

## ORDINANCE NO. 203-85

AN ORDINANCE AMENDING ORDINANCE 129-A OF THE CODE OF ORDINANCES OF THE CITY OF WILLOW PARK, TEXAS; AUTHORIZING SPECIAL USE PERMITS; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION

WHEREAS, the City Council has received the recommendations of the Planning and Zoning Commission concerning the matters herein dealt with, which recommendations were made after the holding of a public hearing before said Commission on such matters; and;

WHEREAS, notice has been published of the time and place of a public hearing held before the City Council concerning the changes herein made, which public hearing has been duly held; and,

WHEREAS, the City Council has determined that the amendment to the Comprehensive Zoning Ordinance herein made is in the best interest of the health, safety and general welfare of the citizens of the City of Willow Park; NOW, THEREFORE,

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

Sec. I. THAT Section XI. of Ordinance 129-A be amended to read as follows:

"Subsection XI-5. Special Use Permits.

(a) The City Council of the City of Willow Park, after public hearing and proper notice to all parties affected and after recommendations by the Planning and Zoning Commission may authorize the issuance of special use permits for the uses so indicated:

1. Transmission and receiving tower.

(b) The Planning and Zoning Commission in considering and determining Its recommendations to the City Council on any request for a Special Use Permit may require from the applicant plans, information, operating data and expert evaluation concerning the location and function and characteristics of any building or use proposed, and may charge a fee for said application inspection and expert evaluation. The City Council may, in the interest of the public welfare and to assure compliance of this ordinance, establish conditions of operation, location, arrangement and construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as Special Use Permits,

the City Council may impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions.

- (c) All Special Use Permits approved in accordance with the provisions of this ordinance in its original form or as hereafter amended shall be referenced on the Zoning District Map and a list of such permits shall be maintained in the appendix of this ordinance.

Sec. 2. THAT Section XII. of Ordinance 129-A shall be amended to read as follows:

"Subsection XII-5. Special Use Permits.

- (a) The City Council of the City of Willow Park, after public hearing and proper notice to all parties affected and after recommendations by the Planning and Zoning Commission may authorize the issuance of special use permits for the uses so indicated:

- 1. Transmission and receiving tower.

- (b) The Planning and Zoning Commission in considering and determining its recommendations to the City Council on any request for a Special Use Permit may require from the applicant plans, information, operating data and expert evaluation concerning the location and function and characteristics of any building or use proposed, and may charge a fee for said application, inspection and expert evaluation. The City Council may, in the interest of the public welfare and to assure compliance of this ordinance, establish conditions of operation, location, arrangement and construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as Special Use Permits, the City Council may impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions.

- (c) All Special Use Permits approved in accordance with the provisions of this ordinance in its original form or as hereafter amended shall be referenced on the Zoning District Map and & list of such permits shall maintained in the appendix of this ordinance.

Sec. 3. Any person, firm or corporation violating any provision of this ordinance, as read together with the Comprehensive Zoning Ordinance of the City of Willow Park shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not to exceed One Thousand Dollars

(\$1,000.00). Each day the violation continues shall constitute a separate offense.

Sec. 4. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause of this ordinance as an alternative method of publication provided by law.

AND IT IS SO ORDAINED.

Passed and approved on this the 15<sup>th</sup> day of July, 1985.

Carl Heath Jr

CARL HEATH, JR., MAYOR

ATTEST:

Bernadette Wright

BERNADETTE WRIGHT, CITY SECRETARY

APPROVED AS TO FORM:

Carter L. Hampton

CARTER L. HAMPTON, CITY ATTORNEY