

ORDINANCE 2025-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING THE CITY OF WOLFFORTH CODE OF ORDINANCES BY AMENDING CHAPTER 15 STREETS, SIDEWALKS AND OTHER PUBLIC WAYS, ARTICLE 15.03 CONSTRUCTION, ALTERATION AND REPAIR OF SIDEWALKS, CURBING, DRIVEWAYS AND GUTTERS, DIVISION 4 SPECIFICATIONS § 15.03.106 DRIVEWAYS INTO PRIVATE PROPERTY; ADDING ADMINISTRATIVE REVIEW FOR DRIVEWAYS ON A PORTION OF DONALD PRESTON DRIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the lots along Donald Preston Drive, beginning at the point where Donald Preston Drive intersects the east city limits and extending west to the point where Donald Preston Drive intersects Farm to Market 179, were subdivided prior to the adoption of subdivision regulations by the City of Wolfforth;

WHEREAS, the size and orientation of some of the lots along this section of Donald Preston Drive, necessitate driveways that would not be otherwise permissible under current City regulations;

WHEREAS, the unique nature of the lots and number of such lots require specific review by City staff; and

WHEREAS, in an effort to facilitate uniform and efficient review of driveways along a specific portion of Donald Preston Drive, the Council finds that it is in the best interest of the City to establish procedures for City staff to review and approve such driveways. **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, THAT:

Part 1. Enacted.

THAT the City of Wolfforth Code of Ordinances is hereby amended by amending Chapter 15 Streets, Sidewalks and Other Public Ways; Article 15.03 Construction, Alteration and Repair of Sidewalks, Curbing, Driveways and Gutters; Division 4 Specifications; § 15.03.106. Driveways into private property, which additional language shall read as follows:

ARTICLE 15.03 CONSTRUCTION, ALTERATION AND REPAIR OF SIDEWALKS, CURBING, DRIVEWAYS AND GUTTERS

Division 4 Specifications

§ 15.03.106 Driveways into private property

(unapproved draft)

- (7) Administrative review. The City Manager or their designee shall have the authority to grant administrative adjustments for applications for the construction, expansion, or modification of driveways for private property use along the following roads:
- Donald Preston Drive, beginning at the point where Donald Preston Drive intersects the east city limits and extending west to the point where Donald Preston Drive intersects Farm to Market 179.
- (A) In exercising their authority to grant such construction, expansion, or modification the City Manager or their designee shall make findings and show such facts and/or special conditions by which the following conditions have been satisfied:
- (i) Any modification shall be designed to promote traffic safety, maintain aesthetic harmony, and ensure the effective management of infrastructure;
 - (ii) There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding condition or location that do not apply generally to other property under the same or similar circumstances and that said circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of such land or building;
 - (iii) That authorizing the construction, expansion, or modification on the specific driveway will not cause an unreasonable traffic safety or traffic control problem to be created upon the property or the streets and rights-of-way abutting such property; and
 - (iv) That the authorized construction, expansion, or modification is the minimum deviation from applicable City regulations that will relieve the proven hardship.
- (B) Submission of application. A complete application for an administrative adjustment shall be submitted to the City Manager, along with the appropriate application fee.
- (C) Action by City Manager. After determining that the application is complete, the City Manager or their designee shall review the application and approve, approve with conditions or deny the application based upon the above criteria. A written decision including affirmative findings on the criteria set forth above shall be mailed to the applicant.
- (D) Appeals. Appeal of an administrative review to the zoning board of adjustment shall be made within fifteen (15) days of the mailing of the City Manager or designee's decision in accordance with section [14.02.010](#) of this Code.

Part 2. Severability.

(unapproved draft)

If any section, sub-section, clause, phrase, or portion of this Ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase, or portion shall be deemed to be a separate, distinct, and independent provision and such invalidity shall not affect the validity of the remaining portions.

Part 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Part 4. Open Meetings

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Part 5. Effective Date.

This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED and ADOPTED this 3rd day of March 2025.

Charles Addington, II, Mayor
City of Wolfforth, Texas

ATTEST:

Terri Robinette, City Secretary