

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 Bleess, City Manager
Lorri Coody, City Secretary
Justin Pruitt, City Attorney

Jersey Village City Council – Special Session

Notice is hereby given of a Special Session Meeting of the City Council of the City of Jersey Village to be held on Thursday, October 27, 2022, at 6:00 p.m. in 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.

ITEM(S) to be discussed and acted upon by the Council at this meeting is/are listed on the attached agenda.

AGENDA

A. OPEN MEETING

B. 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. *Bobby Warren, Mayor*

C. SPECIAL SESSION ITEM

1. Consider Ordinance No. 2022-40, 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 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 and prescribing the notice requirements for a public hearing. *Austin Bleess, City Manager*

D. RECESS THE SPECIAL SESSION

Recess 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 and Sections 551.072 – Deliberations about Real Property.

E. EXECUTIVE SESSION

1. Pursuant to the Texas Open Meeting Act Section 551.087 Deliberation Regarding Economic Development Negotiations and Section 551.072 Deliberations about Real

Property 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 Bless, City Manager*

F. ADJOURN EXECUTIVE SESSION

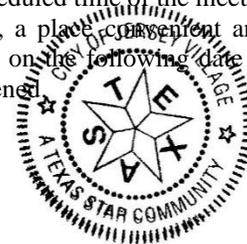
Adjourn the Executive Session, stating the date and time the Executive Session ended and Reconvene the Special Session.

G. RECONVENE SPECIAL SESSION

H. ADJOURN

CERTIFICATION

I, the undersigned authority, do hereby certify in accordance with the Texas Open Meeting Act, this Revised 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 Revised Notice was posted on the following date and time: October 24, 2022 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 accommodations 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.jerseyvillagetx.com.

"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."

SPECIAL SESSION CITY COUNCIL MEETING PACKET FOR OCTOBER 27, 2022

B. 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.

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

AGENDA DATE: October 27, 2022

AGENDA ITEM: C1

AGENDA SUBJECT: Consider Ordinance No. 2022-40, 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 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 and prescribing the notice requirements for a public hearing.

Department/Prepared By: Lorri Coody, City Secretary **Date Submitted:** October 24, 2022

EXHIBITS: Ordinance 2022-40
Exhibit A - Planning and Zoning Commission’s Preliminary Report

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, it is necessary to make amendments to certain definitions in Chapter 14, Article I, Section 14-5.

The presented changes simply remove the word “primary” or “primarily”. This change keeps with the intent of what the goal was when originally drafted, which is to allow or not allow, as the case may be, certain businesses in certain areas of the city in order to assist in achieving the goals laid out in the Comprehensive Plan.

This item is to receive the Planning and Zoning Commission’s preliminary report and call a joint public hearing for November 21, 2022.

RECOMMENDED P&Z ACTION:

MOTION: To approve Ordinance No. 2022-40, 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 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 and prescribing the notice requirements for a public hearing.

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ORDINANCE NO. 2022-40

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 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 AND PRESCRIBING THE NOTICE REQUIREMENTS FOR A PUBLIC HEARING.

WHEREAS, 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;" and

WHEREAS, to that end, it is necessary to make amendments to certain definitions in Chapter 14, Article I, Section 14-5; and

WHEREAS, as a result of these discussions, the Planning and Zoning Commission submits its preliminarily report to City Council, and asks that it be received; and

WHEREAS, Chapter 211.006(c) of the Texas Local Government Code allows home rule municipalities to prescribe, by a two-thirds vote, the type of notice to be given, and the time and place of the public hearing required, to establish zoning regulations; and

WHEREAS, the City Council desires to call a joint public hearing with the Commission on 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 and desires to provide for specific notice requirements in connection with the joint public hearing; **NOW THEREFORE**,

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

SECTION 1. THAT, The City Council hereby finds and determines that the statements set forth in the preamble of this Ordinance are true and correct and are incorporated herein for all purposes.

SECTION 2. THAT, the Planning and Zoning Commission's Preliminary Report as it relates to 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, is hereby received. The complete and correct copy of the Preliminary Report is attached hereto as "Exhibit A" and is fully incorporated herein for all purposes.

SECTION 3. THAT, the City Council and the Planning and Zoning Commission of the City of Jersey Village, Texas will conduct a Joint Public Hearing at 7:00 p.m., November 21, 2022, on the proposal to amend the Jersey Village Code of Ordinances at Chapter 14 "Building and

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Development”, Article I “General”, Section 14-5 “Definitions” by amending definitions for certain uses.

SECTION 4. THAT, the City Secretary be, and she is hereby, directed to give notice of such public hearing by publishing notice in the Houston Chronicle, Cypress Creek Mirror Neighborhood newspaper, a newspaper of general circulation in the City, before the 15th day before the date of the hearing and to post a copy of the Notice on the City’s website and at City Hall.

SECTION 5. THAT, this Ordinance shall be in full force and effect upon the date of its passage by the Council.

PASSED AND APPROVED BY A 2/3 MAJORITY OF THE CITY COUNCIL ON THIS 27th DAY OF OCTOBER 2022.

Bobby Warren, Mayor

ATTEST:

Lorri Coody, City Secretary



EXHIBIT A

PLANNING AND ZONING COMMISSION'S
PRELIMINARY REPORT – OCTOBER 24, 2022
SECTION 14-5 AMENDMENTS



**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION
PRELIMINARY REPORT
SECTION 14-5 DEFINITION AMENDMENTS**

The Planning and Zoning Commission has met on October 24, 2022, in order to review amendments to 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; and, if appropriate, prepare for presentation to Council a Preliminary Report in connection with any recommendations.

After review and discussion, the Commissioners preliminarily proposed that the Code of Ordinances of the City of Jersey Village, Texas, be amended to reflect amendments to Chapter 14, Article IV, Sections 14-5 definitions concerning certain uses.

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 24th day of October 2022.

s/Rick Faircloth, Chairman



ATTEST:

s/Lorri Coody, City Secretary

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Exhibit A

Proposed Ordinance

ORDINANCE NO. 2022-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”, ARTICLE I “GENERAL”, SECTION 14-5 “DEFINITIONS” BY AMENDING DEFINITIONS FOR CERTAIN USES; 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 City’s Planning & Zoning Commission (the “Commission”) has issued its report and has recommended amendments to the Code to modify definitions for certain uses in Chapter 14 of the Code; and

WHEREAS, the Commission and the Council have conducted, in the time and manner required by law, a joint 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 Chapter 14 “Building and Development”, Article I “General”, Section 14-5 “Definitions,” of the Code of Ordinances of the City of Jersey Village, Texas is hereby amended to read as follows (with added language being shown as underlined in bold and deleted language being shown as struck through, and with such amended language to be included in the appropriate alphabetical order within the existing portion of Section 14-5):

“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.”

“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.”

“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.”

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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 ADOPTED this ___ day of _____, 2022.

Bobby Warren, Mayor

ATTEST:

Lorri Coody, City Secretary



D. RECESS THE SPECIAL SESSION

Recess 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 and Sections 551.072 – Deliberations about Real Property.

E. EXECUTIVE SESSION

1. Pursuant to the Texas Open Meeting Act Section 551.087 Deliberation Regarding Economic Development Negotiations and Section 551.072 Deliberations about Real Property 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 Bless, City Manager*

F. ADJOURN EXECUTIVE SESSION

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