

TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. 63-13

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE MASTER PLAN OF THE TOWN OF FLOWER MOUND BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, THROUGH THE AMENDMENT OF SECTION 1.0, LAND USE PLAN, AND SECTION 2.0, AREA PLANS, TO MAKE CERTAIN REVISIONS REGARDING THE LAKESIDE BUSINESS DISTRICT AS SET FORTH HEREIN-BELOW; REPEALING ALL CONFLICTING ORDINANCES, ORDERS, OR RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 1998 the Town Council and the citizens of the Town of Flower Mound jointly undertook an update of the Town's Master Plan originally adopted in 1994 due to rapid and intense urbanization as well as an exploding population growth; and

WHEREAS, on or about December 17, 1998, the Town Council created a Master Plan Steering Committee to perform a number of tasks in conjunction with the update of the 1994 Master Plan; and

WHEREAS, the Master Plan was separated into distinct parts and the parts were considered in a logical, sequential order by the Town Council; and

WHEREAS, the aforementioned components of the Master Plan were the Land Use Plan, the Water Plan, the Wastewater Plan, the Thoroughfare Plan, five (5) Area Plans, nine (9) Specific Plan Areas, the Open Space Plan, the Parks and Trails Plan and the Urban Design Plan; and

WHEREAS, on January 19, 1999, the Town Council adopted Resolution 01-99, the Town's SMARTGrowth Program, a strategic initiative to manage both the rate and character of development in the Town of Flower Mound, which acronym represents "Strategically Managed and Responsible Town Growth"; and

WHEREAS, on February 17, 2000, the Town Council adopted Ordinance 10-00, SMARTGrowth Management Plan, as the fourth component of SMARTGrowth Program and is designed to implement a long-term growth management strategy of sustainable development that embraces the community's vision and values, achieves both community character and economic development objectives and considers the infrastructure and environmental impacts of land development; and

WHEREAS, on March 19, 2001, the Town Council of the Town of Flower Mound adopted all nineteen component plans, together with all amendments thereto, by Ordinance No. 24-01 as Flower Mound Master Plan 2001; and

WHEREAS, said Flower Mound Master Plan 2001 was the principal component of the SMARTGrowth Program and along with the SMARTGrowth Management Plan effectively required development proceed in a planned manner in accordance with the Town's vision for the future; and

WHEREAS, the Town of Flower Mound Master Plan 2001 establishes and articulates a community based vision to: preserve the country atmosphere and natural environment that makes Flower Mound a unique and desirable community; mitigate the ill effects of rapid and intense urbanization; create a balanced tax base to ensure the Town's long-term economic health and prosperity; and ensure all development is of enduring and exemplary quality; and

WHEREAS, the Town Council and the citizens of the Town of Flower Mound continue to recognize the value of a comprehensive master plan to guide growth and development of the Town; and

WHEREAS, the Town has periodically maintained and updated various provisions of the Master Plan 2001 and the SMARTGrowth Management Plan, as amended and now known as the SMARTGrowth Program as re-titled by Ordinance No. 41-01; and

WHEREAS, in November 2005, the Town Council and the citizens of the Town of Flower Mound initiated a review and update of Master Plan 2001; and

WHEREAS, a new Master Plan Steering Committee was created by Town Council on or about December 15, 2005, and began a review and evaluation of Master Plan 2001; and

WHEREAS, the Town routinely updated various components of Master Plan 2001 including, but not limited to, the Economic Development Plan, Medians and Rights-of-Way Design Guidelines as part of the Urban Design Plan, Parks and Trails Plan, Specific Plan Area 8, Thoroughfare Plan, Water Plan, and Wastewater Plan as well as establishing a new district, the Prairie Vista District, out of a portion of the Cross Timbers Conservation Development District; and

WHEREAS, on June 6, 2011, the Town updated the architectural standards of the Urban Design Plan, reaffirmed Master Plan 2001 and all of its component parts, and continued the stated vision to not only preserve the country atmosphere and natural environment that makes Flower Mound a unique and desirable community, but also

create a great place to live, work, and play that sustains the community that has been created; and

WHEREAS, The Town of Flower Mound Master Plan 2001 is now known and referred to simply as the Master Plan; and

WHEREAS, discussion on reviewing the Master Plan began during the Town Council retreat in the spring of 2012 where work programs were discussed for the upcoming year, and discussions on the Master Plan review made it clear that the vision of the Master Plan was still valid and supported by the community; and

WHEREAS, on August 5, 2013, the Town Council and the citizens of the Town of Flower Mound initiated a review and update of the Master Plan by Resolution 18-13 through a community engagement process; and

WHEREAS, the community engagement process was an effort to prompt and encourage individuals to be part of the review process through social media, and a dedicated webpage; and

WHEREAS, the webpage information was structured to provide individuals the information to become involved in the process and to have source and background information to join the discussion of the Town's Master Plan; and

WHEREAS, the Town of Flower Mound Master Plan establishes and articulates a community based vision to: preserve the country atmosphere and natural environment that makes Flower Mound a unique and desirable community; mitigate the ill effects of rapid and intense urbanization; create a balanced tax base to ensure the Town's long-term economic health and prosperity; and ensure all development is of enduring and exemplary quality; and

WHEREAS, the proposed review of the Master Plan was seek to confirm and strengthen the vision, and determine the adequacy of existing Town regulations to implement said vision; and

WHEREAS, the community engagement process, known as the "Our Master Plan Project," was intended to provide a framework for early public involvement, promote diverse participation and active engagement, and produce community led options; and

WHEREAS, early community engagement helps identify community sentiment regarding the Master Plan effort; and

WHEREAS, after public notice and public hearing as required by law, and upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission and of all testimony and information submitted during said public hearings, the Town Council of the Town of Flower Mound, Texas, has determined that it is in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the Town of Flower Mound that the Master Plan of the Town of Flower Mound, Texas, be amended to reflect the outcomes of the community engagement process as more particularly set forth herein-below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

All of the above premises are hereby found to be true and correct legislative and factual findings of the Town of Flower Mound, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

From and after the effective date of this Ordinance, Section 1.0, Land Use Plan, and Section 2.0, Area Plans, of the Master Plan, adopted by Ordinance No. 26-11, are hereby amended and changed in the following particulars to reflect the action taken herein, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases, and words of said Master Plan are not amended, but shall remain intact and are hereby ratified, verified, and affirmed.

SECTION 3

From and after the effective date of this Ordinance, Section 1.0, Land Use Plan, of the Master Plan is hereby amended by deleting the paragraph entitled "Lakeside Business District" under the heading "Area Plan Districts" in their entirety and replacing said paragraphs with a new paragraph entitled "Lakeside Business District" so that hereafter said paragraph shall be and read as follows:

"Lakeside Business District

Large scale commercial and/or light industrial developments such as corporate offices, office parks, industrial parks, clean manufacturing, hotels, commercial, similar uses, and may include limited residential development. The intent is to create a vibrant area that encourages dynamic economic development focused around live, work, and play opportunities. A mixture of uses is important as well as its design details,

amenity quality, and the use of natural areas and opens space to provide a unique quality of life, and sense of place.”

SECTION 4

From and after the effective date of this Ordinance, Section 2.0, Area Plans, of the Master Plan, is hereby amended by deleting the provision entitled “Campus Commercial” under the heading “Lakeside Business District” and subheading “Lakeside Business District Land Use Categories” in its entirety and replacing said provision with a new provision also entitled “Campus Commercial” so that hereafter said provision shall be and read as follows:

“Campus Commercial – Campus Commercial means a mixture of uses which includes corporate offices, office parks, hotels, commercial, similar uses, and may include limited residential development. The intent is to create a vibrant area that encourages dynamic economic development focused around live, work, and play opportunities. A mixture of uses is important as well as its design details, amenity quality, and the use of natural areas and opens space to provide a unique quality of life, and sense of place.

Development in the district must demonstrate the following:

1. Compliance with the three elements of the District’s Vision:
 - i. Create high quality, regional commercial development;
 - ii. Competes in the economic development arena; and
 - iii. Develops a balanced tax base to reduce the residential tax burden;
2. Exemplary and enduring quality and design shall be achieved by establishing a high level of development standards;
3. Market factors should ensure a robust mix of uses that are economically viable, support a high quality of life, and provide sustainable fiscal health for the Town;
4. No one single use should be allowed to predominate in the District at build-out;
5. Uses and design shall be in context with the existing environment and adjacent developments; and

6. Residential development should provide a range of residential options that reflect changing lifestyles and demographics, and should be facilitated through the balancing of market demand and community preferences.”

SECTION 5

From and after the effective date of this Ordinance, Section 2.0, Area Plans, of the Master Plan is hereby amended by deleting the map entitled “Lakeside Business District” and replacing said map with a new map also entitled “Lakeside Business District,” which new map is attached hereto as Exhibit A and incorporated herein by reference for all purposes allowed by law.

SECTION 6

This Ordinance shall be cumulative of all provisions of ordinances of the Town of Flower Mound, Texas, 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 7

It is hereby declared to be the intention of the Town 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 any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section, and said remaining portions shall remain in full force and effect.

SECTION 8

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the Town of Flower Mound, Texas.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 16 DAY OF DECEMBER, 2013.

APPROVED:

Thomas E Hayden
Thomas E. Hayden, MAYOR

ATTEST:

Theresa Scott
Theresa Scott, TOWN SECRETARY

APPROVED AS TO LEGALITY AND FORM:

Terrence S. Welch
Terrence S. Welch, TOWN ATTORNEY

EXHIBIT A

Lakeside Business District Map

