

## **ORDINANCE NO. 849**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEDWIG VILLAGE, TEXAS AMENDING ARTICLE V, ZONING REGULATIONS, CHAPTER 505(B) LIMITATIONS, AND AMENDING CHAPTER 507(C)(3) FLAGS, OF THE HEDWIG VILLAGE PLANNING AND ZONING CODE BY ADDING REGULATIONS FOR FLAGS AND FLAGPOLES.**

**WHEREAS**, the City Council of the City of Hedwig Village, Texas, and the Planning and Zoning Commission of the City of Hedwig Village, Texas, have discussed certain amendments to Article V, Zoning Regulations, Chapter 505(B), Limitations, and amending Chapter 507(C)(3) flags, of the Hedwig Village Planning and Zoning Code by adding regulations for flags and flagpoles; and

**WHEREAS**, the Planning and Zoning Commission of the City of Hedwig Village, Texas submitted its written recommendation to the City Council of the City of Hedwig Village, Texas concerning a proposed amendment to Article V, Zoning Regulations, Chapter 505(B), Limitations, and amending Chapter 507(C)(3) flags, of the Hedwig Village Planning and Zoning Code by adding regulations for flags and flagpoles; and

**WHEREAS**, the City Council of the City of Hedwig Village, Texas, has determined that an amendment to Article V, Zoning Regulations, Chapter 505(B), Limitations, and amending Chapter 507(C)(3) flags, of the Hedwig Village Planning and Zoning Code by adding regulations for flags and flagpoles, of the City's Planning and Zoning Code should be adopted.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEDWIG VILLAGE, TEXAS, THAT:**

**Section 1.** Article V, Zoning Regulations, Chapter 505(B), Limitations, and Chapter 507(C)(3) flags, of the Hedwig Village Planning and Zoning Code are amended to read as set out in Appendix A, attached hereto. All other portions of the Planning and Zoning Code not specifically amended hereby remain in full force and effect.

**Section 2.** All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 3.** If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

**Section 4.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open

Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

**PASSED, APPROVED and ADOPTED** this, the 11th day of September, 2025.

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Tom Jinks, Mayor  
City of Hedwig Village, Texas

**ATTEST:**

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Lisa Modisette, City Secretary  
City of Hedwig Village, Texas

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## Exhibit A

(New Language shown by underline and deleted language shown by strike-out)

### 505. Residential districts A and C.

- A. *Use regulations.* In residential districts A and C, no building, structure, land or premises shall be used, and no building or structure shall hereafter be erected, moved, constructed or altered except for one or more of the following uses:
1. One single-family dwelling.
  2. Temporary buildings and materials for uses incidental to construction work on the premises. These temporary buildings and materials shall be allowed on the premises for a period not to exceed six months beginning with the issuance of a construction permit; provided, however, the building official may grant extensions for additional successive periods of not more than three months each if it is shown that, due to the nature and extent of the construction activity, such extension is necessary to accomplish completion of the project and the construction has proceeded with due diligence. In all events, these temporary buildings and materials shall be removed upon completion or abandonment of construction work.
  3. Accessory uses and buildings, including a private garage and servant's quarters, and such as is customarily incidental to any permitted use when located on the same premises, but such accessory building shall not involve the conduct of a business, trade or profession on the premises.
- B. *Limitations.* The following limitations and restrictions shall apply to all of the above permitted uses:
1. *Garages...*
  2. *Parking...*
  3. *Swimming pools...*
  4. *Recreational vehicles...*
  5. *Watercraft...*
  6. *Trucks...*
  7. *Other property...*
  8. *Places of public assembly...*
  9. *Business.* No business shall be conducted in residential districts A or C...
  10. *Fences...*
  11. *Front of dwelling...*
  12. *Aircraft...*
  13. *Antennas...*

14. *Accessory buildings...*
15. *Windows above second stories...*
16. *Floor area above second stories...*
17. *Mechanical equipment and trashcan screening...*
18. *Flags and flagpoles.*
  - (a) For any flagpole more than ten (10) feet in height or length, a sign permit, permit fee shall be required for the installation of the flagpole. An Engineer's installation standards must accompany the permit application.
  - (b) Flagpoles shall be located at least ten (10) feet from any property line.
  - (c) Single Family Residences may erect one (1) flagpole.
  - (d) Flagpoles shall not exceed twenty-five (25) feet in height measured from Average Grade within five (5) feet of the proposed pole location.
  - (e) No flag or flagpole shall be located within any easement.
  - (f) Flag size shall not exceed twenty-four (24) square feet.
  - (g) Number of flags shall not exceed three (3).
- C. *Required lot area and width.*
- D. *Ground coverage and lot are covered by impermeable surface limitations...*
- E. *Yard required...*
- F. *Building height limit...*
- G. *Other structures...*
- H. *Exceptions to sections 505. C. and 505. E...*

## **507. Signs.**

- A. *General.*
- B. *Districts A and C (residential districts).*
- C. *District B (business districts B1, B2, B3, B4).* The following provisions apply to all signs appearing in district B: Each current business having an existing sign that was installed in accordance with the ordinances and regulations in effect at the time of the sign's installation will be exempt from conforming to the requirements of this section until one of the following events occurs: a) the current business lease expires; b) there is a change in ownership of the business or c) there is a change in the category/type of business from its categorization under subsection 506A. Upon the occurrence of such an event, the current business shall have 90 days to bring their sign(s) into compliance with the current regulations governing signage in the commercial district. All new businesses will conform to the following codes governing signage in the commercial district.
  - 1. *Permitted signs - Detached.*
  - 2. *Permitted signs - Attached.*
  - 3. *Flags and flagpoles.*
    - a. Flags may be displayed in retail centers provided that the content is seasonal, decorative, or relates to the design or theme of the overall center, are integrated into the design of the center, and do not contain messages relating to the sale or promotion of merchandise or services of individual stores. Banners relating to the seasons of the year are permitted. The design, color, size, location and number must be appropriate for the individual retail center. All flags and banners shall be affixed to an acceptable free-standing fixture as determined by the building official or his or her designee.
    - b. Notwithstanding the foregoing, a new tenant may display a banner indicating the business is "Now Open" for a period of 60 days from the original opening of the business at the location.
    - c. Business may erect one (1) corporate flag and flagpole, per parcel, for a bona fide company or corporate office located within the City of Hedwig Village. A sign permit and permit fee is required, and an Engineer's installation standards must accompany the permit application.
    - d. Flag poles shall not exceed thirty-five (35) feet in height.
    - e. The maximum flag size shall be based on the height of the flagpole. For flagpoles 20 feet or less in height, the flag size shall be limited to a maximum of 24 square feet (SF). Flagpoles greater than 20 feet but less than 30 feet in height are permitted a maximum flag size of 40 square feet (SF). For flagpoles 30 feet or greater in height, the flag size shall not exceed 60 square feet (SF).
    - f. No flag or flagpole may be located within any easement.

g. Number of flags shall not exceed three (3).

4. *Temporary signs.*
5. *Maintenance of signs.*
6. *Removal/enforcement.*
7. *Prohibited signs.*
8. *Permitting.*
9. *Miscellaneous.*