



## AGENDA ITEM COMMENTARY

---

<b>MEETING NAME:</b>	City Council
<b>MEETING DATE:</b>	November 17, 2025
<b>ITEM TITLE:</b>	<p>PUBLIC HEARING: Conduct a Public Hearing on amending Chapter 14 Zoning; Deleting 14.02.006, Special Use Review; Amending 14.02.005 Conditional Use Review; Amending 14.03.002 Zoning of Newly Annexed Areas; Amending 14.03.008(5) Use Table; 14.03.012(F) Removing Cemeteries as an Allowed Use Under Parks and Open Areas; and Amending 14.03.013 Commercial Use Categories.</p> <p><i>A public hearing is held by the governing body in order for the public to hear the facts and offer their opinions. The governing body is not obligated to engage in dialogue with those present.</i></p>
<b>STAFF INITIATOR:</b>	Tara Tomlinson, Director of Development Services

---

### BACKGROUND:

This commentary applies to the next two agenda items:

1. Conduct a Public Hearing on amending Chapter 14 Zoning; Deleting 14.02.006, Special Use Review; Amending 14.02.005 Conditional Use Review; Amending 14.03.002 Zoning of Newly Annexed Areas; Amending 14.03.008(5) Use Table; 14.03.012(F) Removing Cemeteries as an Allowed Use Under Parks and Open Areas; and Amending 14.03.013 Commercial Use Categories.
2. Consider and take appropriate action on amending Chapter 14 Zoning; Deleting 14.02.006, Special Use Review; Amending 14.02.005 Conditional Use Review; Amending 14.03.002 Zoning of Newly Annexed Areas; Amending 14.03.008(5) Use Table; 14.03.012(F) Removing Cemeteries as an Allowed Use Under Parks and Open Areas; and Amending 14.03.013 Commercial Use

### Removing Cemeteries:

On September 9, 2025, the Planning and Zoning Commission reviewed the current zoning table and its permitted uses. One key concern raised was the allowance of cemeteries in areas designated as parks or open spaces. While state law provides specific regulations for cemeteries, the Commission determined it was necessary to remove this use from the list of permitted activities in parks and open spaces. This decision was based on the fact that Parks and Open Spaces are permitted in all zoning districts, potentially allowing cemeteries in any zone by extension.

### Newly Annexed Areas:

Currently, the City of Wolfforth's ordinances state that any newly annexed land will default to R-1 (Residential Single-Family) zoning if zoning is not established at the time of annexation. City staff has observed that many previously annexed properties did not have zoning assigned at the time of

annexation, resulting in discrepancies with the City's Future Land Use Map. Some of these areas now have zoning designations that do not align with the city's long-term planning goals.

To address this issue, city staff is proposing an amendment to the annexation process. Under the proposed change, properties requesting annexation would also be able to request zoning designation concurrently. While annexation would still require prior approval by City Council in a separate agenda item, zoning could be established immediately afterward through a subsequent item.

### **Use Table, Commercial Use Categories, and Specific Use:**

Due to recent growth in our commercial sector, city staff have been actively reviewing the current zoning ordinance. While most business types are adequately addressed, some specific uses remain vaguely defined, which has led to the establishment of businesses in areas that may not align with the city's long-term planning goals.

On September 9, 2025, the Planning and Zoning Commission defined categories that are currently not included in our zoning ordinances for clarification or regulations. In addition to reviewing specific uses, the Planning and Zoning Commission deliberated on the possibility of clarifying and consolidating the definitions of special use and conditional use under a more clearly defined category of specific use. While these terms are often used interchangeably, establishing distinct definitions and expectations will help ensure greater consistency and clarity in zoning decisions.

On November 12, 2025, the Planning and Zoning Commission recommended approval of the ordinance with the following condition:

- Clarification on 14.03.013(q)(3)- Exceptions for Funeral Homes/Crematoriums.

### **EXHIBITS:**

1. Public Hearing Notices

### **COUNCIL ACTION/STAFF RECOMMENDATION:**

Conduct a public hearing.