



CALL TO ORDER

CITIZEN COMMENTS

This is an opportunity for citizens to address the council/commission/committee on any matter over which they have authority, whether it is or is not posted on the agenda. The council/commission/committee is not permitted to discuss or take action on any presentations concerning an item not listed on the agenda. Citizens may speak up to three (3) minutes or the time limit determined by the Mayor or presiding officer.

PUBLIC HEARING, ACTION & BRIEFING ITEMS:

A. Approve minutes dated January 26, 2021.

B. PUBLIC HEARING

Public hearing to consider amending Chapter 14 “Zoning.” Exhibit A, “Zoning Ordinance,” Article 3 “Zoning Districts,” Division 11, “Planned Development Overly District – PD,” Section 14.3.51, “Permitted Uses” of the Westworth Village Code of Ordinances.

C. Mayor Jones

Discuss and take action to **amend Chapter 14 “Zoning.” Exhibit A, “Zoning Ordinance,” Article 3 “Zoning Districts,” Division 11, “Planned Development Overly District – PD,” Section 14.3.51, “Permitted Uses” of the Westworth Village Code of Ordinances.**

D. Next meeting will be scheduled as needed.

ADJOURN

The Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.

This facility is wheelchair accessible and handicapped parking spaces are available. Requests for accommodations for the hearing impaired must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (817) 710-2526 for assistance.

A quorum of the council or other board and committees may be present at this meeting; however, no council, board or committee discussions or actions will be taken. I certify that the above notice was posted on the bulletin board at the Westworth Village City Hall, 311 Burton Hill Road, Westworth Village, Texas on this, the 1st day of February 2021, at 5pm, in accordance with Chapter 551 of the Texas Government Code.

Brandy G. Barrett, TRMC
City Secretary





January 26, 2021

6:00 PM

Council Chambers

ATTENDEES:	Member	Steve Beckman
	Member	Darla Thornton
	Member	Margaret Worthington
	Member	Richard Cervenka
	Member	Phillip Poole
	Member	Al Dias
	Member	Tom Hughes
	Mayor	L. Kelly Jones
	City Secretary	Brandy Barrett
	Chief of Police	Kevin Reaves

ABSENT:

CALLED TO ORDER at 6:00 pm by Chairperson Steve Beckman.

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- There were no citizen comments.

PUBLIC HEARING, ACTION & BRIEFING ITEMS:

- A. Approval of the minutes dated January 7, 2021.

MOTION to approve the minutes dated January 7, 2021.

MADE BY: Darla Thornton. **SECOND BY:** Phillip Poole.

Motion, as amended passed by a vote of 7 Ayes and 0 Nays.

- B. Staff briefing on the proposed changes to Section 14.3.51(B), to lessen the restrictions on PDs allowing greater flexibility for developers seeking zoning changes. *Public hearings and action on this item will be held on February 4th.*
- Ms. Barrett reported the staff will be recommending a change to the zoning ordinances in response to concerns raised by the developers in relation to the 5% restriction imposed on PDs. Following a discussion with multiple developers on the city's failure to require compliance in the past and its impact on future development, the staff was asked to consult with the city attorney and improve the proposed wording to remove the 5% restriction and clarify the proposed wording.

C. PUBLIC HEARING #1 was opened at 6:23pm

Public hearing to consider rezoning existing lots in the SF-R zoning district to Redevelopment Single Family Residential (SF-R-1, SF-R-2 and SF-R-3) and updating the zoning map to reflect the newly applied districts.

- Comments were received from:
 - Melissa Huffman (207 LaJolla Cove) spoke on the topic
 - Craig Strain (5608 Sandy Ln) spoke against the topic

- Ray Oujesky (201 Main St, Fort Worth) spoke against the topic
- Pat Craine (700 Cinnabar Ct) spoke against the topic
- Mike Terrell (6225 Geona Rd, Fort Worth) spoke on the topic
- John Hendrix (5812 Tracyne) submitted a statement for the topic
- Mike Abbott (5741 Tracyne Dr) submitted a statement for the topic

The Public Hearing was closed at 6:57pm.

- D.** Discuss and take action on rezoning existing lots in the SF-R zoning district to Redevelopment Single Family Residential (SF-R-1, SF-R-2 and SF-R-3) and updating new zoning map to reflect the newly applied districts. *(This is the second of two actions required, the P&Z established the new zoning districts at their last meeting. This action applies the districts to the property.)*

MOTION to recommend the council rezoning existing lots in the SF-R zoning district to SF-R-1 as proposed and illustrated on the map, SF-R-2 and SF-R-3 as proposed and illustrated on the map North of White Settlement Drive, SF-R-2 to the area South of White Settlement Drive not zoned SF-R-1, updating new zoning map to reflect the newly applied districts.

MADE BY: Margaret Worthington. **SECOND BY:** Phillip Poole.

- **Motion passed** by a vote of 5 Ayes, 1 Nays (Cervenka) and 1 Abstain (Hughes).

- E.** Next meeting is scheduled for February 4th at 6:00pm.

ADJOURNED at 7:27pm by Chairman Beckman.

MINUTES APPROVED on this the 4th day of February 2021.

Steve Beckman, Chair

SIGNATURE ATTESTED BY:

Brandy G. Barrett, TRMC
City Secretary

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF WESTWORTH VILLAGE, TEXAS AMENDING CHAPTER 14, “ZONING,” EXHIBIT A, “ZONING ORDINANCE,” ARTICLE 3 “ZONING DISTRICTS,” DIVISION 11, “PLANNED DEVELOPMENT OVERLAY DISTRICT - PD,” SECTION 14.3.51, “PERMITTED USES” OF THE CODE OF ORDINANCES, CITY OF WESTWORTH VILLAGE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; REPEALING AND REPLACING CONFLICTING PROVISIONS OF ORDINANCES HEREWITH; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Westworth Village, Texas (the “City”) is a Type A General Law city located in Tarrant County Texas; and

WHEREAS, the City has adopted the Comprehensive Zoning Ordinance, as amended, (“Zoning Ordinance”) which Zoning Ordinance regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes; and

WHEREAS, the City Council has determined that areas of the City are experiencing extensive drainage issues; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on January 26, 2021, and thereafter by the City Council on January 26, 2021, with respect to the proposed area changes described herein; and

WHEREAS, the City Council has determined that the amendment to the Comprehensive Zoning Ordinance as detailed herein furthers the purpose of the City’s Comprehensive Zoning Ordinance and is in the best interest of the health, safety and general welfare of the citizens of the City of Westworth Village;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTWORTH VILLAGE, TEXAS, THAT:

Section 1. That Article 3 “Zoning Districts,” Division 11, “Planned Development Overlay District - PD,” Section 14.3.51, “Permitted Uses” of the Zoning Ordinance of the Code of Ordinances of the City of Westworth Village is hereby amended by amending subsection B. to read as follows:

“Sec. 14.3.51 Permitted Uses

A. An application for a PD district shall specify the base zoning district(s) upon which the PD is based, and the use or the combination of uses proposed, including any of the proposed uses which are not allowed by right in the base zoning district.

B. In the case of residential PD districts, the proposed lot/tract sizes shall conform with the base zoning district, except for changes to provide improved design, or to provide flexibility in the layout of the subdivision or diversity in lot/tract size choices. If the combined impervious surface of the development will be more than 125% of the impervious surface requirement underlying zone, any plat or construction plan of the lots must demonstrate compliance with the Sustainable Stormwater Practices as defined in Chapter 10 herein.”

Section 2. This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Westworth Village, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

Section 3. 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 or 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 4. Violation of this ordinance shall constitute a misdemeanor punishable in accordance with Section 1.01.009 of the Code of Ordinances, City of Westworth Village, Texas. Each day a violation occurs or is allowed to continue shall constitute a separate offense punishable hereunder. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 5. All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Subdivision Ordinance amended or revised herein, or any other ordinances affecting the matters regulated herein which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 6. The City Secretary is hereby authorized if required to cause the publication of the descriptive caption and penalty clauses of this ordinance as an alternative method of publication provided by law.

Section 7. This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

AND IT IS SO ORDAINED.

PASSED AND APPROVED this 4th day of February 2021.

CITY OF WESTWORTH VILLAGE

By:

L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, TRMC
City Secretary

APPROVED AS TO FORM AND LEGALITY:

Benjamin J. Gibbs, City Attorney

DRAFT