

City of Cleveland
Zoning Commission Meeting and Public Hearing Agenda
March 17, 2021 - 6:00 p.m.
City Hall, Council Chambers, 907 E Houston, Cleveland Texas
and Virtually by Zoom

The Zoning Commission will be using a telephone/video conferencing tool called ZOOM to make the meeting available to the public. You have several options to participate. This is also an in person meeting.

- 1) Phone in at 346-248-7799 US (Houston) and enter Meeting ID 818 9133 4943
- 2) Use the link – <https://us02web.zoom.us/j/81891334943>
- 3) Download the ZOOM app on your phone and enter Meeting ID 818 9133 4943 to join

The meeting will also be shown on Facebook Live on the City's Facebook account at [facebook.com/cityofclelandtx](https://www.facebook.com/cityofclelandtx). For more information or questions concerning the teleconference, please contact the City Secretary's office at 281-592-2667.

Invocation, Pledge, and Roll Call

Introductions

OPEN PUBLIC HEARING

1. Public hearing on the following proposed ordinance amending the City's zoning regulations as authorized by Chapter 211 of the Texas Local Government Code.

(1) An ordinance of the City of Cleveland, Texas, amending the City's code of ordinances by revising Chapter 126, "Zoning" by adding a new Section 126-122(8), amending Section 126-137(3), amending Section 126-147(3), amending Section 126-162(5), adding a new Section 126-172(e), amending Section 126-192(56), adding a new Section 126-202(3), and adding a new Section 126-212(38), providing that water and sewer plants are eligible for consideration under a specific use permit in all zoning districts; providing for severability; providing for repeal; providing for a penalty as provided by section 1-10 of the code of ordinances; providing for other provisions related to the subject.

2. Close Public Hearing

ACTION OR CONSIDERATION BY THE BOARD

3. Consideration and possible action to issue a final report and recommendation to City Council on an ordinance amending the City's Zoning regulations by revising Chapter 126, "Zoning" by

adding a new Section 126-122(8), amending Section 126-137(3), amending Section 126-147(3), amending Section 126-162(5), adding a new Section 126-172(e), amending Section 126-192(56), adding a new Section 126-202(3), and adding a new Section 126-212(38), providing that water and sewer plants are eligible for consideration under a specific use permit in all zoning districts; providing for severability; providing for repeal; providing for a penalty as provided by section 1-10 of the code of ordinances; providing for other provisions related to the subject.

4) Discuss future joint public hearing date with City Council

5) Adjourn

I certify that the above agenda was posted at the front of City Hall, 907 East Houston on March 12, 2021 at 9:30 a.m. and posted on www.clevelandtexas.com under Agenda Center.

A handwritten signature in cursive script, appearing to read "Angela Smith".

Angela Smith, TRMC
Director of Admin Services
City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CLEVELAND, TEXAS, AMENDING THE CITY’S CODE OF ORDINANCES BY REVISING CHAPTER 126, “ZONING” BY ADDING A NEW SECTION 126-122(8), AMENDING SECTION 126-137(3), AMENDING SECTION 126-147(3), AMENDING SECTION 126-162(5), ADDING A NEW SECTION 126-172(e), AMENDING SECTION 126-192(56), ADDING A NEW SECTION 126-202(3), AND ADDING A NEW SECTION 126-212(38), PROVIDING THAT WATER AND SEWER PLANTS ARE ELIGIBLE FOR CONSIDERATION UNDER A SPECIFIC USE PERMIT IN ALL ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING FOR A PENALTY AS PROVIDED BY SECTION 1-9 OF THE CODE OF ORDINANCES; PROVIDING FOR OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, following notice and hearing as required by law, the Zoning Commission recommends in writing to amend the comprehensive zoning ordinance as outlined in this Ordinance; and

WHEREAS, the City wishes to allow water and sewer plants to be eligible for application for a Specific Use Permit in all Zoning Districts provided for in Chapter 126, Zoning;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND, TEXAS:

Section 1. Chapter 126, “Zoning,” is hereby revised by adding a new Section 126-122(8), amending Section 126-137(3), amending Section 126-147(3), amending Section 126-162(5), adding a new Section 126-172(e), amending Section 126-192(56), adding a new Section 126-202(3), and adding a new Section 126-212(38), to all now read as follows:

“Sec. 126-122. – Permitted uses.

* * *

(8) Uses that are eligible for consideration under a Specific Use Permit: water and sewer plants.

Sec. 126-137. – Permitted uses.

* * *

(3) Uses that are eligible for consideration under a Specific Use Permit: uses permitted in the GC General Commercial District, water and sewer plants.

Sec. 126-147. – Permitted uses.

* * *

(3) Uses that are eligible for consideration under a Specific Use Permit: water and sewer plants.

Sec. 126-162. – Permitted uses.

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(5) Uses that are eligible for consideration under a Specific Use Permit: water and sewer plants.

Sec. 126-172. – Permitted uses.

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(e) Uses that are eligible for consideration under a Specific Use Permit: water and sewer plants.

Sec. 126-192. – Permitted uses.

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(56) Uses that are eligible for consideration under a Specific Use Permit: uses permitted in the GI General Industrial District, Recreational Vehicle Park or RV Park, water and sewer plants.

Sec. 126-202. – Permitted uses.

* * *

(3) Uses that are eligible for consideration under a Specific Use Permit: water and sewer plants.

Sec. 126-212. – Permitted uses.

* * *

(38) Uses that are eligible for consideration under a Specific Use Permit: water and sewer plants.”

Section 3. Severability. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Cleveland, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. Repeal. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. **Penalty.** Any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine as provided in Section 1-9 of the City's Code of Ordinances.

Section 6. **Publication and Effective Date.** This ordinance shall be effective upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue if the newspaper is a weekly paper, in accordance with Section 52.013 of the Texas Local Government Code.

PASSED, APPROVED AND ADOPTED THIS ___ day of _____, 2021.

Richard Boyett, Mayor

ATTEST:

Angela Smith, City Secretary