

TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. 14-15

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 63-12, THE LAKESIDE DFW MIXED USE DEVELOPMENT, AS AMENDED, THROUGH THE AMENDMENT OF EXHIBIT "B" ENTITLED "DEVELOPMENT STANDARDS" BY AMENDING SECTION 8, "SIGNAGE STANDARDS," TO CLARIFY AND PROVIDE ADDITIONAL SIGN REQUIREMENTS APPLICABLE TO SUBZONES MU-TMR(2), MUTMR(1), MU-C(1), MU-C(4), MU-N(1), MU-C(2), and MU-TEN(2) AS DEPICTED BELOW; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound 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 Town Council of the Town of Flower Mound heretofore adopted the Land Development Regulations of the Town of Flower Mound, as amended, which 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, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as approximately 156 acres in The Lakeside DFW Mixed Use Development have filed an application for a zoning amendment to amend the Lakeside DFW Mixed Use Development Zoning Ordinance No. 63-12 as amended; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas held a public hearing on March 9, 2015, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on March 16, 2015, with respect to the proposed zoning amendment as described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 211 of the Local Government Code, Chapter 78 of the Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of a Zoning Planned Development on the property; and,

WHEREAS, the Town Council finds that the zoning amendment as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public.

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

SECTION 1

The Land Development Regulations of the Town of Flower Mound, Texas, as amended, are hereby amended on the hereinafter described property and area as shown below:

Subzones MU-TMR(2), MUTMR(1), MU-C(1), MU-C(4), MU-N(1), MU-C(2), and MU-TEN(2) within the Lakeside DFW Mixed Use Development

Exhibit "B" to Ordinance No. 63-12, as amended, which exhibit is entitled "Development Standards," is hereby amended by amending Section 8, "Signage Standards," as depicted in Exhibit "A" to this ordinance attached hereto and incorporated herein.

SECTION 2

The use of the property described above shall be subject to all restrictions, terms and conditions contained in Exhibit "A," attached hereto, as well as the applicable regulations contained in Ordinance No. 63-12, the Land Development Regulations, and all other applicable and pertinent ordinances of the Town of Flower Mound.

SECTION 3

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, 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 4

It is hereby declared to be the intention of the Town 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 Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 5

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council of the Town of Flower Mound shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in

Section 1-13 of the Code of Ordinances of the Town of Flower Mound. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 6

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Land Development Regulations or 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 7

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

SECTION 8

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.

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 16th DAY OF March, 2015.

APPROVED:


Thomas E. Hayden, MAYOR

ATTEST:


Theresa Scott, TOWN SECRETARY

APPROVED AS TO FORM AND LEGALITY:


Bryn Meredith, TOWN ATTORNEY

Exhibit "A"

Lakeside DFW

Variations from Chapter 86 of the Flower Mound Code of Ordinances

This set of regulations replaces Section 8 of the Lakeside DFW Development Code with respect to the following subzones only MU-TMR(2), MU-TMR(1), MU-C(1), MU-C(4), MU-N(1), MU-C(2), and MU-TEN(2). Section 8 of the Code, as adopted on November 19, 2012, will remain in effect for the zones not referenced above. Except for restaurants over 3500 square feet, each building tenant is limited to no more than four of the following sign types per tenant elevation: Wall Signs, Projecting Wall Signs, Business Blade Signs, Window Signs, or Awning Signs.

Sec. 86Sec. 86.63

Directional signs may be placed by the Lakeside Owners Association in the public right-of-way mounted on the ground or on a light pole or street sign. An example of an approved directional sign in public right-of-way is attached on Exhibit A.

Sec. 86-67 - Ground Signs

(6) All ground signs shall be set back at least 5 feet from any public street right-of-way line.

(7) A maximum of two tenants may be identified per ground sign.

(8) Ground signs shall be located at least 75' apart and at least 10 feet from the property lines of any other lot.

(11) Ground signs may display any business located within Lakeside DFW even if the business is located on a different lot than the ground sign.

(15) An example of an approved ground sign for Lakeside DFW is attached on Exhibit B.

(16) There shall be no more than three ground signs on Lot 1, Block C, Lakeside DFW; no more than two ground signs on Lot 1, Block B, Lakeside DFW; no more than two ground signs on Lot 2, Block A, Moviehouse Addition; no more than one ground sign per street frontage on Lot 1, Block A Moviehouse Addition; and no more than three ground signs along the frontage of FM 2499 and no more than two ground signs along the frontage of Lakeside Parkway on Subzone MU-TMR (2); all other lots shall be limited in quantity per Chapter 86 of the Town of Flower Mound code.

Sec. 86-68 - Wall Signs

(a)(5) Tenants may have wall signs on each of their exterior elevations per the table in subsection 6. Each wall sign shall be measured separately for maximum width and height measurements for the signs on that particular elevation.

(b)(4)(d) One Building Identification Sign shall be allowed per building per street frontage.

(b)(4)(g) Use of a Building Identification Sign shall not require a reduction of the permitted tenant signs.

(b)(6) *Projecting Wall Signs*

- a. A projecting business wall sign is mounted to the building perpendicular to the building and may project a maximum of 6 feet over a public sidewalk, but shall not project over any parking or travel lane, and must have 10 feet of clearance above the sidewalk.
- b. May have a maximum height of 15 feet, maximum width of five feet.
- c. May be allowed in addition to any other permitted signs, with the exception of e. below.
- d. An example of an approved projecting business wall sign is shown on Exhibit C.
- e. May only be used on an exterior elevation in lieu of a surface wall sign, unless applicant is a restaurant containing 3,500 square feet or more, in which case, may be used in addition to a surface wall sign.

(b)(7) Projecting Building Identification Wall Signs

- a. A projecting building identification wall sign is mounted to the building perpendicular to the building and may project a maximum of 6 feet over a public sidewalk, but shall not project over any parking or travel lane, and must have 10 feet of clearance above the sidewalk.
- b. The maximum sign height is 15 feet and the maximum area per side is 60 square feet.
- c. A projecting building identification wall sign would be in lieu of a building identification wall sign.
- d. An example of an approved projecting building identification sign is shown on attached Exhibit D.
- e. No more than one projecting building identification wall sign shall be permitted per building.

(b)(8) Business Blade Signs

- a. In addition to other signage allowed per this section, Businesses may have one blade sign per exterior elevation not to exceed 15 square feet per sign. These signs are installed perpendicular to the building to show the name of the business to pedestrian traffic. Blade signs may project a maximum of 5 feet over a public sidewalk, but shall not project over any parking or travel lane, and must have a minimum of 8 feet of clearance above the sidewalk.
- b. An example of an approved business blade sign is shown on attached Exhibit E.

(b)(9) Marquee Signs

- a. A marquee sign is a major sign affixed to a building, projecting from the building wall, identifying a building, a project, or a tenant, and serves as a landmark to the development.
- b. Permissible for movie theaters, auditoriums, entertainment clubs, any assembly venue of at least 100 persons, or the name of a development.
- c. May have a maximum height of 25 feet, maximum width of six feet.
- d. No more than four marquee signs may be allowed within Lakeside DFW and may only be permitted in the areas identified on Exhibit F.
- e. May project a maximum of 7 feet over a public sidewalk, but shall not project over any parking or travel lane, and must have a minimum of 10 feet of clearance above the sidewalk.
- g. Message boards on a marquee sign for the movie theater only may contain a changeable message, both electronic and changeable panel.
- h. An example of an approved marquee sign is shown on the attached Exhibit G.
- i. May not advertise more than one of the permissible uses outlined in b. above on each sign.

(b)(10) Entrance Marquee Sign

- a. One of the four marquee signs authorized pursuant to paragraph (b)(9), hereof, may be an entrance marquee sign.

b. The entrance marquee sign shall comply with the all regulations set forth in paragraph (b)(9) pertaining to marquee signs; provided, however, that the entrance monument sign may have a maximum height of 30 feet.

Sec. 86-69 – Window Signs

(1) Window signs shall be limited to a maximum of 25 percent of window area.

Sec. 86-70 – Awning or canopy signs

Awning or canopy signs may be used in addition to other signs permitted by Chapter 86, subject to the following:

(2) Business logos/text are permitted to be applied to the sloped portion or front valance of the canopies/awnings and may appear on more than one awning.

(9) The total sign area for an awning or canopy sign shall not exceed the maximum allowance as outlined in section 86-68. The area of awning or canopy signs will not be deducted from the area allowed for other permitted signs.

(11) Any typeface for awning or canopy signs shall be allowed.

(12) Permits for awning signage will be issued as one sign permit per business, whether they are applying for signage on one or multiple awnings.

Sec. 86-73 - Temporary commercial signs

(8) *Coming Soon or now open signs.*

a. One sign shall be permitted per building elevation for each business. If the business has 30' or more of lineal building elevation, then two signs shall be permitted on that elevation.

g. Such sign(s) shall be allowed for a maximum period of 60 days, after which it must be removed.

i. Permits for coming soon and/or now open signs, respectively, will be issued as one sign permit per business, whether they are applying for one or multiple signs.

(14) *Sandwich board / A-frame signs*

Sandwich board signs shall be permitted for retail uses. No permit is required, but the signs must comply with the following:

a. The maximum size for a sandwich board sign shall be three and one-half feet (3.5') in height by two and one-half feet (2.5') in width.

b. A sandwich board sign shall be located near the entrance to business that it advertises and must not impede pedestrian traffic.

c. Sandwich board signs must be professionally made, be constructed of durable materials and be sufficiently weighted to prevent movement by wind or other elements.

d. Sandwich board signs cannot be permanently attached to any object or the ground.

e. All sandwich board signs must be moved indoors during times of heavy rain or high winds and after business hours.

f. A sandwich board sign must be uncluttered, with a minimum of text. Logos and graphics are encouraged.

g. An example of an approved sandwich board/A-frame sign is attached on Exhibit H.

Exhibit A

Example of an Approved Directional Sign in Public Right-of-Way



Exhibit B
Example of an Approved Ground Sign



Exhibit C
Example of an Approved Projecting Business Wall Sign



Exhibit D
Example of an Approved Projecting Building Identification Sign



Exhibit E
Example of an Approved Business Blade Sign

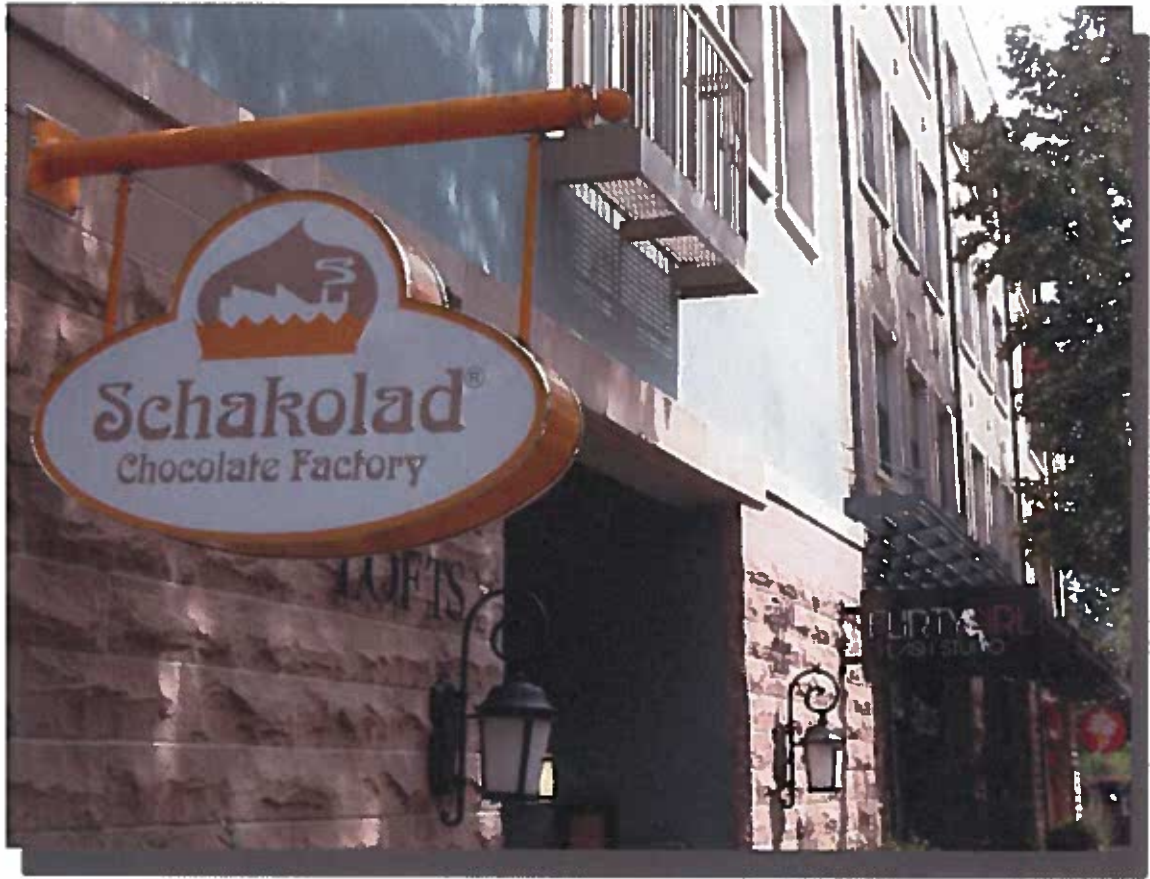


Exhibit F
Approved Marquee Sign Locations

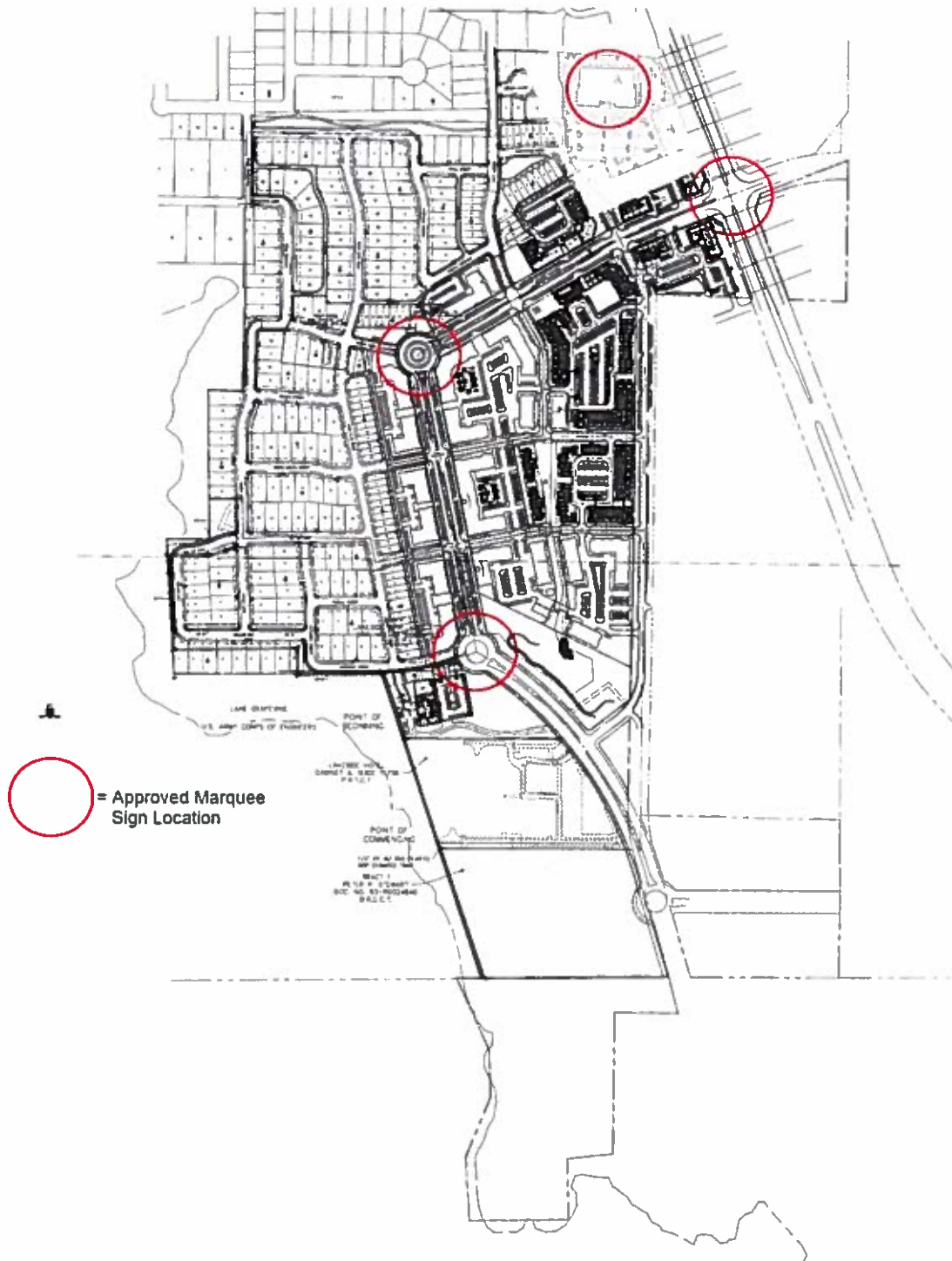

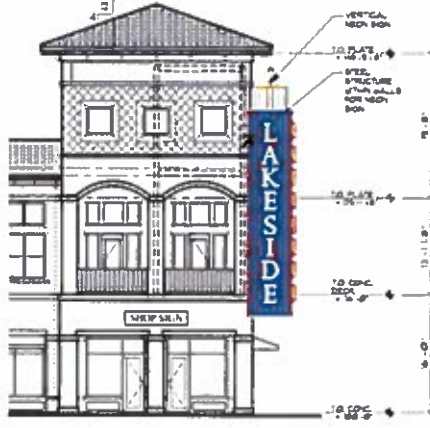


Exhibit G
Example of an Approved Marquee Sign



BUILDING FRAME
 NOTES: (preservation & positioning is APPROXIMATE - SEE 9407)



ELEVATION DETAIL
 SCALE: 3/32" = 1'-0"

6" DIA. SIGN WITH EXPOSED NEON CHANNEL LETTERS ON THREE SIDES,
 VERTICAL NEON LINES ON FACE OF SIGN ON APPROX 11" CENTERS.
 TOP STAGE TO HAVE MULTICOLORED NEON VERTICAL STROPE.
 TOP 12" SPHERE HIGH ILLUMINATED


	2921 E. McKinney St. Houston, TX 77002 (713) 282-8899 Fax: (713) 282-8822	Lakeland DFW 2401 Lakeland Pkwy. #100 Fm 2499 Flower Mound, TX	33'-4" x 6'-0" - 201 Rich Sutton Randy Corp	SC916 JCR-GO	1/25/17 01 of 03 06.01.YS
	Not an offer if applied within 90 days of approval. This drawing is the property of Starlite Sign, which reserves all rights in its reproduction and distribution.				

Exhibit H

Example of an Approved Sandwich Board / A-Frame Sign

