

# CITY OF WILLOW PARK

ORDINANCE NO. 506-04

## AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF WILLOW PARK, TX; CREATING AN INTERSTATE HIGHWAY CORRIDOR OVERLAY DISTRICT; FINDING THAT THE DESIGNATED AREA IS A SUITABLE USE; PROVIDING FOR PUBLIC ACCESS AND AN EFFECTIVE DATE

WHEREAS, the City of Willow Park, is a municipal corporation duly and legally formed in the State of Texas; and

WHEREAS, the City is a general law municipality with specific powers delegated to it to provide for the health, safety and general welfare of its citizens; and

WHEREAS, Chapter 213 TEXAS LOCAL GOVERNMENT CODE "*Municipal Comprehensive Plans*" delegates to municipalities the authority to adopt a comprehensive plan for the long range development of the municipality; and

WHEREAS, the City of Willow Park did develop a Comprehensive Plan in consultation with planning professionals that was adopted pursuant to Ordinance 484-02 on July 2, 2002 by the City Council of the City of Willow Park; and

WHEREAS, a Comprehensive Plan may be amended by ordinance to provide for land use, transportation and public facility designation consistent with the long range development of the municipality; and

WHEREAS, the amendment to the Comprehensive Plan was subject to a public hearing at which the public was given the opportunity to give testimony, present written evidence and was reviewed by the Planning and Zoning Commission on January 12, 2004 pursuant to §213.003 TEX. LOCAL GOVT. CODE;

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

### SECTION 1. AUTHORIZATION

The Mayor, or appropriate City Official or Mayor's designee is hereby authorized and directed to implement the applicable provisions of this Ordinance.

### SECTION 2. COMPREHENSIVE PLAN

The Comprehensive Plan for the City of Willow Park, as adopted by Ordinance No. 484-02 on July 2, 2003 is hereby amended to create and depict a uniform zoning regulation district to be designated Interstate Highway 20 Corridor Overlay District (IH 20 Overlay) as shown on Exhibit A hereto. The regulations adopted with IH 20 Overlay are with reasonable consideration for the character of the district and are suitable for an adjacency to an interstate highway to conserve the value of the buildings and encourage the most appropriate use of the land within the zoning district. The Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries.

### SECTION 3. PUBLIC ACCESS

The City Secretary is hereby instructed to maintain a copy of the Comprehensive Plan, as amended, for public use and reference. A map depicting the recommendations of the Comprehensive Plan, as amended herein and illustrating the proposed future land use, shall be displayed in an area accessible to the public in the municipal building and contain a clearly visible statement thereon: "A COMPREHENSIVE PLAN SHALL NOT CONSTITUTE ZONING REGULATIONS OR ESTABLISH ZONING DISTRICT BOUNDARIES."

### SECTION 4. LIMITATION

The adoption of the Comprehensive Plan or the amendment herein by the City Council of the City of Willow Park shall not limit the ability of the municipality to prepare other plans, policy or strategies as required or necessary to promote the health, safety and welfare of the public.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES

All Ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

SECTION 6. SEVERANCE

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 7. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 8. EFFECTIVE DATE

This Ordinance shall take effect from and after its adoption.

PASSED AND APPROVED this 26th day of January, 2004.

*James H. Poythress*  
\_\_\_\_\_  
Mayor

ATTEST:

*Concha P. Weaver*  
\_\_\_\_\_  
City Secretary/Clerk

APPROVED AS TO FORM:

*[Signature]*  
\_\_\_\_\_  
City Attorney

The Willow Park City Council in acting on Ordinance No. 506-04, did on the 26th day of January 2004 vote

as follows:

James H. Poythress, Mayor

Scott Rule, Place 1

Terry Skaggs, Place 2

Brad Johnson, Place 3

Jason Ellerbusch, Place 4

Marvin Glasgow, Place 5

FOR

AGAINST

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