

ORDINANCE NO. 25-0402

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS AMENDING MUNICIPAL CODE OF ORDINANCES CHAPTER 14 *ZONING* IN ITS ENTIRETY, INCLUDING, BUT NOT LIMITED TO, AMENDMENTS TO GENERAL ZONING REGULATIONS, ZONING DISTRICT REGULATIONS, THE PLANNING & ZONING COMMISSION AND THE ZONING BOARD OF ADJUSTMENT, SCHEDULE OF USES, AND THE OFFICIAL ZONING MAP AND ZONING DISTRICT BOUNDARIES THROUGHOUT THE CITY OF JOHNSON CITY, TEXAS; ADOPTING AN OFFICIAL ZONING MAP FOR THE CITY; REPEALING ALL PRIOR ZONING REGULATIONS AND MAPS; PROVIDING FOR MAINTENANCE AND FILING OF THE OFFICIAL ZONING MAP; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, in January 2023, the City of Johnson City's Planning and Zoning Commission (the "Commission"), pursuant to Municipal Code of Ordinances Chapter 14 *Zoning*, Article IV *Zoning Applications and Amendments*, Section 4-1 *Initiation of Zoning Amendments and Changes*, commenced a comprehensive review of and recommended amendments to the Zoning Code; and

WHEREAS, the Commission's recommended amendments include, but are not limited to, amendments to general zoning regulations, zoning district regulations, the Planning & Zoning Commission and the Zoning Board of Adjustment, schedule of uses, and the Official Zoning Map and zoning district boundaries of the City of Johnson City, Texas, a Type A General Law municipality (herein the "City"); and

WHEREAS, written notices of Public Hearings before the Commission and the City Council were mailed to all property owners within the City on or before November 15, 2024, and notice of Public Hearings was published in the Johnson City Record Courier on November 13, 2024; and

WHEREAS, the Commission and the City Council held Public Hearings on the matter on November 26, 2024 and December 3, 2024, respectively; and

WHEREAS, between January and March 2025, the City Council held five (5) workshops on the matter; and

WHEREAS, at the conclusion of the March 10th, 2025 workshop, the City Council directed City Staff to post a courtesy Public Hearing on the matter on the April 15th, 2025 Regular City Council Meeting at 6:00 p.m. C.S.T. at City Hall, 303 E. Pecan Dr., Johnson City, TX 78636; and

WHEREAS, notice of courtesy Public Hearing was posted on the City's website, www.johnsoncitytx.org, and published in the Johnson City Record Courier on April 9, 2025; and

the Zoning Administrator and the volunteer fire department. The storage of all flammable liquids and materials, such as pyroxylin plastics, nitrocellulose film solvents, and petrochemical products for industrial purposes shall be allowed only after a conditional use permit for such use has been granted in conformance with the terms of this Ordinance.

- viii. No commercial or industrial operation or use permitted under the terms of this Ordinance shall emit toxic or noxious matter in concentrations across the boundary property line of the tract on which such operation or use is located.
- ix. No use permitted under the terms of this Ordinance shall, at any time, create earth-borne vibration which, when measured at the boundary property line of the source operation, exceeds the limits of the displacement set forth in the table below:

Table 1. Displacement Limits for Vibration

Frequency Cycles Per Second	Displacement in Inches
0 to 10	0.0010
10 to 20	0.0007
20 to 30	0.0005
30 to 40	0.0004
40 and over	0.0003

Section 4-12. Downtown District - DD

- a. The purpose of the Downtown District is to recognize the historical, cultural, and aesthetic importance of certain buildings, structures, or areas within the City, to protect and preserve landmarks of historical and cultural significance, and improve the City's economic well-being. The District does not replace the requirements set forth in the Historic Overlay outlined herein.
- b. See Schedule of Uses for permitted, nonpermitted, and conditional uses. District may be subject to Historic Overlay regulations contained within Sec. 4-15 of this Ordinance.
- c. A mix of land uses, such as retail, professional services, public, and institutional uses, are permitted. Pedestrian-friendly design through the incorporation of architectural elements, such as awnings, porches, and sidewalk displays, are encouraged.
- d. Any structural renovation, maintenance, enhancement, tear-down, or new construction performed in the Downtown District shall be in harmony with the characteristics of the rest of the District. All exterior renovations, maintenance, enhancement, tear-down, or new construction shall be reviewed and approved in accordance with the Historic Overlay outlined herein.
- e. General regulations of the Downtown District are as follows:

Minimum lot width (street frontage)	None
Minimum lot depth	None
Minimum lot size (area)	1000 square feet
Minimum front yard	None
Minimum side yard	None *
Minimum side yard, adjacent to street	10 feet, except in areas platted where

Minimum rear yard *	<p>setback minimums are established prior to the effective date of this Chapter.</p> <p>10 feet abutting SF, MR, MH, or CHD or 0 feet abutting CD, HC, IP, DD, PFD, or RVP, except in areas platted where setback minimums are established prior to the effective date of this Chapter.</p>
Maximum lot coverage (all structures)	100 percent (100%)
Maximum structure height (stories)	2 stories
Maximum structure height (feet)	35 feet
Buffer zone, DD to SF, MR, MH, or CHD	An approved eight-foot privacy fence shall be maintained.
Fire lane	A street or a minimum fire lane of 16 feet shall be maintained adjacent to one side of the building having entry doors.

* When a commercial building is adjacent to an existing single-family dwelling, whether located in a residential district or within the same or a similar commercial zoning district, the commercial building shall maintain a minimum setback of 10 feet from the property line to provide adequate separation and protect the residential use.

- e. Architectural standards for the Downtown District include, but are not limited to, the following:
 - i. Use of brick/masonry, solid wood planking, and fiber cement siding are permitted. Materials used shall be compatible with those materials in the rest of the District to maintain the historic character of the area;
 - ii. Permitted building elements include a gallery, awning, porch, stoop, or a balcony; and
 - iii. A minimum 30% transparency is required for the building façade.
- f. Accessory buildings. No commercial accessory building, as permitted herein, shall be more than fifteen (15) feet in height or 750 square feet in size. Accessory buildings shall be compatible with the aesthetics of the primary structure. No accessory building may be closer than five feet to the main building in the rear yard. Accessory buildings, as permitted herein, are allowed in side yards; provided, however, that no accessory building be closer than five feet to any main building, nor closer than five feet to a common property line, unless the property line is common to a street, in which case the minimum setback shall be 30 feet. With the exception of non-portable permanent carports built on a foundation, no accessory building shall be allowed in the front yard or allowed to extend beyond the front line of the main building.
- g. Parking regulations. See Article 6 of this Chapter.
- h. Tree and landscape regulations. See Chapter 15 of the Municipal Code of Ordinances.
- i. Lighting regulations. See Chapter 3 of the Municipal Code of Ordinances.
- j. Additional requirements for the Downtown District include, but are not limited to, the following:

- i. Unless otherwise authorized within the Schedule of Uses, all business activity shall be conducted entirely within a building(s); and
- ii. Outdoor trash receptacles shall be placed in the side or rear yards, and shall be screened on at least three sides by a fence, plantings, or another suitable visual barrier.

Section 4-13. Public Facilities District - PFD

- a. The purpose of the Public Facilities District is to provide for the siting of public parks and recreational facilities, to preserve open space and unique cultural and historic features, and to provide for the siting of governmental, non-profit, and cooperative buildings of the City, County, State, or Federal governments or other entities.
- b. See Schedule of Uses for permitted, nonpermitted, and conditional uses. District may be subject to Historic Overlay regulations contained within Sec. 4-15 of this Ordinance.
- c. General regulations of the Public Facilities District are as follows:

Minimum lot width (street frontage)	60 feet
Minimum lot depth	100 feet
Minimum lot size (area)	6,000 square feet
Minimum front yard	10 feet, except in areas platted where setback minimums are established prior to the effective date of this Chapter. Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets. Drive-in gasoline service islands may not be located nearer than 25 feet to the front property line.
Minimum side yard	None. *
Minimum side yard, adjacent to street	10 feet, except in areas platted where setback minimums are established prior to the effective date of this Chapter.
Minimum rear yard	10 feet, except in areas platted where setback minimums are established prior to the effective date of this Chapter.
Maximum lot coverage (all structures)	80 percent (80%)
Maximum structure height (stories)	2 stories
Maximum structure height (feet)	35 feet
Buffer zone, PFD to SF, MR, MH, or CHD	A buffer zone of 30 feet plus an approved eight-foot privacy fence shall be maintained.
Fire lane	A minimum fire lane of 16 feet shall be maintained adjacent to one side of the