



CALL TO ORDER

CITIZEN COMMENTS

This is an opportunity for citizens to address the commission on any matter over which they have authority, whether it is or is not posted on the agenda. The commission 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 #1

Public Hearing to receive citizen comments and input regarding a change to the Comprehensive Zoning Ordinance section 14.4.35, Sight Visibility.

CLOSE PUBLIC HEARING

ACTION ITEMS

- A. Approve minutes dated **October 3, 2019**.
- B. Discuss and take action **on a modification the Comprehensive Zoning Ordinance section 14.4.35, Sight Visibility**.
- C. **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 may be present at this meeting; however, no council discussion or action 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 6th day of December 2019, at 5pm, in accordance with Chapter 551 of the Texas Government Code.

Brandy G. Barrett, City Secretary





Westworth Village

Planning & Zoning Meeting Minutes

Municipal Complex
311 Burton Hill Road
Westworth Village, TX 76114
cityofwestworth.com

Thursday, October 3, 2019

5:30 PM

Council Chambers

ATTENDEES:	Chairperson	Melva Campbell
	Vice-Chair	Darla Thornton
	Member	Margaret Worthington
	Member	Cheryl Chrisman
	Member	Steve Beckman
	Member	Richard Cervenka
	Member	Tom Hughes
	Mayor	L. Kelly Jones
	City Administrator	Sterling Naron
	City Secretary	Brandy Barrett
	Chief of Police	Kevin Reaves
	Public Works	Joseph Alvarez
	Director Building Official	Nader Jeri
	City Attorney	Ashley Dierker
ABSENT:		

CALLED TO ORDER at 5:30 pm by Chairperson Melva Campbell.

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- *There were no citizen comments.*

The Chair opened Public Hearing #1 at 5:33pm.

Public Hearing to receive citizen comments and input regarding a request to change the Comprehensive Zoning Ordinance to allow daycare facilities within 300 feet of a gas station.

- There were no citizen comments.

The Chair closed Public Hearing #1 at 5:33pm.

ACTION ITEMS

- A. Approval of Minutes from Planning and Zoning Meeting on September 5, 2019.

MOTION to approve the September 5, 2019 meeting minutes.

MADE BY: Steve Beckman. **SECOND BY:** Tom Hughes.

- **Motion passed** by a vote of 7 Ayes and 0 Nays.

- B. Discuss and take action on the request to replat 5920 and 5924 Westworth Falls Way into one lot.

- Mr. Naron reported the request complied with the existing planned development standards for Westworth Falls and staff recommend approval.
- **MOTION to recommend council approve the request to replat 5920 and 5924 Westworth Falls Way into one lot.**

MADE BY: Margaret Worthington. **SECOND BY:** Darla Thornton.

DISCUSSION:

- A brief discussion took place as to how many more of the lots would be combined, and the developer Mr. Nichols reported that could occur in two other areas, but he was not expecting it to be a common occurrence.
- **Motion passed** by a vote of 7 Ayes and 0 Nays

BRIEFING ITEMS

- C.** Review and discuss the pending Ordinance Committee survey and the need to include Planning and Zoning Questions.
- Following a discussion on the proposed list of questions and ranking table, several modifications were proposed and Ms. Barrett confirmed they would be changed.
 - No action is taken on briefing items.
- D.** Review and discuss tree preservation requirements.
- Ms. Worthington requested that the commission review the tree preservation ordinances and consider implementing conservation measures. No specific details were discussed.
 - Mr. Naron requested that Ms. Worthington schedule a time to meet with him regarding this topic so it could be researched further before being brought back to the commission. Mr. Naron stated he would be available at her convenience.
 - No action is taken on briefing items.
- E.** Next meeting will be scheduled as needed.
- No action is taken on briefing items.

ADJOURNED at 6:20pm by Melva Campbell, Chair.

MINUTES APPROVED on this the ____ day of _____ 2019.

Melva Campbell, Chair

SIGNATURE ATTESTED BY:

Brandy G. Barrett, City Secretary

Staff Recommendation:

Approval of ordinance 455 amending section 14.4.35 of the Westworth Village comprehensive zoning ordinance and modifying the measurement points of the sight visibility triangle at an alley intersection.

Prior Action:

N/A

Background Information/Analysis:

The public safety committee and staff have been reviewing concerns regarding sight visibility as residents enter and exit streets and alleyways. This issue arose again as a new home was proposed to be built on a corner lot where the rear alley exit intersected a public street right-of-way.

The current ordinance reads that the sight visibility triangle in this situation be measured “a minimum of ten feet (10’) in length from the point of **intersection**”. The issue is most city streets are 50-foot rights-of-way with 30 feet of pavement and an addition 10 feet on each side where sidewalks are generally located.

If the ordinance is enforced as currently written it would measure 10 feet back from the **intersection** which would put the point just past the sidewalk. This will force vehicles to pull out past the sidewalk to have a clear view of the roadway endangering users of the city’s public sidewalks.

Staff is recommending replacing the word “intersection” with “right-of-way” which will pull the sight visibility triangle further away from the intersection and allow for vehicles to have a clear, unobstructed view of both the roadway and 10 feet between the roadway and property lines where sidewalks are generally located.

Financial Consideration:

N/A



AN ORDINANCE AMENDING SECTION 14.4.35 OF THE WESTWORTH VILLAGE COMPREHENSIVE ZONING ORDINANCE TO MODIFY THE MEASUREMENT POINTS OF THE SIGHT VISIBILITY TRIANGLE AT AN ALLEY INTERSECTION; PROVIDING THAT HIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Chief of Police recommends the modification of the measuring points as herein set forth, in response to recent safety concerns from citizens; and

WHEREAS, the Planning and Zoning Commission has determined these changes are necessary to protect the health, safety and general welfare of the citizens and visitors; and

WHEREAS, the City Council has determined that the amendment to the City Ordinance herein made 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:

Section 1: The Westworth Village Comprehensive Zoning Ordinance, Section 14.4.35 Sight Visibility, is hereby replaced with the following:

“Sec. 14.4.35 Sight Visibility

- A. Visual clearance shall be provided in all zoning districts so that no fence, wall, architectural screen, earth mounding, landscaping, sign or other feature obstructs the vision of a motor vehicle driver approaching any street, alley, or driveway intersection. Whenever an intersection of a street(s), alley, and/or driveway occurs, a triangular visibility area shall be created. Landscaping, fences, walls, earthen berms and other features within the triangular visibility area shall be designed so as to provide unobstructed cross-visibility at a level between twenty-four inches (24”) and eight feet (8') above the ground. The triangular areas are defined as follows:
1. Alley intersects a public street right-of-way. The areas on both sides of the intersection of an alley and a public street shall have a triangular visibility area with two (2) sides of each triangle being a minimum of ten feet (10') in length from the point of ~~intersection~~ **right of way**, and the third side being a line connecting the ends of the other two (2) sides.
 2. Minor street intersection (except a street intersecting onto an arterial, see below) or intersection of private driveway onto a public street. These areas shall have a triangular visibility area with two (2) sides of each triangle being a minimum of twenty-five feet (25') in length along the right-of-way lines (or along the driveway curb line and the street right-of-way line) from the point of the intersection, and the third side being a line connecting the ends of the other two (2) sides.
 3. Major street intersection (the intersection of two arterials). These areas shall have a triangular visibility area with two (2) sides of each triangle being a minimum of fifty feet (50') in length along the right-of-way lines from the point of the intersection, and the third side being a line connecting the ends of the other two (2) sides.

- B. Shrubs and plant materials that are typically less than twenty-four inches (24") in height at maturity may be located within sight visibility areas provided that they are kept maintained at a maximum height of twenty-four inches (24").
- C. A limited number of single-trunked trees having a clear trunk (i.e., branching) height of at least eight feet (8') may be located within sight visibility areas provided that they are trimmed in such a manner that no limbs or foliage extend into the cross-visibility area defined above, and provided that they are spaced and positioned such that their trunks will not produce a visibility inhibiting, "picket fence" effect when they attain mature size."

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 by a fine. 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 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 & penalty clauses of this ordinance as an alternative method of publication 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 on the 10th day of December 2019.

CITY OF WESTWORTH VILLAGE

L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, City Secretary

Approved as to form and legality:

DRAFT