ORDINANCE 2022-03-02

AN ORDINANCE OF THE CITY OF WESTON, COLLIN COUNTY, TEXAS, PROVIDING FOR THE ADOPTION OF SPECIFIC CHAPTERS OF A MASTER COMPREHENSIVE PLAN, TO INCLUDE DEMOGRAPHICS AND PROJECTIONS, COMMUNITY VISION, CURRENT LAND USE, AND FUTURE LAND USE.

WHEREAS, Texas Local Government Code Chapter 213 authorizes the City to develop a Master Plan in order to control growth and provide a road map for the future growth areas of the City; and

WHEREAS, the development of a Master Comprehensive Plan ensures that development in and around the City will progress in an orderly manner; and

WHEREAS, this plan takes into account land use considerations, transportation considerations and the need for increase public facilities; and

WHEREAS, a Master Comprehensive Plan is used as a guide to establish development regulations, particularly subdivision regulations and zoning regulations; and

WHEREAS, the Weston City Council held a public hearing on December 8, 2021 to hear testimony from the public regarding a City of Weston Thoroughfare Map, and subsequently adopted said map with Ordinance 2020-12-01, and

WHEREAS, the Weston City Council held a public hearing on December 14, 2021 to hear testimony from the public regarding a City of Weston Future Land Use Map, and subsequently adopted said map with Ordinance 2021-12-01, and

WHEREAS, the Weston City Council held a public hearing March 14, 2022 to hear testimony from the public regarding a Master Comprehensive Plan on March 14, 2022..

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

SECTION 1 ADOPTION

The City Council of the City of Weston adopts these specific chapters; Demographics and Projections; Community Vision; Current Land Use; and Future Land Use, as a part of the Master Comprehensive Plan for the City of Weston in substantially the same form as detailed in Exhibit "A" attached hereto and incorporated by reference.

SECTION 2 CUMULATIVE REPEALER CLAUSE

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance, provided however that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on the date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect

SECTION 3 SAVINGS CLAUSE

All rights and remedies of the City of Weston, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting safety and health hazards which have secured 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 court.

SECTION 4 PARAGRAPH HEADINGS. CONSTRUCTION

The paragraph headings contained in this ordinance are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof.

SECTION 5 SEVERABILITY

It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

SECTION 6 EFFECTIVE DATE

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

PASSED AND APPROVED by Council this, the

APPROXED

James M Marischen, Mayor

ATTEST

Susan Coffer, City Secretary



Weston Community Vision

The Community Vision for Weston was derived from: discussions with City Council, a visioning workshop, an existing conditions survey and land use analysis, consideration of previous future land use plans and other ordinances.

This chapter of the Comprehensive Plan provides direction for the preparation and adoption of the Future Land Use Plan and Map. The Future Land Use Plan includes goals and policies for the future development of properties within the city limits. While the Future Land Use Plan provides preferred direction for future development in the ETJ, the City's regulatory authority only applies to the creation of subdivisions.

The Community Vision, when combined with the Future Land Use Plan, provides a tool for the future development of the community both within the city limits and within the ETJ.

We have combined categories of the community vision into eight groupings of comparable components. The Vision categories are listed in a priority order based upon the level of support from the Council and the community. Behind some of the components you will find a number. The number represents the number of times that component was identified by community members or city council. Some of the components as identified by the community may have applicability in multiple Vision categories, for instance the Family Focus category could also include the incorporation of a trails system; or the Development category could also include the incorporation of a trails system.

Preservation of the rural character of the community, both within the city limits and within the ETJ, was the single most identified category of the community vision. All of the Vision categories are important to the community and need to be considered as the City moves forward. The Vision categories ultimately work together to provide the roadmap for the future development of the community.

Downtown vitalization was also a consistent theme of the Visioning process. It is apparent that the community feels that improving, but not adversely impacting, the Downtown area is very important to the overall health of the city.

Rather than summarizing each of the Vision categories, the Vision categories are included in their entirety.



Vision categories:

Rural Character Preservation

- Maintain the rural atmosphere of Weston and the surrounding area (8)
- Keep the focus on large lot residential and agricultural uses (5)
- Provide and maintain more open space (5)
- Encourage open space and clean air (2)
- Provide for and encourage a healthy environment (2)
- Adopt a dark skies ordinance (2)
- · Maintain the agricultural focus of the community
- Provide more separation between residential uses and non-residential uses

Development

- Make tree preservation an important focus for the community (2)
- Focus on conservation of natural resources
- Maintain and promote clean water sheds
- Incorporate sustainability in community activities
- Consider development impacts on the wildlife in and around the community
- Discourage larger developments
- Encourage the development of health-care facilities that are convenient to the area
- Limit population density growth

Density

- Keep the focus on large lot residential and agricultural uses (5)
- Make the minimum lot size not less than one acre (2)
- Minimum lot size for residential developments should be at least two acres
- The Zoning Ordinance should be amended to reduce the number of zoning districts and to require a minimum residential lot size of two acres

Downtown

- Vibrant downtown with restaurants, entertainment and a town square (4)
- Create a branding approach for Weston (2)
- Establish a visual look for downtown



- Vitalize downtown
- Make capital investments in downtown
- Consider parking for and in the downtown area
- Consider a historic district for portions of downtown
- Minimize adverse impacts of development on the downtown area
- Look at downtown Fredricksburg as a model for the revitalization of downtown and encourage antique stores, a bakery, a farmers market and a dentist and other medical professionals
- Make the city a destination, not just a place that you drive through to get somewhere else
- Consider venues where special events may occur to include weddings, receptions, business meetings and conferences
- Brand Weston as a unique place in north Texas
- Advertise Weston as a destination

Family Focus

- Maintain the family orientation of the community (2)
- Create an environment where people stay in Weston rather than relocating to other cities or areas of the country.
- Make Weston a good place to retire.
- Make Weston a welcoming community
- Provide some incentive to encourage families, especially adult children to return to the community
- Provide opportunities for families to participate in indoor and outdoor activities
- Increase people-oriented activities

Recreation and Outdoor Activities

- Incorporate a trail system for the area (4)
- Provide for an annual fall festival
- Provide opportunities for families to participate in indoor and outdoor activities
- Increase people-oriented activities
- Become a Monarch friendly city [butterflies]

Business

Encourage small business development (5)



- Encourage patronage of the existing winery
- Get a barbeque business to locate in the city
- Gas station
- Grocery store
- Discourage large footprint businesses

Transportation

- Improve transportation system alignments and traffic management (2)
- Determine strategies to manage traffic more effectively
- Consider the inclusion of bike lanes along the major transportation arteries
- Do a better job of regulating large construction vehicles



DEMOGRAPHICS AND PROJECTIONS

The City of Weston has grown from its humble beginnings as a small farming community to an attractive residential community providing a variety of housing options. While Weston is attempting to maintain and add to its inventory of large estate residential lots, other housing options including smaller lots that provide diversification in housing densities.

The City has approximately 4.5 square miles within the city limits and a modified extra territorial jurisdiction (ETJ) varying in width (approximately 9 square miles) and large areas that are governed with Boundary Agreements (approximately 25 square miles). Weston is situated in northern Collin County, in North Central Texas. This area of the United States is growing more rapidly than many other portions of the country. The North Central Texas Council of Governments estimates that there are as many as 200 people moving into the region daily. The Dallas Fort Worth Metroplex is the third fastest growing area in the United States following only the Houston area and New York.

The population of Weston has declined in recent years. The 2000 U.S. Census reported a population of 635 and a total population of 563 was reported in the 2010 Census. The 2020 estimated population was 283. While the population has declined in recent years, an increase is on the horizon due to large, planned and under construction residential developments within the city limits, primarily located on the southern side of the city. The development under construction is adding over 200 small lot single family residences in the next few years and another over 7,000 smaller lot single family residences over the course of the next 10 to 15 years. As the city continues to grow, the community wants to remain committed to a balance of governing policies and land use regulations to ensure Weston remains a highly sought-after community that provides a rural retreat from the growing urbanization across DFW.

In the 2010 Census, the average person per household was 3.80, and in 2020, it was down to 2.80 persons per household.



One of the City's large, planned development districts, the Venetian at Weston, envisions the addition of 1,235 new single family residential dwelling units being completed by the end of 2029. The developers' forecast is for approximately 170 new dwelling units to be completed annually through 2028. By using the U.S. Census Bureau average persons per household of 2.8 for Weston, the population could easily grow from 283 residents to 3,741 over the next seven years. The projection only includes the forecast for this one relatively small component of the already approved plans over the next 15 years.

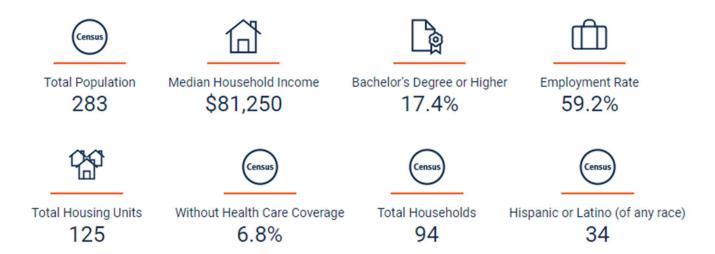
Property values in Weston have steadily increased since incorporation. According to Zillow.com in 2021, the typical home value of homes in Weston is \$285,869. This value is seasonally adjusted and only includes the middle price tier of homes. Weston home values went up 20.6% [between December 2020 and December 2021], and since 2017, home values have increased by an additional 79%. The data is reflected in the chart from Zillow.com below.







Provided below are additional characteristics of the local population per the U.S. Census Bureau:



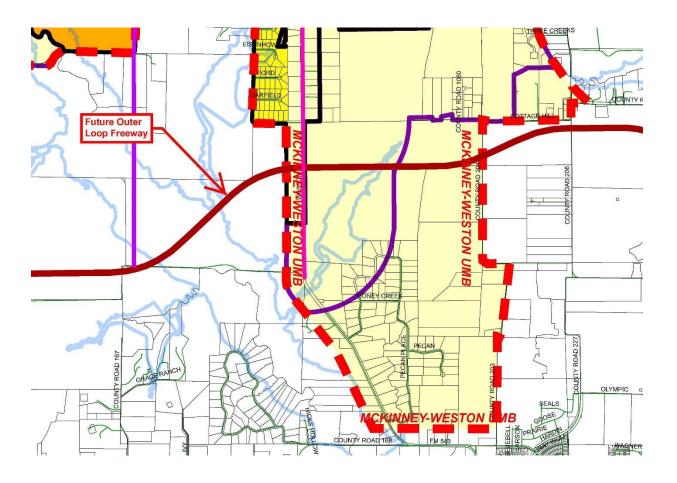
In addition to the already approved developments within the city limits, there is a substantial portion of the ETJ that will likely result in increased residential and commercial growth outside of the city's limits and the City has very limited authority to regulate the land uses, and some of that potential development is in the active planning stages by developers and property owners.

In the 2021 publication, **Population Estimates**, the North Central Texas Council of Governments reports that Collin County is the fastest growing county in the region adding more than 43,000 new residents in the last year. The fastest growing cities include McKinney, Melissa, Anna, and Celina (Celina is noted as one of the cities with the most growth in the region with almost 4,000 people added in the past year). Since Weston is surrounded by these fast-growing cities, it is likely that growth in Weston and its ETJ will trend upward in conjunction with the developments in these other cities.

Completion of the outer loop freeway through the southern city limits, ETJ and Boundary Agreement areas will provide new access to the community and will increase the potential for increased population density and other development pressures within the city limits and in the surrounding areas. The outer loop will have significant transportation impacts



on access to and from FM 543 [Weston Road] and on other transportation arteries that are planned for this part of Collin County.



Properties within the ETJ are subject to the City's subdivision regulations and the Fire Code regulations adopted by the Weston Fire Department, however the zoning ordinance and construction codes are not applicable in the ETJ; instead, land use and construction regulations are administered by Collin County.



LOCAL GOVERNMENT

The City of Weston is a Type A, General Law municipality as described in the Texas Local Government Code, Chapter 101 and is subject to the guidelines set by the Texas Local Government Code and other codes applicable to such municipalities. The City has the option to become a charter city upon reaching a population exceeding 5,000. The governing body for the city of Weston is a City Council comprised of the Mayor and five at-large Aldermen who serve two year terms of office.

In order to expand the size [geography] of the City, a property owner within the ETJ must petition for annexation and the City has to agree to accept the property into its jurisdiction. There are large areas within Weston's ETJ and in Boundary Agreement areas that provide ample opportunity for the City of Weston to expand its boundaries in the future should it desire to do so.



CURRENT LAND USE

The City encompasses a little over 4.5 square miles of land. Within this geography Weston has a substantial portion of vacant or undeveloped land, large farm/ranch and residential parcels, institutional uses, and business uses.

The attached CURRENT LAND USE MAP shows how the land is currently being utilized within the City limits and the attached EXISTING LAND USE AERIAL reinforces the land use distribution.

A 2021 windshield survey combined with existing aerial photographs and 2021 Collin County Appraisal District data were evaluated to determine existing land uses.

The City has rolling topography with large open expanses of pastureland and a number of drainage areas with floodplains and creeks coursing through the area. Business uses are primarily located within the Downtown, but there are not many of them. There are a few smaller lot developments that are currently under construction and generally located on the southern side of the City.

Current Land Use Distribution

LAND USE	ACRES
Agricultural	+/- 2599
Institutional	+/- 57
Business	+/- 4
Residential	+/- 233
Total: +/- 2,893 Acres (4.52 mi²)	

Note: The Agricultural land use includes parcels coded by the Collin County Appraisal District as Farm/Ranch Residential and parcels that are agricultural with residential improvements (homesteads).



ZONING DISTRICTS

The City of Weston is predominately zoned PD Planned Development District (high density residential with limited commercial) with large areas zoned A Agricultural. There are small areas zoned BN Neighborhood Business and SRR Special Residential Revitalization District [primarily located within the downtown area] and an area zoned RED-1 Residential Estate District 1-Acre. The attached ZONING MAP for the City of Weston shows the zoning district locations.

The City of Weston Zoning Map is only using five zoning districts, however the zoning ordinance has several more zoning districts that are not in use and that have been recommended for removal from the Zoning Ordinance.

Agricultural District

Residential Estates District (one acre per unit)

Neighborhood Business District

Planned Development District

Special Residential Revitalization District [This zoning district was created to provide structure and guidance to the redevelopment of Downtown Weston]

Note: A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries.

Zoning is discussed in this plan because this comprehensive plan is the foundation for all future zoning decisions and establishes the community's desires for the regulation of land uses in the future. "Zoning regulations must be adopted in accordance with a Comprehensive Plan..." [Section 211.004 Texas Local Government Code]

As a part of this chapter of the Comprehensive Plan, an assessment of the City's strengths, weaknesses, opportunities and threats has been provided and may be used to assist in revisions to existing land development regulations that are some of the recommendations contained in this Plan.



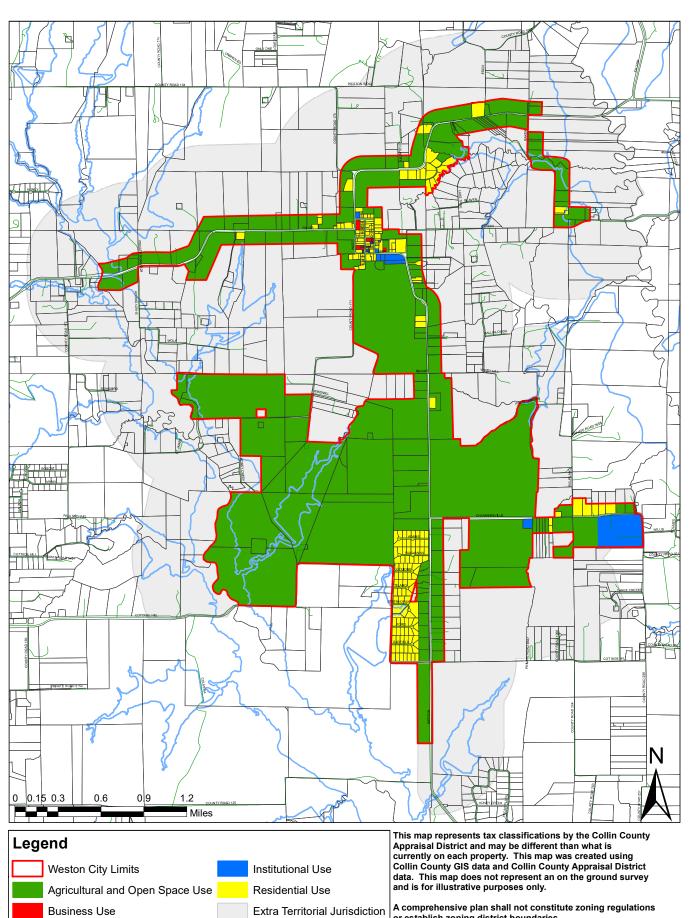
Strength, Weakness, Opportunity, and Threat Assessment

STENGTHS	WEAKNESSES	OPPORTUNITIES	THREATS
Rural focus	Lack of Governmental Resources	Lots of undeveloped land	Lack of supportive infrastructure
Agriculture	Limited Infrastructure	Limited parks, trails, recreation opportunities	Substantial portion of the city zoned with high density residential resulting in higher population density and demand for municipal services
Large residential lots	Limited commercial tax base	Population increase	Build out of the existing planned development districts will increase the city population significantly
Open spaces	Low ad-valorem tax rate	Improving public safety options	Large areas within the ETJ have the potential for development at densities that are inconsistent with the future vision for the city
Cohesive Community	Limited Access	Outer Loop	Outer Loop
Impressive History	Lack of Code Enforcement		
Oldest City in Collin County	Outdated Land Development Regulations		



Business Use

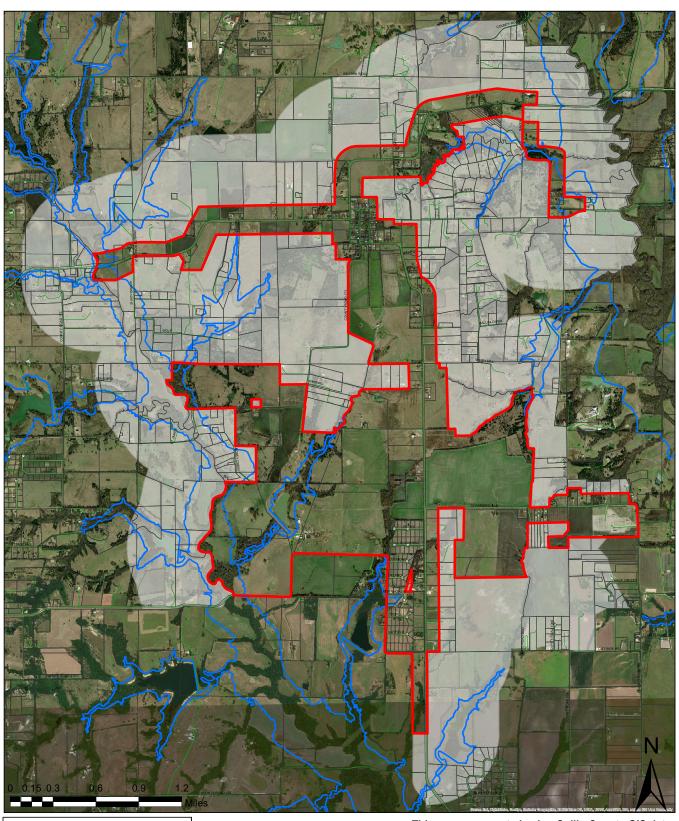
City of Weston Existing Land Use Map October 2021



or establish zoning district boundaries.



City of Weston Existing Land Use Aerial October 2021



Legend Weston City Limits Extra Territorial Jurisdiction Floodplain

This map was created using Collin County GIS data and Collin County Appraisal District data. This map does not represent an on the ground survey and is for illustrative purposes only.

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Weston City Limits

Floodplain

AG Agriculture

Extra Territorial Jurisdiction

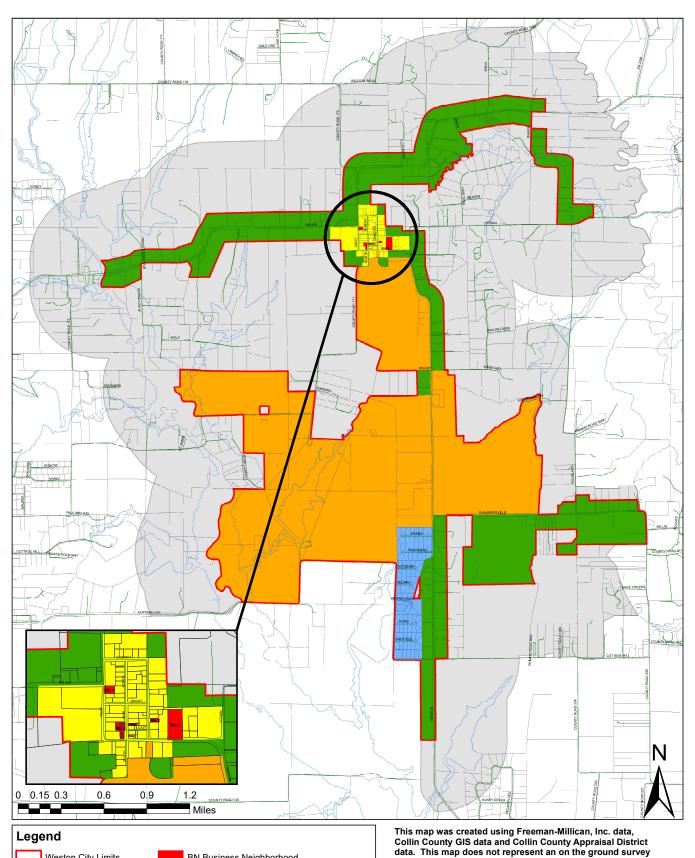
BN Business Neighborhood

RED-1 Residential Estate District 1-Acre

SPR Special Residential Revitalization District

PD Planned Development

City of Weston Zoning Map October 28, 2019



and is for illustrative purposes only.

or establish zoning district boundaries.

A comprehensive plan shall not constitute zoning regulations



FUTURE LAND USE PLAN

This plan is comprised of Goals and Policies

A goal is an idea of the future or desired result that a person or a group of people envisions, plans and commits to achieve. People endeavor to reach goals within a finite time by setting deadlines. A goal is roughly similar to a purpose or aim, the anticipated result which guides reaction, or an end, which is an object, either a physical object or an abstract object, that has intrinsic value. In the case of Weston, the goals are related to the vision for the future of the City as described in the Vision Chapter.

A policy is a deliberate system of principles to guide decisions and achieve rational outcomes. A policy is a statement of intent and is implemented as a procedure or protocol. Policies are generally adopted by a governance body within an organization. These policies help in the achievement of the goals.

Why are these terms important as they relate to the City of Weston Comprehensive Plan?

The goals identified in the Plan define citizen expectations as a result of the adoption and implementation of the Plan. The policies are the tools the City has identified to implement the Plan.

FUTURE LAND USES

Existing floodplain and heavily wooded areas are recommended to remain undeveloped in the Future Land Use Plan. Green spaces and natural areas are vital for the ecosystem of the City. Collin County requires a lot size of at least one acre for on-site sewage/septic permits, but the City prefers a minimum lot size of two acres. Weston Road [FM 543], a portion of Main Street, Chambersville Road, and FM 455 are the current major roadways in the city.

The prevalent housing type is detached single family dwellings located mostly on larger lots, farms, and ranches. Pursuing a maximum residential density of one dwelling unit per two acres, exclusive of floodplains and rights-of-ways, while encouraging large lots will help maintain the City's open spaces, sensitive environmental areas and the rural community appeal.



Other areas have smaller lot sizes and much higher maximum density such as Weston Trails. This future land use plan accepts the densities as proposed by the existing planned development districts as the current density. However, if these planned development districts fail to materialize or are changed, the much lower density as described herein would be the density considered for those areas.

This Plan will help to preserve floodplains, green spaces, and to promote large lot, rural, country estates that include farming and ranching within undeveloped areas of the city and the ETJ.

Additional residential and commercial development within the City will change many aspects of the City's character. As future development decisions are made, the City needs to ensure that new development and change will be compatible with the qualities of the community. Through the development of predominantly large lot residential and agricultural uses and by limiting commercial/retail development Weston should balance its larger lot residential development with competitive market pressure for new residential development.

NEW DEVELOPMENT AND THE ETJ

Recent legislative changes at the State level have amended the powers of cities and the way that cities may annex and plan. Annexation is the process of how cities may expand their boundaries into their Extraterritorial Jurisdiction (ETJ) or within a mutually agreed upon area between jurisdictions. What was once a voluntary or involuntary process, annexation now largely requires the property owner to request the annexation. While some developments or property owners may not choose to be within the city's limits, there are positives to being annexed within cities. Services such as future: law enforcement, fire and emergency services, centralized sewer, parks, trails, and other recreational activities that are not currently offered by the City, provide the ideal incentive for being a part of the City.



The Weston ETJ is partially controlled by Collin County for several administrative processes, including some development permitting within the ETJ. However, platting and subdivision regulations are in accordance with Weston subdivision regulations and require review and approval by the Weston City Council.

Municipal utility districts (MUD's) and other special districts are more and more becoming the utility providers of choice when a municipality is unable or unwilling to provide the services required and expected by new development. The State Legislature has provided more authority to these special districts and has lessened the powers of cities to inhibit their creation. So what happens in today's environment, the prospective developer may propose a special district that will become a stand-alone taxing district with or without city approval or participation and when the City has no authority to regulate land uses, high density developments may occur immediately adjacent to the city that is trying to maintain a rural, country feel.

In situations where the proposed development may occur in the ETJ, cities may find themselves having to choose between two options for that development:

- 1. MUD or special district outside of the city limits: When a MUD develops outside of the city's limits, this then allows property owners and residents outside the city to enjoy all of the city's amenities and publicly available infrastructure (ex. Roads, etc.) without supporting the use of those amenities and without paying any city property taxes. This option ensures that the only regulatory authority the city has is the authority to regulate the platting process. The city has no guarantee of the development's design or infrastructure quality, even though the development will be using city resources; or
- 2. Work with the prospective developer, through the use of development agreements, that allow for a MUD [or other special district] to be created outside the city limits as well as inside the city limits for the provision of services that the city currently does not provide, such as sanitary sewer, road and street maintenance, and other infrastructure and services needed and/or desired by the city. This approach provides more opportunity for the City to achieve improved services and retains the



ability to fund the city budget through ad valorem taxes on the property when the property is annexed into the city.

There may be times when it is in the City's best interest to compromise on development standards, or other requirements or standards when negotiating with developers in an attempt to obtain a better outcome for the community as a whole (ex. amenities provided, design considerations, schools sites, etc.), but that does not mean that the City should not ask for the implementation of the Vision that Weston wants to see in its undeveloped areas.

GOALS

- A. Preserve the character of the City by ensuring that single family developments have a maximum residential density of one residential unit for every two acres of gross land area when sanitary wastewater treatment is unavailable.
- B. Provide appropriate locations for retirement housing and communities.
- C. Encourage retail, restaurant, entertainment, and office uses within the mixed-use areas, in addition to providing for modest and quaint pockets in planned developments and in areas where there are higher traffic volumes, accessibility, and visibility.
- D. Ensure housing development is compatible with existing neighborhoods and adjacent land uses
- E. Require the provision and maintenance of open spaces and landscape buffers to protect established and future residential areas.
- F. Expand and diversify the City's commercial and sales tax base by appropriate commercial development being located as depicted on the Future Land Use Map.



POLICIES

- 1. New residential development should reflect the housing density of the existing community or neighborhood.
- 2. Low density residential developments should provide a maximum of one residential unit for every two acres. However, the two acre minimum should be exclusive of flood plain and large utility easements.
- 3. Undeveloped residential land should be developed compatibly with surrounding development.
- 4. Consider the uniqueness and historical significance of areas of the community when making land use decisions.
- 5. Protect low density and other residential areas from incompatible or higher intensity residential and non-residential uses by providing adequate buffering (use of natural corridors or open space, for example) between such uses.
- 6. Create a cohesive identity for Weston commercial/retail areas within the Mixed-use area through the use of building design guidelines and signage.
- 7. Identify other potential general business areas within the corporate limits that may provide flexibility in locating business related land uses within the community.
- 8. Support and promote existing and new businesses that are viable and responsive to the needs of the community.
- 9. Focus on small business growth within the non-residential areas of the FLUM.



- 10. Reject the development of non-residential developments that require a large foot print.
- 11. Promote tree preservation and landscaping to positively contribute to Weston's green spaces.
- 12. Provide high quality and unique development, including amenities, that promote the uniqueness of the City.
- 13. Pursue the adoption of a Dark Skies exterior lighting ordinance.
- 14. When a request for a change in land use is inconsistent with the attached Future Land Use Map [FLUM], a request to the city council must first be made to amend the FLUM. Then, if the FLUM is amended, the application may be made to change the land use.
- 15. If a request to change zoning is inconsistent with the Comprehensive Plan, the applicant should request a change in the Comprehensive Plan and if the Comprehensive Plan is amended by the City Council, then the applicant should request a change in zoning that is consistent with the revised Comprehensive Plan.

Note: Future zoning is required to be in conformance with the Comprehensive Plan.



City of Weston Future Land Use Map December 2021

