

ORDINANCE NO. 03-893

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, ADOPTING THE FUTURE VISION REPORT SUMMARY AS THE CITY'S FIRST COMPREHENSIVE PLAN; FURTHER DEFINING THE GOALS AND GUIDELINES TO BE FOLLOWED IN DEVELOPMENT IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION; PROVIDING FOR CHANGES AND AMENDMENTS; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

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WHEREAS, the City of Fulshear is located within Fort Bend County, which has been experiencing a rapid and high rate of growth over the last few years; and

WHEREAS, the City is located near major thoroughfares and the path of growth and development in the Ft. Bend County/Katy area, and reasonably believes that development will soon approach its boundaries; and

WHEREAS, the City wishes to ensure that its development regulations reflect current land development trends, enhance community character and accurately reflect the goals for future development within its municipal boundaries and extraterritorial jurisdiction; and

WHEREAS, the City wishes to ensure that this coming growth and land development occurs in a safe, orderly and healthful pattern, and seeks by its regulations to promote the health, safety, morals, and general welfare of the municipality; and

WHEREAS, Council is presently undertaking an evaluation of the City's land development regulations, and will hold such public hearings as may be required by law; and

WHEREAS, Chapter 213 of the Texas Local Government Code authorizes cities to adopt comprehensive plans to be used to coordinate and guide the establishment of development regulations; and

WHEREAS, the City held a Community Workshop on February 2, 2002, to gather community input, opinions, and responses to the development issues facing Fulshear, the results of which were gathered in the "Future Visions Summary Report" dated April 10, 2002; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

Section 1. That the "Future Visions Summary Report" ("Vision Report") dated April 10, 2002, is hereby accepted and adopted by the City Council to serve as a comprehensive plan, until such time as it may be amended or replaced, to provide guidelines for the City's future growth, and regulatory and comprehensive planning efforts.

Section 2. That the following are hereby found to be specific goals and guidelines that all development within the City limits and the City's extraterritorial jurisdiction should conform to:

- A. Small town character should be preserved through acknowledgement and preservation of the rural and small town history of Fulshear in new development.
- B. The density of new construction should not dramatically exceed that which currently exists in Fulshear; an emphasis should be placed on larger lot development, though a mix of development densities may be considered appropriate.

- C. Development patterns should encourage sustainable economic development, but while preserving the rural and open space character of Fulshear.
- D. Signage should be low-key and limited. Lighting of signs and public areas should be minimized as much as possible; discourage use of excessive overhead lighting at commercial establishments.
- E. Adequate recreational facilities and linkages through hike and bike trails and parks is required. Green space should be maximized through creative development patterns and preservation of trees.
- F. The development of a town square should be encouraged.
- G. Infrastructure should be unobtrusive, attractive, and in keeping with the small town character—for example, pavers for sidewalks, lower level lighting instead of tall street lights.

Section 3. The City Council hereby confirms its desire and intention to work with developers within the City and its extraterritorial jurisdiction to create and encourage creative development to achieve these goals, and provide for the orderly and desirable growth of the City, and ensure attractive and sustainable development for current and future residents and businesses.

Section 4. The Vision Report is hereby declared to be a guide to the development of the City, and to be used as a guide and companion document to the development regulations of the City. Notwithstanding the foregoing, the City recognizes that circumstances may change in ways not currently anticipated or known, and Council reserves the right to legislatively

determine that such plan needs amendment. City Council may refer any requested change to the Comprehensive Plan and its elements back to staff and such committees, as may be appropriate, including the Planning and Zoning Commission, for further study and recommendations.

Section 5. The Council reserves the right to amend the Comprehensive Plan at any time by adding or removing components or by amending in part or in whole the components identified above.

Section 6. That this Ordinance shall be in full force and effect from the date of passage.

Section 7. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this 19 day of FEBRUARY 2003.

CITY OF FULSHEAR



Mayor

ATTEST



City Secretary

Fulshear Comp Plan Ordinance
Draft—January 13, 2003
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ALDERMEN:

JOHN SMART -	AYE
J. B. COLLINS, JR. -	AYE
BILL ARCHER -	AYE
ROBERT FOX -	AYE
OWEN BEMENT -	AYE