

## NOTICE OF JOINT PUBLIC HEARING

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 a joint public hearing at 6:00 p.m., Monday, July 19, 2021, at the Civic Center Auditorium, 16327 Lakeview, Jersey Village, Texas, for the purpose of receiving oral comments from any interested person(s) concerning the proposal to amend Chapter 14, Article IV, Section 14-105(a)(21) by adding a new Subsection (e) to include “massage establishment” as a specific use regulation in District F; and to amend Section 14-5 by adding definitions for “massage establishment” and “massage therapy.”

A copy of the Planning and Zoning Commission’s Preliminary Report concerning the proposed ordinance changes, which are the subject of this public hearing, 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).

The City of Jersey Village public facilities are wheelchair accessible and accessible parking spaces are available. Requests for accommodations 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

Post Date: June 30, 2021

Time: 1:00 p.m.



## CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION PRELIMINARY REPORT – DISTRICT F - MASSAGE ESTABLISHMENT

The Planning and Zoning Commission has met on April 28, 2021, June 2, 2021, and June 14, 2021 in order to review the zoning ordinances as they relate to amending the Jersey Village Code of Ordinances, Chapter 14, Article IV, Section 14-105(a)(21) by adding a new Subsection (e) to include “massage establishment” as a specific use regulation in District F; and amending Section 14-5 by adding definitions for “massage establishment” and “massage therapy.”

After review and discussion, the Commissioners preliminarily proposed that the Code of Ordinances of the City of Jersey Village, Texas, should be amended by adding a new subsection (e) to Section 14-105(a)(21), so that Section 14-105 (a)(21) shall read as follows:

“(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.”

The Commission also preliminarily proposed that the Code of Ordinances of the City of Jersey Village, Texas, should be amended by adding the following definitions to Section 14-5, with such definitions being placed alphabetically within the existing list of definitions of Section 14-5, so that the definitions shall read as follows:

“*Massage establishment* means a structure in which massage therapy is advertised for, provided, supported, or allowed. A massage establishment shall be licensed under Chapter 455 of the Texas Occupations Code. 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 Chapter 455 of the Texas Occupations Code. 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 Chapter, 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.”

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 14th day of June 2021.

**ATTEST:**

s/Rick Faircloth, Chairman

s/Lorri Coody, City Secretary



**EXHIBIT A**

**TO THE**

**PLANNING AND ZONING**

**COMMISSION'S**

**PRELIMINARY REPORT**

**JUNE 14, 2021**

Amend Section 14-105(a)(21) by adding a new Subsection (e) and adding the necessary definitions to Section 14-5.

**ORDINANCE NO. 2021-xx**

**AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, BY AMENDING CHAPTER 14, ARTICLE I, SECTION 14-5 BY ADDING DEFINITIONS FOR “MASSAGE ESTABLISHMENT” AND “MASSAGE THERAPY”; AMENDING CHAPTER 14, ARTICLE IV, SECTION 14-105(A)(21) BY ADDING A NEW SUBSECTION (e) TO INCLUDE “MASSAGE ESTABLISHMENT” AS A USE ALLOWED IN ZONING DISTRICT F THROUGH A SPECIFIC USE PERMIT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND, PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1. THAT** the Code of Ordinances of the City of Jersey Village, Texas, is hereby amended by adding definitions for “massage establishment” and “massage therapy” to Section 14-5, with such definitions being placed alphabetically within the existing list of definitions of Section 14-5, so that the definitions shall read as follows:

*“Massage establishment means a structure in which massage therapy is advertised for, provided, supported, or allowed. A massage establishment shall be licensed under Chapter 455 of the Texas Occupations Code. 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 Chapter 455 of the Texas Occupations Code. 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 Chapter, 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.”*

**SECTION 2. THAT** the Code of Ordinances of the City of Jersey Village, Texas, is hereby amended by adding a new subsection (e) to Section 14-105(a)(21), so that Section 14-105 (a)(21) shall read as follows:

“(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.”

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

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

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

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

**PASSED, APPROVED, AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

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**BOBBY WARREN, MAYOR**

**ATTEST:**

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**Lorri Coody, City Secretary**

