

CITY OF WILLOW PARK, TEXAS
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS AMENDING THE CITY OF WILLOW PARK CODE OF ORDINANCES, CHAPTER 14 ZONING, ARTICLE 16 "COMMISSIONS", § 14.16.003 "MEMBERSHIP AND TERMS", § 14.16.004 "PROCEDURE", § 14.16.005 "DUTIES AND POWERS", AND §14.16.006 "STAFF SUPPORT"; PROVIDING FOR REPEAL; PROVIDING FOR SAVINGS AND SEVERABILITY; PROVIDING FOR PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.

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

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WHEREAS, the City of Willow Park desires to revise its zoning ordinance regarding policies and procedures for the planning and zoning commission; and

WHEREAS, the City of Willow Park submitted the revisions to Chapter 14 "Zoning", Article 16 "Commissions" to the planning and zoning commission for its review, held public hearings with both the planning and zoning commission and the city council and published notice, all in compliance with Chapter 14 "Zoning", Article 21 "Amendments" of the City of Willow Park Code of Ordinances and Chapter 211 of the Texas Local Government Code; and

WHEREAS, the City of Willow Park City Council finds and determines that the revision of the zoning ordinance regarding the city planning and zoning commission will be in the best interests of the citizens of Willow Park.

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

SECTION 1. All the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2: Amendment. That Chapter 14 "Zoning", Article 16 "Commissions", §14.16.003 "Membership and Terms"; of the City's Code of Ordinances is hereby amended and revised and replaced in its entirety as set forth below with all other provisions of Chapter 14, Article 16 not herein affected to remain in full force and effect:

§ 14.16.003. Membership and terms.

(a) Membership.

(1) The planning and zoning commission ("commission") shall consist of five voting commissioners separately appointed to specific offices designated as: Place 1, Place 2, Place 3, Place 4, and Place 5. ~~The mayor shall make a recommendation of qualified persons to the city council to serve as commissioners. Each commissioner shall be selected and appointed~~

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~~by a majority vote of the city council. Applications are required for each commissioner position and must be submitted to the city secretary, where they will remain on file.~~

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~~(2) The commission shall consist of the five commissioners and two alternates appointed by the mayor. The alternates shall be appointed to specific offices designated as: Alternate 1 and Alternate 2.~~

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~~(3) Alternate commissioners may attend and participate in all commission meetings and discussions. Only in the absence of one or more commissioners can an alternate be counted for quorum determination or vote on commission business or matters appearing on the agenda. A vote cast by an alternate commissioner, when eligible to vote, shall be cast first by Alternate Place 1 and by Alternate Place 2, only in the absence of two or more commissioners or the Alternate Place 1 person.~~

~~(4) The All applications received for a vacant or expiring commission place position will be presented to city council with staff recommendations. The mayor and/or members of city council may make commission recommendations from the presented applications. Each commissioner shall be selected and appointed by a majority vote of the city council.~~

~~(2) Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause in the same manner as the original appointment was made.~~

~~(3) The city secretary shall maintain a list of the names, addresses, telephone numbers and terms of each commissioner and alternates and shall make such list available to the commission and city council after each commission appointment. The secretary shall also provide the city council at least 60 days' notice of the expiration of a commissioner's term of office.~~

~~(54) To qualify as a commissioner, the person persons must have been abc resident of the city citizens for a minimum of one year, current taxpayers, real property owners, and qualified voters of the City of Willow Park who are not employees of the city.~~

~~(65) The city will make training opportunities available for each commissioner and allow attendance at seminars and workshops relating to the basics of municipal planning and zoning in Texas, with tuition, if any, paid by the city.~~

~~(76) Commissioners may resign from their office at any time by submitting written notice to the secretary. The city may remove a commissioner or alternate at any time for any reason by a majority vote of the city council.~~

~~(b) (b) Term.~~

~~(1) Each member of the commission will be appointed to a two-year term, with the term beginning in January as follows:~~

~~(A) (A) Place 1, Place 3, and Place 5 in odd-numbered years.~~

~~(B) (B) Place 2 and Place 4 in even-numbered years.~~

(2) (3) A commissioner vacancy shall be filled in accordance with subsection (a)(1) for the unexpired term of the office vacated.

§ 14.16.004. Procedure.

(b) Quorum. A majority of the commissioners shall constitute a quorum to conduct business. An affirmative vote of a majority of those present and qualified to vote at any meeting, shall be necessary to pass any motion, recommendation or resolution. In the absence of a quorum, city staff may call a special meeting to address time-sensitive items which require the commission's recommendation.

- (1) Each year during its first meeting in January, or as soon ~~after~~ ^{after} as practicable, the commission shall elect presiding officers from the commissioners, including, at a minimum, a chair and a vice-chair. ~~An alternate commissioner is not eligible to be an officer.~~
- (2) The chair, or in absence of the chair, the vice ~~chair~~, shall preside at all meetings of the commission.

(d) (1) Regular and special meetings, open to the public;
(2) A record of its proceedings in accordance with the Texas Open Meetings Act;
(3) Reporting to the governing body, from time to time; and
(4) Meeting rules of order and the commission public hearings

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SECTION 4: Amendment. That Chapter 14 Zoning, Article 16 Commissions, §14.16.005 “Duties and Powers.”; of the City’s Code of Ordinances is hereby amended and revised and replaced in its entirety as set forth below with all other provisions of Chapter 14, Article 16 not herein affected to remain in full force and effect:

§ 14.16.005 Duties and Powers.

(a) General. The commission shall exercise all powers ~~necessary, privileges and appropriate to recommend authority authorized and granted by the approval or disapproval~~ Texas Constitution, the Statutes of plans, plats, replats, or other the State of Texas granting municipalities the power of zoning and subdivision regulation of land as authorized by found in chapters 211 and 212, Texas Local Government Code, subject to final approval by the city council.

(b) Enumerated duties. The planning and powers:

- (1) Recommend approval or disapproval of boundaries for the original zoning districts, proposed changes to a zoning district or map, or changes to zoning regulations for any district.
- (2) Recommend approval or disapproval of the platting of land within the corporate limits. commission shall be an advisory body and extraterritorial jurisdiction of the city as permitted by law, with the exception of amending plats and minor plats as provided in section 212.0065 Texas Local Government Code.
- (3) Recommend adjunct to the city council a comprehensive plan for the orderly development of the city. The commission shall, from time to time, recommend changes or updates to the comprehensive plan as necessary and appropriate.
- (4) Under council direction, and with input from city staff, study and and shall make recommendations on the location, extension and planning of public rights-of-way, parks or other public places, including the vacating or closing of same.
- (5) Under council direction, and with input from city staff, study and make recommendations on the general design and location of public buildings, bridges, viaducts, street fixtures and other structures and appurtenances.
- (6) Notice and conduct public hearings or motions for the city:

(A) For the opening, vacating or closing of public rights-of-way, parks or other public places;

(B)(b) For the regarding amendments to the comprehensive plan, changes of zoning for real property, zoning and subdivision ordinance amendments, zoning

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~~of recently to be given to newly annexed areas; or, approval of plats of subdivisions, and other planning-related matters.~~

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~~(C) For a change of zoning district boundaries or regulations.~~

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~~(7) Submit each June a progress report to the city council summarizing the work and major accomplishments of the commission during the past year, accompanied with a proposed work program for the next fiscal year. The report shall contain a meeting attendance record for all members of the commission.~~

~~(c) The planning and zoning commission shall review the city's comprehensive plan and shall be prepared to make recommendations to the city council, as deemed necessary, to keep the city's comprehensive plan current with changing conditions and trends and with the planning needs of the city.~~

~~(d) The planning and zoning commission shall also serve in an advisory capacity on any other planning-related matter(s) in the city.~~

~~(e) Joint meetings with the city council: Whenever the city council and the planning and zoning commission are required by the laws of the State of Texas to conduct public hearings in matters pertaining to planning, zoning or subdividing property, and at other times when it is in the best interest of the city to do so, the city council and the planning and zoning commission are hereby authorized, after published notice as required by law, to hold joint meetings and to conduct joint public hearings.~~

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SECTION 5: Amendment. That Chapter 14 "Zoning", Article 16 "Commissions", §14.16.006 "Staff Support."; of the City's Code of Ordinances is hereby amended and revised and replaced in its entirety as set forth below with all other provisions of Chapter 14, Article 16 not herein affected to remain in full force and effect:

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§ 14.16.006 Staff Support.

(a) Staff liaison. A city employee will be designated as staff liaison by the city manager to handle routine correspondence for the commission, prepare and post all required agendas, notices, maintain documents and files on all matters to be considered by the commission, prepare reports for the commission, provide relevant information to be considered by the commission to assist them in performing their functions, and ensure proper agenda item wording, notification and compliance with Texas Open Meetings Act.

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(b) Minutes. A recording secretary shall be designated by the city manager to keep complete and accurate minutes of the commission meetings. The city secretary shall be the custodian of commission records. Minutes shall include, at a minimum, a written narrative of all motions and votes taken as well as all relevant discussions, recommendations, findings and resolutions of the commission. After approval by a majority of the commission, the minutes shall be made public.

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(c) Reporting. For each regular city council meeting following a commission meeting, city staff shall provide a written report to each member of the city council summarizing any recommendations of the commission to be presented to council at that meeting. Such written report shall identify the matter in question, the date when the matter was declared administratively complete, the timeline for review, any unresolved issues, the

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~~recommendation of the commission, and the individual votes cast by the commissioners or alternates-city council.~~

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

SECTION 7: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Crandall hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 8: Effective Date. This Ordinance shall become effective upon its passage and publication.

▲ DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
WILLOW PARK, THIS _____ DAY OF _____ 2025.

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▲ _____
Teresa Palmer, Mayor

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▲ ATTEST:

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Deana McMullen, City Secretary

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