

## NOTICE OF PUBLIC HEARING

**A Public Hearing** is scheduled before **the River Oaks Planning and Zoning Commission** on **Monday, December 6, 2021 at 7:00 P.M.** and a **second Public Hearing** before the **River Oaks City Council** on **Tuesday, December 7, 2021 at 7:00 P.M.** in the City Council Chambers located at 4900 River Oaks Blvd., River Oaks, Texas in order to receive comment and testimony on the proposed text amendments to the Comprehensive Zoning Ordinance # 1286-2020, as amended (Case PZ 2021-0012), as herein provided:

1. Amend Article 14.03 "Zoning and Sign Ordinances" of the River Oaks Code of Ordinances (2020) by revising Article 14.03 (a) "Zoning Ordinance" amending Section 14.03.001 "Adopted" Exhibit A "Zoning Ordinance" specifically in Section 14 "C-1" Commercial District - (Neighborhood Retail)" under Section 14.B "Use Regulations" amending use regulations by removing the following as being a permitted use in a C-1 Commercial Zoning District:

- **Remove** # 8 "Cigar and tobacco Stores" (including retail establishments primarily selling Vape or Vaping devices); and
- **Remove** # 32 "Massage Establishment".

2. Amend Article 14.03 "Zoning and Sign Ordinances" of the River Oaks Code of Ordinances (2020) by revising Article 14.03 (a) "Zoning Ordinance" amending Section 14.03.001 "Adopted" Exhibit A "Zoning Ordinance" specifically in Section 14 "C-1" Commercial District - (Neighborhood Retail)" under Section 14.B "Use Regulations" by incorporating at the end of Section 14.B the following:

*"The term shall also include uses or businesses which, in the opinion of the Zoning Administrator, is substantial similar to any of the above-listed uses or businesses, even if the use or business does not expressly fall within the definition from the City's Zoning Ordinance. If a use or business is new or unlisted in the City's Zoning Ordinance it is presumed to be a commercial use under this Ordinance until otherwise classified as provided in Chapter 14, Exhibit A, Zoning Ordinance."*

3. Amend Article 14.03 "Zoning and Sign Ordinances" of the River Oaks Code of Ordinances (2020) by revising Article 14.03 (a) "Zoning Ordinance" amending Section 14.03.001 "Adopted" Exhibit A "Zoning Ordinance" specifically in Section 15 "C-2" Commercial District" under Section 15.B "Use Regulations" amending the use regulations by removing or revising permitted uses in a C-2 Commercial Zoning District as follows:

- **Remove** #3 Automobile laundry (carwash) and steam cleaning subject to the following restrictions:
  - a. All automobile laundry and steam cleaning uses shall be completely within a building having not less than two sides;
  - b. Vacuuming facilities may be outside the building, but shall not be in the front yard and shall not be closer than 25 feet from single-family residential districts;
  - c. The building surfaces shall be faced with masonry, porcelainized steel, baked enamel steel or other material equal in durability and appearance;
  - d. The building shall not be less than 100 feet from single-family residential districts;
  - e. The building set back shall be not less than 30 feet from the property line; and
  - f. Any lights used to illuminate the area shall be directed away from adjacent residential properties
- **Amend** #6 to read: Cleaning, dyeing and pressing works except that laundry and washeterias are not permitted
- **Amend** #11 to read: Financial Institutions except that predatory lending businesses including check cashing businesses, payday advance/loan businesses, car title loan businesses

and automated teller machines not associated with a primary use on the property **are not permitted** (excluding state or federally chartered banks, savings and loan associations or credit unions);

- **Remove** #13 Garages, Storage Only
  - **Remove** #14 Garages, public, for repairs or storage facilities for automobiles provided:
    - a. such facilities and activities are maintained within a building;
    - b. painting or body or fender repairs shall be conducted in accordance with all applicable federal, state, and local laws and ordinances; and
    - c. no bay door or overhead door shall face any residential district when located less than 100 feet from the residential district.
  - **Amend** #27 to read as follows: Fuel dispensing Gas stations, convenience stores with fuel dispensing pumps, if the following conditions are met:
    - a. No fender or body repairs are permitted;
    - b. Not approved for a full-service automotive repair station.
    - c. No Retail Tire Shops are permitted.
    - d. Lubricants & parts storage shall be within the building; no outside storage of parts is permitted.
  - **Remove** #32 Body Piercing Studio
  - **Remove** #33 Tattoo Studio
4. Amend Article 14.03 "Zoning and Sign Ordinances" of the River Oaks Code of Ordinances (2020) by revising Article 14.03 (a) "Zoning Ordinance" amending Section 14.03.001 "Adopted" Exhibit A "Zoning Ordinance" specifically in Section 15 "C-2" Commercial District" under Section 15.B "Use Regulations" by incorporating at the end of Section 15.B the following:
- "The term shall also include uses or businesses which, in the opinion of the Zoning Administrator, is substantial similar to any of the above-listed uses or businesses, even if the use or business does not expressly fall within the definition from the City's Zoning Ordinance. If a use or business is new or unlisted in the City's Zoning Ordinance it is presumed to be a commercial use under this Ordinance until otherwise classified as provided in Chapter 14, Exhibit A, Zoning Ordinance."*
5. Amend Article 14.03 "Zoning and Sign Ordinances" of the River Oaks Code of Ordinances (2020) by revising Article 14.03 (a) "Zoning Ordinance" amending Section 14.03.001 "Adopted" Exhibit A "Zoning Ordinance" specifically in Section 16 "C-3" Commercial District" under Section 16.B "Use Regulations" amending the use regulations by removing the following as being a permitted use in a C-3 Commercial Zoning District:
- Remove** #6 Pawn Shop
6. Amend Article 14.03 "Zoning and Sign Ordinances" of the River Oaks Code of Ordinances (2020) by revising Article 14.03 (a) "Zoning Ordinance" amending Section 14.03.001 "Adopted" Exhibit A "Zoning Ordinance" specifically in Section 16 "C-3" Commercial District" under Section 16.B "Use Regulations" by incorporating at the end of Section 16.B the following:
- "The term shall also include uses or businesses which, in the opinion of the Zoning Administrator, is substantial similar to any of the above-listed uses or businesses, even if the use or business does not expressly fall within the definition from the City's Zoning Ordinance. If a use or business is new or unlisted in the City's Zoning Ordinance it is presumed to be a commercial use under this Ordinance until otherwise classified as provided in Chapter 14, Exhibit A, Zoning Ordinance."*
7. Amend Article 14.03 "Zoning and Sign Ordinances" of the River Oaks Code of Ordinances (2020)

by revising Article 14.03 (a) "Zoning Ordinance" amending Section 14.03.001 "Adopted" Exhibit A "Zoning Ordinance" specifically in Section 22.A "Authorized Accessory Uses" # 5 "Carports, subject to the following requirements" revising Section 22.A.5.c to read as follows:

"A carport greater than 576 square feet is not allowed except when located in the rear of the property behind the principal structure may not exceed the as-built single-story foot-print floor plan in square-feet of the principle structure on any individually platted residential lot and is otherwise not restricted to the number of vehicles designated to be sheltered by the carport and shall meet all other applicable zoning requirements;"

8. Amend Article 14.03 "Zoning and Sign Ordinances" of the River Oaks Code of Ordinances (2020) by revising Article 14.03 (a) "Zoning Ordinance" amending Section 14.03.001 "Adopted" Exhibit A "Zoning Ordinance" specifically in Section 22.A "Authorized Accessory Uses" # 5 "Carports, subject to the following requirements" revising Section 22.A.5.d to read as follows:

"An integrally built carport (built into house) in the front of the existing principle structure is permitted to be built with a gable or hip roof meeting the same pitch of the existing principle structure and be of the same construction material and design as that of the principle structure unless otherwise permitted by law and shall not extend past the front building line for that particular zoning district:

Exception: When the principle structure is of a flat roof design, a carport when built in front shall match the existing roof line;"

9. Amend Article 14.03 "Zoning and Sign Ordinances" of the River Oaks Code of Ordinances (2020) by revising Article 14.03 (a) "Zoning Ordinance" amending Section 14.03.001 "Adopted" Exhibit A "Zoning Ordinance" specifically in Section 22.A "Authorized Accessory Uses" # 5 "Carports, subject to the following requirements" revising Section 22.A.5.g to read as follows:

"A carport is permitted in the second front yard of a corner lot provided that the setback from the prevailing edge of the street is a minimum of twenty (20) feet."

**For more information contact the Zoning Administrator at 817-626-5421, extension 324.**