

# CITY OF WILLOW PARK

## ORDINANCE NO. 650-12

**AN ORDINANCE PROVIDING FOR AN AMENDMENT TO CHAPTER 12 "ZONING REGULATIONS", ARTICLE 12.500 "USE RESTRICTIONS AND ZONING REGULATIONS" BY AMENDING SECTION 12.510 "CLASS III-BUSINESS: "C" COMMERCIAL DISTRICT" BY ADDING "CLIMATE CONTROLLED, SELF CONTAINED PUBLIC STORAGE" AS A PERMITTED USE; PROVIDING FOR PUBLICATION PENALTY, AND AN EFFECTIVE DATE**

WHEREAS, the City of Willow Park is a municipal corporation organized under the laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, pursuant to §211.002 the City is delegated the authority to adopt, amend or repeal zoning regulations that provide for the health, safety and general welfare of the City; and

WHEREAS, pursuant to zoning regulations generally §211.003 TEX. LOCAL GOVT. CODE may regulate use of buildings within districts, the height, number of stories, size of buildings and other structures including maximum height, minimum lot area, dwelling units per acre, gross living area, yard setback, screening and use of structures; and

WHEREAS, the Planning and Zoning Commission of the City of Willow Park conducted a public hearing consistent with §211,006(a), TEX. LOCAL GOVT. CODE providing for the amendment of zoning regulations including the public notices required by law.

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

### SECTION 1. AUTHORITY

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. AMENDMENT

Chapter 12, "Zoning Regulations" Article 12.500 "Use Restrictions and Zoning Regulations", Section

12.510 "Class III- Business "C" Commercial District", is amended as follows:

A. Use of Regulations: The "C" Commercial District will be limited to the following uses, residential uses are not permitted in this district:

1. Any use permitted in Article 12.509 (Local Retail District)
2. Auditoriums, theaters, moving picture shows, having a seating capacity for not more than one thousand five hundred (1,500) people
3. Turkish baths and similar massage and health treatment facilities
4. Bicycles sales and repair shops
5. Aquariums, bird stores, pet shops, and taxidermists shops
6. Car washing facilities
7. Cleaning, dyeing and pressing works; laundry and washateria
8. Commercial parking areas
9. Business colleges and private schools operated as commercial enterprise
10. Department Stores
11. Small animal hospitals having no outside kennels
12. Electrical, gas, heating, plumbing appliances and supply sales, repair and installation services when limited to small shops, the principle business of which is a neighborhood service
13. Hardware, paint and wall paper, interior decorating stores
14. Household and office furniture, furnishings and appliances
15. Hotel and motels
16. Golf courses including miniature, driving tees, driving ranges, and "Pitch n' Putt" courses
17. Lodges and civic clubs

- 18. Nurseries yards or buildings, provided that all incidental equipment and supplies including fertilizer and empty containers are kept within a building
- 19. Pawnshops
- 20. Musical instrument sales and supplies
- 21. Climate – Controlled, self contained public storage
- 21. 22. Accessory building and incidental uses. No Accessory use shall be construed as allowing articles or material to be in the open or on the outside of the building
- 22. 23. Special exception uses after recommendation by the Planning and Zoning Commissions and approval by the City Council.

SECTION 3. 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 4. REPEALER.

To the extent any other ordinance or resolution is inconsistent with the provisions herein it is hereby repealed and superseded by the provisions herein.

SECTION 5. 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 Ordinance.

SECTION 6. PUBLICATION.

The City Secretary of the City of Willow Park is hereby directed to publish in the official newspaper of the City of Willow Park the caption hereof and the effective date of this Ordinance as required by Section 52.011 TEXAS LOCAL GOVERNMENTAL CODE.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect from and after the date of its publication.

PASSED AND ADOPTED this 12<sup>th</sup> of June, 2012.

/s/ Marvin Glasgow  
Mayor

ATTEST:

/s/ Joel Hoffman  
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ [Signature]  
City Attorney

The Willow Park City Council in acting on Ordinance No. 650-12, did on the 12<sup>th</sup> day of June, 2012 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Marvin Glasgow, Mayor	_____	_____
Richard Neverdousky, Place 1	✓ _____	_____
Gene Martin, Place 2	✓ _____	_____
Amy Podany, Place 3	✓ _____	_____
Dan Stalling, Place 4	✓ _____	_____
Bernard Suchocki, Place 5	✓ _____	_____