

**PLANNING AND ZONING COMMISSION
MEETING AGENDA
CITY HALL, 3200 DIANA DRIVE
September 27, 2022 at 6:00 PM**

1. CALL TO ORDER

2. EXECUTIVE SESSION

A. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and Zoning Commission meeting.**

B. Reconvene: Action necessary on items discussed in Executive Session

3. PUBLIC COMMENTS

This is the public's opportunity to address the Planning & Zoning Commission about non-agenda items. In compliance with the Texas Open Meetings Act, Commission members and city staff are prevented from discussing non-agenda items and may only respond with statements of factual information or existing city policy.

REGULAR AGENDA

4. Approve minutes from the June 28, 2022 Planning and Zoning Commission meeting
5. Consider Ordinance 1461-22, amending Section 6.03, "Zoning Text and Map Amendments" of Article 6, "Development Review Procedures" of Chapter 90, Zoning" of the Richland Hills City Code by revising the regulations for posting a sign regarding a zoning map amendment. PUBLIC HEARING
6. Consider Ordinance 1462-22, amending Section 6.08, "Specific Use Permit (SUP)" of Article 6, "Development Review Procedures" of Chapter 90, Zoning" of the Richland Hills City Code by removing references to the zoning map. PUBLIC HEARING

7. ADJOURNMENT

A quorum of the City Council or other Boards may be present at this meeting

CERTIFICATE

I hereby certify that the above agenda was posted on this the 22nd day of September 2022 by 12:30 p.m. on the official bulletin board at the Richland Hills City Hall, 3200 Diana Drive, Richland Hills, Texas, pursuant to the Texas Government Code, Chapter 551.

Lindsay Wells
Lindsay Wells
City Secretary



ACCESSIBILITY STATEMENT

The Facility is wheelchair accessible. If you plan to attend this public meeting and have a disability that requires special arrangements, please notify the City Secretary 48 hours in advance at (817) 616-3810 and reasonable accommodations will be made to assist you.

Memorandum

To: Richland Hills Planning and Zoning Commission

From: Lindsay Wells, City Secretary

Date: July 26, 2022

Subject: Minutes from the June 28, 2022 Regular Planning and Zoning Commission Meeting

Agenda Item:

Approve minutes from the June 28, 2022 Planning and Zoning Commission meeting.

Background Information:

N/A

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

June 28, 2022 Draft Minutes

Suggested Motion:

Motion to approve the minutes from the June 28, 2022 Planning and Zoning Commission meeting.

**RICHLAND HILLS PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL, 3200 DIANA DRIVE
JUNE 28, 2022
MINUTES**

Members Present

Michael Wilson, Chair
Kenneth Keating, Place 1
Jackson Durham, Place 3
Mary Witt, Place 4
Kelle Jones, Place 5
Mary Sullivan, Alternate 1
Theresa Bledsoe, Alternate 2

Members Absent

Alternate Members Absent

Staff Present

Logan Thatcher, Assistant to the City Manager
Lindsay Wells, City Secretary
James Donovan, City Attorney

1. CALL TO ORDER

Commission Chair Wilson called to order at 6:00 p.m.

Commissioner Durham advised that he will be abstaining from any discussion and vote on Agenda Item 8 and will submit a Conflict-of-Interest affidavit to the City Secretary in accordance with Local Government Code Chapter 171.

2. EXECUTIVE SESSION

Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071. Refer to posted list attached hereto and incorporated herein. Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and Zoning Commission meeting.

None.

3. PUBLIC COMMENTS

Stacy Reddy, 7012 Hardisty Street, Richland Hills, advised that she and her neighbor found and replaced manhole covers that had come off during a recent flooding event and expressed concern regarding future flooding issues.

4. Replat Ordinance Update

Assistant to the City Manager Logan Thatcher provided a brief update regarding amendments recently passed by the City Council at their June 13, 2022 regular meeting related to how replats are presented and approved. He advised that, prior to the City Council's changes, replatting required a Public Hearing before approval of the replat. According to changes in State Law, proposed replats were no longer required to have a Public Hearing prior to approval and a Public Hearing is now only required if the replat needs a variance.

If a proposed replat does not need a variance, written notice of the approval shall be provided within 15 days of approval by mail to each property owner within 200 feet of the lots to be replatted. If the area proposed to be changed is in the SF-E single family residential zoning district, such written notice shall be sent to all owners of property in the original subdivision which is located within 500 feet of the property to be replatted.

REGULAR AGENDA

5. Approved minutes from the April 26, 2022 Planning and Zoning Commission meeting.

Motion: Motion was made by Commissioner Durham and seconded by Commissioner Jones to approve the minutes from the April 26, 2022 Planning and Zoning Commission meeting.

Motion carried by a vote of 5-0.

6. Approved a Final Plat for the property described as Popplewell, S Survey Abstract 1241 Tract 1E, Tarrant County, Texas otherwise known as 7100 Baker Boulevard, Richland Hills, Texas 76118 and Greenfield Subdivision-RchInd Lots 4, 5, 6 and 7, Tarrant County, Texas, otherwise known as 3209 Ash Park Drive, Richland Hills, Texas 76118

Assistant to the City Manager Logan Thatcher presented the item to the Commission and advised that applicant, Skorburg Company, has submitted a final plat for a 69-unit townhome development known as Baker Landing at 7100 Baker Boulevard and 3209 Ash Park Drive Lots 4,5,6 and 7. The Planning and Zoning Commission and City Council previously approved a Planned Development for this project. Approval of the Final plat is the next step in the planned development process. The Development Review Committee has reviewed the Final plat and recommends approval.

Discussion ensued regarding minor changes to the location of the retaining wall and drainage concerns.

Gavin Shaw, Strand Engineering, 10003 Technology Boulevard, Dallas, Texas, discussed easements and entry into the neighborhood from Baker Boulevard.

Motion: Motion was made by Commissioner Jones and seconded by Commissioner Keating to approve a Final Plat for the property described as Popplewell, S Survey Abstract 1241 Tract 1E, Tarrant County, Texas otherwise known as 7100 Baker Boulevard, Richland Hills, Texas 76118 and Greenfield Subdivision-RchInd Lots 4, 5, 6 and 7, Tarrant County, Texas, otherwise known as 3209 Ash Park Drive, Richland Hills, Texas 76118.

Motion carried by a vote of 5-0.

7. Approved a Specific Use Permit to permit a Guesthouse for the property described as Block 37 Lot 6 Richland Hills Addition, Richland Hills, Texas, otherwise known as 3662 Popplewell Street, Richland Hills, Texas 76118. PUBLIC HEARING

Assistant to the City Manager Logan Thatcher presented the item to the Commission and advised that the applicant, Dora Valdez, is seeking a Specific Use Permit (SUP) for construction of a Guest House. An SUP is required to have a guest house in SF-10 Zoning district. City staff will confirm that all guest house requirements are being met before approving plans and issuing permits for the guest house structure.

The applicant was not present to address any questions.

Discussion ensued regarding the differences between a guesthouse and a structure such as a shed and the requirements that a guesthouse cannot have kitchen or be rented.

Chair Wilson opened the public hearing at 6:19 p.m. and asked to hear from any proponents followed by opponents of the case.

Stacy Reddy, 7012 Hardisty Street, Richland Hills, expressed her support for the SUP and the applicant.

Joyce Fiaccone, 3800 Labadie Drive, Richland Hills, expressed her support for the SUP and felt the guesthouse was a good use of the space.

Chair Wilson closed the public hearing at 6:21 p.m.

Motion: Motion was made by Commissioner Witt and seconded by Commissioner Durham to approve a Specific Use Permit for the property described as Abstract 30, Tract 1A, Akers, George Survey, Richland Hills, Texas, otherwise known as 3215 Rufe Snow, Richland Hills, Texas 76118.

Motion carried by a vote of 5-0.

8. Denied a Planned Development to construct Townhomes for the property described as Block L Lots 7 and 8A Richland Hills Addition, otherwise known as 7145 Baker Boulevard, Richland Hills, Texas 76118 and Block L Lot 6 Richland Hills Addition, otherwise known as 7151 Baker Boulevard, Richland Hills, Texas 76118. PUBLIC HEARING

Commissioner Durham recused himself from this item and left the meeting at 6:22 p.m. Alternate #1 Mary Sullivan took his place on the dais for deliberation of the item.

Assistant to the City Manager Logan Thatcher presented the item to the Commission and advised that applicant, Robert Maxey, President of MetroCom Properties, is requesting a zoning change from planned development zoning with a base of SF-7 and MF-2 be changed through a planned development to retain MF-2 multiple family residential medium density use. They are proposing to build 51 townhomes on the property known as 7151 Baker Boulevard.

The applicant was present to address any questions.

Robert Maxey, President, MetroCom Properties, 611 South Main Street, Grapevine, Texas, introduced his development team and provided a presentation on the proposed development, including conceptual drawings and pricing.

Engineer Otis Lane, 909 Hilltop, Weatherford, Texas, advised that permits and issues requiring approval by the Texas Department of Transportation (TxDOT) related to Baker Boulevard construction have been approved.

Discussion ensued regarding concern about the proposed price point and the townhomes not selling.

Chair Wilson opened the public hearing at 6:48 p.m. and asked to hear from any proponents followed by opponents of the case.

Kay Waisanen, 7200 Bridges Avenue, Richland Hills, advised of her opposition to the Planned Development and expressed her concern for traffic along Popplewell and fire trucks having access to this new neighborhood.

Danyeale Durham, 7152 Bridges Avenue, Richland Hills, expressed her opposition to the Planned Development because it does not appear to be in line with the City's adopted Master Plan. She expressed concern regarding the proposed price point of the townhomes.

Caroline Durham, 7152 Bridges Avenue, Richland Hills, stated that she was speaking on behalf of both herself and the neighbors at 7160 Bridges Avenue and 7146 Bridges Avenue. She expressed concern regarding increased traffic and infrastructure needs.

Stacy Reddy, 7012 Hardisty Street, Richland Hills, spoke in opposition of the Planned Development because she would prefer more entertainment options in the city.

Joyce Fiaccone, 3800 Labadie Drive, Richland Hills, expressed her opposition to the Planned Development and advised that she felt the proposal was too expensive, too dense, and additional infrastructure was needed.

Jerry Jones, 7147 Bridges Avenue, Richland Hills, stated his opposition to the Planned Development and spoke of differences between the current proposal and the previous planned development that was approved on the property. He expressed concern regarding 51 units versus 40 units for the previously approved planned development, flooding concerns, potential need for additional public safety, and if there is an incentive agreement being considered.

Jenny Clark, 6973 Hardisty Street, Richland Hills, spoke in opposition to the Planned Development but expressed her appreciation for the developer and City staff for their hard work. She feels it is not a good fit for the City.

Engineer Otis Lane responded to several concerns raised by citizens. He provided clarification regarding the previous planned development and stated that the proposed townhomes would be bigger and more luxurious than the previously approved townhomes, advised that TxDOT has already made many improvements to Baker Boulevard, and discussed drainage concerns.

Chair Wilson closed the public hearing at 7:11 p.m.

Discussion ensued regarding the current zoning as partial residential and mixed use. City Attorney James Donovan advised that it was recommended to present a new Planned Development for approval to be cleaner from a records perspective.

City Manager Candice Edmondson advised that the City's Master Plan is eight years old and will be updated in the next fiscal year if the City Council approves funding for that budget line item. Additionally, she advised that an incentive for the developer has been discussed but has not come forward to consideration or approval by the City Council yet.

Discussion ensued regarding the best use of the property, comparing the currently approved Planned Development and the proposed Planned Development, as well as concerns brought by residents.

Motion: Motion was made by Commissioner Witt and seconded by Commissioner Keating to deny a Planned Development to construct Townhomes for the property described as Block L Lots 7 and 8A Richland Hills Addition, otherwise known as 7145 Baker Boulevard, Richland Hills, Texas 76118 and Block L Lot 6 Richland Hills Addition, otherwise known as 7151 Baker Boulevard, Richland Hills, Texas 76118.

Motion carried by a vote of 3-2. Chair Wilson and Commissioner Jones voted against.

7. ADJOURNMENT

Chair Wilson declared the meeting adjourned at 7:31 p.m.

ATTEST:

APPROVED:

Lindsay Wells, City Secretary

Michael Wilson, Chairman

Memorandum

To: Planning and Zoning Commission

From: Logan Thatcher, Assistant to the City Manager

Date: September 27, 2022

Subject: Zoning Amendment Subsection 6.03

Agenda Item:

Consider Ordinance 1461-22, amending Section 6.03, “Zoning Text and Map Amendments” of Article 6, “Development Review Procedures” of Chapter 90, Zoning” of the Richland Hills City Code by revising the regulations for posting a sign regarding a zoning map amendment. PUBLIC HEARING

Background Information:

Subsection 6.03.01 (D)(1), of Article VI, “” Development Review Procedures,” of Chapter 90, “Zoning,” of the Richland Hills Code is hereby Amended to read as follows:

“(1) At least ten days prior to the public hearing by the planning and zoning commission on a proposed amendment to the zoning text and/or map related to particular property, the city shall cause a sign, clearly visible to passersbys, to be placed and maintained on such property.”

The way the Ordinance reads currently:

“(1) At least ten days prior to the public hearing by the planning and zoning commission on a proposed amendment to the zoning text and/or map related to particular property, the applicant shall cause a sign, clearly visible to passersby, to be placed and maintained on such property.”

This amendment is cleaning up the language that is being used to show that the city is responsible for posting signs on the property 10 days prior to the public hearing rather than the applicant.

Financial Considerations:

Approval of the ordinance amendments does not require additional funding from the city

Legal Review:

The City Attorney has reviewed the Ordinance

Board/Citizen Input:

N/A

Attachments:

Ordinance 1461-22

Suggested Motion:

Motion to approve Ordinance 1461-22, amending Section 6.03, "Zoning Text and Map Amendments" of Article 6, "Development Review Procedures" of Chapter 90, Zoning" of the Richland Hills City Code by revising the regulations for posting a sign regarding a zoning map amendment.

ORDINANCE NO. 1461-22

AN ORDINANCE AMENDING SECTION 6.03, “ZONING TEXT AND MAP AMENDMENTS,” OF “ARTICLE 6, “DEVELOPMENT REVIEW PROCEDURES” OF CHAPTER 90, “ZONING,” OF THE RICHLAND HILLS CODE, AS AMENDED, BY REVISING THE REGULATIONS FOR POSTING A SIGN REGARDING A ZONING MAP AMENDMENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Richland Hills 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, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, and providing for a method to amend said ordinance and map for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on September 27, 2022, and thereafter by the City Council on October 24, 2022, with respect to the proposed use changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with the comprehensive zoning ordinance and chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to amend Chapter 90 of the Richland Hills Code, as amended, as described herein; and

WHEREAS, the proposed change is consistent with the City’s comprehensive land use plan.

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

SECTION 1.

Subsection 6.03.01(D)(1), of Article VI, ““Development Review Procedures,” of Chapter 90, “Zoning,” of the Richland Hills Code is hereby amended to read as follows:

- “(1) At least ten days prior to the public hearing by the planning and zoning commission on a proposed amendment to the zoning text and/or map related to particular

property, the city shall cause a sign, clearly visible to passersbys, to be placed and maintained on such property.”

SECTION 2.

The City Council finds that the changes to the zoning districts, boundaries, regulations, and uses as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic, flood, and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provisions of transportation, water, sewerage, parks, and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 3.

This Ordinance shall be cumulative of all other ordinances of the City of Richland Hills affecting zoning and land use, as amended, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 4.

All rights or remedies of the City are expressly saved as to any and all violations of Chapter 90, as amended, or any other ordinance affecting zoning and land use that 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, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 5.

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. 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.

SECTION 6.

This Ordinance shall be in full force and effect from and after its passage and it is so ordained.

APPROVED AND ADOPTED at a regular meeting of the Richland Hills City Council on September __, 2022, by a vote of ____ ayes, ____ nays, and ____ abstentions.

THE HONORABLE MAYOR EDWARD LOPEZ

ATTEST:

LINDSEY WELLS, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

JAMES DONOVAN, CITY ATTORNEY

Memorandum

To: Planning and Zoning Commission
From: Logan Thatcher, Assistant to the City Manager
Date: September 27, 2022
Subject: Zoning Amendment Subsection 6.08

Agenda Item:

Consider Ordinance 1462-22, amending Section 6.08, "Specific Use Permit (SUP)" of Article 6, "Development Review Procedures" of Chapter 90, Zoning" of the Richland Hills City Code by removing references to the zoning map. PUBLIC HEARING

Background Information:

Section 6.08.01(H), of Article VI, "Development Review Procedures," of Chapter 90, "Zoning," of the Richland Hills Code is hereby amended to read as follows:

"(H) Attached only to property. Specific use permits are attached to the property, not to the owner, the business, or the subtenant."

The way the Ordinance reads currently:

(H) Zoning Map

- (1) When the city council authorizes granting of a specific use permit, the Zoning Map shall be amended according to its legend to indicate that the affected area has conditional and limited uses, and said amendment is to indicate the appropriate zoning district for the approved use and prefixed by an "S" designation.
- (2) Specific use permits granted shall be indicated by numerical designation on the Zoning District Map, and a record maintained of the numerical designation of each SUP and the conditions of approval.
- (3) Specific use permits are attached to the property, not to the owner, the business, or the subtenant.

This amendment is removing sections 1 and 2 of subsection H "Zoning Map".

Financial Considerations:

Approval of the ordinance amendments does not require additional funding from the city

Legal Review:

The City Attorney has reviewed the Ordinance

Board/Citizen Input:

N/A

Attachments:

Ordinance 1462-22

Suggested Motion:

Motion to approve Ordinance 1462-22, amending Section 6.08, "Specific Use Permit (SUP)" of Article 6, "Development Review Procedures" of Chapter 90, Zoning" of the Richland Hills City Code by removing references to the zoning map.

ORDINANCE NO. 1462-22

AN ORDINANCE AMENDING SECTION 6.08, “SPECIFIC USE PERMIT (SUP),” OF “ARTICLE 6, “DEVELOPMENT REVIEW PROCEDURES” OF CHAPTER 90, “ZONING,” OF THE RICHLAND HILLS CODE, AS AMENDED, BY REMOVING REFERENCES TO THE ZONING MAP; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Richland Hills 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, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, and providing for a method to amend said ordinance and map for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on September 27, 2022, and thereafter by the City Council on October 24, 2022, with respect to the proposed use changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with the comprehensive zoning ordinance and chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to amend Chapter 90 of the Richland Hills Code, as amended, as described herein; and

WHEREAS, the proposed change is consistent with the City’s comprehensive land use plan.

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

SECTION 1.

Section 6.08.01(H), of Article VI, “Development Review Procedures,” of Chapter 90, “Zoning,” of the Richland Hills Code is hereby amended to read as follows:

“(H) *Attached only to property.* Specific use permits are attached to the property, not to the owner, the business, or the subtenant.”

SECTION 2.

The City Council finds that the changes to the zoning districts, boundaries, regulations, and uses as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic, flood, and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provisions of transportation, water, sewerage, parks, and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 3.

This Ordinance shall be cumulative of all other ordinances of the City of Richland Hills affecting zoning and land use, as amended, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 4.

All rights or remedies of the City are expressly saved as to any and all violations of Chapter 90, as amended, or any other ordinance affecting zoning and land use that 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, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 5.

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. 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.

SECTION 6.

This Ordinance shall be in full force and effect from and after its passage and it is so ordained.

APPROVED AND ADOPTED at a regular meeting of the Richland Hills City Council on August ___, 2022, by a vote of _____ ayes, _____ nays, and _____ abstentions.

THE HONORABLE MAYOR EDWARD LOPEZ

ATTEST:

LINDSEY WELLS, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

JAMES DONOVAN, CITY ATTORNEY