

## ORDINANCE O2025-20

**AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARIES OF THE ZONING DISTRICT MAP OF THE CITY OF WEATHERFORD, TEXAS, CONCERNING CERTAIN PARCELS OR TRACTS OF LAND AT 2502 OLD BROCK ROAD IDENTIFIED AS BEING AN APPROXIMATE 6.42-ACRE TRACT OF LAND SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF WEATHERFORD, TEXAS; HERETOFORE ZONED AG AGRICULTURE SHALL HENCEFORTH BE ZONED AG AGRICULTURE WITH A CONDITIONAL USE PERMIT FOR AN CONTRACTOR OFFICE/FACILITY WITH OUTDOOR STORAGE, INCLUDING VEHICLES AND A SECURITY GUARD RESIDENCE USE; 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.**

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**WHEREAS**, the City of Weatherford, Texas, ("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 adopted the Zoning Ordinance of the City, codified as Chapter 12 of the Official Code of the City of Weatherford (the "City Code"), which Zoning 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**, Section 12-2-104 of the Zoning Ordinance requires the issuance of a conditional use permit to use or develop property within the City for any use designated as a conditional use in the zoning district which the property is located; and

**WHEREAS**, the owner of the property described herein (the "Property") filed an application seeking a conditional use permit as reflected herein; and

**WHEREAS**, the Planning and Zoning Commission of the City held a public hearing on May 14, 2025 and the City Council of the City held a public hearing May 27, 2025 with respect to the conditional use permit 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; and

**WHEREAS**, the City Council of the City, after thorough study, has determined that the Zoning District Map of the City and the Zoning District Boundaries shown thereon should be changed and amended as described herein; and

**WHEREAS**, the City Council of the City now desires to record said authorized changes in the Zoning District Map by passage of this Ordinance amending said map and directing the Department of Development Services to make appropriate changes in the one (1) copy of the original Zoning District Map on file in the office of the City Secretary and all other copies of maps purporting to be copies of the current Zoning District Map of the City, as provided for in Title XII, Chapter 2, Section 12-2-101, of the City Code.

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

**SECTION 1:** The Zoning District Map of the City is hereby amended by changing the zoning district boundaries as herein indicated on the hereinafter described tracts or parcels of land within the corporate limits of the City:

PREVIOUS ZONING  
DISTRICT DESIGNATION

**AG Agriculture**

AMENDED ZONING  
DISTRICT DESIGNATION

**AG Agriculture with a conditional use  
permit for Contractor Office/Facility with  
Outdoor Storage, Including Vehicles and  
a Security Guard Residence**

for the approximate 6.42-acre tract of land more particularly described in the attached **Exhibit 'A' Property Description**, incorporated herein.

**SECTION 2:** The conditional use permit as herein established has 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 proposed site plan for the Property, attached hereto as Exhibit "B" respectively, and incorporated herein, are hereby approved.

**SECTION 4:** The use of the Property described above shall be subject to the restrictions, terms and conditions set forth in the proposed site plan attached as Exhibit "B". The use of the Property shall be governed by the Base Zoning regulations attached hereto as Exhibit "C," as modified by the conditions of approval for the conditional use permit attached hereto as Exhibit "D" and incorporated herein, and all other applicable regulations and ordinances of the City. Any further amendments to the permitted standards and regulations regarding the Property or conditional use permit shall require public hearings and approval by the Planning and Zoning Commission and the City Council in compliance with all requirements of Texas Local Government Code Chapter 211.

**SECTION 5:** The Department of Development Services is hereby instructed to change the one (1) copy of the Zoning District Map on file in the office of the City Secretary and all other copies of maps purporting to be copies of the current Zoning District Map of the City of Weatherford, Texas, to show the changes set forth herein.

**SECTION 6:** This Ordinance shall be cumulative of all provisions of ordinances and of the City Code, 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, 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 9:** 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 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 52.011 of the Local Government Code.

**SECTION 11:** This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS 27<sup>TH</sup> DAY OF MAY 2025.**

CITY OF WEATHERFORD, TEXAS

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Paul Paschall, Mayor

ATTEST:

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Andrea McDonald, City Secretary

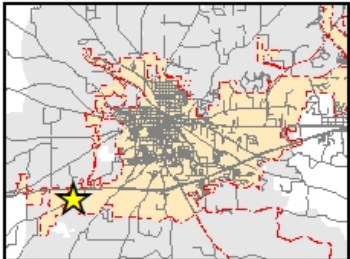
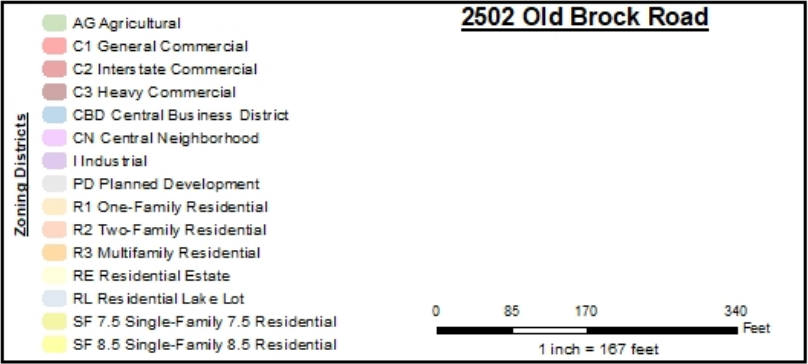
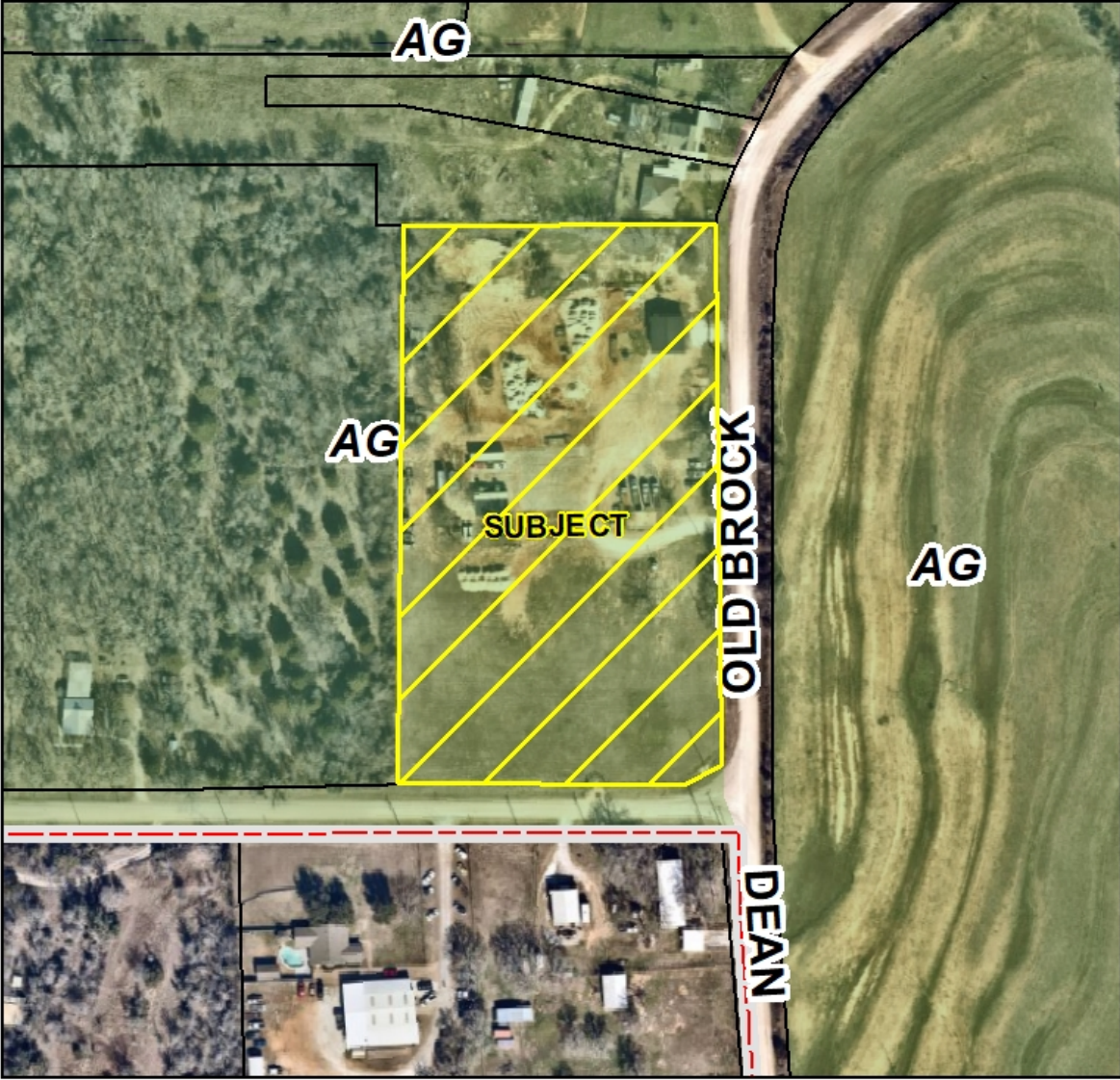
APPROVED AS TO FORM:

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Robert M. Allibon, City Attorney

Exhibit 'A' Property Description

Location Map



## **Exhibit 'A' Property Description**

AT 2502 OLD BROCK ROAD, PARKER COUNTY, TEXAS:

BEING 6.42 acres out of the Isaac C. Spence Survey, Abstract No. 1193, Parker County, Texas and being that certain tract conveyed to Samuel Eugene and Doana K. Kizer by deed recorded in Volume 557, Page 490 of the Real Records of Parker County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod, found in place, on the East line of that certain tract conveyed to Kyle D. Miller by deed recorded in Clerk File Number 201708608, said point being the Southwest corner of that certain tract conveyed to Martha Roman by deed recorded in Clerk File Number 201623997, Parker County, Texas, for the Northwest corner of this tract;

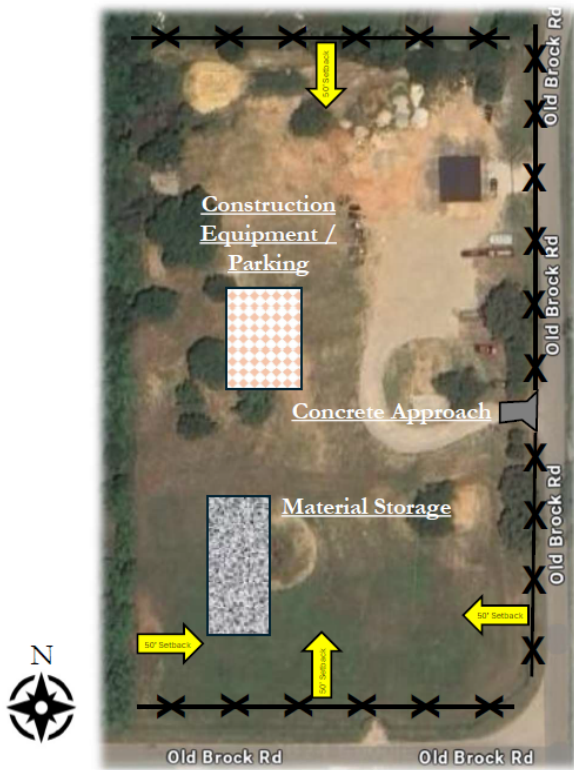
THENCE S 89D 33' 40" E, generally along an existing fence and along and with the South line of said Roman tract, at 394.06 feet a ½ inch iron rod, found in place, a total distance of 404.70 feet to a point in Old Brock Road, for the Northeast corner of this tract;

THENCE S 00D 59' 55" E, along and with said Old Brock Road, a distance of 677.13 feet to a point, for the Southeast corner of this tract;

THENCE S 89D 23' 05" W, along and with said Old Brock Road, a distance of 416.93 feet to a point, for the Southwest corner of this tract;

THENCE N 00D 02' 05" E, along and with the East line of said Miller tract, at 18.55 feet a 3/8 inch iron rod, found in place, on the North line of said Old Brock Road, continuing generally along an existing fence, a total distance of 684.60 feet to the place of beginning and containing 6.42 acres.

**Exhibit 'B'**  
**Proposed Site Plan**



**Perimeter Fence Design**  
**(North, East & South Side)**

—X—X—X—X—X—X—X—  
6' Tall Privacy Fence





## Exhibit 'C'

### Base AG Agriculture Zoning

#### CHAPTER 3 – ZONING DISTRICTS

##### SEC. 12-3-100 "AG" AGRICULTURE

###### Contents of Section:

- A. Purpose.
- B. Permitted Uses.
- C. Special Uses.
- D. Conditional Uses.
- E. Design Standards.

###### A. Purpose.

The Agriculture (AG) district is established for purpose of regulating existing country living and open areas that are desirable to single-family detached homes and agricultural pursuits. This land use district allows for a range of agricultural pursuits, including the sale of agriculture products raised on the premises. In the AG district, no building or premises shall be used, configured, erected, or altered except in conformity with the following use, area, height regulations, and specific conditional and special uses. This district is used in areas designated in the General Plan as Cluster Residential, Rural Living, and Ranching and Agricultural.

###### B. Permitted Uses.

Permitted Uses		
A-F	G-N	O-Z
<i>All Agricultural Uses</i> – including a farm dwelling and accessory buildings <i>Cemetery and/or Mausoleum</i> <i>Childcare Home</i> – licensed and registered <i>Church/Temple/Place of Worship/Rectory/Parsonage</i> <i>Community Home</i>	<i>Group Home</i> – with four (4) or less residents living as one (1) housekeeping unit <i>Hobby Farm</i> – garden, crops, orchard, vineyard, ranch, greenhouse, livestock, stable	<i>Park and/or Playground</i> <i>Registered Family Home</i> – with six (6) or less full-time children (child care in place of residence) <i>School</i> – K-12

###### C. Special Uses.

Special Uses		
A-F	G-N	O-Z
<i>Concrete or Asphalt Mixing/Batching Plant</i> – temporary <i>Day Care</i>	<i>Golf Course</i> <i>Government Building or Use</i> <i>Private Utility Facilities or Electrical Substation</i>	<i>Orphanage</i> <i>School</i> – college or university <i>Veterinarian Clinic</i> – indoor kennels, minimum lot size two (2) acres



## Exhibit 'C' (continued) Base AG Agriculture Zoning

### D. Conditional Uses.

Conditional Uses		
A-F	G-N	O-Z
<i>Accessory Dwelling/Security Guard Residence – non-rental</i> <i>Amusement/Recreation, Commercial – minimum lot size two (2) acres</i> <i>Bed and Breakfast Inn/Boarding/Rooming House</i> <i>Commercial, Non-municipal Treatment Plant and/or Storage Facilities</i> <i>Contractor Office/Facility With Outdoor Storage, Including Vehicles</i> <i>Feedlot, Cattle, Swine, or Poultry – minimum lot size ten (10) acres</i> <i>Food and Grain Store / Farm Supply Store</i>	<i>Greenhouse, Plant Farm Nursery – wholesale, minimum lot size ten (10) acres</i> <i>Livestock and Large Animal Clinic/ Veterinarian – minimum lot size two (2) acres</i> <i>Mining/Mineral Extraction – surface exploration and extraction of hydrocarbons (non-drilling), minimum lot size ten (10) acres</i>	<i>Rehabilitation Care Facility – halfway house</i> <i>Shelter/Care Facility</i> <i>Taxidermist</i> <i>Tower – radio, television, and communications towers</i> <i>Transfer Station – refuse/pick-up</i> <i>Veterinarian Clinic – outdoor kennels or pens, minimum lot size 2 acres</i> <i>Winery</i>

### E. Design Standards.

#### 1. Height Regulations.

- a. No structure shall exceed:
  1. 45 feet in height for the main building/house.
  2. 50 feet for agricultural structures (e.g., barns, silos, water towers, windmills).
  3. A conditional use permit may be issued for agricultural structures greater than 50 feet in height.

#### 2. Area and Yard Regulations.

- a. Front Yard.
  1. In all locations where setback lines are shown on a recorded plat, the minimum setback or front yard shall be as shown on the plat, however the minimum setback shall be no less than 50 feet.
  2. No accessory structures shall be located in front yards.
- b. Side Yard.
  1. In all locations where setback lines, are shown on a recorded plat the minimum side yard shall be as shown on the plat, however the minimum setback shall be no less than 20 feet.
- c. Rear Yard.
  1. There shall be a rear yard with a depth of not less than 25 feet.

#### 3. Lot Area.

1. The lot area shall be no less than 2 acres.

**Exhibit 'D'**  
**Conditions of Approval for the Conditional Use Permit**

1. Hours of operation working on site: Mon. - Sun., 6 AM – 9 PM
2. Temporary signs, banners, and other advertisements shall not be permitted on the property.
3. A 50 ft. buffer yard required for all new proposed development adjacent to residential use properties.
4. Truck traffic must be routed westbound on Old Brock Rd. to Dennis Rd. to enter and exit the site.
5. All drive approaches have concrete material, roughly 24 ft. in width and 60 ft. in length minimum.