

**ORDINANCE NO. 808**

**AN ORDINANCE OF THE CITY OF HEDWIG VILLAGE, TEXAS, AMENDING ARTICLE V, ZONING REGULATIONS, SECTION 509, PLANNED UNIT DEVELOPMENTS, SUBSECTION B.1, BUSINESS DISTRICTS, OF THE HEDWIG VILLAGE PLANNING AND ZONING CODE TO REDUCE THE MINIMUM ACREAGE REQUIREMENT TO APPLY FOR A PLANNED UNIT DEVELOPMENT IN THE BUSINESS ZONING DISTRICTS AND REMOVE THE MAXIMUM NUMBER OF PLANNED UNIT DEVELOPMENTS ALLOWED IN A BUSINESS ZONING DISTRICT OF THE CITY.**

**WHEREAS**, pursuant to Section 705 of the Hedwig Village Planning and Zoning Code, the City Council of the City of Hedwig Village, Texas and the Planning and Zoning Commission of the City of Hedwig Village, Texas have held a joint public hearing to consider possible amendments to the Hedwig Village Planning and Zoning Code; and

**WHEREAS**, pursuant to Section 710 of the Hedwig Village Planning and Zoning Code, 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 proposed amendments to Article V, Zoning Regulations, Section 509, Planned Unit Developments, Subsection B.1, Business Districts, of the Hedwig Village Planning and Zoning Code to reduce the minimum acreage requirement to apply for a planned unit development in the business zoning districts and remove the maximum number of planned unit developments allowed in the a business zoning district of the City; and

**WHEREAS**, pursuant to Sections 711 and 712 of the Hedwig Village Planning and Zoning Code, the City Council of the City of Hedwig Village, Texas, has considered the recommendation of the Planning and Zoning Commission, concerning the proposed amendments to the City's Planning and Zoning Code relating to the City's Planned Unit Development regulations; and

**WHEREAS**, the City Council of the City of Hedwig Village, Texas, has concluded that amendments should be made to Article V, Zoning Regulations, Section 509, Planned Unit Developments, Subsection B.1, Business Districts, of the Hedwig Village Planning and Zoning Code relating to the City's Planned Unit Development regulations;

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

**Section 1.** The Recitals set forth above are found to be true and correct and are

adopted as the findings of fact of the City.

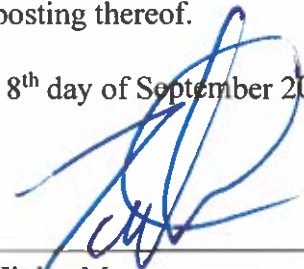
**Section 2.** Article V, Zoning Regulations, Section 509, Planned Unit Developments, Subsection B.1, Business Districts, of the Hedwig Village Planning and Zoning Code of the City of Hedwig Village, Texas is hereby amended to read as set out in Appendix A, attached hereto. All other portions of the Hedwig Village Planning and Zoning Code not specifically amended hereby remain in full force and effect.

**Section 3.** All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 4.** 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 5.** 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 8<sup>th</sup> day of September 2022.



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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

## Appendix A

### Proposed Code Amendment

Appendix A – PLANNING AND ZONING CODE

Article V. – ZONING REGULATIONS

Section 509 – Planned Unit Developments

Subsection 506(B)(1) to be amended to read as follows:

1. Business Districts:
  - a. *Generally.* The PUD is an overlay in the business district in which it is approved. The underlying business district zoning continues to the extent not specifically modified by the provisions of the PUD.
  - b. *Permitted uses.* The uses to be permitted in any specific PUD shall be those permitted in the business district in which the PUD is located as well as such uses enumerated in the ordinance which creates such PUD, provided, however, that those uses prohibited by section 506.A.2. of the Code shall not be permitted. Any proposed amendment to the uses permitted within a specific PUD shall be submitted for approval in the same manner as the original PUD.
  - c. *Size and numbers.* In order to encourage the development of property as harmonious units, a minimum of one acre shall be required to be included with a PUD.
  - d. *Building height.* No building within the PUD, except a parapet not to exceed four feet in height, and any additional screening, within the rooftop footprint necessary for plumbing, mechanical equipment, or elevator overruns, shall exceed the height permitted for the business district in which the PUD is located except that, within business districts B3 and B4 the following building height may be permitted:
    - i. Forty-two feet above average natural grade within 200 feet of the nearest point of any residential lot in district A or C; or
    - ii. Fifty-six feet above average natural grade at distances greater than 200 feet from the nearest point of any residential lot in district A or C; or
    - iii. Eighty-one feet above average natural grade at distances greater than 300 feet from the nearest point of any residential lot in district A or C.
  - e. *Green Space:* At least ten percent of the PUD site shall be dedicated to green space and outdoor site amenities.
  - h. *Design Guide:* Development within the PUD shall conform to the provisions of the City's Design Guide for PUD Development.