



City of Azle Regular Meeting Agenda City Council

505 W. Main Street
Azle, Texas 76020

March 4, 2025

6:00 PM

Council Chambers

Pursuant to Section 551.071 of the Texas Government Code, the Council may convene into Executive Session(s) from time to time as deemed necessary during the meeting for any posted agenda item and may receive advice from its attorney as permitted by law.

CALL TO ORDER

INVOCATION

The City of Azle is accepting volunteers from all Religions and Denominations to provide the invocation at the beginning of the City Council meeting. If you are interested in giving the invocation at a future meeting, please call the city secretary's office at 817-444-7101 or email: yhoffman@cityofazle.org

Holly Killough, Coordinator, Azle Area Ministerial Alliance

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION

This is an opportunity for the public to address the City Council on posted agenda items or non-agenda items. In order to address the Council, please complete a Speaker's Request Form and submit to the City Secretary prior to the start of the council meeting. All comments must be directed to the Presiding Officer, rather than an individual council member or city staff. All speakers must refrain from personal attacks toward any individual. Comments are limited to three (3) minutes and must pertain to the subject matter listed on the Speaker's Request Form. Speakers requiring the assistance of a translator shall be provided four (4) minutes. Council may not comment publicly on non-agenda items, but may direct the City Manager to resolve the matter or request the matter be placed on a future agenda. Public comments regarding non-agenda items shall not include any "deliberation" as defined by Chapter 551 of the Government Code, as now or hereafter amended. If you have a subject that may require City Council action, you may obtain a form from the City Secretary and request the item be placed on a future agenda.

PROCLAMATIONS

1. Theatre in our School Month
Alan Brundrett, Mayor

ACTION ITEMS

2. Consider any action on the February 4, 2025 regular Council meeting minutes
Yael Hoffman, City Secretary
3. Consider any action on Ordinance No. 2025-04, declaring each unopposed candidate in the May 3, 2025, General Election elected to office and canceling the General Election.
Yael Hoffman, City Secretary
4. Consider any action on the Facade and Signage Improvement Program application for Pecan Plaza at 328 W. Main St.
Kristen Pegues, Community & Marketing Specialist
5. Consider any action on the Facade and Signage Improvement Program application for 149 W. Main St.
Kristen Pegues, Community & Marketing Specialist
6. Consider any action on the Facade and Signage Improvement Program application for 151 W. Main St.
Kristen Pegues, Community & Marketing Specialist

7. Consider any action on awarding the bid for EMS Billing, In-Field Patient Care Reporting, and Hardware (RFP No. 2025-004).

Jennifer Walls, Purchasing Agent

8. Consider any action on Resolution No. 2025-05 designating the *Tri-County Reporter/Azle News* as the official newspaper.

Tom Muir, City Manager

9. Consider a petition for release from the City's Extraterritorial Jurisdiction (ETJ) for property legally described as a 79.054-acre tract of land situated in the A. Campbell Survey, Abstract No. 338, Parker County, Texas, being a portion all of that tract of land described by deed to MITX, LTD., Wells Reno Investors, LTD., White Reno Investors, LTD., recorded in Volume 2154, Page 1607, County Records, Parker County, Texas and addressed as 1708 Helen Lane.

David Hawkins, Director of Planning and Development

10. Consider any action on Ordinance No. 2025-5 amending Article 6.09.008 "Impoundment of Donation Bins" of Chapter Six, Health and Sanitation, of the Code of Ordinances, City of Azle, Texas, by adding a new subsection for abatement of repeat offenders.

David Hawkins, Director of Planning and Development

11. Consider any action on approving Ordinance No. 2025-06 regulating short-term residential rentals.

Tom Muir, City Manager

PUBLIC HEARING

12. Conduct a public hearing and consider any action on Ordinance No. 2025-03 regarding text amendments to Chapter 14 "Zoning Ordinance" of the Code of Ordinances, City of Azle, Texas. The purpose of the text amendment is to consider adding regulations for commercial buildings fronting a public street.

David Hawkins, Director of Planning and Development

ITEMS TO BE PLACED ON FUTURE MEETING AGENDAS

MAYOR/COUNCIL COMMENTS OF COMMUNITY INTEREST

EXECUTIVE SESSION

• 551.071 CONSULTATION WITH THE CITY ATTORNEY

Code Enforcement issues.

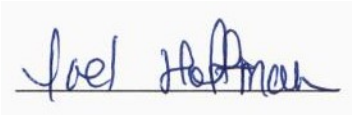
• 551.074 PERSONNEL MATTERS

Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager.

13. Take any action pursuant to the Executive Session.

ADJOURNMENT

I, the undersigned authority, do hereby certify the above Agenda was posted at City Hall on 02-28-2025, at the City's official bulletin board and is readily accessible to the public at all times in accordance with V.T.C.A. Chapter 551, Texas Government Code.

A handwritten signature in blue ink that reads "Joel Hoffman". The signature is written on a light blue horizontal line.

Yael Hoffman, TRMC, CMC
City Secretary

This facility is wheelchair accessible and handicapped parking spaces are available. Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in city functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight hours prior to the scheduled starting time by calling the City Secretary's Office at 817-444-7101. Complete City Council agenda packet is available for review at the City Secretary's Office and on our website www.cityofazle.org.



Presenter: Alan Brundrett, Mayor
Agenda Item: Theatre in our Schools Month

Background and Explanation:

Proclamation recognizing - Theatre in Our Schools Month.

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

None



Presenter: Yael Hoffman, City Secretary

Agenda Item: Consider any action on the February 4, 2025 regular Council meeting minutes

Background and Explanation:

Procedural.

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

1. Minutes 02-18-2025



MINUTES Regular Meeting Azle City Council

505 W. Main Street
Azle, Texas 76020

February 18, 2025

6:00 PM

Council Chambers

CALL TO ORDER

Mayor Brundrett called the meeting to order at 6:00 PM

Members Present:

Mayor Alan Brundrett
Mayor Pro Tem Randa Goode
Councilmember Derrick Nelson
Councilmember Amy Estes
Councilmember Stacy Peek
Councilmember Rouel Rothenberger
Councilmember Brian Conner

Staff Present:

Tom Muir	City Manager
Lawrence Bryant	Assistant City Manager
Yael Hoffman	City Secretary
Andrea Russell	City Attorney
Susie Hiles	Assistant to the City Manager
Ben Hall	Police Chief
Dora Grissom	Police Lieutenant
Leslie Dvorak	Crime Analyst/Community Liaison
Will Scott	Fire Chief
Lee Godbold	Assistant Fire Chief
Rick White	Director of Public Services
Kristen Pegues	Community and Marketing Specialist
Stephen Barnes	Finance Director

INVOCATION

Don Webster, pastor of Sandy Beach Road Baptist Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Brundrett led the Pledge of Allegiance

PUBLIC PARTICIPATION

Jim Kirk - 116 Westlake Woods Dr - addressed the council regarding the designation of the official newspaper for the city.

PRESENTATIONS

1. Annual Presentation - Police Department and Animal Shelter.

Mayor Brundrett recognized Police Chief Ben Hall, who gave a presentation on the activities of the Police Department and Animal Control Department for the past year.

2. FY 2025 1st Quarter Investment Report

Mayor Brundrett recognized Finance Director Stephen Barnes, who gave a brief review of the Quarterly Report ending December 31, 2024, noting that the book value of this quarter's investment is \$48,375,984 and the average quarterly yield is 4.47%.

ACTION ITEMS

3. Consider any action on the February 4, 2025 regular council meeting minutes

4. Consider any action on awarding the Walnut Creek Lift Station Project (Bid No. 2025-02)

Awarding the bid to Haynie Leadership Group in the amount of \$1,149,695.81.

5. Consider any action authorizing the City Manager to execute an interlocal agreement with the Azle Independent School District and Tarrant County to provide school zone signs and flashers on Sandy Beach Road.

6. Consider any action on Resolution No. 2025-04 designating the *Commercial Recorder* as the official newspaper.

Mayor Brundrett requested to approve items 3, 4, 5, and 6 under the consent agenda with one motion.

Councilmember Rothenberger moved to approve items 3,4,5 and 6, as presented. Councilmember Nelson seconded the motion.

Yes: (7) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Stacy Peek, Rouel Rothenberger, Brian Conner.

DISCUSSION ITEMS

7. Facade and Signage Improvement Program.

Council discussed making changes to the Façade Grant guidelines/application, including increasing reimbursement funds for Main Street projects, exploring the possibility of up to 100% funding for businesses, and removing city permit fees. Staff will make revisions and bring back for Council approval.

8. Short term rentals

The Council reviewed the draft ordinance and requested the City Attorney make the suggested changes and present a revised ordinance for Council's consideration at the next meeting.

9. Citation issuance

The Council discussed issuing code enforcement citations to businesses in the city. After a short discussion, due to the complexity of the matter, the City Attorney will draft a memo to provide Council with suggested options.

10. Donation bins

The Council discussed modifying the ordinance to expedite the removal of donation bins that are out of compliance and have already been issued fines.

11. Weeds, grass and other vegetation

Council wished to explore if the city could establish different standards for commercial properties vs residential regarding weeds, high grass, and other code violations. Council was concerned about the appearance of commercial properties along main thoroughfares as they are the gateway to the city. City Attorney to research options and report back to Council.

12. Parking lot ordinance

City Manager Muir advised code enforcement has five cases they have been working on regarding parking lot violations. One case has been brought into compliance and case was closed. Staff is working with the remaining four to bring them into compliance.

ITEMS TO BE PLACED ON FUTURE MEETING AGENDAS

None.

MAYOR/COUNCIL COMMENTS OF COMMUNITY INTEREST

- This was the last meeting for Assistant City Manager Lawrence Bryant. His last day will be 02-28-2025, with a come-and-go farewell party starting at 9 AM. Council stated Lawrence has been a great asset to the City and will surely be missed.
- 02-20-2025 - Chamber Banquet at The Orchard
- 03-06-2025 - Employee Banquet at A&M Gardens
- Permits can now be submitted online through the City website.

ADJOURNMENT

Mayor Brundrett adjourned at 7:44 PM.

Presented and approved on 03-04-2025

Alan Brundrett, Mayor

Attest:

Yael Hoffman, TRMC, CMC
City Secretary



Presenter: Yael Hoffman, City Secretary

Agenda Item: Consider any action on Ordinance No. 2025-04, declaring each unopposed candidate in the May 3, 2025, General Election elected to office and canceling the General Election.

Background and Explanation:

In accordance with the City Charter and applicable law, the City Council approved Ordinance No. 2025-01 calling for the May 3, 2025 General Election for the purpose of electing the Mayor and City Councilmembers Places 3, 4 and 6

The filing deadlines for candidate placement on the ballot and declaration of write-in candidacy have passed. The City Secretary has certified in writing that each candidate on the ballot is unopposed for election to office. Chapter 2-C of the Election Code authorizes a governing body to declare each unopposed candidate elected to office and cancel the General Election.

All the unopposed candidates will be sworn in and take office in May.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Approve Ordinance No. 2025-04.

Attachments:

1. ORDINANCE 2025-04

ORDINANCE NO. 2025-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AZLE TEXAS DECLARING EACH UNOPPOSED CANDIDATE IN MAY 3, 2025 GENERAL ELECTION ELECTED TO OFFICE AND CANCELING THE GENERAL ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a General Election for the City of Azle was called for May 3, 2025 for the purpose of electing Mayor, Council Member Place 3, 4 and 6; and

WHEREAS, the City Secretary has certified in writing that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office (Exhibit "A"); and

WHEREAS, the Texas Election Code, Subchapter C, Chapter 2 authorizes the City Council to declare the candidates elected to office and cancel the election.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS, THAT:

SECTION 1. The following candidates, who are unopposed in the May 3, 2025 General Election, are declared elected to office, and shall be issued Certificates of Election following the time the election would have been canvassed:

**Mayor - Randa Goode
City Council, Place 3 - Stacy Peek
City Council, Place 4 - Josh Berry
City Council, Place 6 - Brian Conner**

SECTION 2. The May 3, 2025 General Election for City Officers is hereby canceled, and the City Secretary is directed to cause a copy of this ordinance to be posted on Election Day at each polling place that would have been used in the election.

SECTION 3. It is declared to be the intent 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 the ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

SECTION 4. This ordinance shall become effective immediately upon passage, and it is so ordained.

PASSED AND APPROVED on First and Final Reading this the 4th day of March 2025, at a regular meeting of the City Council of the City of Azle, Texas.

Alan Brundrett, Mayor

ATTEST:

APPROVE AS TO FORM

Yael Hoffman, City Secretary

Andrea Russell, City Attorney



“Exhibit A”

Certification of Unopposed Candidates

I, Yael Hoffman, certify that I am the city secretary of the City of Azle and the authority responsible for preparing the ballot for the May 3, 2025 General Election. I further certify that no person has made a declaration of write-in candidacy, and all of the following candidates are unopposed

Yo, Yael Hoffman, certifico que soy el secretario municipal de la Ciudad de Azle y la autoridad encargada de preparar la boleta para la Elección General May 3, 2025. Además, certifico que ninguna persona ha hecho una declaración de candidatura escrita, y todos los siguientes candidatos son sin oposición

Tôi, Yael Hoffman, xác nhận rằng tôi là thư ký thành phố của Thành phố Azle và là người có thẩm quyền chịu trách nhiệm chuẩn bị lá phiếu cho Cuộc Tổng Tuyển cử vào ngày 3 tháng Năm 2025. Tôi xác nhận thêm rằng không có ai tuyên bố ứng cử ghi thêm, và tất cả những ứng cử viên sau đây đều không có đối lập

Mayor - Randa Goode
City Council, Place 3 – Stacy Peek
City Council, Place 4 – Josh Berry
City Council, Place 6 – Brian Conner

Yael Hoffman, TRMC, CMC

City Secretary
The City of Azle



Presenter: Kristen Pegues, Community & Marketing Specialist

Agenda Item: Consider any action on the Facade and Signage Improvement Program application for Pecan Plaza at 328 W. Main St.

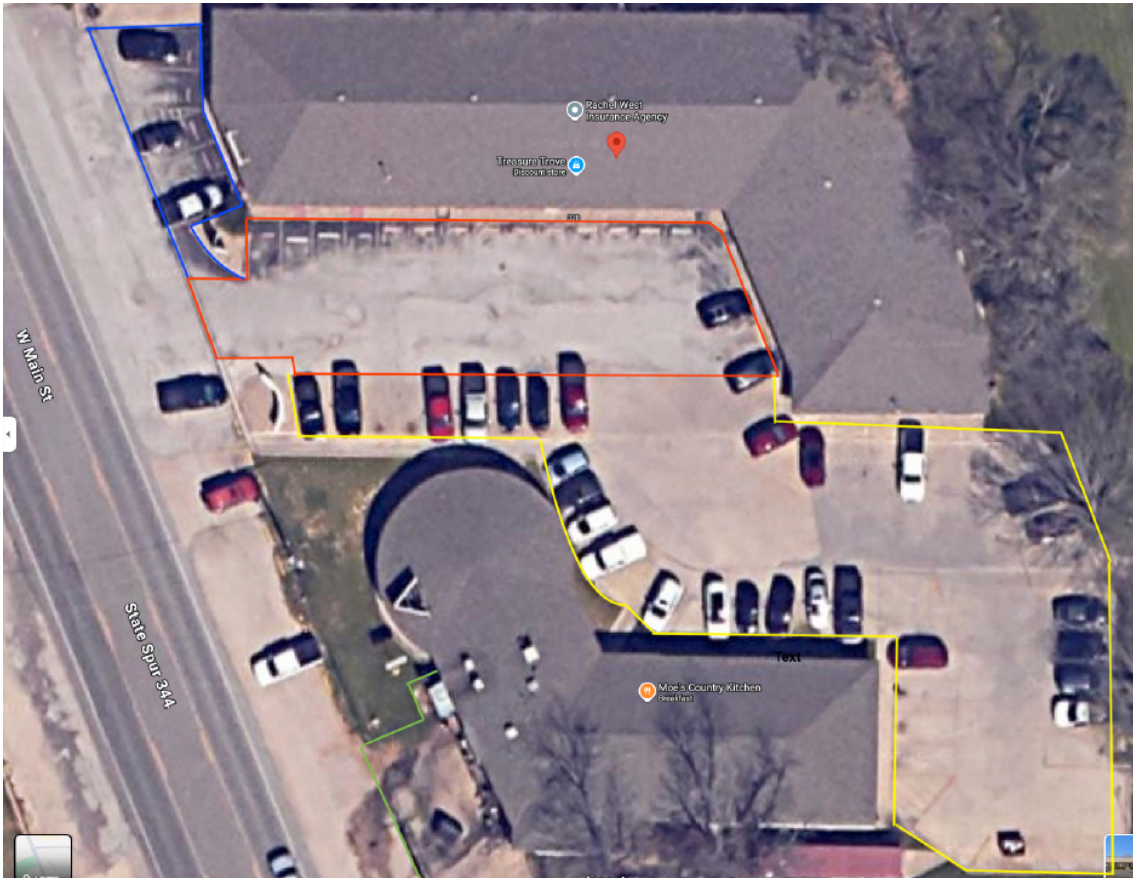
Background and Explanation:

The applicant has submitted a grant request to repave a portion of the parking lot at Pecan Plaza, located at 328 W. Main Street. Code Enforcement recently received a complaint regarding the parking lot's condition, citing several deep potholes and missing striping. To address these issues, the property owner has provided two quotes outlining a comprehensive repair plan. The proposed work includes removing the existing asphalt, repairing the subbase, and installing a new 3-inch asphalt surface. The owner is seeking financial assistance from the City through this FSIP request to help fund the improvements, which will bring the parking lot into compliance with the Commercial Parking Lot Maintenance Ordinance.

Parking Lot Scope of Work:

The proposed parking lot repairs are divided into three areas, as shown in the map exhibit below:

- **Red Area** – The primary focus of this FSIP request, requiring asphalt surface repairs and pothole filling.
- **Blue Area** – Requires only an asphalt surface sealant and striping.
- **Yellow Area** – Needs new striping only.



Per the FSIP Policy, only the portion of the parking lot visible from the street qualifies for grant funding, while striping costs are not eligible. The total cost for the eligible repairs, excluding striping, is \$22,309.75. The applicant is requesting a \$10,000 grant, the maximum allowable under the FSIP Policy.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Staff recommends approval.

Attachments:

1. Azle_Capital_LLC_328_W_Main_FSIP
2. 328 W. Main St. - Existing Parking Lot

Facade and Signage Improvement Program Application

Please return completed application with necessary attachments and signature to City of Azle Economic Development Office, 505 W Main Street, Azle TX 76020 or mail to PO Box 1378 Azle, TX 76098. If you have any application questions, please contact the Economic Development Director at 817-444-7076.

Applicant Name Jeremy Shepherd	Date
Business Name Azle Capital, LLC	
Mailing Address PO Box 26703 Benbrook, TX 76126	
Contact Phone 817/754-0664	
Email Address jereshep@gmail.com	
Building Owner (if different than applicant)	
Project Site/ Address 328 W Main St Azle, TX 76020	County Parker

Type of Work: (check all that apply)

Façade/Building Rehab ☐ Roofing ☐ Landscaping ☐
 Parking & Driveways ☒ Awnings ☐ Pedestrian Amenities ☐
 Signage ☐ Outdoor Seating/Patio ☐

Details of Planned Improvements relating Grant Request (attach additional information if necessary)

Exhibit A: Blue area: Sealcoat and Stripe approximately 1,500'; Yellow area Stripe; _____

Red area: Mill or Remove Asphalt, Rebuild Base, Replace and Stripe approximately 6,000' _____

How will this project benefit the community?

The project aimed at renovating the shopping center parking/driveway on Main Street is designed to enhance both its functionality and aesthetic appeal.

General Project Expenditures	Total Estimated Costs	50% Grant Requested
Façade/Building Rehab		
Roofing		
Landscaping		
Parking/Driveways	\$22,309.75	\$10,000.00
Awnings		
Pedestrian Amenities		
Outdoor Seating/Patio		
Total	\$22,309.75	\$10,000.00

Total General Project grant request may not exceed 50% of TOTAL COST up to \$10,000

Signage Project Expenditures	Total Estimated Costs	50% Grant Requested
Signage		
Total		

Total Signage Project grant request may not exceed 50% of TOTAL COST up to \$5,000

Request Total	\$10,000.00
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** Attach with final design drawings and photographs of building's exterior Façade.*

	02/05/2025
<i>Applicant Signature</i>	<i>Date</i>

	02/05/2025
<i>Property Owner Signature</i>	<i>Date</i>



PROPOSAL
Bruce Byrum
825 Parker Street
Azle, Texas 76020
Brucehl2013@aol.com (817) 690-2429

Submitted To: Jeremy Shepherd
Address: 328 W Main Street, Azle, TX
Date: 2-5-25
Phone #: 817-754-0664
Email: jereshop@gmail.com

We hereby submit this proposal:

- Remove 5,8050.50 square feet of old asphalt parking lot.
- Haul off all material removed.
- Remove any weak areas of subgrade and install 1.5-inch Flex Base as needed.
- Compact with vibratory rollers.
- Replace asphalt with 3 inches of Type D Hot Mix Asphalt.
- Use an asphalt tac on all the joints of existing parking lot.
- Clean asphalt parking lot (1,485 square feet) along Main Street.
- Fill cracks with Seal Master crack sealant.
- Apply two coats of Seal Master Asphalt Sealant.
- Furnish all labor & material \$22,309.75 (Twenty-two thousand dollars, three hundred and nine dollars & seventy-five cents).

- **Separate bid for Striping:**
 - Restripe all areas of Parking at both locations.
 - Furnish labor and material - \$2,146.61 (Two thousand one hundred forty six dollars and sixty-one cents).

- **We hereby furnish material and labor – complete in accordance with the above specifications for the sum of: See above.**

Respectfully submitted: Bruce Byrum, Byrum Construction

Pavement Maintenance Proposal

Pecan Plaza

Jeremy Shepherd

Project:

Parking Lot Repairs

328 W Main St
Azle, TX 76020



OFFICIAL PAVER OF THE TEXAS RANGERS

Keith Murrell
Estimator

Service Provider Information

Company Info



OFFICIAL PAVER OF THE TEXAS RANGERS



Elite Asphalt LLC
5080 Ben Day Murrin Rd
Ft Worth, TEXAS 76126

P: 817-587-8158
F: 817-887-4448
<http://Elite Asphalt LLC>

Contact Person

Keith Murrell
Estimator
keith@eliteasphalt.net
Cell: 817-201-1703
Office 817-587-8158

About Us

We Are A Full Service Paving Contractor

Elite Asphalt LLC, we are a commercial paving contractor that has been in business for over 20 years and we specialize in meeting your business's paving construction, repair, and maintenance needs.

We are happy to help with government, commercial, and residential asphalt paving. We are Fort Worth and beyond's, choice for top-quality asphalt repair and installation! Our asphalt and concrete paving company is your choice for paving, stabilizing, grading, repairs, sealing, and so much more.

Proposal: Parking Lot Repairs



Asphalt Milling Repair (RED AREA)

1. The area under consideration comprises approx. 6,280 square feet.
2. Our firm will mill your pavement to the depth of 3 Inches.
3. Millings and debris will be removed from job site area and hauled to proper recycling center. Work area will then be swept and blown clean.
4. Then we will install 3 inches of compacted thickness TYPE D asphalt.
5. All areas will be barricaded during and after the repair process.

Total Price: \$28,890.00

 See Below Images

Standard Sealcoating

1. The area under consideration comprises approx. **1,500 square feet**.
2. We will barricade all areas where we will be working.
3. It is the owner's responsibility to have all material, cars, equipment etc removed from the area where the work will take place.
4. All surface will be cleaned of all loose material, weeds, grass and dirt so that the material will adhere to the existing surface.
5. We will install your sealant by broom and spray application.
6. **Additive:** We will be using silica sand along with 2% polymer latex additive as per the manufacturer's specification. The latex additive provides better surface adhesion and oil staining resistance. The silica sand provides surface traction.

Total Price: \$2,250.00

 See Below Images

Line Striping

1. Our firm will restripe the parking lot area as per the existing layout.
2. All work will be performed so that there is minimal interruption to your facility.
3. Reset all wheelstops on property.

Total Price: \$2,700.00

 See Below Images

Sales Tax

1. TX Sales Tax applied at a rate of 8.25% will be applied to selected options.

Total Price: \$2,791.80

Exclusions

1. Customer is to provide **on-site water** for construction activities.
2. This proposal does not include any testing, engineering, traffic control, erosion control, surveying, permits, or bonds. Unless expressly called out in bid items.
3. **Terms for this project is 25% downpayment prior to starting. The 25% will be deducted from final invoice. Final invoice due at completion of project.**

Total Price: \$0.00

Proposal: Parking Lot Repairs

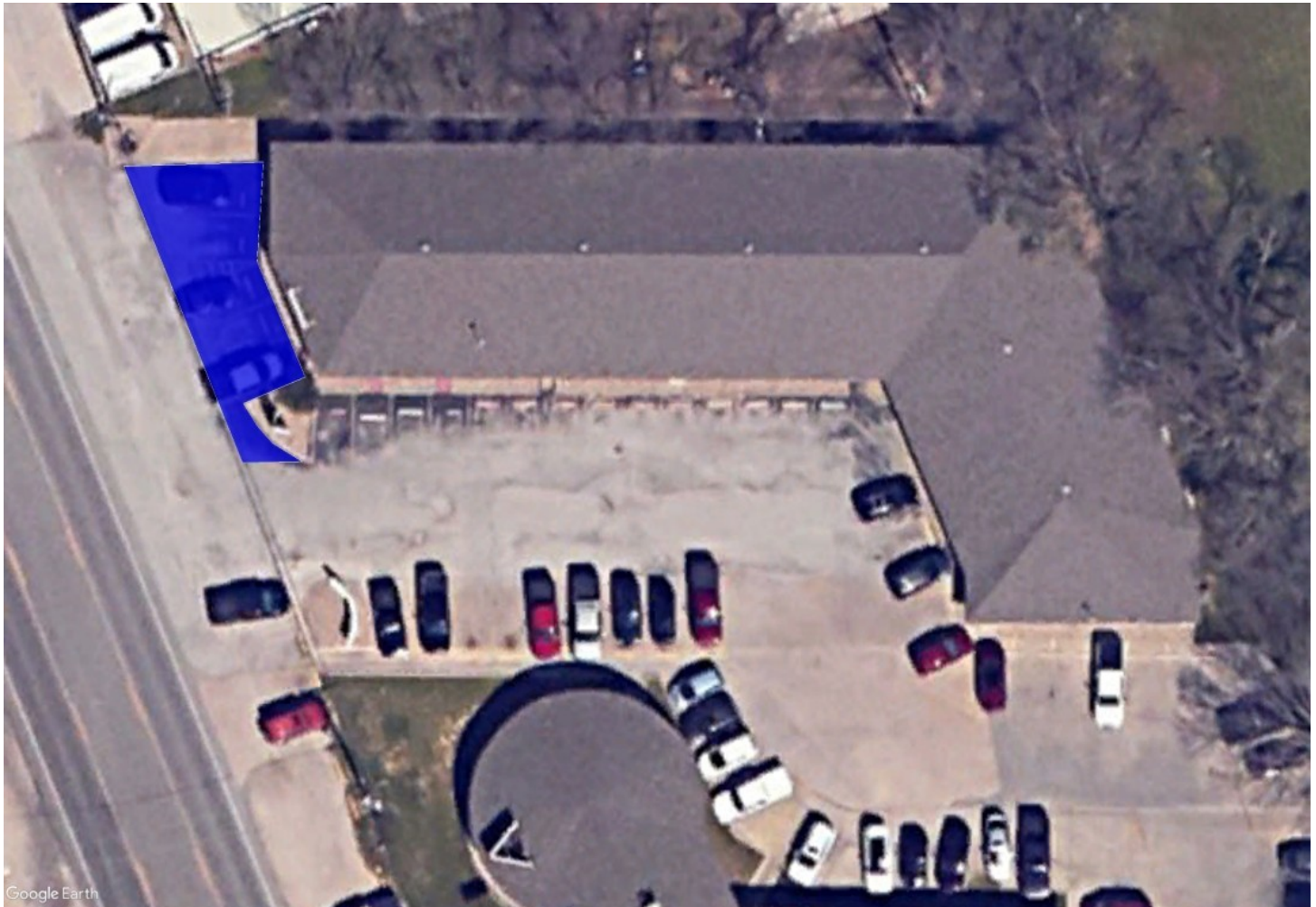
Asphalt Milling Repair (RED AREA)

Site Map



Standard Sealcoating

Site Map



Line Striping

Site Map



Price Breakdown: Parking Lot Repairs



Please find the following breakdown of all services we have provided in this proposal.

This proposal originated on January 17, 2025. **Job Number:** 4693

Item	Description	Cost
1.	Asphalt Milling Repair (RED AREA)	\$28,890.00
2.	Standard Sealcoating	\$2,250.00
3.	Line Striping	\$2,700.00
4.	Exclusions	\$0.00
Subtotal:		\$33,840.00
Tax:		\$2,791.80
Total:		\$36,631.80

Authorization to Proceed & Contract

You are hereby authorized to proceed with the work as identified in this contract. By signing and returning this contract, you are authorized to proceed with the work as stated.

We understand that if any additional work is required different than stated in the this proposal/contract it must be in a new contract or added to this contract.

Please see all attachments for special conditions that may pertain to aspects of this project.

Acceptance

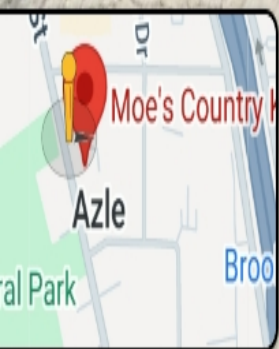
We agree to pay the total sum or balance in full upon completion of this project.

I am authorized to approve and sign this project as described in this proposal as well as identified below with our payment terms and options.

Date: _____

Jeremy Shepherd
Pecan Plaza
328 W Main St
Azle, TX 76020
jereshep@gmail.com
C: 817-754-0664
O: 817-754-0664

Keith Murrell | Estimator
Elite Asphalt LLC
5080 Ben Day Murrin Rd
Ft Worth, TEXAS 76126
E: keith@eliteasphalt.net
C: 817-201-1703
P: 817-587-8158
F: 817-887-4448
[http://Elite Asphalt LLC](http://EliteAsphaltLLC)





Presenter: Kristen Pegues, Community & Marketing Specialist

Agenda Item: Consider any action on the Facade and Signage Improvement Program application for 149 W. Main St.

Background and Explanation:

The applicant has submitted a grant request for \$2,458 to install a new illuminated sign at 149 W Main St. The applicant is relocating from Park Place Plaza to this more visible location on Main Street. Pricing for the sign installation was provided by the applicant but no official quotes from the contractors have been received by City staff at time of agenda posting. It is anticipated that copies of the official quotes will be provided at the meeting. The proposed sign complies with the City's sign ordinance.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Staff recommends approval.

Attachments:

1. Ascubadiving application

Facade and Signage Improvement Program Application
For City of Azle Economic Development Office

APPLICANT INFORMATION

Applicant Name: Ascubadiving LLC
Business Name: Ascubadiving LLC
Mailing Address: 149 Main Street, Azle, TX 76020
Contact Phone: 817-406-4080
Email Address: bill@ascubadiving.com
Project Site/Address: 149 Main Street, Azle, TX 76020
County: Tarrant

TYPE OF WORK: Signage

DETAILS OF PLANNED IMPROVEMENTS

Ascubadiving proposes installing new City-approved signage at our Main Street location. The project includes a 24" x 144" LED channel letter sign constructed from weather-resistant aluminum with UL-listed components. The sign will be manufactured and installed in compliance with all City of Azle signage codes.

The installation requires a dedicated electrical circuit to ensure proper and safe operation. A new 20AMP 120V circuit will be installed with GFCI protection and photocell-controlled timer for automatic operation. All electrical work will be completed according to National Electrical Code standards, including proper weatherproofing and junction box installation.

Vendor Bids:

Sign Manufacturing (Bid #1):

Channel letter LED sign fabrication and installation includes aluminum construction, LED components, wiring, and mounting hardware: \$3,716
New dedicated electrical circuit with timer and GFCI protection: \$1,200
Total Base Bid: \$4,916 plus permit fees (to be determined by City)

D&B Signs (Bid #2):

Channel letter LED sign with materials, components, and installation: \$4,250
Electrical circuit installation with timer and protection: \$1,150
Total Base Bid: \$5,400 plus permit fees (to be determined by City)

COMMUNITY BENEFIT

The new illuminated signage will enhance the visual appeal of Main Street while providing clear identification for our water safety training and scuba certification services. The professional LED installation will improve nighttime visibility and safety while contributing to downtown revitalization efforts.

PROJECT COSTS

Signage Project Expenditures:

Total Project Cost: \$4,916 (Sign Manufacturing bid, excluding permits)
Additional Applicant Responsibility: All permit fees

TIMELINE

Project Start: Within 60 days of approval

Phase 1: Electrical circuit installation (Week 1)

Phase 2: Sign installation and testing (Weeks 2-3)

Project Completion: Within 6 months per FSIP requirements

REQUIRED DOCUMENTATION ATTACHED

1. Current site photographs

No work will commence prior to receiving the Notice to Proceed from the City of Azle.

Applicant Signature / Date

New Sign



Current location:





Presenter: Kristen Pegues, Community & Marketing Specialist

Agenda Item: Consider any action on the Facade and Signage Improvement Program application for 151 W. Main St.

Background and Explanation:

The applicant has submitted a grant request for \$6,500 to support facade improvements at 151 W Main St. Proposed upgrades include repainting the building, repairing and repainting the front window wood trim and overhang soffit, re-shingling the mansard roof, and cleaning, sealing, and repairing the rooftop. The building is currently vacant; however, a new tenant is set to occupy the space, relocating from Park Plaza.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Staff recommends approval.

Attachments:

1. 151 W Main App

Facade and Signage Improvement Program Application

Please return completed application with necessary attachments and signature to City of Azle Economic Development Office, 505 W Main Street, Azle TX 76020 or mail to PO Box 1378 Azle, TX 76098. If you have any application questions, please contact the Economic Development Director at 817-444-7076.

Applicant Name	Date
Melissa Rider Henson	02/14/2025
Business Name	
Mailing Address	
2927 Greenway Dr. Burleson TX 76028	
Contact Phone	
972-310 8847	
Email Address	
melissahenson0615@yahoo.com	
Building Owner (if different than applicant)	
Project Site/ Address	
151 W Main St Azle	County
(left Building)	Tarrant

Type of Work: (check all that apply)

Façade/Building Rehab ☒ Roofing ☒ Landscaping ☐
 Parking & Driveways ☐ Awnings ☐ Pedestrian Amenities ☐
 Signage ☐ Outdoor Seating/Patio ☐

Details of Planned Improvements relating Grant Request (attach additional information if necessary)

Repaint Building

Repair front Window wood trim

Repair and repaint overhang soffit plus
reshingle

Repair, clean, seal rooftop

How will this project benefit the community?

As a long standing building on Main Street, this work will help retain the beauty and history of Azle.

General Project Expenditures	Total Estimated Costs	50% Grant Requested
Façade/Building Rehab	6,500.00	3,250.00
Roofing	6,500.00	3,250.00
Landscaping		
Parking/Driveways		
Awnings		
Pedestrian Amenities		
Outdoor Seating/Patio		
Total	13,000.00	6,500.00

Total General Project grant request may not exceed 50% of TOTAL COST up to \$10,000

Signage Project Expenditures	Total Estimated Costs	50% Grant Requested
Signage		
Total		

Total Signage Project grant request may not exceed 50% of TOTAL COST up to \$5,000

Request Total	6,500.00
---------------	----------

* Attach with final design drawings and photographs of building's exterior Façade.

Applicant Signature

Date

Melissa R. Benson

2.14.25

Property Owner Signature

Date









1101 FORT WORTH HWY
WEATHERFORD TX 76087

(817)818-4750
MYROOF@P1-ROOFING.COM
p1-roofing.com

(817) 609-3429
p1roofingpros@gmail.com
www.p1-roofing.com

CUSTOMER NAME Melissa Henson			PHONE (469) 849-3578	DATE 01/07/2025
ADDRESS 151 State Spur 344			JOB NAME	
CITY Azle	STATE Texas	ZIP 76020	JOB LOCATION 151 State Spur 344	

At your request, we submit the following :

Scope of Work

Remove existing shingle system-roof components and existing underlayment. Install new premium synthetic underlayment Install new Premium 30 yr Shingles/
Install new Premium ridge cap shingles Remove and replace step flashings/counter flashings Install EPA approved pipe jacks/ flashing - Paint all jacks to match
Shingle color Use magnets to roll through yard to pick up fallen nails/screws Materials to be delivered the day prior to the installation or the day of installation There
will be a Lifetime Year WARRANTY on all labor and installation(See Certificate) Remove gutter system and replace after roof is completed (if applicable) Install new
Ice & water shield in valleys and where flat roof meets main roof Remove and replace ventilation components Remove and replace any damaged sheets of decking
(up to 3 sheets) Landscape protection trailer on site for protection of pools, windows etc Clean up all debris and haul away from job site/tarps

We propose hereby to finish material and labor complete in accordance with above specification for the sum of:
Dollars \$13,000.00

Terms & Conditions

Add Some Text

\$6,500.00-Wash and clean existing roof structure. Repair any damaged penetrations. Seal and coat roof with silicone roof sealant.

\$3,500.00-Remove and replace asphalt shingles and replace damaged decking as needed.

Pressure wash exterior painted areas.

\$3,000.00-Mask and tape all windows and non painted surfaces.

Apply primer and paint to exterior surfaces.

Prime and paint exterior roof flashing.

Replace the wood trim around the front windows on the building

Authorized Signature:

Signature Date

Any payment with a credit card is subject
to a 3.5% processing fee

CONSTRUCTION PROPOSAL

PARTIES

- This Construction Agreement is entered into by

JD Construction

AND

Melissa Henson

CONSTRUCTION PROPERTY ADDRESS

- The Property that is to be constructed is located at the following address:

151 State Spur 344 Azle TX 76020

SCOPE OF WORK

The Constructor agrees to perform the construction described below:

1. \$500.00-Wash and clean existing roof structure. Repair any damaged.
2. \$7000.00 Seal roof with roof sealant.
3. \$4,700.00-Remove/ replace shingles and replace damaged decking(3 Sheets Max)
4. \$4,000.00-Mask and tape all windows and non painted surfaces. Paint exterior surfaces. Replace the wood around the windows.
5. _____
6. _____
7. _____
8. _____
9. _____
10. 50% is due prior to work - remainder paid when project is done

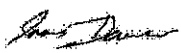
\$16,200.00

JD CONSTRUCTION

CLIENT

Name: James D Davis

Name: _____

Signature: 

Signature: _____

Application Checklist

- ✓ Completed application with details of planned improvements
- ✓ Copies of bids
- ✓ Photographs of existing building conditions

Return completed application with necessary attachments and signature to:

City of Azle - Economic Development Office
505 W Main Street
Azle, TX 76020

Mailing Address:
PO Box 1378
Azle, TX 76098

If you have any application questions, please contact the Economic Development Director at 817-444-7076



Presenter: Jennifer Walls, Purchasing Agent

Agenda Item: Consider any action on awarding the bid for EMS Billing, In-Field Patient Care Reporting, and Hardware (RFP No. 2025-004).

Background and Explanation:

The current agreement for EMS Billing services, Electronic patient care reporting and medical services with Digitech will expire April 30, 2025. Requests for proposal (RFP No. 2025-004) were issued.

Three (3) responses were received and opened on January 16, 2025 from Digitech, EMS Management & Consultants (EMS/MC) and Quick Med Claims (QMC). The attached analysis references all three (3) proposals and how they meet the required criteria. Staff's ranking of the proposals is 1) QMC; 2) EMS/MC; and 3) Digitech (the current provider).

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Staff recommends the proposal from QMC.

Attachments:

1. 25-004 Bid Tabulation
2. EMS BID RFP 2025 Council Professional Memo

City of Azle
RFP of EMS Billing and In Field Patient Care Reporting

RFP 2025-004

<u>RFP Requirements</u>	<u>EMS/MC</u>	<u>QMC</u>	<u>Digitech</u>
1) Submitted RFP by deadline	Yes	Yes	Yes
2) EMS Billing			
A. Preparation and forwarding of bills for services and supplies to insurance providers and patients. B. Insurance verification. C. Account follow up on denials and appeals with insurance companies and governmental programs, i.e. Medicare & Medicaid. D. Accurate and timely review of claims to verify completeness and compliance. E. Electronic submission of Medicare claims and any insurance claims that can be accepted and paid electronically, except in cases where paper submission may have a financial benefit. F. Revenues will be collected either by contractor or the City of Azle; a. If funds will be collected by contractor, the funds shall be disbursed to the City of Azle on a weekly basis, either by wire or check. b. With the check or wire, a detailed on-line report must be sent to the City of Azle showing who paid, the amount paid, and the patient account that was paid. G. Develop, implement and monitor extended payment plans with patients unable to pay in full. H. Must provide paperless document management and scanning of all patient and insurance company correspondence, and allow secure online access to view and audit these records. I. Vendor must accept MasterCard and VISA credit cards as payment for EMS services rendered. J. Must be actively involved in EMS billing.	EMSmart	QBI	Ambulance Commander Billing Software
3) EMS Patient Care Reporting			
A. Must be capable of seamless integration with billing services. B. All software related costs, including upgrades, must be provided at the vendor's expense. C. Must meet all legal documentation requirements for patient encounters. D. Must contain narrative assistance features. E. Must allow custom software modifications, as requested by the City of Azle, on a continuing as needed/requested basis. F. The system must submit a report on a daily basis to the City of Azle containing a summary of the EMS calls and the call locations for the previous day.	ESO	ESO	ESO
4) Weekly Financial Reporting			
A. Cash receipts by payer type and carrier. B. Gross revenues, assignment / adjustment, and financial class reports. C. Collected accounts ledger. D. Monthly revenue adjustment report including write-offs. E. Other reports as requested.	Yes	Yes	Yes

5) Weekly Call Reporting				
A. Quality assurance / quality improvement recommendation reports. B. Call volume and call location reports. C. Medic statistics, including individual medic encounter and refusal counts. D. Patient age reports. E. Call type reports. F. Response time reports.	Yes		Yes	Yes
6) Submission of required tracking data to the Texas Department of State Health Services				
A. Trauma reports. B. Do Not Resuscitate. C. Other Reports as required by the State.	Yes		Yes	ESO
7) Contractor must include at the contractor's expense				
A. Employee wage and benefits. B. Billing forms. C. Long Distance Charges. D. Toll free access numbers for patients. E. Postage, envelopes and office supplies. F. Software and Hardware required for the services requested herein. G. Any other costs associated with patient account billing. H. Medical Quality Assurance/Improvement reviews in a manner to provide the City of Azle with the ability to monitor EMS provision standards. I. Training for the City of Azle employees to utilize the bidder's process and systems on needed and continuing basis.	Yes		Yes	Yes
8) Audits				
A. Annual audit of internal controls, which must be provided to the City of Azle upon request. B. The City of Azle shall be able to conduct an onsite audit of their accounts when requested.	Yes		Yes	Third Party Audits - Yes

9) Vendor provided reference.	YES	Yes	YES
Vendor Reference Comments:			
10) The City of Azle must be able to view, access, and audit all patient accounts online via the World Wide Web.	Yes	Yes	Yes
11) Vendor must carry the following insurance:			
A. Professional Liability insurance with a minimum limit of \$1,000,000.			
B. General liability with a minimum of \$1,000,000.			
C. Umbrella liability with a minimum limit of \$1,000,000.	Yes	Yes	Yes
12) Vendor must be HIPAA compliant with all transactions. Red Flag compliant	Yes	Yes	Yes
	4.65% of Net Collections / 5.3% for Billing and Hardware / 7.2% Billing/ Hardware/ Software	5.95% net collected revenue for all services	7.75% net collection. 13% Texas Ambulance Supplemental Program - Max \$10,000.00. Third Party Collection Fee - 30%
13) EMS Billing & Collection Fees total	Toughbook G2 with protection plus warranty for 3 yrs		Toughbook CF 33 Hardware- \$330 per Month. ESO Software - \$580 per month. Notice Of Privacy Practice \$1.00 per notice
Estimated collection fee over 5 yrs (est. \$800,000)	288,000.00	238,000.00	\$364,600.00

-5.00 points for each answer of NO

40 Points for negative comments/ Unfavorable

Memo

To: Mayor Brundrett & Council Members
From: Thomas (Will) Scott
CC: City Manager Tom Muir
Date: February 28, 2025
Re: Recommendation for EMS Billing Services, Patient Care Reporting, and Medical Services based on the City of Azle RFP.

Sealed bids were opened at City Hall at 3:00 p.m. on January 16, 2025. The City of Azle received Three proposals at the time of the bid openings - DIGITECH, Quick Med Claims (QMC), and EMS Management & Consultants (EMS/MC). The proposals were complete with all criteria met

The contract term with Intermedix/ Digitech expires April 2025 and, per state and local requirements, an RFP is required to bid the billing/ electronic patient care reporting (ePCR) service being provided to the City of Azle.

The Azle Fire Department is currently utilizing an electronic patient care reporting system and a web-based fire reporting system. The EMS billing is at 7.0% of collected billing revenue.

The Request for Proposal required the following information:

1. EMS Billing
 - a. Electronic Billing – Electronic billing should reduce time delays from the time of service to the time of collection from insurance companies. The approximate time saved would be about three weeks plus due to the system being electronic and patient reporting being able to integrate into the billing software.
 - b. Insurance Verification – Currently, if insurance information, name, address, and date of birth, are not obtained or combination of, the claim is usually not paid.
 - c. Account follow-ups on denials and appeals with insurance companies and governmental programs.
 - d. Vendor to accept credit card payments.
2. Patient Care Reporting System
 - a. In field electronic reporting system – This should reduce the hours spent handwriting EMS reports. The electronic reporting system will also help make reports easier to read, which will reduce denials from insurance providers
 - b. Increase Q&A
 - c. All attachments are electronically attached to the electronic report.

3. Auditing

- a. Audits to be conducted annually
- b. City of Azle will be able to conduct on-line audits of the accounts weekly.

The city conducted a comprehensive evaluation of all proposals that conform to its requirements. Staff based their recommendation on the best value for the city. In determining the best value, staff considered the following:

- A. Bid proposals were evaluated based on criteria specifically developed to examine the technical competence and suitability of prospective offers.
- B. City of Azle will award the contract to a responsible offer. To qualify as responsible, the offer must meet the following criteria as they relate to this request for proposals:
 1. Have adequate technical resources for performance.
 2. Have the necessary experience, organization and technical skills in the field of ambulance billing services with a paperless system from the beginning of the emergency incident to the billing and completion of collection.
 3. Have a satisfactory record of performance in developing and implementing similar services.
 4. The quality of bidder's service.
 5. The reputation of the bidder.
 6. Ability to accept credit card payments.

Attached is a copy of the bid tabulation from staff.

In Summary, fire department-based EMS systems are looking for ways to streamline their operations and minimize administrative costs. Since June 2004, the Azle Fire Department staff have been researching multiple billing, reporting systems with the main goal of finding a system that would integrate ePCR and billing into systems that best suit the city. Having medical billing and the ePCR mirrored in one place will allow us to become more efficient by minimizing administrative time, collection of EMS bills, and maintaining and ensuring third parties are following compliance guidelines. I am recommending Quick Med Claims (QMC) due to their ability to provide access to all data requested in the RFP with an estimated 5.95% collection fee. Quick Med Claims appears to meet all criteria Within the proposal.

Regards,

Thomas Will Scott

Fire Chief



Presenter: Tom Muir, City Manager

Agenda Item: Consider any action on Resolution No. 2025-05 designating the *Tri-County Reporter/Azle News* as the official newspaper.

Background and Explanation:

The *Tri-County Reporter* (formerly known as *The Azle News*) has been the City's official newspaper for many years. Last month, they informed Staff they would cease operations with their last publication being on February 27, 2025. On February 18th the Council passed Resolution No. 2025-04 naming the *Commercial Recorder* as the official newspaper effective March 1, 2025.

Chapter 52.004 of the *Texas Local Government Code* states "The governing body of the municipality shall contract, as determined by ordinance or resolution, with a public newspaper of the municipality to be the municipality's official newspaper until another newspaper is selected." Each notice, ordinance or other matter required by law is to be published in a respective municipality's official newspaper.

On February 24th, Staff was notified that the *Tri-County Reporter* had been purchased and would continue operation. For the first two (2) weeks of March, the newspaper will be published as the *Tri-County Reporter*. The newspaper will then revert to their previous name, *The Azle News*, for all future publications.

Therefore, the *Tri-County Reporter/Azle News* has requested the City designate them as it's official newspaper.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Approve Resolution No. 2025-05.

Attachments:

1. RES 2025-04

RESOLUTION NO. 2025-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS DESIGNATING *TRI-COUNTY REPORTER* AND *THE AZLE NEWS* AS THE OFFICIAL NEWSPAPER FOR THE CITY OF AZLE.

WHEREAS; the City of Azle is a Home Rule Municipality located in Tarrant/Parker County Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council finds that the *Tri-County Reporter* is a paper of general circulation within the City of Azle

WHEREAS, the City Council finds that the *Tri-County Reporter* is a publication that meets all the criteria legally required of an officially designated newspaper for the City of Azle [LGC 52.004]; and

WHEREAS, during the week of March 17, 2025, the *Tri-County Reporter* will begin publishing as *The Azle News*.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS THAT:

SECTION 1 The *Tri-County Reporter* is designated as the official newspaper for the City of Azle starting March 1, 2025.

SECTION 2 *The Azle News* is designated as the official newspaper for the City of Azle starting March 17, 2025.

SECTION 3 The City will publish in the *Tri-County Reporter* and *The Azle News* as referenced above, each ordinance, notice or other matter required to be published by law.

SECTION 4 This resolution shall become effective immediately upon passage.

PASSED AND APPROVED on this the 4th day of March 2025, at regular meeting of the City Council of the City of Azle, Texas.

Alan Brundrett, Mayor

ATTEST:

Yael Hoffman, TRMC, City Secretary



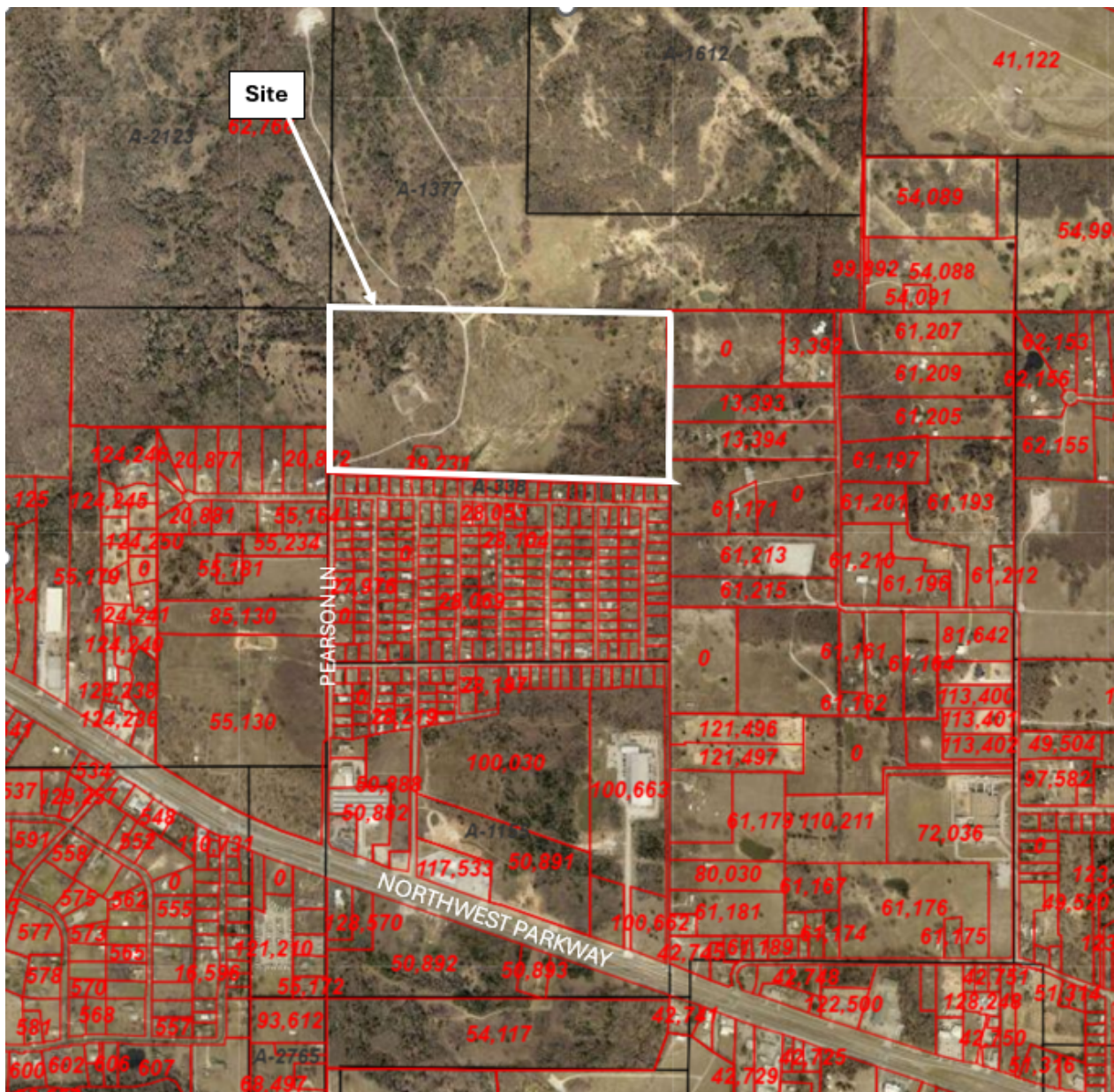
Presenter:	David Hawkins, Director of Planning and Development
Agenda Item:	Consider a petition for release from the City's Extraterritorial Jurisdiction (ETJ) for property legally described as a 79.054-acre tract of land situated in the A. Campbell Survey, Abstract No. 338, Parker County, Texas, being a portion all of that tract of land described by deed to MITX, LTD., Wells Reno Investors, LTD., White Reno Investors, LTD., recorded in Volume 2154, Page 1607, County Records, Parker County, Texas and addressed as 1708 Helen Lane.

Background and Explanation:

The 2023 Texas State Legislative session passed a new Senate Bill (SB 2038) which grants residents and property owners to submit a petition to be released from a City's Extraterritorial Jurisdiction (ETJ) with an effective date of September 1, 2023. A petition that meets all requirements of SB 2038 and the Texas Election Code must be approved for release by the City. The City Council approved an ordinance (Ord. No. 2023-23) on November 7, 2023, which adopted procedures and established a fee for processing any future petitions and verifying compliance with State statutes.

This is the second official request for release from the City's ETJ since the adoption of the ETJ Release ordinance. This request is for a 79.054-acre tract of land located approximately 2,900 feet north of the Northwest Parkway (Hwy. 199) and Pearson Lane intersection within Parker County. The property is predominately undeveloped with a single-family residence and other smaller structures.

Property Location:



Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

This ETJ Release request meets the requirements of SB 2038 and the City's ordinance. Staff forwards this request to the City Council for approval.

Attachments:

1. Petition for Release of Area from ETJ

**POPE, HARDWICKE
CHRISTIE, SCHELL, KELLY & TAPLETT, L.L.P.
ATTORNEYS
Established 1952
500 WEST 7TH STREET, SUITE 600
FORT WORTH, TEXAS 76102
(817) 332-3245
FAX (817) 877-4781**

LEONARD B. SMITH
lsmith@popehardwicke.com
(512) 914-3732 cell

ROBERT E. HARDWICKE
(1889 – 1970)

ALEX POPE, JR.
(1913 – 1988)

ROBERT E. HARDWICKE, JR.
(1917 – 1991)

September 23, 2024

City of Azle
c/o Yael Hoffman, City Secretary
505 W. Main Street
Azle, Texas 76020

Via e-mail to yhoffman@cityofazle.org

Re: Landowners' Petition for Release of Area from Extraterritorial Jurisdiction
Under Sec. 42.101 *et seq.* of Local Government Code
Petitioners: MITX, Ltd., Wells Reno Investors, Ltd., and White Reno Investors,
Ltd.

Dear Mr. Hoffman:

Attached please find Landowners' Petition for Release of Area from Extraterritorial Jurisdiction Under Sec. 42.101 *et seq.* of Local Government Code (the "Petition"), which I submit on behalf of MITX, Ltd., Wells Reno Investors, Ltd., and White Reno Investors, Ltd., the owners of the real property made the basis of the Petition.

Please direct all communications concerning this matter to me. My contact information is shown above, as well as on the Petition.

Thank you for your attention to this matter.

Sincerely,


Leonard B. Smith

Cc: Dan White
Lee Hughes

All via e-mail

**Landowners' Petition for Release of Area from Extraterritorial Jurisdiction
Under Sec. 42.101 *et seq.* of Local Government Code**

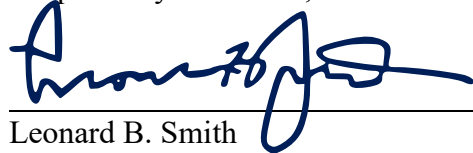
To: City of Azle, c/o Yael Hoffman, City Secretary, 505 W. Main Street, Azle, Texas 76020.

This petition is submitted to the City of Azle (the "City") under Sec. 42.102(b) by MITX, Ltd., Wells Reno Investors, Ltd., and White Reno Investors, Ltd. ("Petitioners"), the owners of certain real property located within the City's extraterritorial jurisdiction described as 79.054 acres and depicted on the field notes and map attached hereto as Exhibit A and further described as a portion of that tract bearing Property ID R000039231 and Geographic ID 20338.001.000.00 in the records of Parker County Appraisal District (the "Property").

As set forth on the Resolution attached hereto as Exhibit B, Petitioner has authorized Leonard B. Smith to file the Petition on behalf of Petitioner.

Petitioners respectfully request that the City act on this petition immediately as required by Sec. 42.105(c) of the Local Government Code. If the City fails to do so, the Property will be released by operation of law under Sec. 42.105(d) of the Local Government Code.

Respectfully submitted,



Leonard B. Smith
SBN 18643100

Pope, Hardwicke, Christie, Schell, Kelly & Taplett, LLP
500 West 7th Street, Suite 600
Fort Worth, Texas 76102
(512) 914-3732
(817) 877-4781 (fax)
Lsmith@popehardwicke.com
Attorney for Petitioners

Certificate of Service

By my signature below, I hereby certify that the above and foregoing Landowners' Petition for Release of Area from Extraterritorial Jurisdiction Under Sec. 42.101 *et seq.* of Local Government Code was forwarded to Yael Hoffman, City Secretary, via e-mail to yhoffman@cityofazle.org on September 23, 2024.



Leonard B. Smith

**Description of
79.054 Acres of Land**

BEING a tract of land situated in the A. Campbell Survey, Abstract Number 338, City of Azle ETJ, Parker County, Texas, being a portion of that tract of land described by deed to MITX, LTD., Wells Reno Investors, LTD., White Reno Investors, LTD., recorded in Volume 2154, Page 1607, County Records, Parker County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of said MITX, Wells Reno Investors, White Reno Investors tract, being the northeast corner of Lot 6, Block 3, Tanglewood Estates, an addition to Parker County, Texas, recorded in Volume 359-A, Page 48, said County Records, and being in the west line of that tract of land described by deed to Ridglea C. & Lissa Hannah recorded in Volume 1302, Page 1405, said County Records;

THENCE N 88°42'02"W, 2649.01 feet, with the south line of said MITX, Wells Reno Investors, White Reno Investors tract and the north line of said Tanglewood Estates to an ell corner in said south line, being in the west line of Lot 1, Pearson Crossing, an addition to Parker County, Texas, recorded in Cabinet B, Slide 548, and replated in Cabinet D, Slide 614, both of said County Records;

THENCE N 00°45'56"E, 362.89 feet, continuing with said south line and with said west line to an ell corner in said south line, being the northeast corner of said Lot 1;

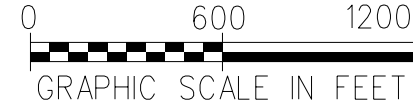
THENCE N 00°57'03"W, 901.92 feet, departing said south line over and across said MITX, Wells Reno Investors, White Reno Investors tract;

THENCE N 89°41'12"E, 2649.54 feet, to an ell corner in the east line of said MITX, Wells Reno Investors, White Reno Investors tract, being the northwest corner of Lot 1, Jackson Trail Estates, an addition to Parker County, Texas, recorded in Volume 363-A, Page 33, said County Records;

THENCE S 00°22'58"E, 1339.25 feet, with said east line to the **Point of Beginning** and containing 3,443,591 square feet or 79.054 acres of land more or less.

"This document was prepared under 22 Texas Administrative Code 138.95(5), does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

"This document was prepared under 22 TAC 138.33e, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in realproperty except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



"Integral parts of this document"
1. Description
2. Exhibit

T. & P. RR. CO. SURVEY
ABSTRACT NO. 1377

J. WIMBERLEY SURVEY
ABSTRACT NO. 1612

W. HALL SURVEY
ABSTRACT NO. 2123

MITX, LTD.
Wells Reno Investors, LTD.
White Reno Investors, LTD.
Vol. 2154, Pg. 1607
C.R.P.C.T.

Reno City Limits

Approximate City Limits

Reno City Limits

MITX, LTD.
Wells Reno Investors, LTD.
White Reno Investors, LTD.
Vol. 2154, Pg. 1607
C.R.P.C.T.

T. & P. RR. CO. SURVEY
ABSTRACT NO. 1421

Everardo, D.
Ramirez, LLC
Inst. # 202042879
C.R.P.C.T.

Pearson Crossing
Cab. B, Sld. 548
(Replat Cab. D, Sld. 614)
C.R.P.C.T.

MITX, LTD.
Wells Reno Investors, LTD.
White Reno Investors, LTD.
Vol. 2154, Pg. 1607
C.R.P.C.T.

79.054 Acres

A. CAMPBELL SURVEY
ABSTRACT NO. 338

Point of Beginning

Jackson Trail Estates
Vol. 363-A, Pg. 33
C.R.P.C.T.

Ridglea C. & Lliisa Hannah
Vol. 1302, Pg. 1405
C.R.P.C.T.

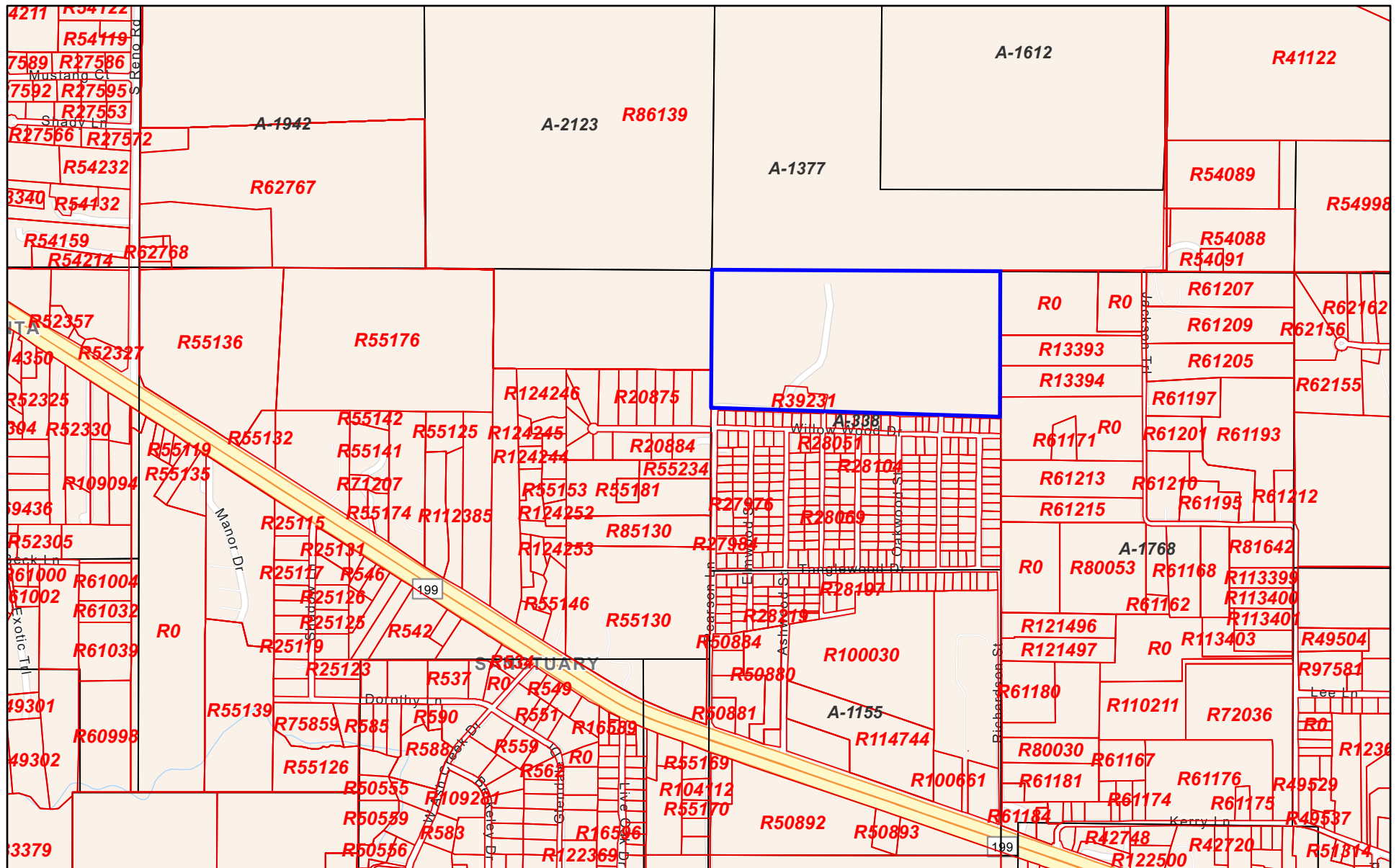
Tanglewood Estates
Vol. 359-A, Pg. 48
C.R.P.C.T.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document" 22 TAC 138.33e
Todd A. Bridges, RPLS 4940
Date: 8/14/2024

Exhibit of 79.054 Acres of Land

Situated in the A. Campbell Survey, Abstract Number 338,
City of Azle ETJ, Parker County, Texas.

Parker CAD Web Map

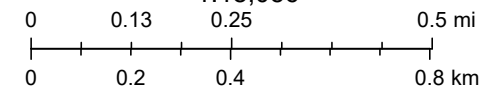


9/12/2024, 1:49:03 PM

 Parcels

Abstracts

1:18,056



Esri Community Maps Contributors, City of Fort Worth, Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/

Parker County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

Resolution Authorizing Execution and Filing of Landowners' Petition for Release of Area from Extraterritorial Jurisdiction under Sec. 42.101 *et seq.* of Local Government Code

Whereas, MITX, Ltd. is a limited partnership organized and existing under the law of the State of Texas (TXSOS Filing Number 12677410);

Whereas, Wells Reno Investors, Ltd. is a limited partnership organized and existing under the law of the State of Texas (TXSOS Filing Number 800252167);

Whereas, White Reno Investors, Ltd. is a limited partnership organized and existing under the law of the State of Texas (TXSOS Filing Number 800251821);

Whereas, MITX, Ltd., Wells Reno Investors, Ltd., and White Reno Investors, Ltd. are the owners of certain real property located in the extraterritorial jurisdiction of the City of Reno (the "City") described as 79.054 acres and depicted on the field notes and map attached hereto as Exhibit A and further described as a portion of that tract bearing Property ID R000039231 and Geographic ID 20338.001.000.00 in the records of Parker County Appraisal District (the "Property");

Whereas, the 88th Texas Legislature enacted SB 2038 by Bettencourt;

Whereas, Sec. 42.101 *et seq.* of the Local Government Code took effect on September 1, 2023; and

Whereas, the owners now desire to exercise their rights under Sec. 42.101 *et seq.* of the Local Government Code;

NOW, THEREFORE, MITX, Ltd., Wells Reno Investors, Ltd., and White Reno Investors, Ltd. resolve that:

1. Leonard B. Smith, attorney at law, be, and hereby is, authorized: to execute, on behalf of the record owners, a Landowners' Petition for Release of Area from Extraterritorial Jurisdiction under Sec. 42.101 *et seq.* of Local Government Code for the above-described real property; to file same with the City; to execute such other and further documents as may be necessary or desired to give full force and effect thereto; and to take such other and further actions as may be necessary to exercise, to protect, and to give full force and effect to the record owners' rights under Sec. 42.101 *et seq.* of Local Government Code.

Remainder of page intentionally left blank.

RESOLVED to be effective on September 16, 2024.

MITX, LTD., a Texas limited partnership

By: Jane N. Welch
Jane N. Welch, Sole Trustee of the Welch
Management Trust Under Irrevocable Trust
Agreement Dated September 29, 1999, in its
Capacity as General Partner of MITX, Ltd., a Texas
limited partnership

RESOLVED to be effective on September 16, 2024.

WELLS RENO INVESTORS, LTD.,
A Texas limited partnership
By: Wells Reno Management, LLC
A Texas limited liability company
Its General Partner

By: _____

Lee Hughes, Co-Manager

RESOLVED to be effective on September 16, 2024.

WHITE RENO INVESTORS, LTD.,
A Texas limited partnership
By: White Reno Management, LLC
A Texas limited liability company
Its General Partner

By: _____

A handwritten signature in blue ink, appearing to read 'Dan A. White', is written over a horizontal line.

Dan A. White

**Description of
79.054 Acres of Land**

BEING a tract of land situated in the A. Campbell Survey, Abstract Number 338, City of Azle ETJ, Parker County, Texas, being a portion of that tract of land described by deed to MITX, LTD., Wells Reno Investors, LTD., White Reno Investors, LTD., recorded in Volume 2154, Page 1607, County Records, Parker County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of said MITX, Wells Reno Investors, White Reno Investors tract, being the northeast corner of Lot 6, Block 3, Tanglewood Estates, an addition to Parker County, Texas, recorded in Volume 359-A, Page 48, said County Records, and being in the west line of that tract of land described by deed to Ridglea C. & Lissa Hannah recorded in Volume 1302, Page 1405, said County Records;

THENCE N 88°42'02"W, 2649.01 feet, with the south line of said MITX, Wells Reno Investors, White Reno Investors tract and the north line of said Tanglewood Estates to an ell corner in said south line, being in the west line of Lot 1, Pearson Crossing, an addition to Parker County, Texas, recorded in Cabinet B, Slide 548, and replated in Cabinet D, Slide 614, both of said County Records;

THENCE N 00°45'56"E, 362.89 feet, continuing with said south line and with said west line to an ell corner in said south line, being the northeast corner of said Lot 1;

THENCE N 00°57'03"W, 901.92 feet, departing said south line over and across said MITX, Wells Reno Investors, White Reno Investors tract;

THENCE N 89°41'12"E, 2649.54 feet, to an ell corner in the east line of said MITX, Wells Reno Investors, White Reno Investors tract, being the northwest corner of Lot 1, Jackson Trail Estates, an addition to Parker County, Texas, recorded in Volume 363-A, Page 33, said County Records;

THENCE S 00°22'58"E, 1339.25 feet, with said east line to the **Point of Beginning** and containing 3,443,591 square feet or 79.054 acres of land more or less.

"This document was prepared under 22 Texas Administrative Code 138.95(5), does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

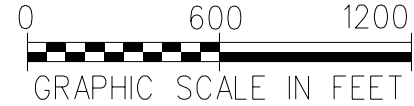
Exhibit A

Peloton Job No. DRH22001
Parker

G:\JOB\DRH22001_RENO_RANCH\2_SRVY\EXHIB\LEGALS\DRH22001_DX1.DOCX

Tracking No. na
August 14, 2024
Page 1 of 2

"This document was prepared under 22 TAC 138.33e, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in realproperty except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



"Integral parts of this document"
1. Description
2. Exhibit

T. & P. RR. CO. SURVEY
ABSTRACT NO. 1377

J. WIMBERLEY SURVEY
ABSTRACT NO. 1612

W. HALL SURVEY
ABSTRACT NO. 2123

MITX, LTD.
Wells Reno Investors, LTD.
White Reno Investors, LTD.
Vol. 2154, Pg. 1607
C.R.P.C.T.

Reno City Limits

Approximate City Limits

Reno City Limits

MITX, LTD.
Wells Reno Investors, LTD.
White Reno Investors, LTD.
Vol. 2154, Pg. 1607
C.R.P.C.T.

T. & P. RR. CO. SURVEY
ABSTRACT NO. 1421

Everardo, D.
Ramirez, LLC
Inst. # 202042879
C.R.P.C.T.

Pearson Crossing
Cab. B, Sld. 548
(Replat Cab. D, Sld. 614)
C.R.P.C.T.

MITX, LTD.
Wells Reno Investors, LTD.
White Reno Investors, LTD.
Vol. 2154, Pg. 1607
C.R.P.C.T.

79.054 Acres

A. CAMPBELL SURVEY
ABSTRACT NO. 338

Point of Beginning

Jackson Trail Estates
Vol. 363-A, Pg. 33
C.R.P.C.T.

Ridglea C. & Lliisa Hannah
Vol. 1302, Pg. 1405
C.R.P.C.T.

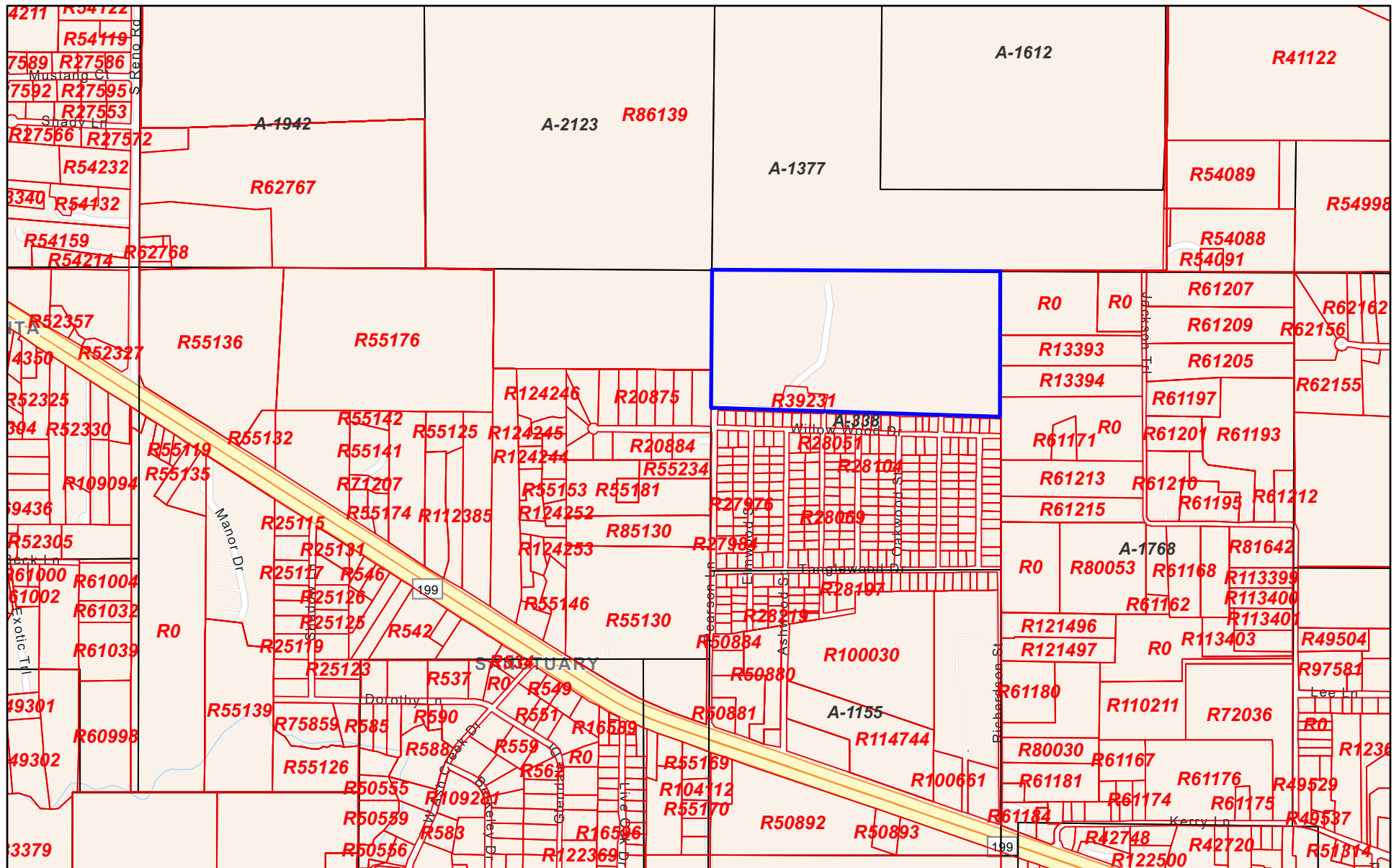
Tanglewood Estates
Vol. 359-A, Pg. 48
C.R.P.C.T.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document" 22 TAC 138.33e
Todd A. Bridges, RPLS 4940
Date: 8/14/2024

Exhibit of 79.054 Acres of Land

Situated in the A. Campbell Survey, Abstract Number 338,
City of Azle ETJ, Parker County, Texas.

Parker CAD Web Map

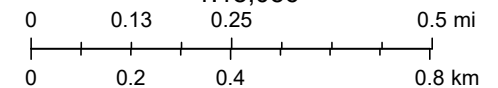


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 Parcels

Abstracts

1:18,056



Esri Community Maps Contributors, City of Fort Worth, Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/

Parker County Appraisal District, BIS Consulting - www.bisconsulting.com

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Presenter: David Hawkins, Director of Planning and Development

Agenda Item: Consider any action on Ordinance No. 2025-5 amending Article 6.09.008 “Impoundment of Donation Bins” of Chapter Six, Health and Sanitation, of the Code of Ordinances, City of Azle, Texas, by adding a new subsection for abatement of repeat offenders.

Background and Explanation:

On November 19, 2024, the City Council directed city staff to proceed with amendments to the Donation Bins Ordinance (Ordinance No. 2023-22) to address the issue of repeat violators of the donation bins ordinance, dropping off the bins without any approved permit multiple times throughout the year. The purpose of this amendment is to add language that will help expedite the abatement process and allow city staff to remove any donation bins that are repeat offenders of this ordinance and operating without any approved permit to be removed from the property immediately without notification.

If approved by the City Council, this ordinance will be effective immediately and enforced by the Community Development Dept.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Staff forwards this text amendment to the City Council for their consideration.

Attachments:

1. Ord. 2025-05

ORDINANCE NO. 2025-5

AN ORDINANCE OF THE CITY OF AZLE, TEXAS, AMENDING ARTICLE 6.09.008 "IMPOUNDMENT OF DONATION BINS" OF CHAPTER SIX "HEALTH AND SANITATION" OF THE CODE OF ORDINANCES, CITY OF AZLE, TEXAS, BY ADDING A NEW SUBSECTION FOR ABATEMENT OF REPEAT OFFENDERS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Azle, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City previously enacted an ordinance to regulate and permit the existence of donation bins within the City; and

WHEREAS, the City believes it necessary to clarify the abatement process for the donation bins that have repeatedly violated the ordinance without any approved permits; and

WHEREAS, City Council finds that regulating the placement, proximity and use of donation bins is necessary for the health, safety, and welfare of the general public; the promotion of consistent land use development; and the protection of landowners and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS THAT:

SECTION 1.

Article 6.09.008 "Impoundment of Donation Bins" of Chapter Six "Health and Sanitation" of the Code of Ordinances, City of Azle, Texas, is hereby amended by to read as follows:

Sec. 6.09.008 Impoundment of Donation Bins.

"(a) Any donation bin located within the city that does not have a current, valid permit shall be subject to impoundment by the city without prior notice. Any permitted donation bin that has received two or more notices of violation from the city in the past twelve (12) months shall be subject to impoundment by the city.

(b) Any donation bin impounded by the city will be released to the owner upon payment of all actual costs incurred by the city for the impoundment and storage fees of twenty dollars (\$20.00) per calendar day of storage. If a donation bin is impounded for longer than fifteen (15) calendar days, it shall be considered abandoned property subject to disposal or sale at the city's sole discretion."

SECTION 2.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, City of Azle, Texas, as amended, except where the provisions are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances 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.

Any person, firm or corporation who violates, disobeys, omits, neglects, refuses or fails to comply with, or who resists the enforcement of any provision of this ordinance shall be fined not more than five-hundred dollars (\$500.00) for each offence. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Azle are expressly saved as to any and all violations of the provisions of the Code of Ordinances, City of Azle, Texas, as amended, which have accrued at the time of the effective date of this ordinance; and, as such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this ordinance but may be prosecuted until final disposition by the court.

SECTION 6.

The City Secretary of the City of Azle is hereby directed to publish caption and penalty clause in the official newspaper at least once within ten (10) days after the passage of this ordinance.

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.

DULY PASSED AND APPROVED by the City Council of the City of Azle, Texas, on March 4, 2025.

Mayor, Alan Brundrett
ATTEST:

Yael Hoffman, City Secretary

APPROVED AS TO FORM:

Andrea Russell, City Attorney



Presenter: Tom Muir, City Manager

Agenda Item: Consider any action on approving Ordinance No. 2025-06 regulating short-term residential rentals.

Background and Explanation:

Council and Staff have been working on a proposed ordinance (Ordinance No. 2025-05) regulating short-term residential rentals. The City Attorney's office is still working on the ordinance but it will be provided to the Council prior to the meeting.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

N/A.

Attachments:

1. Draft STR Ordinance.030425

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF AZLE, TEXAS, AMENDING CHAPTER 4, "BUSINESS REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF AZLE, TEXAS, TO CREATE AN ARTICLE DEFINING AND GOVERNING THE STANDARDS AND REQUIREMENTS FOR SHORT-TERM RENTALS; AMENDING APPENDIX A, "FEE SCHEDULE," TO PROVIDE FOR ADMINISTRATIVE FEES ASSOCIATED WITH THE PERMITTING AND INSPECTION OF SHORT-TERM RENTALS; AMENDING CHAPTER 14A, "ZONING ORDINANCE," TO IDENTIFY SHORT-TERM RENTALS AS A PERMITTED USE IN ZONING DISTRICTS WITH RESIDENTIAL USES, SUBJECT TO CERTAIN CONDITIONS, AND TO AUTHORIZE THE BOARD OF ADJUSTMENT TO HEAR SPECIAL EXCEPTIONS IN CERTAIN CIRCUMSTANCES; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Azle, Texas (the "City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City ("City Council"), recognizes the City's proximity to tourist destinations in the Dallas-Fort Worth Metroplex, including nearby Eagle Mountain Lake; and

WHEREAS, in the City and elsewhere, the increase in the number of persons or entities desiring to rent their residential properties has led to the proliferation of transient and vacation rental uses within neighborhoods previously planned, approved, and constructed for solely residential use; and

WHEREAS, the use of residential properties by individuals for short periods of time may negatively impact the original residential character of neighborhoods that was an inducement for owners to buy their homes in such neighborhoods due, in part, to substituting permanent residents with transient visitors and thereby reducing or eliminating common goals, cohesiveness, communication, and accountability between permanent residents; and

WHEREAS, the regulation of the use and operation of such "short-term rental" property is intended to prevent the further erosion of pre-existing and stable neighborhoods, and further advance the City Council's commitment to preserving the residential character of its neighborhoods; and

WHEREAS, the rise of substitute land uses for residential property contributes to the shortage of affordable housing for both homeowners and long-term renters; and

WHEREAS, the proliferation of unregulated short-term rentals presents fire and structural safety concerns that are not applicable to structures used for permanent occupancy but are deemed necessary to accommodate guests who, as visitors to the City, will rely on City emergency services in the event of a crisis; and

WHEREAS, the City has received numerous complaints from neighbors seeking to resolve issues with parking, noise, and other adverse effects related to the operation of short-term rentals in residential areas; and

WHEREAS, the purpose of the regulations set forth herein is to provide a procedure to allow the rental of private residences to visitors on a short term basis, while ensuring that such rental use does not cause adverse impacts to residential neighborhoods due to the intensive nature of the use creating excessive traffic, noise, density, and other adverse effects, and additionally to ensure that the number of occupants within such rental units do not exceed the design capacity of the structure causing health and safety concerns, and that minimum health and safety standards are maintained in such units to protect visitors from unsafe or unsanitary conditions; and

WHEREAS, the City Council has reviewed data and information from other cities' experiences with short-term rentals and used this data and information to develop a regulatory structure suitable for the circumstances within the City; and

WHEREAS, the City Council finds and determines that regulations related to short-term rental uses should be adopted to define short-term rentals, establish standards for operation and appropriate review processes applicable to short-term rentals, and establish commensurate permitting and inspection fees; and

WHEREAS, the Planning and Zoning Commission of the City held a public hearing on [REDACTED], and the City Council held a public hearing on [REDACTED], with respect to the short-term rental regulations described herein; and

Commented [RR1]: Staff to complete

Commented [RR2]: Staff to complete

WHEREAS, the City Council finds that regulating the short-term rental of residential property is necessary for promoting the health, safety, and welfare of the general public, ensuring consistency in land uses and development, and protecting the rights of property owners, residents, and visitors in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS, THAT:

SECTION 1.

Chapter 4, "Business Regulations," of the Code of Ordinances, City of Azle, Texas, ("the Code") is hereby amended by adding a new Article 4.11 to read as follows:

"ARTICLE 4.11. SHORT-TERM RENTAL

§ 4.11.001 **Purpose.**

The purpose of the regulations set forth herein is to provide a procedure to allow the rental of private residences to visitors on a short term basis, while ensuring that such rental use does not create adverse impacts to residential neighborhoods due to excessive traffic, noise, density, and other adverse effects, and additionally to ensure that the number of occupants within such rental units do not exceed the design capacity of the structure causing health and safety concerns, and that minimum health and safety standards are maintained in such units to protect visitors from unsafe or unsanitary conditions.

§ 4.11.002 **Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bathroom. Enclosed space containing one or more bathtubs, showers, or both, as well as one or more toilets, lavatories or fixtures serving similar purposes.

Bedroom. A room with a closet that is used or intended to be used for sleeping purposes and not as a kitchen, bathroom, living room, closet, hallway, utility space, entry way, garage, patio, breezeway, or other purpose.

Block. A tract of land bounded by streets, or a combination of streets, public parks, railroad rights-of-way, shorelines of waterways, or corporate limits.

Block face. The portion of a block abutting one side of a street and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and another boundary such as a railroad right-of-way, unsubdivided land, watercourse, or municipal boundary. A corner lot shall be part of the block face parallel to the lot's front lot line.

Code or city code. The Code of Ordinances, City of Azle, Texas.

Department. The planning and development department of the city.

Director. The director of planning and development of the city or their designated representative.

Fire marshal. The fire marshal of the city or their designated representative.

Occupant. The person(s) who have lawfully obtained the exclusive use and possession of the short-term rental premises from the owner and/or operator, and the guest(s) of such person(s).

Operator. The owner or local responsible party tasked with managing a property operating as a short-term rental on behalf of the owner.

Owner. The individual or entity that owns a property operating as a short-term rental.

Permit. The permit issued pursuant to the terms of this article authorizing the operation of a short-term rental.

Short-term rental. The rental for compensation, of any residence or residential structure, or a portion of a residence or residential structure, located within a zoning district where the residential use is lawful, for the purpose of overnight lodging for a period of less than thirty (30) days. A short-term rental shall not include a hotel or motel.

§ 4.11.003 **Short-term rental permit application.**

It shall be unlawful for any owner, operator, or other person to advertise, offer to rent or rent, lease, sublease, license or sublicense a residential property within the city as a short-term rental for which a permit application has not been properly made and filed with the department, and a permit issued. A permit application shall be made upon forms furnished by the city for such purpose, shall be accompanied by the application fee identified in appendix A of the code, and shall specifically require the following minimum information:

- (1) The name, address, contact information, and signature of the owner of the premises (or signed owner authorization, on a form provided by the city);
- (2) The name, address, and phone number of a twenty-four (24)-hour contact;
- (3) The registration number for the city hotel occupancy tax as required by section 4.11.004 (m), below;
- (4) A parking plan of the premises identifying the location and quantity of parking spaces to be used in conjunction with the short-term rental, in relation to the residence;
- (5) A dimensioned floor plan of the proposed short-term rental identifying the proposed maximum number of occupants, bedrooms, other living spaces, location of safety features, and emergency evacuation routes;
- (6) The name, contact information, and rules for the applicable homeowners' association (HOA), if any;
- (7) Proof of liability insurance, which shall meet the following minimum requirements:
 - (A) The city, its officials, employees, agents and officers shall be named as an "additional insured" on all policies;
 - (B) The policy should provide a minimum liability coverage of \$1,000,000 (one million dollars); and
 - (C) Each policy shall be endorsed to provide the city with a minimum of a thirty

(30)-day notice of cancellation, non-renewal, and/or material change in policy terms or coverage; provided, however, a minimum ten (10) days' notice shall be required in the event of non-payment of premium;

- (8) A current tax certificate(s) indicating all taxes for the subject property have been paid to the current year (available from the Appraisal District for the county in which the property is located). Tax statements printed from the Tarrant or Parker County website (pdf) are acceptable in lieu of the original certificate(s);
- (9) A copy of the proposed host rules for the short-term rental, including a statement identifying the description and location of safety features described in section 4.11.004(e); and
- (10) A statement that the owner of the short-term rental complies with and will continue to comply with the standards and other requirements of this article, as well as all applicable standards and other requirements of the code.

§ 4.11.004 **Regulations.**

- (a) Maximum stay; minimum stay. It shall be unlawful for an owner to rent or lease a short-term rental for a period of more than twenty-nine (29) days or less than twenty-four (24) hours.
- (b) Occupancy. The maximum number of persons permitted to stay in a short-term rental is limited to two (2) persons per bedroom, plus two (2) additional persons; however, no short-term rental shall permit the cumulative total number of occupants to exceed twelve (12) persons.
- (c) Parking restrictions. Parking is restricted to the number of off-street parking spaces associated with the residential structure, either in the driveway and garage or by location or number assigned to a specific unit. It shall be unlawful for an occupant or invitee of an occupant to park a motor vehicle on a residential street adjacent to or near a short-term rental. All motor vehicles are further subject to the parking requirements of chapter 12, article 5 of the code.
- (d) Access to basic sanitation. Each bedroom of a residence or portion of a residence used as a short-term rental must provide interior access to a bathroom, such that an occupant shall have access to a bathroom without exiting the residence, regardless of whether such bathroom is private or shared.
- (e) Life safety.
 - (1) The short-term rental must be equipped with:
 - (A) Working smoke alarms, meeting the requirements of Section 92.254 and 92.255 of the Texas Property Code, with a minimum of one (1) on each floor or level and one (1) in each room used as a bedroom; and

(B) A minimum of one (1) working carbon monoxide detector on each floor or level if the premises are equipped with natural gas, propane, and/or an attached garage; and

(C) A minimum of one (1) 2A:10B:C type fire extinguisher (a standard five-pound extinguisher) available on each floor, inspected annually in accordance with the International Fire Code and tagged by a third-party inspector.

(2) All gas appliances shall be properly ventilated outside the home.

(3) Emergency escape openings shall comply with the city's currently adopted International Residential Code (IRC), with at least one (1) emergency escape opening for each bedroom opening directly to the outdoors.

Commented [RR3]: To be confirmed with the Fire Department

(4) An evacuation plan shall be posted in each bedroom.

(5) Any room that does not comply with this subsection (e) shall not be used as a bedroom, and where equipped with a door, shall remain locked at all times when the dwelling is being used as a short-term rental. Any non-compliant bedroom shall not be included in the maximum occupancy calculation for the short-term rental, nor be advertised as a bedroom.

(f) Conduct on premises. Each short-term rental owner, operator, and occupant shall comply with all requirements of the city code. Owners and/or operators shall be responsible for informing occupants of all relevant city codes and occupants' liability for violations of same. In addition, the following shall be unlawful:

(1) Conduct involving the use of amplified sound or radios, phonographs, or musical instruments between the hours of 7:00 p.m. and 7:00 a.m., excessive noise, or other disturbances outside the short-term rental structure that would violate chapter 8, article 8.03 of the code, including, but not limited to, the following outside areas: decks, portals, porches, balconies, patios, hot tubs, pools, saunas, or spas;

(2) Sleeping outdoors;

(3) Placing, or allowing to be placed, waste or recycling receptacles at the designated pickup location prior to 7:00 p.m. on the day prior to the scheduled pickup, or otherwise in violation of chapter 13, article 13.08 of the code;

(4) Advertising, promoting, or operating a special event, or permitting the advertising, promotion, or operation of a special event (including, but not limited to, a banquet, wedding, reception, reunion, bachelor or bachelorette party, concert, or similar activity that would assemble large numbers of invitees) to be held on the premises; and

- (5) Using or permitting the use of the short-term rental for the purpose of: housing sex offenders; operating a structured sober, recovery, or other purpose living home or similar enterprise; selling illegal drugs; selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code; or operating as a sexually oriented business.
- (g) Signage. On-premise signage advertising or identifying the short-term rental shall not be permitted.
- (h) Advertising. The owner and/or operator shall not advertise or promote, or allow another to advertise or promote, the short-term rental without including the occupancy limits, parking standards, and city permit number for the listing.
- (i) Local contact. An owner and/or operator must designate the name and contact information of a representative who shall be the local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available in person or by phone at all times while occupants are on the premises of the short-term rental. If called, said individual must be able to, and shall, be present at the premises within one (1) hour of receiving a call from the planning director. A local contact must be authorized to make decisions regarding the premises and its occupants.
- (j) Occupant notification packet. The owner and/or operator shall post in a conspicuous location of the short-term rental premises a packet containing, at a minimum, the following information:
 - (1) Maximum number of occupants;
 - (2) Location of required off-street parking, other available parking and prohibition of parking on unapproved surfaces as provided by section 12.05.008 of the code;
 - (3) Quiet hours and noise restrictions;
 - (4) List of HOA rules, if applicable;
 - (5) Twenty-four (24)-hour local contact person and phone number;
 - (6) Property cleanliness requirements;
 - (7) Waste pick-up requirements, including location of waste and recycling receptacles;
 - (8) Flooding hazards and evacuation routes, as well as information on the emergency siren system and other safety features;

- (9) Emergency and non-emergency numbers; and
- (10) Notice that failure to conform to the occupancy and parking requirements constitutes a violation of the code and an occupant or visitor may be cited.
- (k) Rental agreement notification. The rental agreement between the owner and/or operator of the short-term rental and the occupant shall include, by attachment, all of the information provided in the occupant notification packet.
- (l) Changes in ownership. The purchaser of a short-term rental shall provide the director with current application materials required by section 4.11.003, revised to include any new information associated with the change in ownership, within thirty (30) days of the closing date for the purchase of the short-term rental. Since a permit is non-transferable pursuant to section 4.11.005, the purchaser shall also remit a permit renewal fee as described in appendix A of the code.
- (m) Hotel occupancy taxes. The owner and/or operator of the short-term rental property shall register with the city finance department to pay hotel occupancy taxes prior to the date that the short-term rental permit application is submitted, and the owner and/or operator must remit all applicable hotel occupancy taxes in a timely manner pursuant to applicable laws.
- (n) Request for occupancy history. Upon request of the director, the owner of a premises used as a short-term rental shall remit, within thirty (30) days, an accounting of all rental activity and the hotel occupancy taxes paid therefor.
- (o) Right to inspect premises.
- (1) Inspections. The fire marshal or building official shall perform periodic inspections of each short-term rental property to ensure compliance with this article and other applicable laws. For the purpose of performing inspections, the fire marshal or building official may enter, examine, and survey, at all reasonable times, all buildings, dwelling units, guest rooms, and the premises used as a short-term rental property. An owner and/or operator may refuse to consent to an inspection conducted by the fire marshal. If consent is refused, the fire marshal may seek an administrative search warrant authorized by Article 18 of the Texas Code of Criminal Procedure and the city code. No permit for operating a short-term rental shall be issued until the premises successfully passes such inspection.
- (2) Types of inspections. The city may perform the following inspections:
- (A) Initial and renewal inspections. The fire marshal or building official may perform an initial inspection of the short-term rental property upon application for a permit, as well as inspections of the short-term rental property upon application for permit renewal.

Commented [RR4]: Confirm procedures with City finance department

- (B) Repeat inspections. If, upon completion of an inspection, the premises are found to be in violation of one or more provisions of this section, the city shall provide written notice of such violation and shall set a re-inspection date. If a property fails to pass an inspection, a re-inspection fee will be charged after the third re-inspection of the premises. A property cannot be occupied as a short-term rental while its status with the fire marshal's office is noted as being in violation.
- (C) Fire extinguishers. The owner and/or operator is responsible for obtaining annual independent inspections of the fire extinguishers in compliance with city regulations.
- (D) Change in ownership inspection. As part of the change in ownership process for a short-term rental the fire marshal shall conduct an inspection to verify compliance with this article.

(p) Density limitations for short-term rental properties.

- (1) Limitation. Short-term rentals shall be limited to no more than one-eighth (12.5 percent) of the total number of residential units on the block face or in a multi-unit building. Notwithstanding the foregoing, at least one short-term rental shall be permitted per block or multi-unit building, regardless of density.
- (2) Special exception available. In order to obtain a permit for a short-term rental that would exceed the density limitation of this section, a property owner may apply to the zoning board of adjustment for a special exception in accordance with chapter 14A, section 34 of the code. The board may consider factors such as the following:
 - (A) Whether operation as a short-term rental in excess of the density limitation will not adversely impact the residential quality of the neighborhood in which the property is located;
 - (B) Whether such operation is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering whether lot sizes are small enough that noise is likely to affect neighboring property owners);
 - (C) Whether such operation will substantially impact nearby streets, including whether the property provides only limited off-street parking;
 - (D) Whether the applicant seeks to operate an entire residence as a short-term rental or whether the short-term rental use is limited to a portion of the residence;
 - (E) Whether the applicant occupies the premises as their primary residence or uses it as an investment property; and

- (F) Whether other short-term rentals in excess of the density limitation are already operating on that block.

- (3) Nonconforming uses. A short-term rental that was lawfully in existence on the effective date of this article shall be considered a nonconforming use and shall not be subject to the density limitations set forth in this subsection. A short-term rental shall be considered lawfully in existence on the effective date of this article if the owner provides written confirmation from the city finance department indicating that, prior to the effective date of this article, the property was registered for payment of hotel occupancy tax as required by chapter 11, article 11.04 of the code and the tax account was not in arrears.

§ 4.11.005 Permit term and renewal; fees; non-transferability; public information designation

- (a) All permits issued under this article shall be valid for a period of one (1) year from the date of issuance.
- (b) A nonrefundable fee for administration of the application shall be charged as established in appendix A of the code. Such fee shall be paid at the time the application is made and shall not be returned to the applicant, regardless of whether a permit is issued.
- (c) A permit holder shall apply for renewal prior to the expiration of the permit on a form provided by the director. The fee for the renewal of a permit to operate a short-term rental shall be charged as established in appendix A of the code. The permit holder shall either update the information required under section 4.11.003 or submit a statement affirming that the information previously submitted is still accurate. A complete application for renewal received after the expiration of a current permit shall be treated as an application for a new permit in accordance with section 4.11.003.
- (d) A permit to operate a short-term rental is not transferable to another owner, operator, or location.
- (e) All permits issued under this article constitute public information, subject to the terms of the Public Information Act. Information regarding permitted short-term rentals shall be made available on the city's website and shall identify, at minimum, the property address, permit number, and permit date of each short-term rental permitted to operate in the city.

Commented [RR5]: This is completely optional, but many cities like to include it in the interest of transparency.

§ 4.11.006 Repeat offenses.

- (a) If the director finds that the owner, operator, or any occupant of a short-term rental failed to comply with any requirement of this article three (3) or more times within a twelve (12) month period, the director may revoke an existing permit or may deny

an application to renew a permit. No new permit may be sought for the subject property for a period of twelve (12) months following a denial or revocation pursuant to this section.

- (b) If a property is the subject of five (5) or more violations of federal law, state law, or the other provisions of the city code outside of this article within the previous twenty-four (24)-month period, the director may revoke an existing permit; may deny an application for an original permit; or may deny an application to renew a permit, based on: (1) the frequency of any repeated violations; (2) whether a violation was committed intentionally or knowingly; and (3) any other information that demonstrates the degree to which the owner or occupant has endangered public health, safety, or welfare. No new permit may be sought for the subject property for a period of twelve (12) months following the denial or revocation pursuant to this section.
- (c) A permit applicant may appeal the director's decision to revoke an existing permit or deny an application, in accordance with the process set forth in section 4.11.006 of this article.

§ 4.11.006 Appeals.

- (a) The revocation of a permit or the director's denial of an application for a permit to operate a short-term rental may be appealed to the city manager in accordance with the provisions of this section.
- (b) An appeal filed under this section must be filed with the director no later than the twentieth (20th) day following the date on which the permit was revoked or denied. The appeal must be sworn and must identify each alleged point of error, facts, and evidence supporting the appeal, and reasons why the action of the director should be modified or reversed.
- (c) The city manager or a designee shall, not later than the tenth (10th) day after the date the notice of appeal is filed, hear the appeal, and may affirm, modify, or reverse a permit revocation or application denial.
- (d) The city manager or designee shall give written notice of a decision on an appeal to the appellant.
- (e) An appellant who seeks judicial review of the city manager's review on appeal must file a petition with a court of competent jurisdiction not later than the thirtieth (30th) day after issuance of the notice of the decision.

§ 4.11.007 Enforcement.

- (a) If the owner, operator, or any occupant of the short-term rental property fails or refuses to comply with the standards and requirements contained herein, the city may initiate enforcement action against the owner, operator, or any occupant,

including, but not limited to, the immediate issuance of a citation.

- (b) Failure to timely remit applicable hotel occupancy tax is a violation under this article and shall result in permit revocation if all applicable tax is not paid within ninety (90) days of the issuance of a delinquency notice.
- (c) Any advertisement, whether it be online or in print, promoting the availability of a property within the city for rent for a period of less than thirty (30) days, shall constitute prima facie evidence of the property's use as a short-term rental.

§ 4.11.008 **Discontinuance of operations.**

- (a) The owner and/or operator of a property used as a short-term rental that was registered with the city for collecting hotel occupancy tax prior to the effective date of this article, and who is unable, fails, or refuses to obtain a permit for operation as a short-term rental following the effective date of this article, shall discontinue the short-term rental use within sixty (60) days of the effective date of this article or the notice of permit denial. The density limitation of section 4.11.004(p) shall not bar such owner and/or operator from obtaining a permit if all other requirements and standards of section 4.11.004 are met.
- (b) The owner and/or operator of a property used as a short-term rental that was not registered with the city for collecting hotel occupancy tax prior to the effective date of this article shall discontinue the short-term rental use immediately following the effective date of this article. Such property shall not be resumed as a short-term rental until a permit has been applied for and has been issued pursuant to section 4.11.003.

§ 4.11.009 through § 4.11.14. **(Reserved)**"

SECTION 2.

Article A1.000, "General Fee Tables," of Appendix A, "Fee Schedule," of the Code is hereby amended by adding a new Section A1.012, "Short-term rental fees," to read as follows:

"§ A1.012 **Short-term rental fees.**

The schedule of fees for short-term rentals shall be as follows:

- (1) Application for permit: \$200.00.
- (2) Permit renewal: \$200.00.
- (3) Inspection (initial or renewal): _____
- (4) After hours inspection (after 4:00 p.m. or weekends/holidays): _____

Commented [RR6]: To be completed upon staff determination – I was unable to find a generally applicable inspection fee in the fee schedule, so this can be either be a flat fee or based on square footage or bedrooms. As long as the fee is reasonably related to the cost of administering the STR permit program, we can charge accordingly. I pulled the rest of these fees from other similar fees in the fee schedule, but we can modify as needed.

- (A) 2-hour minimum: \$190.00.
- (B) Each additional hour: \$65.00 per hour.
- (5) Reinspection fee: \$65.00.
- (6) Application for special exception: \$325.00"

SECTION 3.

Section 3.2, "Definitions," of Chapter 14A, "Zoning Ordinance," of the Code is hereby amended to add the definition for short-term rentals, to be inserted alphabetically and to read as follows:

"SHORT-TERM RENTAL: The rental for compensation of any residence or residential structure, or a portion of a residence or residential structure, located within a residential zoning district, for the purpose of overnight lodging for a period of not more than twenty-nine (29) days. A short-term rental shall not include a hotel or motel or bed and breakfast facilities. A short-term rental is further subject to the provisions of Chapter 4, Article 4.11 of the Azle Municipal Code."

SECTION 4.

Section 4.10, **"Permitted Use Schedule,"** of Chapter 14A, "Zoning Ordinance," of the Code is hereby amended by adding the operation of a short-term rental as a permitted use ("P") in certain zoning districts, in the section "Residential Uses."

PERMITTED USES	AG	LFO	E- 1	E- 2	E- 3	SF- 1	SF- 2	SF- 3	SF- 4	SF- 5	SF- MHP	MD- 1	MD- 2	MF- 1	MF- 2	O	CBD	INS	C	HC	IND
Residential Uses																					

Short-term rental	P		P	P	P	P	P	P	P	P		P	P	P	P		P				

SECTION 5.

Subsection 34.3, "Jurisdiction of Board," of Section 34, "Zoning Board of Adjustment," of Chapter 14A, "Zoning Ordinance," of the Code is hereby amended to add a new subsection C to read as follows:

- "C.** Hear and decide, upon application, special exceptions to the terms of the zoning ordinance. The term "special exception" shall mean a deviation from the requirements of the zoning regulations herein established. Special exceptions shall be granted only when the board finds that such special exceptions will not adversely affect the value and use of adjacent or neighboring property or be contrary to the public interest. Special exceptions may be granted in the following circumstances:

Commented [RR7]: Will need guidance from P&Z and Council on whether STRs will be permitted in all residential zoning districts or only certain ones. We recommend, at minimum, allowing STRs in all single-family districts and any duplex-type districts (so, the E, SF, and MD districts – though we can except SF-MHP, which cities typically prefer)

Commented [RR8]: I am not seeing an SF-3.5 in the permitted use schedule, though I see it in the zoning regulations – staff, could you please confirm?

1. To permit short-term rental operations in excess of the density limitation identified in Section 4.11.004(p) of the Azle Municipal Code, subject to consideration of the following factors:
 - a. Whether operation as a short-term rental in excess of the density limitation will not adversely impact the residential quality of the neighborhood in which the property is located;
 - b. Whether such operation is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering whether lot sizes are small enough that noise is likely to affect neighboring property owners);
 - c. Whether such operation will substantially impact nearby streets, including whether the property provides only limited off-street parking;
 - d. Whether the applicant seeks to operate an entire residence as a short-term rental or whether the short-term rental use is limited to a portion of the residence;
 - e. Whether the applicant occupies the premises as their primary residence or uses it as an investment property; and
 - f. Whether other short-term rentals in excess of the density limitation are already operating on that block.
2. To permit a minimum lot area of 2.5 acres in the AG, Agricultural district, in accordance with Section 26.7 of Chapter 14A."

SECTION 6.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, City of Azle, Texas, as amended, except when 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 7.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase 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 sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the

City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.

SECTION 8.

Any person, firm, or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1.01.009 of the Code of Ordinances, City of Azle, Texas. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 9.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Code of Ordinances, City of Azle, Texas, as 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 10.

The City Secretary is hereby directed to publish the caption and penalty clause of this Ordinance in the official newspaper of the City as required by Section 3.11 of the Charter of the City.

SECTION 11.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter and the laws of the State of Texas.

PRESENTED AND PASSED this ____ day of _____, 2025, by a vote of ____ ayes, ____ nays, and ____ abstentions, at a regular meeting of the City Council of the City of Azle, Texas.

Alan Brundrett, Mayor

ATTEST:

Yael Forgey, City Secretary



Presenter: David Hawkins, Director of Planning and Development

Agenda Item: Conduct a public hearing and consider any action on Ordinance No. 2025-03 regarding text amendments to Chapter 14 “Zoning Ordinance” of the Code of Ordinances, City of Azle, Texas. The purpose of the text amendment is to consider adding regulations for commercial buildings fronting a public street.

Background and Explanation:

On November 19, 2024, City Council directed the City staff to proceed with amendments to the building orientation requirements for commercial buildings in Azle. Currently, the Zoning Ordinance has regulations that require all residential dwellings to face or front a public street but no similar regulations for non-residential buildings. The only way to require any commercial building to face a public street is through a Planned Development (PD) zoning or an incentive agreement (380 Economic Development Agreement). City Council would like to see this be amended to make this front-facing orientation a standard requirement for all new non-residential developments. Any new building that would not face a street may request a variance to this requirement and be considered on a case-by-case basis.

Current Text Language:

Zoning Ordinance - **Section 1.14 LOCATION OF DWELLINGS AND OTHER BUILDINGS** states the following:

- A. Unless otherwise stated in this ordinance only one (1) main building for one-family or two-family use, with permitted accessory buildings and their breezeways, may be located upon a lot. Every dwelling shall face or front upon a street[.]
- B. Where a lot is used for multifamily, retail, office, commercial, or industrial purposes or a combination of same, or for a combination of retail and dwelling purposes, more than one (1) main building may be located upon the lot, but only when such buildings conform to all of the open space, parking and density requirements applicable to the uses and zoning districts[.]
- C. No required open space, yard, or area requirement for one (1) building or use shall be computed as being the open space, yard, or area requirement for any other building or use.

Proposed Text Amendment:

Zoning Ordinance - **Section 1.14 LOCATION OF DWELLINGS AND OTHER BUILDINGS** states the following:

- A. Unless otherwise stated in this ordinance only one (1) main building for one-family or two-family use, with permitted accessory buildings and their breezeways, may be located upon a lot. Every dwelling shall face or front upon a street[.]
- B. Where a lot is used for multifamily, retail, office, commercial, or industrial purposes or a combination of same, or for a combination of retail and dwelling purposes, more than one (1) main

building may be located upon the lot, but only when such buildings conform to all of the open space, parking and density requirements applicable to the uses and zoning districts[.] Every multifamily, retail, office, commercial, or industrial building shall face or front upon a street.

C. No required open space, yard, or area requirement for one (1) building or use shall be computed as being the open space, yard, or area requirement for any other building or use.

Board/Commission/Committee Recommendation:

On February 20, 2025, the P & Z Commission conducted a public hearing and made a recommendation of approval on the proposed amendments to the Zoning Ordinance pertaining to requirements of building orientation for non-residential buildings. The motion carried by a vote of 6-0 (Commissioner Mosier was absent).

Staff Recommendation:

Staff forwards this proposed code amendment for City Council consideration.

Attachments:

1. Ordinance 2025-03

ORDINANCE NO. 2025-3

AN ORDINANCE OF THE CITY OF AZLE, TEXAS, AMENDING SECTION 1, "GENERAL PROVISIONS" OF EXHIBIT A, "ZONING ORDINANCE" OF CHAPTER 14, "ZONING" OF THE CODE OF ORDINANCES, CITY OF AZLE, TEXAS, TO ADD REGULATIONS PERTAINING TO COMMERCIAL BUILDINGS FRONTING A PUBLIC STREET; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Azle is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Azle heretofore adopted the Zoning Ordinance of the City, codified in Chapter 14 of the City Code, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, the Planning and Zoning Commission of the City of Azle, Texas held a public hearing on February 20, 2025, and the City Council of the City of Azle, Texas held a public hearing on March 4, 2025, with respect to the zoning ordinance changes described herein; and

WHEREAS, the Planning & Zoning Commission and the City Council of the City of Azle, in compliance with the laws of the State of Texas and the ordinances of the City of Azle, have given requisite notice of publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance should be amended as described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS THAT:

SECTION 1.

Section 1, "General Provisions" of Exhibit A, "Zoning Ordinance" of Chapter 14, "Zoning" shall be amended to amend Subsection 1.14 (B) to read as follows:

"Where a lot is used for multifamily, retail, office, commercial, or industrial purposes or a combination of same, or for a combination of retail and dwelling purposes, more than one (1) main building may be located upon the lot, but only

when such buildings conform to all of the open space, parking and density requirements applicable to the uses and zoning districts[.] Every multifamily, retail, office, commercial, or industrial building shall face or front upon a street."

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, City of Azle, Texas, as amended, except where the provisions are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances 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.

Any person, firm or corporation who violates, disobeys, omits, neglects, refuses or fails to comply with, or who resists the enforcement of any provision of this ordinance shall be fined not more than Five Hundred dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Azle are expressly saved as to any and all violations of the provisions of the Code of Ordinances, City of Azle, Texas, as amended, which have accrued at the time of the effective date of this ordinance; and, as such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this ordinance but may be prosecuted until final disposition by the court.

SECTION 6.

This ordinance shall be in full force and effect from and after its passage as provided by law, and it is so ordained.

AND IT IS SO ORDAINED.

DULY PASSED AND APPROVED by the City Council of the City of Azle, Texas, on March 4, 2025.

Mayor, Alan Brundrett
ATTEST:

Yael Hoffman, City Secretary

APPROVED AS TO FORM:

Andrea Russell, City Attorney



Presenter:

Agenda Item: Take any action pursuant to the Executive Session.

Background and Explanation:

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

None