

CITY OF WILLOW PARK
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WILLOW PARK, AMENDING THE ZONING OF A TRACT OF LAND CONSISTING OF 0.8 ACRES , SITUATED IN THE MCKINNEY AND WILLIAMS SURVEY ABSTRACT NUMBER 954 AND THE I&G.N.RR CO. ABSTRACT 1998, IN THE CITY OF WILLOW PARK, PARKER COUNTY, TEXAS HERETOFORE ZONED AS CLASS II RESIDENTIAL “R-1” SINGLE FAMILY DISTRICT REZONED TO CLASS III; BUSINESS “LR” LOCAL RETAIL DISTRICT; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF UP TO \$2,000 PER DAY; PROVIDING REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE..

WHEREAS, the City of Willow Park, Texas, is a Type A general-law municipality located in Parker County, created in accordance with the provisions of Chapter 6 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Property Owner, Eddie Joe Eades, requested a zoning change, from "Class II: Residential: 'R-1' Single-Family District" to a "Class III - Business: “LR” Local Retail District, being an 0.80 acre tract of land in the Havins Subdivision Block 1 of said Havins Subdivision of Lot 7 of the C.E. Beavers Subdivision of a part of the following Surveys, McKinney and Williams Abstract 954, J.M. Moore Abstract 882 and I&G.N. RR. Co. Abstract 1998 in Willow Park, Parker County, Texas (the “Property”); and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code and all other laws dealing with notice, publication, public hearings, and procedural requirements of the rezoning of the Property; and

WHEREAS, after considering the information submitted at the public hearing and all other relevant information and materials, on April 21, 2026, the Planning and Zoning Commission of the City recommended to the City Council approval of the zoning change; and

WHEREAS, the City of Willow Park, Texas does hereby deem it advisable and in the public interest to amend Willow Park Zoning Ordinance and rezone this property as set forth below.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated in the body of this Ordinance as if fully set forth herein.

SECTION 2. Amendment to Zoning. The Zoning Ordinance, set out in Chapter 14 of the Willow Park Code of Ordinances, and the Official Zoning Map are hereby amended as follows:

The zoning designation of the below described property containing, 0.80 acre tract of land in the HAVINS SUBDIVISION Block 1 of said Havins Subdivision of Lot 7 of the C.E. Beavers Subdivision of a part of the following Surveys, McKinney and Williams Abstract 954, J.M. Moore Abstract 882 and I&G.N. RR. Co. Abstract 1998, in Willow Park, Parker County, Texas (the "Property") is hereby changed from Class II – Residential "R-1" Single Family District and is hereby zoned to "Class III - Business: "LR" Local Retail District. The Property as a whole is more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

Three (3) original, official and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

- a. Two (2) copies shall be filed with the City Secretary and retained as the original records and shall not be changed in any manner.
- b. One (1) copy shall be filed with the building inspector and shall be maintained up to date by posting thereon all changes and subsequent amendments for observation, issuing building permits, certificates of compliance and occupancy and enforcing the zoning ordinance. Reproduction for information purposes may from time to time be made of the official zoning district map.

SECTION 3: No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development Zone or any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the Town Council in the manner provided for by law.

SECTION 4. Unlawful Use of Premises. It shall be unlawful for any person, firm, or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm, or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Zoning Ordinance.

SECTION 5. Cumulative Clause. This ordinance shall be cumulative of all provisions of ordinances of the City of Willow Park, Texas except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Willow Park's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

SECTION 6. Savings/Repeal Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 7. Severability Clause. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared

unconstitutional by the valid judgment of decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence paragraph or section..

SECTION 8. Penalty. Any person, firm, entity or corporation who violates any provision of this Ordinance or the code of ordinances, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction, therefore, shall be fined in a sum not exceeding Two Thousand and No/100 Dollars (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 9. Effective Date. This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS, this the ____ day of April 2026.

APPROVED:

Teresa Palmer, Mayor

ATTEST:

Deana McMullen, City Secretary

Wm. A. Messer, City Attorney