

**ORDINANCE NO. 2012-05-01**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 2002-09-05, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF WESTON, TEXAS BY CHANGING THE ZONING CLASSIFICATION ON CERTAIN PROPERTY IN THE CITY OF WESTON; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING 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 Weston, Texas is a Type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; 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, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

**WHEREAS**, the owner of the property known as The Parks of Honey Creek within the East Fork Freshwater Supply District No. 1 and containing approximately acres has filed an application to rezone the property and

**WHEREAS**, the City Council of the City of Weston, Texas, held a public hearing on April 10, 2012 with respect to the zoning change described herein; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the rezoning of the property.

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

**SECTION 1.** The Comprehensive Zoning Ordinance, as amended, is hereby amended by rezoning the property shown in Exhibit "A":

**SECTION 2.** The zoning districts as herein established have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community.

**SECTION 3.** The official zoning map of the City of Weston is amended and the City Secretary is directed to revise the official zoning map to reflect the approved zoning as set forth above.

**SECTION 4.** The use of the property described above shall be subject to the restrictions; terms and conditions set forth in the Site Plan attached as Exhibit "A" and the Site Plan is hereby approved and shall be subject to all other applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Weston.

**SECTION 5.** This ordinance shall be cumulative of all provisions of ordinances of the City of Weston, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 6.** 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 7.** Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 8.** All rights and remedies of the City of Weston are expressly saved as to any and all violations of the provisions of any ordinances governing zoning 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, 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 9.** The City Secretary of the City of Weston is directed to publish the caption and penalty clause of this Ordinance in accordance with the provisions of Section 52.011 of the Local Government Code.

**SECTION 10.** 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.

**PASSED AND APPROVED** by Council this the 3<sup>rd</sup> day of May, 2012

APPROVED BY:

Patti Harrington  
Patti Harrington, Mayor

ATTESTED BY:

Michele Smith  
Michele Smith, City Secretary





FM 455

CR 209  
100' ROW

- RESIDENTIAL - 75' LOTS ~ 247.8 ACRES
- RESIDENTIAL - 70' LOTS ~ 225.8 ACRES
- RESIDENTIAL - 65' LOTS ~ 228.0 ACRES
- RESIDENTIAL - 60' LOTS ~ 206.0 ACRES
- RESIDENTIAL - 55' LOTS ~ 228.0 ACRES
- RESIDENTIAL - 50' LOTS ~ 233.4 ACRES
- MULTI-FAMILY / TH ~ 118.0 ACRES
- RETAIL / COMMERCIAL ~ 162.7 ACRES
- TOTAL ~ 1649.7 ACRES**
- OPEN SPACE/PARK ~ 260 ACRES
- SCHOOL SITE
- CITY RESERVE ~ 3.6 ACRES

MAXIMUM DENSITY = 3.7 UNITS / ACRE

CR 171

100' ROW

CR 208

CR 171

CR 206

CR 170

- HIKE & BIKE TRAIL
- SCHOOL DISTRICT LINE
- INTERSECTION LANDSCAPING

**EXHIBIT "1"**  
**CONCEPT PLAN "C"**  
**PARKS OF HONEY CREEK**



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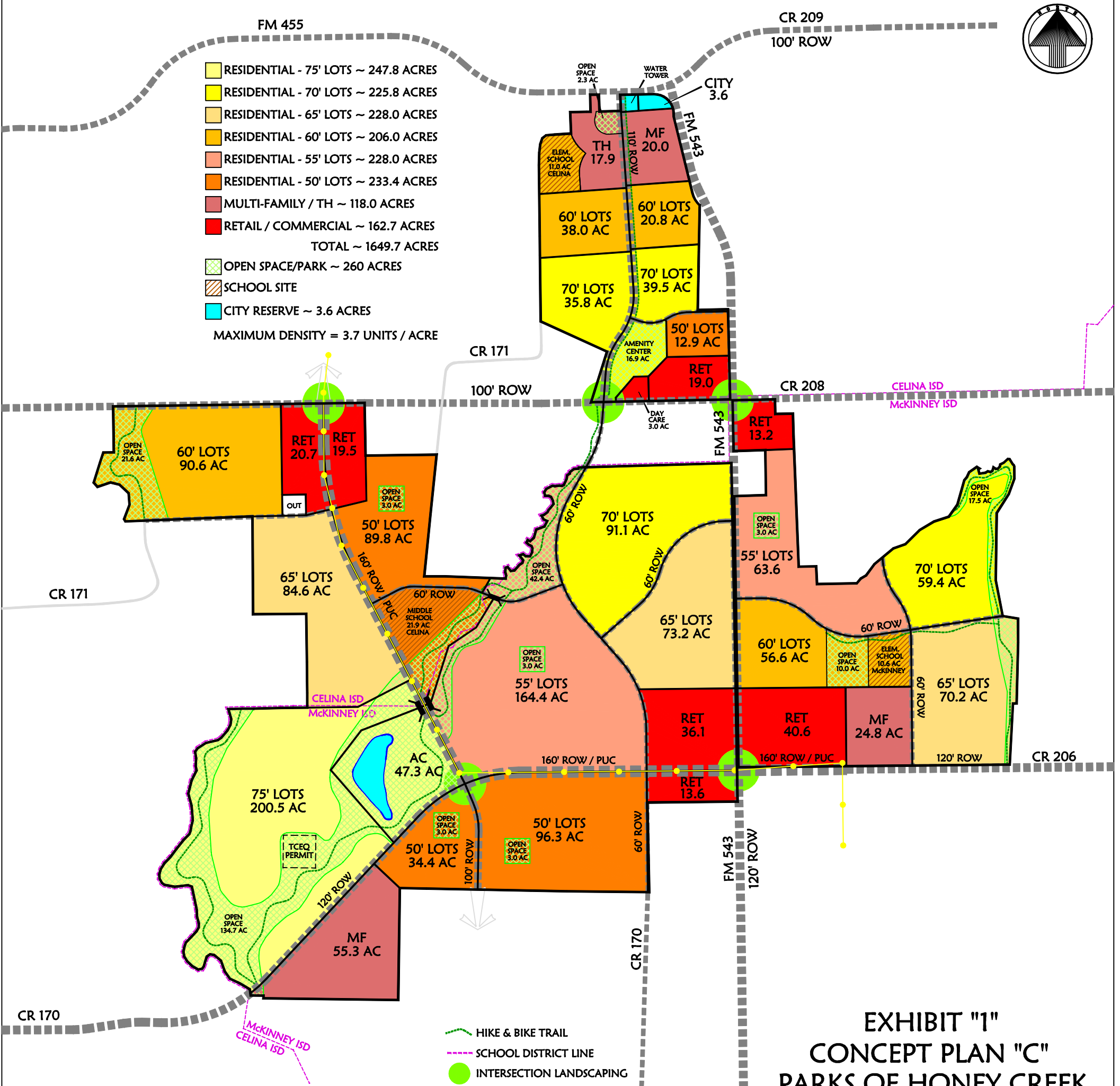


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