUTHORIZING THE CITY MANAGER TO SIGN ANY NECESSARY DOCUMENTS TO COMPLETE THE SALE.**

**WHEREAS**, the City of Jersey Village, Texas (the “City”) owns certain real property in Harris County, Texas (the “Property”) located at 15525 Jersey Drive, 15517 Jersey Dr, 15418 Jersey Dr, and 15417 Jersey Drive; and

**WHEREAS**, the Property is wholly located within the City’s Tax Increment Reinvestment Zone #3 (the “TIRZ”); and

**WHEREAS**, the City Council of the City (the “Council”) may exercise any power necessary and convenient to carry the purposes of the TIRZ, including the power to sell real property on the terms and conditions and in the manner it considers advisable, to implement the project plans of the TIRZ, with such power prevailing over any law or municipal charter to the contrary; and

**WHEREAS**, the Council desires to sell the Property in order to bring about the development as specified in the TIRZ Project Plan which was approved by the City Council on September 20, 2021 in Ordinance Number 2021-36; and,

**WHEREAS**, the Council and the Buyer have set forth the terms of the sale of the Property in a Real Property Purchase Agreement, a draft version of which is attached to this Resolution as “Exhibit A”; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, THAT:**

**Section 1:** That the statements set forth in the Recitals to this Resolution are hereby found and determined to be true and correct and are incorporated herein for all purposes.

**Section 2:** That the City will sell the Property located at 15525 Jersey Drive to \_\_\_\_\_ for the price of \_\_\_\_\_ and according to the terms and conditions laid out in a Real Property Purchase Agreement substantially similar to the draft version attached hereto as “Exhibit A”.

**Section 3:** That the City will sell the Property located at 15517 Jersey Drive to \_\_\_\_\_ for the price of \_\_\_\_\_ and according to the terms and conditions laid out in a Real Property Purchase Agreement substantially similar to the draft version attached hereto as “Exhibit A”.

**Section 4:** That the City will sell the Property located at 15418 Jersey Drive to \_\_\_\_\_ for the price of \_\_\_\_\_ and according to the terms and conditions laid out in a Real Property Purchase Agreement substantially similar to the draft version attached hereto as

“Exhibit A”.

**Section 5:** That the City will sell the Property located at 15417 Jersey Drive to \_\_\_\_\_ for the price of \_\_\_\_\_ and according to the terms and conditions laid out in a Real Property Purchase Agreement substantially similar to the draft version attached hereto as “Exhibit A”.

**Section 6:** That the City Manager is hereby authorized to take all appropriate and necessary steps to finalize the sale of the Properties, including but not limited, to the execution of any and all documents related to the sale of the Properties, and any costs associated therewith.

**PASSED AND APPROVED** this 17<sup>th</sup> day of **May**, A.D., **2023**.

\_\_\_\_\_  
Bobby Warren, Mayor

**ATTEST:**

\_\_\_\_\_  
Lorri Coody, City Secretary





**YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

STATE OF TEXAS           §  
COUNTY OF HARRIS    §

**REAL ESTATE SALES CONTRACT**

This Real Estate Sales Contract (this "Contract") is made by this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_, by and between the City of Jersey Village, a State of Texas home rule municipal corporation (the "City"), and \_\_\_\_\_, (the "Buyer") (with the City and the Buyer each being a "Party" and collectively, the "Parties"), and is made effective upon the terms and conditions set forth herein on the date of execution by the Parties as memorialized below (the "Effective Date").

**ARTICLE I – THE PROPERTY**

**A.** Subject to the terms and conditions of this Contract, the City hereby sells and agrees to convey to the Buyer by a Special Warranty Deed (the "Deed"), and the Buyer hereby purchases and agrees to pay the City for, all of City's right, title, and interest in and to that certain real estate, and any improvements located thereon, being: \_\_\_\_\_

\_\_\_\_\_ as more particularly described in "Exhibit A" attached hereto and incorporated herein for all purposes (the "Real Property"). The City also sells and agrees to convey to the Buyer, and the Buyer hereby agrees to pay the City for, all of the City's right, title, and interest, all and singular, the rights and appurtenances pertaining to the Real Property, and, to the extent that they are assignable and relate to the ownership or operation of the Real Property, any improvements, fixtures, and personal property situated on and attached to the Real Property, (all of such real property described above, including the Real Property, and the rights and appurtenances described herein, being herein collectively referred to as the "Property"), for the consideration and upon the terms and conditions of this Contract.

**B.** The Property will be conveyed to the Buyer at the Closing free and clear of all liens, claims, easements, right-of-way, restrictions, and encroachments except those encumbrances that either are not objected to or are objected to and not cured and that are subsequently waived pursuant to the Contract (the "Permitted Exceptions").

**ARTICLE II – THE PURCHASE PRICE**

**A. Amount of Purchase Price**

The purchase price for the Property shall be \_\_\_\_\_ (\$ \_\_\_\_\_)(the "Purchase Price"). The Purchase Price shall be adjusted at the Closing for any Closing costs and prorations.

**B. Payment of Purchase Price**

The Purchase Price shall be payable in all cash at the Closing.

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

## ARTICLE III – THE BUYER’S OBLIGATIONS

### A. Conditions to Buyer’s Obligations

The obligation of the Buyer hereunder to consummate the transaction contemplated hereby is subject to the satisfaction of each of the conditions provided in this Article (any of which may be waived in whole or in part by the Buyer at or prior to the Closing).

### B. Preliminary Title Commitment

Within twenty (20) days after the Effective Date, the City, at the City’s sole cost and expense, shall have caused: \_\_\_\_\_ Title Company, located at \_\_\_\_\_ (the “Title Company”) to issue a preliminary title commitment (the “Title Commitment”), accompanied by true, correct, and legible copies of all recorded documents relating to easements, rights-of-way, and any instruments referred to in the Title Commitment as constituting exceptions or restrictions upon the title of City (the “Title Documents”).

### C. Survey

If applicable, within sixty (60) days after the Effective Date, the Buyer shall have a current plat of survey (the “Survey”) of the Real Property prepared by a duly licensed Texas land surveyor, at the Buyer’s sole cost and expense, and delivered to the City and the Title Company. The Survey shall be in a form acceptable to the Title Company in order to allow the Title Company to delete the survey exception (except as to “shortages in area”) from the Owner’s Title Policy to be issued by the Title Company at Buyer’s option and expense. The Survey shall be staked on the ground, and the plat of the Survey shall show the legal description, boundary lines, and the location of all improvements, highways, streets, and roads (including the right-of-way and pavement widths of each), signal lights, median breaks, curb cuts, railroads, rivers, creeks, or other water courses, fences, flood plain as defined by the Federal Emergency Management Agency, easements, and rights-of-way on or adjacent to the Real Property and shall set forth the number of total of gross and net square feet comprising the Real Property.

### D. Review Period

The Buyer shall have ten (10) days (the “Review Period”) after the Buyer’s receipt of the later of the Survey, Title Commitment, and Title Documents to review same and to deliver in writing to the City such objections as the Buyer may have to anything contained therein (the “Objection Notice”). In the event the Buyer states that any of the Survey, Title Commitment, Title Documents, or any item therein contained, is not satisfactory, the Buyer may either: terminate this Contract and have the Escrow Deposit forthwith returned to the Buyer; or, conditionally accept title subject to the City’s removal of any matters contained in such Objection Notice within fifteen (15) days from receipt of the Objection Notice (the “Title Cure Period”), in which case the City may elect, at its sole option, to use commercially reasonable efforts to remove or insure over such objectionable matters, but shall have no duty or obligation to remove or insure over any of such objectionable matters, other than monetary liens and matters listed on Schedule C of the Title Commitment, which the City shall be obligated to pay, cure, or remove by the Closing. If the City cannot remove or insure over such matters before the expiration of the Title Cure Period, or if the City elects not to remove or insure over any of the Buyer’s objections, then at the Buyer’s election within five (5) days following the expiration of the Title Cure Period, the Buyer may terminate this Contract and have the Escrow Deposit forthwith returned to the Buyer. Failure by the Buyer to terminate this

Contract on or before five (5) days after the expiration of the Title Cure Period shall be deemed to be a waiver of all then uncured title objections. The Buyer hereby agrees that the lien for current taxes, and any items waived by the Buyer or not objected to timely by the Buyer shall hereinafter be deemed to be Permitted Exceptions, and the Buyer shall not be entitled to object to the status of title, the Survey, or avoid the Closing on account of any Permitted Exceptions.

#### **E. Feasibility Period**

The Buyer shall have thirty (30) days from the Effective Date within which to inspect the Property and determine if the same is suitable for the Buyer's intended use (the "Feasibility Period"). In the event the Buyer notifies the City in writing on or before five o'clock (5:00 p.m.) on the last day of the Feasibility Period that the Buyer disapproves or is dissatisfied in any way with the Property, such determination to be made in the Buyer's sole and absolute discretion, then this Contract shall terminate and all the Escrow Deposit heretofore delivered by the Buyer to the Title Company, save and except the sum of both one hundred dollars (\$100.00) (which shall be considered non-refundable option money (the "Option Fee")) and the cost of the Survey, shall be returned to the Buyer. In the event the Buyer fails to so notify the City in writing prior to the expiration of the Feasibility Period of the Buyer's election to terminate this Contract, this Contract shall continue in full force and effect. The City hereby grants to the Buyer during the Feasibility Period the right to enter upon the Property and conduct such tests as the Buyer deems necessary; provided that the Buyer shall indemnify, defend, and hold harmless the City from all claims, actions, or causes of action which might occur by virtue of the Buyer's entry upon or testing of the Property and provided further that the Buyer shall be responsible for all damages occasioned to the Property arising out of the Buyer's entry upon or testing of the Property. These obligations will survive the Closing or the cancelation or termination of this Contract. Notwithstanding the delivery to the Buyer or its agents by the City or any of its agents of any of the above described studies and tests, if any, the Buyer acknowledges that any information of any type which the Buyer has received or may receive from the City, or its agents, is furnished to the Buyer as a courtesy only and on the express condition that the Buyer shall make an independent verification of the accuracy of such information, all such information is being furnished without any representation or warranty by the City as to the truth, accuracy, or completeness of such information.

#### **F. Conditions to City's Obligations**

1. The City's obligation to close this transaction is subject to the satisfaction, in the City's reasonable discretion, or waiver by the City in writing, of the following conditions on and as of the Closing:
  - a. The Buyer's representations and warranties set forth in this Contract are true, complete, and correct, in all material respects; and,
  - b. The Buyer has fully performed all of its obligations to be performed by the Buyer, in all material respects.
2. If any of the foregoing conditions have not been satisfied or otherwise waived by the City in writing, on or before the Closing, the City may, in addition to any right or remedy otherwise available to the City, by written notice to the Buyer and the Title Company, cancel this Contract.

### **G. Deed Restriction**

The Special Warranty Deed conveying the Property to the Buyer at the Closing shall include certain restrictions and shall be intended to be a fee simple transfer of the Property subject to a reversion to the City if construction of a single-family residence is not commenced on the Property within one (1) year of the Closing (the “Deed Restriction”).

### **H. Other Conditions, Exceptions and Reservations to Sale**

1. The Buyer acknowledges that the Property is subject to zoning regulations, which may be changed from time to time. The Buyer agrees to develop the Property consistent with the existing zoning classification for the Property and the City’s other ordinances.
2. If the Buyer fails to commence construction of a single-family residence on the Property within one (1) year after the Closing, then the Property shall be subject to a reversion to the City. For the purposes of the reversion in this Contract and the special Warranty Deed, commencement of construction shall occur when the Buyer, the Buyer’s agent, the subsequent owner of the Property, or any authorized representative of the owner of the Property is granted all applicable permits to begin construction of a single-family residence on the Property.

## **ARTICLE IV – CLOSING**

**A.** The finalization of the transaction contemplated in this Contract shall be at the offices of the Title Company within thirty (30) days following the end of the Feasibility Period (the “Closing”).

**B.** At the Closing, the City shall:

1. Deliver to the Buyer a duly executed and acknowledged Special Warranty Deed, in the form substantially similar to the version attached hereto as “Exhibit B”, conveying good and indefeasible title in fee simple to the Property, free and clear of any and all liens, encumbrances, conditions, easements, assessments, and restrictions, except for the following:
  - a. General real estate taxes for the year of the Closing and subsequent years not yet due and payable;
  - b. The Deed Restrictions;
  - c. The Permitted Exceptions, in Contract or in writing;
  - d. A reversion if the construction of a single-family residence is not commenced on the Property within one (1) year of the Closing Date; and,
  - e. Any other exceptions approved by the Buyer pursuant to this Contract.
2. Deliver to the Buyer, at the City’s sole cost and expense, a Texas Owner’s Title Policy issued by the Title Company, in the Buyer’s favor in the full amount of the Purchase Price, insuring the Buyer’s fee simple title to the Property subject to reversion and to those title

exceptions listed in this Contract, with such other exceptions as may be approved in writing by the Buyer, and the standard printed exceptions contained in the usual form of Texas Owner's Title Policy containing a survey exception deletion, except as to shortages in area (such survey exception deletion to be at the Buyer's expense).

3. Deliver to Buyer and the Title Company such other documents as may be reasonably necessary or appropriate to transfer and convey the Property to the Buyer and to otherwise consummate this transaction in accordance with the terms of this Contract.

4. Deliver to the Buyer possession of the Property.

C. At the Closing, the Buyer shall:

1. Deliver to the City the Purchase Price by cashier's check, wire transfer, or otherwise in immediately available funds.

2. Deliver to the City a certified resolution of the manager(s), general partner, or officer of the Buyer (if an entity), which resolution will be in full force and effect, approving this transaction and designating the person or persons authorized to sign documents on behalf of the Buyer.

3. Deliver to the City and the Title Company such other documents as may be reasonably necessary or appropriate to consummate this transaction in accordance with the terms of this Contract.

D. All state, county, and municipal taxes and assessments, if any, for the then current year relating to the Property shall be prorated as of the Closing Date and shall be adjusted at the Closing, with the Buyer being charged for the same after such date. The Buyer acknowledges that the City is a public entity exempt from tax liability for the Property during the period of the City's ownership of the Property. In the event that the Buyer is a public entity, all state, county, and municipal taxes for the then current year relating to the Property shall be calculated as of the Closing Date and the City's share shall be collected by the Title Company at the Closing and remitted to the appropriate taxing jurisdictions in accordance with Section 26.11 of the Texas Tax Code. If there is any rollback tax liability for the Property, then the Buyer will be responsible for those taxes. However, if there is any rollback tax liability for the Property for any period of time prior to the Closing Date that is triggered by the actions of the City prior to the Closing Date, the City will assume the responsibility for those taxes. If either Party is a public entity or other entity exempt from such taxes, either Party, as applicable, does not hereby waive any exemption or other exception it, or the Property, may have from rollback taxes pursuant to Texas Tax Code §23.55(f) or other applicable law. The provisions of this Section shall survive the Closing.

**E. NOTICE REGARDING POSSIBLE LIABILITY FOR ADDITIONAL TAXES.** If for the current ad valorem tax year, the taxable value of the Property is determined by a special appraisal method that allows for appraisal of the Property at less than its market value, then the person to whom the Property is transferred may not be allowed to qualify the Property for that special appraisal in a subsequent tax year and the Property may then be appraised at its full market value. In addition, the transfer of the Property or a subsequent change in the use of the Property may

result in the imposition of an additional tax plus interest as a penalty for the transfer or the change in the use of the Property. The taxable value of the Property and the applicable method of appraisal for the current tax year is public information and may be obtained from the tax appraisal district established for the county in which the Property is located.

F. Each Party shall pay any attorney's and other professional fees incurred by such Party. All other costs and expenses of the Closing shall be borne and paid as provided in this Contract, or if this Contract is silent, as is provided in the most recent Texas Association of Realtors Commercial Contract-Unimproved Property.

#### **ARTICLE V – REAL ESTATE COMMISSIONS**

It is expressly understood and agreed that no broker has been involved in the negotiation or consummation of this Contract. The Parties hereby agree to indemnify, defend, and hold harmless each other from any and all claims for any commission(s), brokerage fees, or finder's fees brought by any person asserting a claim against either Party by reason of acts or omission of the indemnitor.

#### **ARTICLE VI – ESCROW DEPOSIT**

Within three (3) business days after the Effective Date, and for the purpose of securing the performance of the Buyer under the terms and provisions of this Contract, the Buyer shall deliver to the Title Company, a wire transfer, cashier's check, or other same-day certified funds, in the amount of one percent (1%) of the purchase price (the "Escrow Deposit") which shall apply toward the Purchase Price at the Closing. In the event the Buyer fails to timely deliver the Escrow Deposit to the Title Company, then this Contract shall automatically terminate and be of no further force or effect and the City shall be relieved from all liabilities or obligations hereunder. If the Buyer terminates this Contract pursuant to the applicable provisions of Article III or VII, then the Title Company shall immediately return the Escrow Deposit (less the Option Fee), together with interest accrued thereon, to the Buyer. Upon the expiration of the Feasibility Period, the Escrow Deposit shall become non-refundable, but shall be applicable to the Purchase Price at the Closing. The Parties hereby agree to indemnify and hold harmless the Title Company from and against all costs, expenses, claims, liabilities, or obligations incurred by the Title Company due to the release to the Buyer by the Title Company of the Escrow Deposit in such instance without the consent or authorization of the City.

#### **ARTICLE VII – REPRESENTATIONS**

A. As a material inducement to the Buyer to execute and perform its obligations under this Contract, the City hereby represents and warrants to the Buyer as of the Effective Date and through the Closing that the following is true to the current actual knowledge of the City, with no duty on the part of the City to investigate the same:

1. There are no actions, suits, or proceedings (including condemnation) pending or threatened against the Property, at law or in equity or before any federal, state, municipal, or other government agency or instrumentality, domestic or foreign, nor is the City aware of any facts which to its knowledge might result in any such action, suit, or proceeding. The City is not in

default with respect to any order or decree of any court of any governmental agency or instrumentality; and,

2. The City has good and indefeasible title to all of the Property, held subject to no lease, mortgage, pledge, lien, charge, security interest, encumbrance, or restriction whatsoever, except as disclosed to the Buyer in the Title Commitment or as otherwise disclosed in writing by the City to the Buyer, and the City is duly authorized to sell the Property; and

3. There are no parties in possession of any portion of the Property except as have been disclosed to the Buyer; and

**4. THE PROPERTY MAY CONTAIN ASBESTOS, ASBESTOS-CONTAINING MATERIALS, PCBS, LEAD PAINT, OR OTHER ENVIRONMENTALLY HAZARDOUS MATERIALS; THE BUYER AGREES TO ASSUME BY THIS CONTRACT ALL CURRENT AND FUTURE RESPONSIBILITIES, COSTS, ABATEMENTS, AND LIABILITIES OF ALL HAZARDOUS MATERIALS, AND SHALL BE REQUIRED TO COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND RULES REGARDING HAZARDOUS MATERIALS INCLUDING, BUT NOT LIMITED TO, THE TEXAS ASBESTOS HEALTH PROTECTION ACT; and**

**5. IT IS UNDERSTOOD AND AGREED THAT, EXCEPT FOR THE WARRANTY OF TITLE CONTAINED IN THE DEED AND EXCEPT AS EXPRESSLY SET FORTH IN THIS CONTRACT: THE PROPERTY IS SOLD BY THE CITY AND PURCHASED AND ACCEPTED BY THE BUYER ON AN "AS IS", "WHERE IS", AND, "WITH ALL FAULTS" BASIS, SUBJECT TO ANY CONDITION WHICH MAY EXIST, AND WITHOUT THE EXISTENCE OF AND WITHOUT RELIANCE UPON ANY REPRESENTATION, WARRANTY, AGREEMENT, OR STATEMENT BY THE CITY, OR ANYONE ACTING ON BEHALF OF THE CITY, INCLUDING, WITHOUT LIMITATION, ANY BROKER, ENGINEER, ARCHITECT, ATTORNEY, SURVEYOR, APPRAISER, OR ENVIRONMENTAL CONSULTANT; THE BUYER HAS OR WILL HAVE, PRIOR TO THE CLOSING, THOROUGHLY INSPECTED AND EXAMINED THE PROPERTY TO THE EXTENT DEEMED NECESSARY BY THE BUYER IN ORDER TO ENABLE THE BUYER TO EVALUATE THE PURCHASE OF THE PROPERTY ON THE FOREGOING BASIS; THE BUYER IS RELYING SOLELY UPON SUCH INSPECTIONS, EXAMINATION, AND EVALUATION OF THE PROPERTY BY THE BUYER IN PURCHASING THE PROPERTY ON AN "AS IS", "WHERE IS", AND, "WITH ALL FAULTS" BASIS, WITHOUT REPRESENTATION, WARRANTY, AGREEMENT, OR STATEMENT BY THE CITY OR ANYONE ACTING ON BEHALF OF THE CITY, EXPRESSED OR IMPLIED, OF ANY KIND OR NATURE, OTHER THAN THE WARRANTY OF TITLE CONTAINED IN THE DEED; AND, THE BUYER HEREBY ASSUMES THE RISK THAT ENVIRONMENTAL CONDITIONS (AS CONTEMPLATED HEREIN) MAY EXIST ON THE PROPERTY AND HEREBY RELEASES THE CITY OF AND FROM ANY AND ALL CLAIMS, ACTIONS, DEMANDS, RIGHTS, DAMAGES, COSTS, OR EXPENSES (COLLECTIVELY THE "ENVIRONMENTAL CLAIMS")**

**WHICH MIGHT ARISE OUT OF OR IN CONNECTION WITH THE ENVIRONMENTAL CONDITION OF THE PROPERTY. AS USED HEREIN, THE TERM “ENVIRONMENTAL CONDITION” SHALL MEAN ANY CONDITION WITH RESPECT TO THE PROPERTY WHICH COULD OR DOES RESULT IN ANY ENVIRONMENTAL CLAIM AGAINST THE OWNER OF THE PROPERTY BY ANY THIRD PARTY (INCLUDING ANY GOVERNMENTAL ENTITY) UNDER (1) THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT, 42 U.S.C. § 9601 ET SEQ., (2) THE RESOURCE CONSERVATION AND RECOVERY ACT, 42 U.S.C. § 6901 ET SEQ., (3) THE FEDERAL WATER POLLUTION CONTROL ACT, 33 U.S.C. § 2601 ET SEQ., (4) THE OIL POLLUTION ACT, 33 U.S.C. § 2701 ET SEQ., (5) THE TOXIC SUBSTANCES CONTROL ACT, 15 U.S.C. § 2601 ET SEQ., (6) THE CLEAN WATER ACT, 33 U.S.C. § 1251 ET SEQ., (7) THE CLEAN AIR ACT, 42 U.S.C. § 7401 ET SEQ., (8) THE HAZARDOUS MATERIALS TRANSPORTATION ACT, 49 U.S.C. § 1801 ET SEQ., (9) THE OCCUPATIONAL SAFETY AND HEALTH ACT, 29 U.S.C. § 651 ET SEQ., (10) THE TEXAS SOLID WASTE DISPOSAL ACT, TEX. HEALTH & SAFETY CODE ANN. §361, ET SEQ., AND/OR (11) SIMILAR STATE AND LOCAL LAWS, NOW OR HEREAFTER EXISTING, ALL AS AMENDED FROM TIME TO TIME, AND ALL REGULATIONS, RULES AND GUIDANCE ISSUED PURSUANT THERETO, INCLUDING, WITHOUT LIMITATION, ANY CONDITION RESULTING FROM OPERATIONS CONDUCTED ON THE PROPERTY OR ON PROPERTY ADJACENT THERETO. THE CITY SHALL NOT HAVE (AND BUYER WAIVES) ANY OBLIGATION TO DISCLOSE FACTS REGARDING THE PROPERTY (INCLUDING, WITHOUT LIMITATION, ANY ENVIRONMENTAL CONDITION AFFECTING THE PROPERTY), REGARDLESS OF WHETHER SUCH FACTS ARE DISCOVERABLE BY THE BUYER. THE PROVISIONS OF THIS PARAGRAPH SHALL SURVIVE THE CLOSING OR ANY TERMINATION HEREOF AND SHALL BE CONTAINED IN THE DEED.**

**B.** As a material inducement to the City to execute and perform its obligations under this Contract, the Buyer hereby represents and warrants to the City as of the Effective Date and as of the date of the Closing as follows:

- 1.** The Buyer has all the requisite power and authority to enter into, deliver, and perform this Contract; and
- 2.** No consent or approval of any other person or entity is required in order for this Contract to be legal, valid, and binding upon the Buyer; and
- 3.** The execution and delivery of this Contract and the consummation of this transaction shall not constitute a violation, breach, or default by the Buyer of any term or provision of any other instrument of which the Buyer is a party or to which the Buyer may be subject; and
- 4.** To the Buyer’s current actual knowledge, there are no actions, suits, or proceedings pending or threatened against the Buyer, at law or in equity or before any federal, state, municipal, or other government agency or instrumentality, domestic or foreign, and Buyer has received no



written notice of same; and

5. The Buyer is not the subject of any bankruptcy, reorganization or insolvency proceeding; and

6. The Buyer acknowledges that the transaction contemplated in this Contract is subject to a reversion to the City if the construction of a single-family residence is not commenced within one (1) year of the Closing.

C. All statements in this Article expressly shall survive the Closing for a period of one (1) year from the Closing and the representing Party shall indemnify and hold the other Party harmless from any breach of such statements.

#### **ARTICLE VIII – BREACH BY THE CITY**

If the City fails to fully and timely perform any of its obligations hereunder or fails to consummate the sale of the Property for any reason, except for the Buyer's default, then the Buyer may, as its sole and exclusive remedy, either: obtain the return of the Escrow Deposit (less the Option Fee) as liquidated damages; or, pursue specific performance.

#### **ARTICLE IX – BREACH BY THE BUYER**

If the Buyer fails to fully and timely perform any of its obligations hereunder or fails to consummate the purchase of the Property, then the City may, as its sole and exclusive remedy, either: pursue specific performance; or, receive the Escrow Deposit.

#### **ARTICLE X – CONDEMNATION**

If all or any material portion of the Property is condemned (or sold and conveyed in lieu of condemnation) after the expiration of the Review Period and prior to the Closing, the Buyer may, at its election, terminate this Contract, whereupon the Escrow Deposit, less the Option Fee, will be returned to the Buyer.

#### **ARTICLE XI – TAX-FREE EXCHANGE**

The City shall reasonably cooperate with the Buyer to allow the Buyer to obtain the Property as part of a tax-free exchange, provided, however, that the Buyer acknowledges that the Buyer shall be solely responsible for determining its ability to complete this transaction as part of a tax-free exchange, and the City makes no representation to the Buyer regarding its ability to accommodate any such exchange. In no event shall the City be obligated to incur any cost or liability in connection with such exchange, and the Closing shall not be delayed or extended in order to accommodate any such exchange.

## ARTICLE XII – MISCELLANEOUS

### A. Survival of Covenants

Any of the representations, warranties, covenants, or agreements of the Parties, as well as any rights and benefits of the Parties, shall survive the Closing for a period of one (1) year from the Closing and shall not be merged therein.

### B. Notice

All notices required or permitted by the terms hereof shall be given by hand delivery, or by sender-paid Federal Express or other national overnight delivery service, or by facsimile, at the following addresses or at such other address as either Party hereto shall in writing advise the other. All notices shall be deemed given as of the time of hand delivery or the time such are either faxed or deposited with Federal Express or another national overnight delivery service for transmittal as aforesaid.

#### For the City:

*City of Jersey Village  
Attn: City Manager  
16327 Lakeview Drive  
Jersey Village, Texas 77040*

#### For the Buyer:

### C. Texas Law to Apply

This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Harris County, Texas, with any disputes arising hereunder being subject to the exclusive jurisdiction and venue of the State or Federal courts in and for Harris County, Texas.

### D. Parties Bound

This Contract shall be binding upon and inure to the benefit of the Parties and their respective heirs, executors, administrators, legal representatives, successors, and assigns where permitted by this Contract.

### E. Nondisclosure

Except as and to the extent required by law or as required by the Buyer to purchase the Property, the Parties will not, and each will direct its representatives not to make, directly or indirectly, any public comment, statement, or communication with respect to, or otherwise to disclose or to permit the disclosure of any of the terms, conditions, or other aspects of the sale and purchase of the Property or any other transaction contemplated herein, except to each Party's respective employees, attorneys, accountants, consultant, and other advisors.

### F. Legal Construction

In case any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

### G. Integration

This Contract constitutes the sole and only agreement of the Parties and supersedes any prior

understanding or written or oral agreements between the Parties respecting the within subject matter. This Contract cannot be modified or changed except by the written consent of the Parties.

**H. Time of Essence**

Time is of the essence of this Contract.

**I. Attorneys' Fees**

Either Party which prevails in any legal proceeding against the other Party brought under or with relation to this Contract or transaction shall be additionally entitled to recover court costs and reasonable attorneys' fees from the non-prevailing Party.

**J. Gender and Number**

Words of any gender used in this Contract shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise.

**K. Compliance**

In accordance with the requirements of Section 28 of the Texas Real Estate License Act, the Buyer is hereby advised that it should be furnished with or obtain a policy of title insurance.

**L. Effective Date of Contract**

The term "Effective Date" means the date on which both Parties have executed this Contract.

**M. Counterparts/Facsimile**

This Contract may be executed by original or facsimile signatures in multiple counterparts, each of which shall constitute an original and together constitute one and the same instrument.

**N. Assignment**

Other than an assignment of this Contract to an entity owned or controlled by the Buyer, this Contract may not be assigned by the Buyer without the prior written consent of the City, which consent may be withheld in the sole and absolute discretion of the City, and any attempted assignment by the Buyer shall be null and void and shall constitute a breach by the Buyer. Under no circumstances shall a permitted assignment by the Buyer become effective until each of the following conditions have been satisfied: the Buyer's Review Period has expired; all of the Buyer's conditions to the Closing have been satisfied or waived; and, all assignees shall have assumed in writing, in form satisfactory to the City, all of the Buyer's obligations under this Contract. No assignment shall relieve the Buyer from any of its obligations or any liability under this Contract. No permitted assignment by the Buyer shall be effective until the City has been provided with written notice thereof, nor shall any assignment be effective until the Closing and unless this transaction closes.

**O. IRS Reporting at Closing**

The Title Company agrees to be the designated "reporting person" under 6045(e) of the U.S. Internal Revenue Code with respect to the real estate transaction described in this Contract and to prepare, file, and deliver such information, returns, and statements as the U.S. Treasury Department may require by regulations or forms in connection therewith, including Form 1099-B.

**P. Public Information**

This Contract and all information associated with this Contract is public information. The Buyer acknowledges that the City is obligated to release to the public all records that are subject to the Texas Public Information Act.

**Q. Further Documentation**

Each Party agrees in good faith to execute such further or additional documents as may be reasonably necessary or appropriate to fully carry out the intent and purpose of this Contract.

**R. City's Remedies**

The City reserves the right to exercise any right or remedy available to it by law, contract, equity, or otherwise, including without limitation, the right to seek any and all forms of relief in a court of competent jurisdiction. Further, the City shall not be subject to any arbitration process prior to exercising its unrestricted right to seek judicial remedy. The remedies set forth herein are cumulative and not exclusive, and may be exercised concurrently. To the extent of any conflict between this provision and another provision in, or related to, this Contract, the former shall control.

**S. No Third-Party Beneficiaries**

This Contract is entered solely by and between, and may be enforced only by and among, the Parties. Except as may be set forth above, this Contract shall not be deemed to create any rights in or obligations to any third parties. This Contract is not intended, and shall not be construed, to create any joint enterprise between or among the Parties.

**T. No Personal Liability on City Employees**

Nothing in this Contract is construed as creating any personal liability on the part of any employee, officer, or agent of any public body that may be a party to this Contract.

**U. Israel**

The Parties warrant that each complies with Chapter 2270, Subtitle F, Title 10 of the Texas Government Code by verifying that: (1) Neither Party boycotts Israel; and, that (2) Neither Party will boycott Israel during the Term.

**V. Governmental Immunities**

**EACH PARTY EXPRESSLY ACKNOWLEDGES AND AGREES THAT NO PROVISION OF THIS LICENSE IS IN ANY WAY INTENDED TO CONSTITUTE A WAIVER BY A PARTY OF ITS IMMUNITIES FROM SUIT OR LIABILITY THAT IT MAY HAVE BY OPERATION OF LAW. THE CITY RETAINS ALL OF ITS GOVERNMENTAL IMMUNITIES.**

*[SIGNATURES, ACKNOWLEDGEMENTS, AND EXHIBITS ON FOLLOWING PAGES]*

THE PARTIES HEREBY AFFIRM THE ABOVE-EXPRESSED PROMISES, AND THE PARTIES  
ENTER INTO THIS CONTRACT ON \_\_\_\_\_, 202\_.

SIGNATURES

FOR THE CITY:

FOR THE BUYER:

\_\_\_\_\_  
AUSTIN BLEESS, CITY MANAGER

\_\_\_\_\_  
Buyer's Name (Signature)

ATTEST:

\_\_\_\_\_  
Lorri Coody, City Secretary

\_\_\_\_\_  
Buyer's Name (Printed)

DRAFT

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**ACKNOWLEDGEMENTS**

**For the City**

**State of Texas** §  
**County of Harris** §

This instrument was executed before me on \_\_\_\_\_ 2022, by \_\_\_\_\_,  
DATE NAME  
\_\_\_\_\_ of the City of Jersey Village, a Texas municipal corporation, on behalf of  
TITLE  
said corporation.

[SEAL]

\_\_\_\_\_  
**Notary Public in and for the State of Texas**

**For the Buyer**

**State of** \_\_\_\_\_ §  
**County of** \_\_\_\_\_ §

This instrument was executed before me on \_\_\_\_\_ 2022, by \_\_\_\_\_,  
DATE NAME  
\_\_\_\_\_ of \_\_\_\_\_, a State of \_\_\_\_\_,  
TITLE ORGANIZATION NAME STATE ORGANIZATION TYPE  
on behalf of said organization.

[SEAL]

\_\_\_\_\_  
**Notary Public in and for the State of** \_\_\_\_\_

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**TITLE COMPANY'S AGREEMENT AND RECEIPT**

Title Company has executed this Agreement in order to agree that Title Company shall act as escrow agent with respect to and hold in escrow the Earnest Money and the interest earned thereon and shall disburse the Earnest Money and the interest earned thereon, pursuant to this Agreement.

\_\_\_\_\_  
Name [Signature]

\_\_\_\_\_  
Name [Printed]

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**DRAFT**

**EXHIBITS**

<b><u>Exhibit</u></b>	<b><u>Title</u></b>
<b>A</b>	<b>Legal Description of the Property</b>
<b>B</b>	<b>Special Warranty Deed</b>
<b>C</b>	<b>Assignment of Service Contracts and Personal Property</b>

**DRAFT**



**EXHIBIT A: LEGAL DESCRIPTION OF THE PROPERTY**

**DRAFT**

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**

**EXHIBIT B: SPECIAL WARRANTY DEED**

**YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER’S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

STATE OF TEXAS §

§

**KNOW ALL MEN BY THESE PRESENTS THAT:**

COUNTY OF HARRIS §

**THAT** the City of Jersey Village, a State of Texas home rule municipal corporation (the “**Grantor**”), for and in consideration of the sum of TEN AND NO/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by \_\_\_\_\_ (the “**Grantee**”), the receipt and sufficiency of which are hereby acknowledged, has **GRANTED, SOLD, AND CONVEYED** and by these presents does hereby **GRANT, SELL, AND CONVEY** unto Grantee that certain real property situated in Harris County, Texas and more particularly described on **Exhibit A** attached hereto and made a part hereof for all purposes (the “**Land**”), together with: (i) all and singular the rights, benefits, privileges, easements, tenements, hereditaments, and appurtenances therein or in anywise appertaining to the Land; (ii) all right, title, and interest to all minerals, oil, gas, and other hydrocarbon substances thereon or thereunder; (iii) all air, water, riparian, and solar rights related thereto; and, (iv) all right, title, and interest of Seller in and to all strips and gores and any land lying in the bed of any street, road, or alley, open or proposed, adjoining the Land (the Land, together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (iv) above are herein collectively referred to as the “**Property**”).

**TO HAVE AND TO HOLD** the Property, **AS IS, WHERE IS,** and **WITH ALL FAULTS,** together with all and singular the rights and appurtenances thereto in any wise belonging, unto Grantee, its successors and assigns forever, subject to the matters described on **Exhibit B** attached hereto (collectively, the “**Permitted Exceptions**”) and Grantor does hereby bind itself, its successors and assigns, to **WARRANT AND FOREVER DEFEND** all and singular the Property, subject to the Permitted Exceptions, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor, but not otherwise.

The grant, sale, and conveyance of this Special Warranty Deed is subject to the following, among other restrictions and exceptions that might otherwise be binding on the Property: Within one (1) year of the date of execution of this Special Warranty Deed, the construction of a single-family residential home on the Property must be commenced, or the Property will be subject to reversion to the Grantor.

All ad valorem taxes and assessments for the Property for the year in which this Deed is executed have been prorated by the parties hereto and Grantee hereby expressly assumes liability for the

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

payment thereof. If such proration was based upon an estimate of such taxes and assessments for such year, then upon demand the parties hereto shall promptly and equitably adjust all such taxes and assessments as soon as actual figures for the Property for such year are available.

**EXECUTED** to be effective for all purposes as of the \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Name [Signature]

\_\_\_\_\_  
Name [Printed]

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**STATE OF TEXAS**       §  
  §  
**COUNTY OF HARRIS**   §

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2022,  
by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_, on behalf of  
said \_\_\_\_\_.

[S E A L]

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Printed Name of Notary

My Commission Expires: \_\_\_\_\_

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**EXHIBIT C: ASSIGNMENT OF SERVICE CONTRACTS AND PERSONAL PROPERTY**

**ASSIGNMENT OF SERVICE CONTRACTS AND PERSONAL PROPERTY**

This Assignment of Service Contracts and Personal Property (this “**Assignment**”) is executed to be effective as of \_\_\_\_\_, 2022 (the “**Effective Date**”) and delivered pursuant to that certain Agreement of Purchase and Sale (the “**Agreement**”) dated \_\_\_\_\_, 2022 by and between City of Jersey Village, a State of Texas home rule municipal corporation (the “**Seller**”) and \_\_\_\_\_ (the “**Purchaser**”) covering the real property described in **Exhibit A** attached hereto (the “**Real Property**”).

**1. Assignment and Assumption.** For good and valuable consideration Seller hereby assigns, transfers, sets over, and conveys to the Purchaser, and the Purchaser hereby accepts the following (collectively, the “**Assigned Property**”):

**Intangible Property.** All intangible personal property related to the Real Property, including, without limitation: (i) all trade names and trademarks associated with the Real Property including Seller’s rights and interests in the name of the Real Property; (ii) warranties, contract rights related to the construction, operation, ownership, or management of the Real Property (but excluding Seller’s obligations thereunder); (iii) governmental permits, approvals and licenses (to the extent assignable); and, (iv) telephone exchange numbers (to the extent assignable); and

**Service Contracts.** The management, service, supply, equipment rental, and other contracts related to the Real Property (the “**Service Contracts**”) described in **Exhibit B** attached hereto.

**2. Indemnification.** PURCHASER SHALL INDEMNIFY SELLER FROM AND AGAINST ANY LIABILITY FOR NONPERFORMANCE AND NONPAYMENT OF, ITS OBLIGATIONS AND LIABILITIES UNDER ANY APPLICABLE SERVICE CONTRACTS THAT ARE ASSUMED BY PURCHASER UP TO AND INCLUDING THE EFFECTIVE DATE, AND PURCHASER AGREES TO PERFORM SELLER’S OBLIGATIONS UNDER SUCH SERVICE CONTRACTS ACCRUING AFTER THE EFFECTIVE DATE.

**3. Warranty.** Seller hereby represents and warrants to Purchaser that it is the owner of the Assigned Property, that the Assigned Property is free and clear of all liens, charges, and encumbrances other than the Permitted Exceptions (as defined in the Agreement), and Seller warrants and defends title to the Assigned Property unto Purchaser, its successors and assigns, against any person or entity claiming, or to claim, the same or any part thereof, subject only to the Permitted Exceptions.

**4. Counterparts.** This Assignment may be executed in multiple counterparts, each of which shall constitute an original and all of which when taken together shall constitute one (1) instrument.

CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023

**5. Further Assurances.** On or after the Effective Date, Seller and Purchaser will each take all appropriate and commercially reasonable actions and execute (or cause to be executed) all documents, instruments, or conveyances of any kind which are reasonably necessary to carry out any of the provisions hereof.

**IN WITNESS WHEREOF**, the undersigned have caused this Assignment to be executed as of the Effective Date.

**FOR THE PURCHASER:**

**FOR THE SELLER:**

\_\_\_\_\_  
Name [Signature]

\_\_\_\_\_  
Austin Bleess, City Manager

\_\_\_\_\_  
Name [Printed]

\_\_\_\_\_  
Date

\_\_\_\_\_  
Position

**ATTEST:**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lorri Coody, City Secretary

**DRAFT**

**CITY COUNCIL REGULAR SESSION MEETING PACKET FOR THE MEETING TO BE HELD ON MAY 17, 2023**