

## **City Business** by Michael Leamons

The City's Zoning Ordinance will soon be reviewed with a view to making it better fit Hico. The Ordinance, patterned after Fort Worth's Zoning Ordinance, was adopted on December 8, 2003. What may work well for one of the State's largest cities, doesn't necessarily work as well for a town of 1,379.

It has been said, the intent from the beginning was to amend the ordinance to make it better reflect Hico's small town values. At its November meeting, the Council decided to expedite that process by commissioning a citizen advisory panel. Some area residents, not on the Council or Planning and Zoning Commission, had already expressed interest in helping the City improve the Zoning Ordinance.

Local real estate professionals (realtors, surveyors, bankers, developers), business owners, property owners and others impacted by the provisions of the City's Zoning Ordinance are invited to call City Hall and sign up to participate in the process. The recommendations of the advisory panel will be reviewed and acted upon by the Planning and Zoning Commission, and then by the City Council.

Some aspects of zoning provide significant benefits to citizens and property owners. The set back requirements determining how close to a property line structures can be located keep neighbors from encroaching, provide open areas accessible to utility and emergency personnel, maintain a clear field of view for motor vehicle operators at intersections and create fire barriers. Prohibitions against trailers protect property values. Distinctions between residential and commercial zones protect the integrity of residential neighborhoods. These are just a few of the benefits which zoning provides.

The current Zoning Ordinance, however, does create hardships and additional expenses in a time when many are struggling because of the bad economy. The Ordinance established 3 commercial zones and 2 industrial zones. The different classifications limit what type of businesses can be located in the different zones. Does Hico have enough business activity to justify all these distinctions and limitations?

In recent months, City staff has run across details of the Ordinance which are problematic. Garage sales are highly regulated. They are to be limited to two per year per address. The sale is to be confined to the garage and/or patio. Merchandise acquired solely for the purpose of resale is not to be sold. The sale may not exceed three consecutive calendar days. A permit must be secured 72 hours prior to the sale. Only one sign, not to exceed two square feet is allowed on the premises. No other signs are allowed at any other location. Is this what you want for Hico?

The Ordinance is also pretty hard on mobile food vendors. They may only conduct business in front of a business that is operational and has a certificate of occupancy. The vendor must be provided access to the business's restroom facilities. If the mobile vendor operates out of a trailer, at all times it must remain hitched to the vehicle used to transport it. A monthly permit fee is required.

Anyone locating a business on commercially zoned property which abuts residentially zoned property must construct a wood or masonry fence. This requirement seems reasonable where a business abuts developed residential property to protect the resident's privacy, but what if the residentially zoned property is undeveloped? The

Ordinance requires a fence regardless. Why not require the fence only if and when the residential property is developed?

It's easy to complain about unreasonable rules and regulations, but it takes effort to create something better. If you want to be part of the solution and help sift out the provisions of the Zoning Ordinance incompatible with Hico's small town values, volunteer for the citizen advisory panel. May God bless the City of Hico.