

ORDINANCE NO. O2024-22

AN ORDINANCE OF THE CITY OF WEATHERFORD, TEXAS, AMENDING CHAPTER 3 “ZONING DISTRICTS” OF THE ZONING ORDINANCE TO ADD SECTION 12-3-403 “COMMERCIAL CORRIDOR INTERSTATE OVERLAY” DISTRICT REGULATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Weatherford, 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, pursuant to Chapter 211 of the Local Government Code, the City has the authority to adopt a comprehensive zoning ordinance regulating the use of buildings, structures, and land for industry, residence, and other purposes, and to amend said ordinance for the purpose of promoting the health, safety, morals, and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, the City Council heretofore adopted the Comprehensive Zoning Ordinance of the City (“Zoning Ordinance”); and

WHEREAS, the City Council deems it advisable and necessary to create a new zoning overlay district for the Commercial Corridor Interstate Overlay, and establishing regulations for such overlay district; and

WHEREAS, the City Council deems it necessary in order to promote health, safety, morals, and the general welfare; to encourage the most appropriate use of land throughout the City; and to implement the goals and policies of the adopted Comprehensive Plan of the City, that the portions of the Zoning Ordinance, codified in Title XII of the Official City Code of the City of Weatherford, should be amended as provided herein; and

WHEREAS, the Planning and Zoning Commission of the City held a public hearing on June 12th, 2024, and the City Council held a public hearing on June 25th, 2024, with respect to the Zoning Ordinance amendments described herein; and

WHEREAS, the City Council has determined that this Ordinance take effect on January 1, 2025; 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 amending the Zoning Ordinance.

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

SECTION 1.

The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council further finds and determines that the rules, regulations, terms, conditions, provisions, and requirements of this Ordinance are reasonable and necessary to protect and promote the health, safety, morals, and general welfare in the City.

SECTION 2.

Section 12-3-403, "Commercial Corridor Interstate Overlay," of Chapter 3, "Zoning Districts," of Title XII, "Zoning Ordinance," of the Official City Code of the City of Weatherford is hereby added to read as provided in the attached Exhibit A, incorporated herein by reference.

SECTION 3.

This Ordinance shall be cumulative of all provisions of ordinances and of the Official City Code of the City of Weatherford, as amended, except where 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 4.

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 5.

All rights and remedies of the City 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 6.

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) for all violations involving zoning, fire safety, or public health and sanitation, other than dumping of refuse; not more than Four Thousand Dollars (\$4,000.00) for each offense for dumping of refuse; and shall be fined Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7.

The City Secretary is hereby directed to publish this Ordinance in compliance with state law.

SECTION 8.

This Ordinance shall take effect on January 1, 2025, from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 25TH DAY OF JUNE 2024.

CITY OF WEATHERFORD, TEXAS

Paul Paschall, Mayor

ATTEST:

Andrea McDonald, City Secretary

APPROVED AS TO FORM:

Rob Allibon, City Attorney

EXHIBIT A

SEC. 12-3-403 “CCI” Commercial Corridor Interstate Overlay

Contents of Section:

- A. Purpose.
- B. Applicability.
- C. Procedure.
- D. Design Standards.
- E. Architectural Guidelines.
- F. Streetscape Guidelines.
- G. Signs.
- H. Pre-development Meeting.

A. Purpose.

The CCI Commercial Corridor Interstate Overlay is an overlay on the base zoning district that establishes additional standards that supplement the underlying base zoning district. This overlay aims to maintain a high level of quality and aesthetic character that promotes ongoing economic development, adding value to both the development and the city. The CCI Overlay is designed primarily to accommodate larger-scale and regional retail shopping centers. Given their visibility along IH-20, these sites should feature attractive landscaping, well-designed and strategically placed parking, and regulated traffic flow. These areas are expected to handle high volumes of traffic, appropriate for locations near regional roadways. Although surface parking along the roadway is allowed, strip development along the entire highway or arterial frontage is strongly discouraged. All other standards from the City of Weatherford Development Ordinances will apply, provided they do not conflict with these new standards. The Commercial Corridor Interstate Overlay applies to properties as depicted in Figure A.

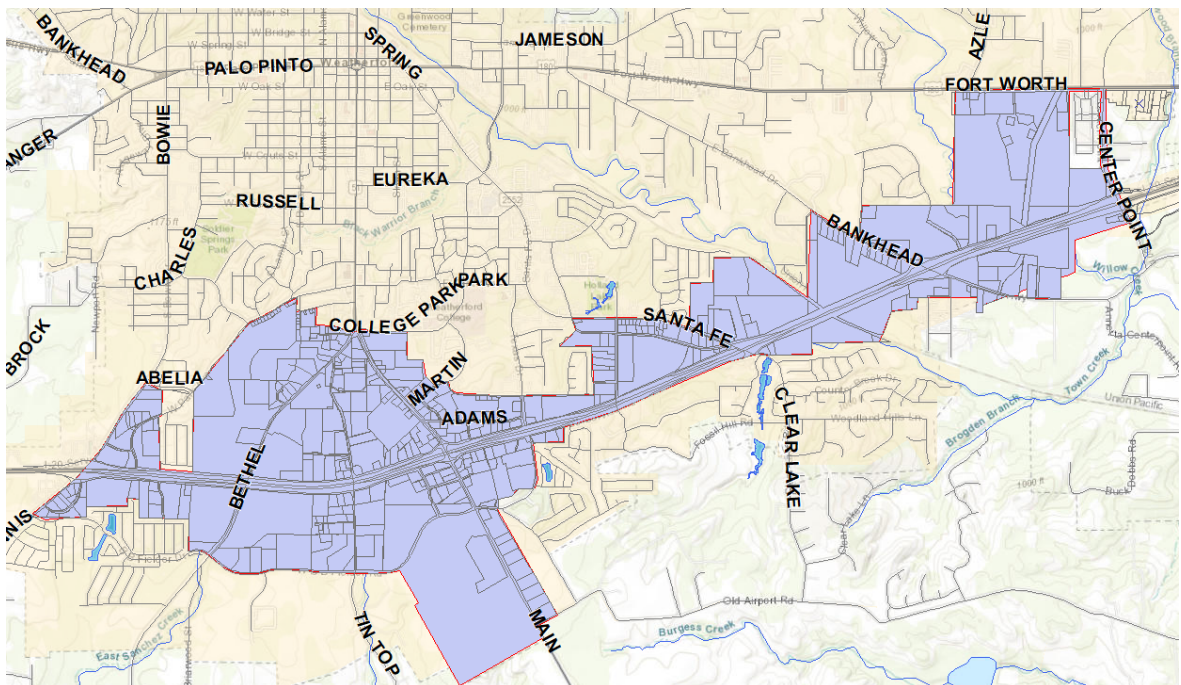


Figure A.

(Refer to GIS Map at www.Weatherfordtx.gov)

B. Applicability.

1. New Development: Full compliance with this Overlay is required on all new commercial buildings and sites constructed within this Overlay.
2. Enlargements and Expansions: Full compliance with this Ordinance is required on any enlargement or expansion of the main structure for commercial purposes. Enlargements or expansions must be reviewed and approved by the Planning Director in accordance with the required review process.
3. Facade Changes: Full compliance with Section E. (Architectural Guidelines), of this Ordinance is required when an existing commercial building proposes any façade changes.
4. The following uses are not subject to the regulations in this overlay:
 - a. One-family dwelling, two-family dwelling, and multifamily dwelling.
 - b. Existing model homes utilized for commercial purposes.

C. Procedure.

4. All commercial development (site plans) shall be approved administratively if they meet the standards in this Overlay. All development that does not meet the standards in this Overlay may be considered by the City Council after a recommendation from the Planning and Zoning Commission.

D. Design Standards.

1. Height Regulations.
 - a. No structure shall exceed 4 stories or 70 feet (whichever is shorter).
2. Area and Yard Regulations.
 - a. *Front Yard.*
 1. The minimum front yard setback shall be 30 feet along Interstate Highway 20 Frontage Road.
 2. Accessory structures may be permitted in the front yard upon approval of a conditional use permit application.
 - b. *Side Yard.*
 1. For corner lots, there shall be a side yard on the street side of the structure of no less than 15 feet.
 - c. *Size of Lot.*
 1. The minimum lot area shall be 20,000 square feet.
3. Parking.
 - a. *Placement.*
 1. For new development, 25% of required parking shall be located behind the front yard setback of all properties within the Corridor Commercial Interstate Overlay. For redevelopment utilizing the existing structure, no new parking should increase the proportion of parking in the front setback.
4. Encroachments.
 - a. All required yards shall be open to the sky, except for the following permitted encroachments: patio, awning, and porte-cocheres, which may extend into the front yard up to a maximum of six feet (6') or 50% of the front yard, whichever is less.

5. **Building Style.**

a. The use of facades as seen in Figure B are encouraged for all new development.



Figure B. Facade

E. Architectural Guidelines.

1. **Design Objectives.** The architectural design of buildings and sites shall strive to achieve the following objectives:

- a. The primary building entrance shall be readily apparent as a prominent architectural component on the building facade facing the primary street, thus creating a focal point. However, commercial buildings with multiple tenants on the ground floor or multiple primary entrances shall have all entrances treated architecturally.
- b. Primary building entrances are to be defined and articulated with architectural elements such as pediments, columns, porticos, porches, and overhangs.

2. **Building Design.**

a. *Building Articulation.*

1. Buildings having primary facades wider than 60 feet shall be designed to reduce apparent mass by dividing the primary facade into a series of smaller components. No individual component shall have a length of more than 60 feet. Components shall be distinguished from one another through two (2) or more of the following:

- i. Variations in roof form or variations in roof height or parapet of five (5) feet or more.
- ii. Changes in wall plane of a minimum ten percent in width and a minimum of 24 inches depth.
- iii. Variations in the arrangement and recessing of doors and windows.

b. *Windows and Transparency.*

1. At ground level, buildings shall have a high level of transparency. All facades and walls that face any street, pedestrian walkways, or plazas (except rear or side service facades) must have windows for at least 30 percent of the façade between two (2) feet and seven (7) feet above the grade.

2. For any single use retail establishments 20,000 square feet GFA or larger, or where the internal arrangement of a building makes it impossible to provide transparency along a portion of a wall as determined by the Director, a combination of building articulation, changing color or texture to imitate the rhythm of windows or storefront displays may substitute for the required transparency along these facades, except when fronting a plaza or sidewalk café areas.
- c. *Roof Forms.*
1. **General Provisions.**
 - a. Variations in rooflines shall be used to add interest and reduce the scale of large buildings.
 - b. Roof features shall correspond to and denote building elements and functions such as entrances, arcades, canopies, etc.
 - c. They shall also complement the character of the overall development.
 2. **Flat Roofs.**
 - a. Unless the Director determines otherwise, flat roofs shall include parapets that adhere to articulation requirements for the main facade of the structure in Section (E(2)(a)) above.
 - b. The average height of the parapet shall not exceed 15 percent of the height of the supporting wall, unless rooftop equipment cannot be sufficiently screened.
 - c. Parapets shall be constructed around the entire building structure.
 3. **Sloped Roofs.**
 - a. Pitched roofs shall have a minimum pitch of 4:12 for all structures. This requirement excludes roofs for entries and dormers.
- d. *Facade Color.*
1. Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of any colors outside of a neutral palate is strongly discouraged unless national trade dress is required.
- e. *Lighting.*
1. **Building Lighting:** All outdoor lighting (building and site) shall comply with the existing Performance Standards as outlined in Section 12-4-107 of the Title XII Zoning Ordinance.

F. Streetscape Guidelines.

1. General Provisions.

- a. All surface parking and service areas located along a public street shall be screened with a 3' high screen made up of one of the following:

- i. A vegetative screen composed of shrubs planted to be opaque at maturity, or
 - ii. A low wall made up of the same material as the building material, or
 - iii. A combination of a low wall and vegetative screen
- b. Street screens shall not block any required sight visibility triangles along a cross street or driveway.
- c. Street screens may include breaks to provide pedestrian access from any surface parking or service area to the public sidewalk.

G. Signs.

1. General Provisions.

- a. A shared monument and pole sign is encouraged for redevelopment or revitalization and required for new development. Materials must be consistent with main structures.

H. Pre-development Meeting.

Prior to submission of a building permit or commencing any exterior work on a building in the Commercial Corridor Interstate Overlay, the owner/applicant shall contact the Development & Neighborhood Services Department to schedule a predevelopment meeting to assist the owner/applicant in preparing a complete submittal that complies with all requirements and guidelines herein.