

**TOWN OF PROVIDENCE VILLAGE, TEXAS
ORDINANCE NO. 2014-060-05**

AN ORDINANCE AMENDING ORDINANCE NO. 2014-060, AS AMENDED BY ORDINANCE NO. 2014-060-01, AS AMENDED BY ORDINANCE NO. 2014-060-02, AS AMENDED BY ORDINANCE NO. 2014-060-03, AND AS AMENDED BY ORDINANCE NO. 2014-060-04 OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS, AMENDING THE ORDINANCE TO ADD DEFINITIONS AND MODIFY SPECIAL USE PERMIT REQUIREMENTS FOR SPECIFIC TYPE OF USES AS IDENTIFIED IN APPENDIX 1, TABLES 4 AND 5A TO THE ZONING ORDINANCE.

WHEREAS, the Town of Providence Village is a home rule municipality organized under the laws of the State of Texas; and

WHEREAS, the Town of Providence Village approved Ordinance No. 2014-060-01, entitled the "Zoning Ordinance" on April 14, 2014; and

WHEREAS, the Town of Providence Village approved Ordinance No. 2014-060-02 amending the Zoning Ordinance on December 15, 2015; and

WHEREAS, the Town of Providence Village approved Ordinance No. 2014-060-03 amending the Zoning Ordinance on May 17, 2016; and

WHEREAS, the Town of Providence Village approved Ordinance No. 2014-060-04 amending the Zoning Ordinance on June 21, 2016; and

WHEREAS, it is necessary to modify Ordinance No. 2014-060-01, "Zoning Ordinance" to include definitions for Theatre (indoor), Vet. Clinic (No outside pens) and Vet. Clinic (outside pens); and

WHEREAS, it is the desire of the Planning & Zoning Commission and the Town Council to modify certain type of use items to require Special Use Permits and to remove the Special Use Permit requirement from Retail shops/stores; and

WHEREAS, it is not the intent of the Town Council to modify the Zoning District Map as attached to the Comprehensive Plan, but instead to only add definitions and modify Appendix 1, Tables 4 and 5A to update special use permit requirements.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS:

SECTION 1 AMENDMENT TO SECTION 24.5 – RETAIL AND SERVICE TYPE USES

49. **Veterinary clinic (indoor pens)** - An establishment, not including outside pens, where animals and pets are admitted for examination and medical treatment and shall meet the following conditions and requirements: (1) Separate customer and service entrances must be provided from exterior building doorways; (2) Clinics may only be allowed in freestanding, single-occupant buildings or the ground floor of a single- or multistory, multi-occupant building; and (3) Disposal of all waste materials shall be in accordance with the Texas Department of Health regulations.

50. **Veterinary clinic (outdoor pens)** - An establishment with outside pens, where animals and pets are admitted for examination and medical treatment and meet all of the requirements of a veterinary clinic with indoor pens.

51. **Theatre (indoor)** - A building or part of a building devoted to the showing of motion pictures or for dramatic, musical, or live performances with a maximum of ten screens or stages and a combined seating capacity of 2,500 or less.

Section 24.5 – Retail and Service Type Uses is hereby amended to include the definitions for Veterinary clinic (indoor pens), Veterinary clinic (outdoor pens) and Theatre (indoor).

SECTION 2 AMENDMENT OF APPENDIX 1, TABLES 4 AND TABLE 5A

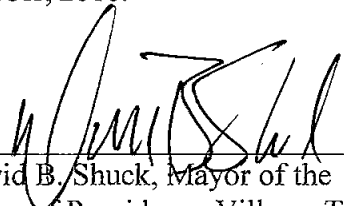
Appendix 1, Table 4 “Automobile Related Uses” is hereby amended to require a Special Use Permit for Auto laundry and Car wash in the zones designated B-1, B-2, I-1 and I-2.

Appendix 1, Table 5A “Office, Retail, Commercial, and Service Type Uses” is hereby amended to require a Special Use Permit for Print shop and Vet. Clinic (no outside pens) in zone B-2, and the Special Use Permit requirement is removed and no permit is required for Retail Shops/Stores in the zone designations B-1, B-2, I-1 and I-2.

SECTION 3 EFFECTIVE DATE

The caption of this Ordinance is to be published as required by law and shall become effective immediately upon its passage.

PASSED AND APPROVED on this the 18th day of October, 2016.



David B. Shuck, Mayor of the
Town of Providence Village, Texas

ATTEST:



Connie S. Hansen, TRMC, Town Secretary



APPENDIX 1 - TABLE 1

ACCESSORY USES

TYPE OF USE	NOTE*	A	R	MF	MH	B-1	B-2	I-1	I-2
Accessory building to main use	7.1	Y				Y	Y	Y	Y
Construction yard (1)	7.3	Y		Y	Y	Y	Y	Y	Y
Field office Temp. (1)	7.4	Y	Y	Y	Y	Y	Y	Y	Y
Home occupation	7.5	Y	Y	Y	Y				
(1) See Section 17.3									

APPENDIX 1 - TABLE 2A

RESIDENTIAL AND RELATED USES

TYPE OF USE	NOTE	A	R	MF	MH	B-1	B-2	I-1	I-2
Boarding/rooming house	1.1			S				Y	S
Dormitory	1.2								
Garden (patio) home	1.3			Y					
Guest houses	1.4	Y							
Manuf. Housing (HUD) park	1.6				Y				
Manuf. Housing (HUD) subdivision	1.7				Y				
Mobile Home (not HUD Code)	1.8				S				
Motel/motor/Hotel/lodge	1.9					S	S	S	Y
Multiple family residence	1.10			S		S	S	S	Y
Residence hotel	1.11								
Retirement housing	1.12			Y					
Servant's/caretaker or guard's residence	1.13								
Single family dwelling detached	1.15	Y	Y	Y	Y				
Townhouse/row dwelling	1.16			Y	Y				
Travel trailer park	1.17							S	S
Two family dwelling	1.18			Y					
Zero lot line house	1.19			Y					

*The number in this column on all Tables references the description/definitions listed in Section 24.

APPENDIX 1 - TABLE 2A

EDUCATIONAL, INSTITUTIONAL AND SPECIAL USES

TYPE OF USE	NOTE	A	R	MIF	MIH	B-1	B-2	I-1	I-2
Cemetery or mausoleum	2.1a	S							
Church, rectory, place of worship	2.1b	S	S	S	S	Y	Y	Y	Y
College or university	2.3							Y	Y
Community center, public	2.4		Y	Y	Y	Y	Y		
Community center, private	2.5		Y	Y	Y				
Continuing care facility	2.6		S	Y				S	S
Country Club	2.7		S					S	S
Day care center (State Licensed)	2.8		Y	S	Y			S	S
Exhibition area	2.9	S						Y	S
Fairgrounds	2.10	S						Y	S
Family home (1)	2.11			Y				Y	Y
Farm, ranch, orchard	2.12	Y						Y	Y
Fraternal org./lodge/civic club	2.13							Y	Y
Golf Course	2.14	Y	Y	S				S	
Greenhouse/plant nurs/non-comm	2.15a	Y						S	S
Greenhouse, commercial	2.15b							Y	Y
Hospital, chronic care	2.16							Y	Y
Hospital, general acute care	2.17					Y		Y	Y
Household care facility (2)	2.18			S	S				
Kennel (no outside pens)	2.20	Y						Y	Y
Kennel (outside pens)	2.20							Y	Y
Museum or art gallery	2.22							Y	Y
Nursery school//kindergarten	2.23		S					S	S

(1) A family home may not be located within one-half mile of an existing family home.

(2) Shall maintain a minimum separation of one thousand (1,000) feet measured linearly from property line to property line from any other Household Care Facility or Rehabilitation Care Facility.

APPENDIX 1 - TABLE 3

TRANSPORTATION, UTILITY AND COMMUNICATIONS USES

TYPE OF USE	NOTE	A	R	MF	MH	B-1	B-2	I-1	I-2
Airport, landing field, heliport	3.1								S
Electric power gen. plant	3.2a							Y	Y
Electrical substation	3.2b		S	S	S			Y	Y
Electrical transmission line	3.2c	Y	Y	Y	Y	Y	Y	Y	Y
Gas metering station	3.3a		Y	Y	Y			S	Y
Gas transmission line	3.3b	Y	Y	Y	Y	Y	Y	Y	Y
Public/private franch/utility (1)	3.4	Y	Y	Y	Y	Y	Y	Y	Y
Radio, TV/microwave oper/amateur	3.5	S	S	S	S				
Radio, TV/microwave oper/comm	3.6							Y	Y
Service yards of gov. agency	3.7			S	S			Y	Y
Town Operations and Use	3.8	Y	Y	Y	Y	Y	Y	Y	Y
office/storage area of public/private utility	3.11					S	S	S	S
Solid waste transfer station	3.12								S
Telephone exchange	3.13a							Y	Y
Telephone line	3.13b	Y	Y	Y	Y	Y	Y	Y	Y

(1) Including office building, garages, shops, railroad yards and warehouses.

APPENDIX 1 - TABLE 5A

OFFICE, RETAIL, COMMERCIAL, AND SERVICE TYPE USES

TYPE OF USE	NOTE	A	R	MF	MH	B-1	B-2	I-1	I-2
Alcoholic Beverage Establishment	5.48a					S	S	Y	Y
Amusement, Commercial (indoor)	5.2a					S	S	Y	Y
Amusement, Commercial (outdoor)	5.2b					S	S	Y	Y
Antique shop	5.3					Y	Y	S	S
Arcade	5.4					S	S	S	S
Bakery/confectionary retail sales	5.5a					Y	Y	Y	Y
Banks, Savings and Loan, Credit Unions	5.6					Y	Y	Y	Y
Barber Shop	5.7a					Y	Y	Y	Y
Barber school or college	5.7b							Y	Y
Beauty culture school	5.7c							Y	Y
Beauty shop	5.7d					Y	Y	Y	Y
Bldg. material sales	5.8							S	Y
Business service	5.9					S	S	Y	Y
Cabinet/upholstery shop	5.10							Y	Y
Cleaning/small plant or shop	5.11							Y	Y
Clinic, medical or dental	5.12					S	S	Y	Y
Custom personal service shop	5.14					Y	Y	S	S
Discount, variety or department store	5.15					Y	Y	S	S
Feed store	5.16						S	Y	Y
Flea market	5.17								Y
Florist	5.18					Y	Y	Y	Y

OFFICE, RETAIL, COMMERCIAL, AND SERVICE TYPE USES

TYPE OF USE	NOTE	A	R	MF	MH	B-1	B-2	I-1	I-2
Food store	5.19					Y	Y	Y	Y
Furniture, home furnish, appliance store	5.20					S	Y	Y	Y
Garden center (retail)	5.21					S	S	Y	Y
General merchandise store	5.22					Y	Y	S	S
Household appliance service/repair	5.23					S	S	Y	Y
Laboratory, scientific, research, medical	5.24							Y	Y
Laundry/cleaning self service	5.25							Y	Y
Metal dealer, secondhand	5.26a							S	S
Metal dealer, crafted precious	5.26b							S	S
Miscellaneous retail store	5.27					S	S	S	S
Mortuary or funeral home	5.28						S	Y	Y
Office center	5.29					S	S	Y	Y
Office, prof/gen. administrative	5.30					S	S	Y	Y
Pawn shop	5.31							S	S
Pet shop	5.32								
Package Sales	5.48b					S	S	S	S
Pharmacy/drug store	5.33					Y	Y	Y	Y
Plumbing, heating, refrig/air con	5.34							Y	Y
Portable building sales	5.35							Y	Y
Post Office, gov. & private	5.36					Y	Y	Y	Y
Print shop	5.37						*S	Y	Y

APPENDIX 2

AREA, SETBACK, HEIGHT AND COVERAGE REGULATIONS

ZONING DISTRICT	MIN LOT AREA	MIN LOT WIDTH (@ FT BLDG LINE) (LINEAR FEET)	MIN LOT DEPTH (AVERAGE LINEAR FEET)	FRONT SETBACK (LINEAR FEET)	SIDE (INTERIOR*) (LINEAR FEET)	SETBACK - SIDE STREET* (LINEAR FEET)	REAR SETBACK (LINEAR FEET)	HEIGHT LIMIT (LINEAR FEET)	MAX GROUND COVERAGE (LINEAR FEET)
A	2 acres	150	250	40	10	10	10	35	
R	4,000 SF	40	100	25	5	10	10	35	
M/H	2,500 SF	50	120	30	10	10	10	35	
M/F	(a)	(a)	(a)	75	25	50	75	50	
B-1	10,000	50	80	25	20	20	20	35	
B-2	10,000	50	80	25	5 (b)	10 (b)	10	40	
I-1	12,500	60	100	25	5 (b)	(d)	10	45	
I-2	12,500	60	100	25 (c)	(d)	(d)	(e)	45	

*An "interior" side street setback includes lots; a "side street" setback is one in which the side yard adjoins a side street.

(a) No lot containing multifamily units shall contain less than eleven thousand (11,000) square feet plus one thousand (1,000) square feet per dwelling unit in excess of two units.

(b) A side yard of not less than twenty-five (25) feet in width shall be provided on the side of a lot adjoining a residential district unless an approved natural or artificial barrier is present.

(c) A twenty five (25) foot front yard is required except that a front yard of not less than fifty (50) feet shall be provided upon that portion of a lot abutting or across a street or alley from property in a residential district.

(d) Side yard requirements shall be the same as for the I-1 District except that a side yard of not less than fifty (50) feet in width shall be provided on the side of the lot adjoining or across the street from a residential or business district.

(e) A rear yard is required except that a rear yard of not less than fifty (50) feet in depth shall be provided upon that portion of a lot abutting