

ORDINANCE 1709

AN ORDINANCE AMENDING ORDINANCE NUMBER 1086, KNOWN AS THE "ZONING REGULATIONS" OF THE CITY OF VERNON, BY AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR INSTEAD OF THE PLANNING AND ZONING COMMISSION TO APPROVE FENCE IN THE RIGHT OF WAY REQUESTS; AND PROVIDING FOR CONFLICTS, SEVERABILITY, RECORDING, AND AN EFFECTIVE DATE.

WHEREAS, the Vernon Planning and Zoning Commission held a Public Hearing on June 20, at 4:00 p.m. on whether to amend current zoning regulations by authorizing the Community Development Director as opposed to the Planning and Zoning Commission to approve fence in the right of way requests; and

WHEREAS, the Planning and Zoning Commission has recommended to the Vernon City Commission to amend current zoning regulations by authorizing the Community Development Director as opposed to the Planning and Zoning Commission to approve fence in the right of way requests; and

WHEREAS, a public hearing was held before the City Commission on June 27, 2017 before adopting these regulation changes; and

WHEREAS, notice of such hearing was given by publication in the Vernon Daily Record, stating the time and place of such hearing, which time was not earlier than fifteen (15) days from the date of said publication; and

WHEREAS, the City Commission finds that it is in the best public interest to accept the recommendation of the Planning and Zoning Commission and amend current zoning regulations by authorizing the Community Development Director as opposed to the Planning and Zoning Commission to approve fence in the right of way requests.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS:

SECTION 1. That Ordinance Number 1086, Zoning Regulations, of the City of Vernon is hereby amended and shall be as follows.

A. That **Section 707.2, Street right-of-way**, is hereby amended to:

“No Wall or fence shall be constructed in a public street right of way. Provided, however, that where the city’s comprehensive plan map, or circulation and land use map, or major thoroughfare plan map, depicts streets in accordance with the principals and standards for major street development, a fence may be constructed in the right of way after review and approval by the Community Development Director and the signing of an agreement to remove such wall or fence from the right of way at the owners expense should such be the case, as follows:

Type of Street	Right-of-Way Width	Setback Requirement from Curb
Expressway	300—400 feet	13 feet
Arterial A	100—150 feet	13 feet
Arterial B	70—100 feet	13 feet

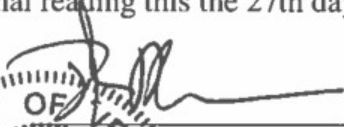
SECTION 2. All ordinances or parts of ordinances in conflict herewith are expressly repealed.

SECTION 3. Should any portion or part of this Ordinance be held for any reason invalid or unenforceable, the same shall not be construed to affect any other valid portion hereof, but all valid portions hereof shall remain in full force and effect.

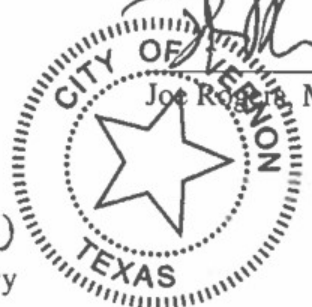
SECTION 4. This Ordinance shall not be recorded in length in the minutes of the City Commission, but shall be filed for permanent record in the office of the City Secretary.


SECTION 5. This Ordinance shall be in full force immediately upon passage by the City Commission.

PASSED and APPROVED on first and final reading this the 27th day of June 2017.



 Joe Rogers, Mayor



ATTEST:


 Christy Cavness Bradshaw, City Secretary