

ORDINANCE NO. O-2017-022-15

CASE NO. CU-011-17

AN ORDINANCE AMENDING ORDINANCE NO. O-2002-032-15, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF HALTOM CITY, TEXAS, BY APPROVING A CONDITIONAL USE PERMIT FOR OFFICE WAREHOUSE AND CONTRACTOR'S OFFICE (W/SHOP AND GARAGE) ON CERTAIN PROPERTY IN THE CITY OF HALTOM CITY, TEXAS; AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haltom City is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Haltom City heretofore adopted Ordinance No. O-2002-032-15, as amended, the Zoning Ordinance of the City of Haltom City, Texas, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of property consisting of approximately 0.73 acres of land located on W126.5' of Lots 1, 2 and 3, Block 32, Meadow Oaks Addition-Haltom, locally known as 5126 Broadway Avenue (units A-N) (hereinafter-referenced as the "Property"), has filed an application for approval of a Conditional Use Permit for office warehouse and contractor's office (w/shop and garage) on said property; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on August 22, 2017 and the City Council of the City of Haltom City, Texas held a public hearing on September 11, 2017 with respect to the Conditional Use permit described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the approval of the Conditional Use Permit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS, THAT:

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by approving a Conditional Use Permit for office warehouse and contractor's office (w/shop and garage) at the property consisting of approximately 0.73 acres of land located at 5126 Broadway Avenue (units A-N) and being more fully described as the W126.5' of Lots 1, 2 and 3, Block 32, Meadow Oaks Addition-Haltom.

SECTION 2.

The official zoning map of the City of Haltom City is hereby amended and the City Secretary is directed to revise the zoning map to reflect the Conditional Use Permit as set forth above.

SECTION 3.

The use of the Property described above shall be subject to the restrictions, terms and conditions set forth in Exhibit "A" Design Standards and Exhibit "B" Site Plan attached hereto and shall further be subject to all the applicable regulations contained in the Zoning

Ordinance and all other applicable and pertinent ordinances of the City of Haltom City, Texas.

SECTION 4.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Haltom City, Texas (1998), as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 5.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 6.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7.

All rights and remedies of the City of Haltom City, Texas, are expressly saved as to any and all violations of the provisions of Ordinance No. O-2002-032-15 or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.

The City Secretary of the City of Haltom City, Texas, is hereby directed to publish in the official newspaper of the City of Haltom City, Texas, the caption, Section 1, penalty clause, publication clause and effective date clause of this Ordinance one (1) time within ten (10) days after the first reading of this Ordinance as required by Section 10.01 of the Charter of the City of Haltom City, Texas.

SECTION 9.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON FIRST READING THIS 11th DAY OF

September, 2017.

PASSED AND APPROVED ON SECOND READING THIS 25th DAY OF

SEPTEMBER, 2017.



Mayor
ATTEST:

Art Camacho
City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

WkOe
City Attorney

Exhibit "A"
Design Standards

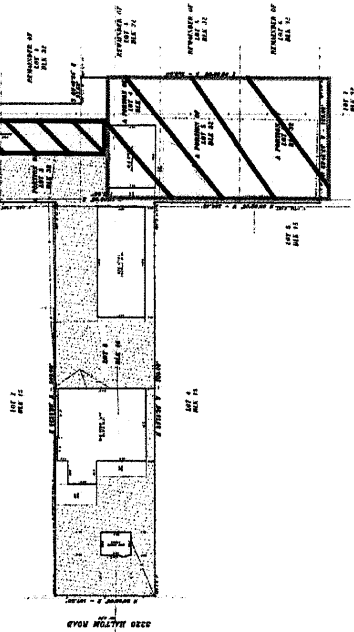
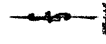
1. No outside storage of vehicles is allowed overnight except operational company vehicles.
2. Outside storage of inoperable vehicles is prohibited.
3. No outside lift stations or outside auto repair operations are allowed.
4. All repairs and maintenance to vehicles must be made under roof or canopy unless said repair or maintenance is completed within three hours.
5. No inoperable vehicles may be stored over 24 hours unless inside a building or behind an approved screening device.
6. Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed within a wall or fence a minimum of six feet and a maximum of eight feet in height. Such wall or fence shall completely screen all operations conducted within such wall or fence from observation. No exterior storage area shall encroach into any required yards.
7. Above ground tanks (barrels) for the temporary storage of used oil, used oil filters, and other used fluids regulated by TCEQ must be located inside existing building.
8. Outside storage of tire piles is prohibited. Tires must be stored inside a fully enclosed building and comply with the specification of the adopted fire codes.
9. The dumpsters and other refuse facilities shall be visually screened by a six-foot to eight-foot high solid fence on all sides and maintained in good repair.
10. On both sides of each drive approach shall be an 18'x18' no parking area.
11. Parking spaces must be marked and maintained to include curb stops at west property line.
12. Fire lane must be marked and maintained.
13. Parking lot must be kept maintained and free of any damage.
14. The first 15 feet of the required front yard setback, measured from the property line shall be landscaped with trees, grass, and shrubs.

15. The owner and/or agent, if any, shall be jointly and severally responsible for installing and maintaining all screening and/or landscaping in a healthy, neat, orderly and live-growing condition, and replacing it when necessary.
16. One (1) permanent attached sign shall be allowed per tenant space, not to exceed 1'x6' and installation can only be centered at overhead door.
17. If there is any conflict between Exhibit "A" Design Standards and Exhibit "B" Site Plan, the provisions in Exhibit "A" Design Standards shall control.

Exhibit "B"
Site Plan

(See next page)

GRAPHIC SCALE

[illegible]

100-443887-100



The asymmetrically substituted bases: *ca*, *nauf*, *aff*, *flc*, *c*
ca, *ff*, *cc*, *cg*, *gc*, *ga*, *aa*, *ac*, *ag*, *gg*, *ccg*, *acc*, *gac*,
caa, *aac*, *gga*, *agg*, *aaa*, *ccc*, *ggg*, *aaa*, *ccc*

5126 Broadway
Suites A through N



→ Current Application



→ Existing CUP