

CITY OF COCKRELL HILL, TEXAS

ORDINANCE NO. 2006-J

AN ORDINANCE OF THE CITY OF COCKRELL HILL, TEXAS, AMENDING THE CITY OF COCKRELL HILL CODE OF ORDINANCES, ADDING A NEW SECTION TO CHAPTER 153 OF THE ZONING CODE BY ADDING SECTION 153.037 ESTABLISHING THE JEFFERSON COCKRELL HILL OVERLAY ZONING DISTRICT ON THE FOLLOWING PROPERTIES ALONG JEFFERSON BOULEVARD AT CALUMET AVENUE TO CITY LIMIT AND THE SURROUNDING PROPERTIES IN PROXIMITY TO JEFFERSON BOULEVARD AS LABELED IN THE OVERLAY ZONING DISTRICT MAP STATED IN EXHIBIT #A MORE PARTICULARLY IDENTIFIED AS LOTS 1-13 AND 14A, BLOCK B-C AND I, LOTS 8-10, BLOCK F OF THE COCKRELL HILL ADDITION; LOTS 1-4, 11, 11B-E, 18, 22-23 AND 28-29, BLOCKS F-G and L-M, LOTS 5-8, BLOCK G, LOTS 1-5, 11, 11B-E, 18, 22-23, 25-29, BLOCK M, LOTS 2-5, 13-17, BLOCK L OF THE COCKRELL HILL ANNEX ADDITION; LOT 29A, BLOCK M OF THE REGENT ADDITION; LOTS 1-15, BLOCK B, LOTS 1-4, 9-19 AND 16A, BLOCK C OF THE RICHMOND HILL ADDITION; LOTS 2, 12, AND 14, TRACTS 12, 13-1, 13-2, 13-4, 13-5, 13-6, AND 28 OF THE WESTMORELAND INTERURBAN PLACE ADDITION; LOTS 1-18, BLOCK A OF THE JEFFERSON PARKWAY ADDITION; LOTS 1-12, BLOCK 2 OF THE PATTON ADDITION; LOTS 6-8, BLOCK V, LOTS 5-12, BLOCK X AND LOTS 1-6, 7C AND 11-15, BLOCK Y OF THE FAIRMONT PARK ADDITION; BLOCK A, LOT 1 OF THE COCKRELL HILL DART PASSENGER ADDITION; TRACTS 1-2 AND 4 OF THE WESLEY COCKRELL HILL ABSTRACT ADDITION; BLOCK 1, LOT 1 OF THE CIRCLE K ADDITION; BLOCK A, LOT 1A-4A OF THE BUSTILLOS ADDITION; AND BLOCK X, LOT 13-A AND 15-A OF THE FAIRMONT PARK REP ADDITION; LOT 6A, BLOCK A OF THE MORALES ADDITION; LOTS 2A-4A, BLOCK A OF THE SANCHEZ ADDITION GENERALLY LOCATED AT 3600-4501 JEFFERSON BOULEVARD AND THE SURROUNDING PARCELS OF LAND IN PROXIMITY TO JEFFERSON BOULEVARD AS IDENTIFIED AS PROPERTIES LABELED IN EXHIBIT #B, THE JEFFERSON COCKRELL HILL OVERLAY ZONING DISTRICT MAP ; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City finds it necessary to adopt an Overlay Zoning District through which the boundary of the Jefferson Cockrell Hill (JCH) Overlay Zoning District shall be in conjunction with the Future Land Use Plan of the City Comprehensive Plan. The JCH Overlay ; maintain consistency with the Cockrell Hill Comprehensive Plan; provide for effective

development of public facilities and services for the site; encourage use of design features to achieve development that is compatible with the area and

WHEREAS, the City Council of the City of Cockrell Hill, Texas, finds that the Jefferson Cockrell Hill Overlay Zoning District comprises of a Jefferson Blvd Subdistrict and a Residential Subdistrict as identified on the Jefferson Cockrell Hill Overlay Zoning District map.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COCKRELL HILL, TEXAS:

Section 1. That the Code of Ordinances of the City of Cockrell Hill, Texas, is hereby amended by adding a Section to be numbered 153.037 which said Section reads as follows:

“CHAPTER 153.037 JEFFERSON COCKRELL HILL OVERLAY ZONING DISTRICT

(A) Site Plan Required.

All non-residential developments within the JCH Overlay District shall be subject to design review as part of the site plan review process. A detailed site plan shall be submitted for each use in the JCH Overlay. Design review is required in this district to ensure that development within the district is in conformance with design guidelines for the JCH Overlay. Site plan approval shall be required for the following:

- 1. All new development
- 2. Additions and Remodeling of existing buildings
- 3. Change of ownership, tenant, or use of existing building

(B) Development Standards: Jefferson Blvd. Subdistrict

- 1. Site Orientation and Layout: the front facades of buildings for new construction shall conform to existing layout of building area. Additionally, a special exception shall be granted to existing businesses/buildings in order to conform to the existing zoning district.
- 2. Size of Lots: requirements shall be in accordance with section 153.033, Area Regulations of the Commercial District.
- 3. Size of Yards: requirements shall be in accordance with section 153.033, Area Regulations of the Commercial District.
- 4. Building Height: no building is to exceed 35 feet

5. The establishment of alcoholic beverage pubs, taverns, and off-licensed sales within the JCH Overlay Zoning District is prohibited.

(C) Design Standards: Jefferson Blvd. Subdistrict

1. Architectural Requirements: shall be in accordance with the Jefferson Blvd. Design Concept of the 2002 Comprehensive Plan. The requirements shall also be compatible to the character of the existing zoning district.
2. Façade Composition: shall be in accordance with the Jefferson Blvd. Design Concept of the 2002 Comprehensive Plan. The requirements shall also be compatible to the character of the existing zoning district.
3. Building Entrances: shall be in accordance with the Jefferson Blvd. Design Concept of the 2002 Comprehensive Plan. The requirements shall also be compatible to the character of the existing zoning district.
4. Accent Elements: typical elements such as cut-out openings and latticework, balconies, ornamental building numbers, medallions, and decorative ceramic tile accents may be suitable for design of building.
5. Mechanical Equipment: Exterior-building walls shall be tall enough to shield all rooftop mechanical equipment from the view from the street. Other screening devices such as latticework, louvered panels, any treatments that are compatible with the building's architecture may be considered on a case-by-case basis with approval by the City Council. All ground mounted mechanical equipment shall be screened within a masonry wall matching the building in material and color.
6. Landscaping, Lighting, Sidewalk and Streetscape Requirements: shall be in accordance with the Jefferson Blvd. Design Concept Plan of the 2002 Comprehensive Plan in conjunction with the Cockrell Hill General Landscaping and Sidewalk/Streetscape Ordinance.
 - a. Street Trees: shall be in accordance with the Cockrell Hill General Landscaping Ordinance.
 - b. Ornamental Trees and Shrubs: shall be in accordance with the Cockrell Hill General Landscaping Ordinance.
 - c. Seasonal color, Planters, Pots, and Beds: shall be in accordance with the Cockrell Hill General Landscaping Ordinance.
 - d. Streetlights and Street Furniture: shall be in accordance with the Cockrell Hill General Landscaping Ordinance.

- e. Sidewalks: shall be shall be in accordance with the Cockrell Hill Sidewalk/Streetscape Ordinance.
7. Signage Requirements: shall be in accordance with the Jefferson Blvd. Guidelines of the 2002 Comprehensive Plan in conjunction with the Cockrell Hill General Signage Ordinance.
8. Parking Requirements: shall be in accordance with the general requirements set forth in section 153.048. Additionally, a special exception shall be granted for existing buildings/businesses to require shared parking for buildings adjoined together.

(D) Wireless Telecommunication Facilities Standards: For the purposes of this section, the term “antenna” means one or more wireless telecommunication antennas mounted on a monopole tower.

1. Existing Structures: Roof-mounted wireless telecommunication antennas are allowed on nonresidential buildings in all zoning districts by right provided the antenna does not exceed the height of the building by more than ten (10) feet. Associated equipment shall be placed either within the same building or in a separate building which matches the existing building in character and building materials. Wireless telecommunication antennas are allowed by right on existing utility structures exceeding seventy-five (75) feet in height (including power or telephone poles, water storage facilities, and similar buildings and structures) operated by the City or public utility companies provided that the antenna does not exceed the height of the structure by more than ten (10) feet.
2. Freestanding Towers: A Special Use Permit (SUP) shall be required for the following zoning districts: Commercial (C) and Central Area Commercial (CA). Freestanding wireless telecommunication antennas must be a minimum of three to one (3:1) height to distance ratio from single-family residential boundary lines. Freestanding wireless telecommunication antennas must be a minimum distance of 5,000 feet from another wireless telecommunication antenna (unless excepted by reason of an incentive provided below). Equipment buildings must be similar in color and character to the main or adjoining building or structure and screened by a chain link fence, a wrought iron fence with evergreen hedge, or masonry wall.
3. Incentives: Wireless telecommunication antennas located on existing buildings or utility structures are not subject to the 5,000-foot separation requirement. A wireless telecommunication antenna may be located less than 5,000 feet but not less than 3,000 feet from another wireless telecommunication antenna provided that: (i)

the antenna will be used for two or more wireless communications providers; or (ii) the antenna is designed and built so as to be capable of use by two or more wireless communications providers and the owner of the antenna certifies to the City that the antenna is available for use by another wireless communication provider on a reasonable and nondiscriminatory basis and a cost not exceeding the actual prorated share of the design, construction and maintenance costs of the facilities.

(E) Prohibit the establishment of alcoholic beverage pubs or taverns within the Jefferson Cockrell Hill Overlay District

(F) Accessory Building:

1. The use of accessory buildings for new development shall be prohibited.
2. Existing accessory buildings shall be permitted by nonconforming use, however if a business becomes vacant for a period of six months or more that nonconforming use shall cease.

(G) Development Standards- Residential District: requirements shall be in conformance with section 153.031, Area regulations.

(H) Design Standards- Residential District: general design/architectural requirements shall be in conformance with the design standards of the Jefferson Blvd. Sub District. Additionally, a special exception shall be granted for existing homes in order to conform to character of the existing neighborhood.

1. Street Trees: shall be in accordance with the Cockrell Hill General Landscaping Ordinance.
2. Ornamental Trees and Shrubs: shall be in accordance with the Cockrell Hill General Landscaping Ordinance.
3. Sidewalks: shall be in accordance with the Cockrell Hill General Sidewalk/Streetscape Ordinance.
4. Signage Requirements: shall be in accordance with the Cockrell Hill General Signage Ordinance.
5. Parking Requirements: shall be same as off-street parking requirements established in section 153.048 of the zoning code for single family and mult-family dwelling units.

Section 2. That all provisions of ordinances of the City of Cockrell Hill in conflict with the

provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not so in conflict shall remain in force and effect.

Section 3. That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

Section 4. This ordinance shall become effective, and be in full force and effect, from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED the ____ day of September, 2006.

Luis David Carrera, Mayor

ATTEST:

Veronica Saenz, City Secretary

APPROVED AS TO FORM:

Robert F. Brown, City Attorney