

**TOWN OF FLOWER MOUND, TEXAS**

**ORDINANCE NO. 51-12**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY AMENDING SUBPART B, CHAPTER 74 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS," THROUGH THE AMENDMENT OF SECTION 74-3, "DEFINITIONS," BY ADDING A DEFINITION FOR THE PHRASE "STREET, ARTERIAL (MINOR WITH ON-STREET PARKING)"; BY AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES, ENTITLED "SUBDIVISIONS," THROUGH THE AMENDMENT OF SECTION 90-311, "STREET DESIGN STANDARDS," BY AMENDING SUBPARAGRAPH A THEREOF, BY ADDING THE CLASSIFICATION OF "URBAN MINOR ARTERIAL WITH ON-STREET PARKING" INTO THE EMBEDDED TABLE; BY AMENDING VOLUME I, "DESIGN CRITERIA," OF THE TOWN'S "ENGINEERING DESIGN CRITERIA AND CONSTRUCTION STANDARDS" BY AND THROUGH SECTION 32-3, "ENGINEERING DESIGN CRITERIA AND CONSTRUCTION STANDARDS--AMENDMENTS," BY THE AMENDMENT OF PART B, "TECHNICAL STANDARDS," BY AMENDING SECTION I, "STREET IMPROVEMENTS," THROUGH THE AMENDMENT OF SUBSECTION A, "STREET CLASSIFICATION," BY AMENDING PARAGRAPH NO. 1, ENTITLED "DEFINITIONS," BY INSERTING A DEFINITION FOR THE PHRASE "URBAN MINOR ARTERIAL WITH ON-STREET PARKING" AS SUBPARAGRAPH F, AND BY RE-LETTERING EXISTING SUBPARAGRAPHS F THROUGH L AS SUBPARAGRAPHS G THROUGH M, RESPECTIVELY, AND BY AMENDING PARAGRAPH NO. 2, "STANDARD DESIGN CRITERIA," BY ADDING THE CRITERIA FOR "URBAN MINOR ARTERIAL WITH ON-STREET PARKING" INTO THE EMBEDDED TABLE, AND THROUGH THE AMENDMENT OF SUBSECTION C, "GEOMETRIC DESIGN URBAN COLLECTOR," BY AMENDING PARAGRAPH NO. 1, "ROADWAY DESIGN PARAMETERS," BY ADDING THE CRITERIA FOR "URBAN MINOR ARTERIAL WITH ON-STREET PARKING" IN THE EMBEDDED TABLE; BY AMENDING SECTION VII, "ACCESS MANAGEMENT POLICY AND CRITERIA," BY AMENDING TABLE 1 ENTITLED "ACCESS SPACING CRITERIA" TO INCLUDE THE "URBAN MINOR ARTERIAL WITH ON-STREET PARKING" CLASSIFICATION IN THE COLUMN UNDER THE HEADING "FUNCTIONAL CLASSIFICATION" WITH THE "LOCALS" CLASSIFICATION, BY AMENDING TABLE 2 ENTITLED "TURN LANE DESIGN CRITERIA" TO INCLUDE THE "URBAN MINOR ARTERIAL WITH ON-STREET PARKING" CLASSIFICATION IN THE COLUMN UNDER THE HEADING "FUNCTIONAL CLASSIFICATION" WITH THE "LOCAL ROADS" CLASSIFICATION, AND AMEND THE PROVISION ENTITLED "AUXILIARY LANES REQUIRED" TO INCLUDE LANGUAGE REGARDING THE "URBAN MINOR ARTERIAL WITH ON-STREET PARKING" CLASSIFICATION; BY THE AMENDMENT OF VOLUME I, "DESIGN CRITERIA," AND VOLUME II, "CONSTRUCTION STANDARDS," OF THE TOWN'S "ENGINEERING DESIGN CRITERIA AND CONSTRUCTION STANDARDS" BY AMENDING THE INDEX OF STANDARD PAVEMENT DETAILS ENTITLED**

**“STREETS CONSTRUCTION STANDARDS” IMMEDIATELY FOLLOWING THE CONCLUSION OF SUBSECTION H, “PAVEMENT CONSTRUCTION,” IN VOLUME I AND SITUATED ALSO AT THE BEGINNING OF VOLUME II TO IDENTIFY THE STANDARD PAVING DETAIL FOR THE “URBAN MINOR ARTERIAL WITH ON-STREET PARKING” STREET SECTION AS ST-1, SHEET NO. 6, AND RE-LETTERING EXISTING SHEET NOS. 6 THROUGH 12 AS SHEET NOS. 7 THROUGH 13, RESPECTIVELY, AND “INTERSECTION JOINT SPACING” DETAIL SHEETS WITH A REVISION DATE OF “OCTOBER, 2012”; BY THE AMENDMENT OF VOLUME II, “CONSTRUCTION STANDARDS,” OF THE TOWN’S “ENGINEERING DESIGN CRITERIA AND CONSTRUCTION STANDARDS” BY THE INSERTION OF A NEW STREET SECTION FOR AN “URBAN MINOR ARTERIAL WITH ON-STREET PARKING,” AND “INTERSECTION JOINT SPACING”; REPEALING ALL CONFLICTING ORDINANCES, ORDERS, AND RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, after public notice and public hearing as required by law, the Planning and Zoning Commission of the Town of Flower Mound, Texas, has recommended amending the Code of Ordinances of the Town of Flower Mound and the Town of Flower Mound’s Engineering Design Criteria And Construction Standards, as more particularly described and detailed herein below; and

**WHEREAS**, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the Town Council of the Town of Flower Mound; and

**WHEREAS**, after public notice and public hearing as required by law, and upon due deliberation and consideration of the recommendation of said Planning and Zoning Commission and of all testimony and information submitted during said public hearing, the Town Council of the Town of Flower Mound, Texas, has determined that it is in the public’s best interest and in furtherance of the health, safety, morals, and general welfare of the citizens of the Town to amend the Flower Mound Code of Ordinances and the Town’s Engineering Design Criteria And Construction Standards as set forth herein.

**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 determinations 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, Chapter 74 of Subpart B of the Code of Ordinances, entitled "General Provisions" is hereby amended through the amendment of Section 74-3, entitled "Definitions" by inserting the definition for the phrase "Street, arterial (minor with on-street parking)" into said provision in alphabetical order to read as follows:

*"Street, arterial (minor with on-street parking), means an urban minor arterial with on-street parking. Minor arterial streets are designed to serve traffic originating in or destined for locations within town and are intended to serve traffic traveling through the town. This street type is intended to be used in Mixed Use type environments. It will have two 10' travel lanes provided in each direction with a 16 foot median and 18 foot angled parking on the outside curbs. Curbs would extend to limit parking near intersections to provide better operations and visibility at these locations and reduce the pedestrian crossing distance. This roadway section will typically have large sidewalks to accommodate pedestrians."*

**SECTION 3**

From and after the effective date of this Ordinance, Chapter 90 of Subpart B of the Code of Ordinances, entitled "Subdivision" is hereby amended through the amendment of Article VI entitled "Standards" through the amendment of Division 3 "Streets," by amending Section 90-311, entitled "Street Design Standards" by the amendment of Subparagraph (a) to add the criteria for "Urban Minor Arterial with On-Street Parking" in the table such that said table shall hereafter be and read as follows:

Design Feature	Major (Principal) Arterial	Greenway Urban Arterial	Greenway Rural Arterial	Urban Minor Arterial Divided	Urban Minor Arterial with Bike Lane	Urban Minor Arterial with On-Street Parking	Urban Minor Arterial Undivided	Urban Collector	Rural Collector	Local Res. Urban	Local Res. Estate	Local Commercial	Local Conservatio	Alley
Number of Lanes	6	4	4	4	4	4*	4	2-3	2	2	2	2-3	2	2
Lane Width	12'	12'	11'	12'	12'	10'	12'	12'	12'	15'	12'	12'	12'	Varies
Pavement Width	72'	48'	44'	48'	58'	76'	48'	36'	24'	30'	26'	36'	24'	Varies
Right-of-way Width	120'	90'	100'	90'	100	120'	70'	60'	80'	50'	26'	60'	26'	Varies
Design Speed (mph)	45	45	40	40	40	30	35	40	40	30	30	40	30	15
Maximum Grade	5%	5%	7½%	7½%	7½%	7½ %	7½%	7½%	7½%	8%	8%	7½%	8%	8%

Min. Centerline Radius	800'	800'	640'	640'	640'	275'	475'	640'	640'	275'	275'	640'	275'	50'
Median Width	20'	42'	40'	16'	16'	16'	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Median Break	530'	530'	530'	320'	320'	250'	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Drive Spacing	360'	360'	360'	250'	250'	200'	250'	200'	200'	n/a	n/a	200'	n/a	n/a

\* Also has 18' angled parking lane on the outside of cross section on both sides of the street. Access Management will follow the Local Road standards.

### **SECTION 4**

From and after the effective date of this Ordinance, Volume I, entitled "Design Criteria," of the "Engineering Design Criteria And Construction Standards" is hereby amended through the amendment of Part B, "Technical Standards," by amending Section I, "Street Improvements," by amending Subsection A, "Street Classification," by amending Paragraph No. 1, entitled "Definitions," by inserting a definition for the phrase "Urban Minor Arterial with On-Street Parking" as Subparagraph f, and by re-lettering existing Subparagraphs f through j as Subparagraphs g through m, respectively, with the definition of "Urban Minor Arterial with On-Street Parking" to read as follows:

#### **"f. Urban Minor Arterial with On-Street Parking.**

Urban Minor Arterial with On-Street Parking, means an urban minor arterial with on-street parking. Minor arterial streets are designed to serve traffic originating in or destined for locations within town and are intended to serve traffic traveling through the town. This street type is intended to be used in Mixed Use type environments. It will have two 10' travel lanes provided in each direction with a 16 foot median and 18 foot angled parking on the outside curbs. Curbs would extend to limit parking near intersections to provide better operations and visibility at these locations and reduce the pedestrian crossing distance. This roadway section will typically have large sidewalks to accommodate pedestrians."

### **SECTION 5**

From and after the effective date of this Ordinance, Volume I, entitled "Design Criteria," of the "Engineering Design Criteria And Construction Standards" is hereby amended through the amendment of Part B, "Technical Standards," by amending Section I, "Street Improvements," by amending Subsection A, "Street Classification," by amending Paragraph No. 2, entitled "Standard Design Criteria," by adding the criteria for "Urban Minor Arterial with On-Street Parking" in the embedded table such that said table shall hereafter be and read as follows:

Street Classification	Minimum ROW	No. of Lanes and Width	Pavement Width	Median Width	Parkway Width
Major (Principal) Arterial	120'	6-12' lanes	(2) 36'	18'	13'
Greenway Urban Arterial	120'	4 - 12' lanes	(2) 24'	42'	13'
Greenway Rural Arterial	120'	4 – 11' lanes	(2) 29'	40'	11'
Urban Minor Arterial Divided	90'	4 – 12' lanes	(2) 24'	16'	11'
Urban Minor Arterial with Bike Lane	100'	4 – 12' lanes	(2) 29'	16'	11'
Urban Minor Arterial with On-Street Parking	120'	2 – 10' lanes in each direction with 2 - 18' parking lanes	(2) 38'	16'	14'
Urban Minor Arterial Undivided	70	4-12'	48	None	10'
Urban Collector	60'	2 – 12' lanes	36'	None	12'
Rural Collector	80'	2 – 12' lanes	34'	None	23'
Local Residential Urban	50'	2 – 15' lanes	30'	None	10'
Local Residential Estate	*26'	2 – 13' lanes	26'	None	None
Local Commercial	60'	2 – 12' lanes	36'	None	12'
Local Conservation or Rural Development	*26'	2 - 12' lanes	24'	None	None
Alley	Varies	Varies	Varies	None	2.5'

\*With a fire hydrant minimum is 26' wide, with 2-13' lanes.

## **SECTION 6**

From and after the effective date of this Ordinance, Volume I, entitled “Design Criteria,” of the “Engineering Design Criteria And Construction Standards” is hereby further amended through the amendment of Part B, “Technical Standards,” by amending Section I, “Street Improvements,” by amending Subsection C, “Geometric Design Urban Collector,” by amending Paragraph No. 1, entitled “Roadway Design Parameters,” by adding the criteria for “Urban Minor Arterial with On-Street Parking” streets in the embedded table such that said table shall hereafter be and read as follows:

Design Feature	Major (Principal) Arterial	Greenway Urban Arterial	Greenway Rural Arterial	Urban Minor Arterial Divided	Urban Minor Arterial with Bike Lane	Urban Minor Arterial with On-Street Parking	Urban Minor Arterial Undivided	Urban Collector	Rural Collector	Local Res. Urban	Local Res. Estate	Local Commercial	Local Conservation	Alley
Minimum Design Speed	45	45	40	40	40	30	35	40	40	30	30	40	30	15
Minimum Stopping Sight	360	360	305	305	305	200	250	305	305	200	200	305	200	80
Minimum Centerline Radius	800	800	640	640	640	275	475	640	640	275	275	640	275	50
Minimum Grade	0.7 %	0.7%	0.7%	0.7%	0.7%	0.7	0.7%	0.7%	0.7%	0.7%*	0.7%*	0.7%	0.7%*	0.7%
Maximum Grade	5%	5%	7.5%	7.5%	7.5%	7.5%	7.5%	7.5%	7.5%	8%	8%	7.5%	8%	8%

\*0.5% is acceptable for residential streets for a distance less than 200'

## **SECTION 7**

From and after the effective date of this Ordinance, Volume I, entitled "Design Criteria," of the "Engineering Design Criteria And Construction Standards" is hereby further amended through the amendment of Part B, "Technical Standards," by amending Section VII, "Access Management Policy and Criteria," by amending Table 1, "Access Spacing Criteria," to include the "Urban Minor Arterial With On-Street Parking" classification in the column under the heading "Functional Classification" with the "Locals" classification such that said table shall be and read as follows:

Table 1. Access Spacing Criteria

Functional Classification	Assumed Operating Speed (mph)	Access Spacing Distance
Major & Greenway Arterials	45	360'
Minor Arterials & Collectors	35	250'
Locals & Urban Minor Arterial With On-Street Parking	30	200'

**SECTION 8**

From and after the effective date of this Ordinance, Volume I, entitled “Design Criteria,” of the “Engineering Design Criteria And Construction Standards” is hereby further amended through the amendment of Part B, “Technical Standards,” by amending Section VII, “Access Management Policy and Criteria,” by amending Table 2, “Turn Lane Design Criteria,” to include the “Urban Minor Arterial With On-Street Parking” classification in the column under the heading “Functional Classification” with the “Local Roads” classification such that said table shall be and read as follows:

Table 2. Turn Lane Design Criteria

<b>Functional Classification</b>	<b>Minimum Storage</b>	<b>Deceleration Length</b>	<b>Taper Length</b>	<b>Turn-Lane Length</b>
Major & Greenway Arterials	50'	215'	100'	265'
Minor Arterials & Collectors	50'	110'	100'	160'
Local Roads & Urban Minor Arterial With On-Street Parking	50'	75'	50'	125'

**SECTION 9**

From and after the effective date of this Ordinance, Volume I, entitled “Design Criteria,” of the “Engineering Design Criteria And Construction Standards” is hereby further amended through the amendment of Part B, “Technical Standards,” by amending Section VII, “Access Management Policy and Criteria,” by amending the provision entitled “Auxiliary Lanes Required” by adding a new paragraph at the end of the existing provision to read as follows:

*“Urban Minor Arterials shall be treated differently from other Minor Arterials. Due to the Mixed Use nature and pedestrian friendly environment, turn lanes for Urban Minor Arterials will be determined on a case by case basis where they are deemed appropriate.”*

**SECTION 10**

From and after the effective date of this Ordinance, Volume I, entitled “Design Criteria,” of the “Engineering Design Criteria and Construction Standards” is hereby further amended through the amendment of Part B, “Technical Standards,” by amending the index of standard pavement details entitled “Streets Construction Standards” immediately following the conclusion of Subsection H, “Pavement Construction,” to insert the standard paving detail for the “Urban Minor Arterial with On-

Street Parking” street section as ST-1, Sheet No. 6, with the following information and re-numbering existing Sheet Nos. 6 through 12 listed under Detail No. ST-1 as Sheet Nos. 7 through 13, respectively:

“Title: Urban Minor Arterial with On-Street Parking  
Detail No.: ST-1  
Sheet No. 6  
Revision Date October, 2012”

### **SECTION 11**

From and after the effective date of this Ordinance, Volume I, entitled “Design Criteria,” of the “Engineering Design Criteria and Construction Standards” is hereby further amended through the amendment of Part B, “Technical Standards,” by amending the index of standard pavement details entitled “Streets Construction Standards” immediately following the conclusion of Subsection H, “Pavement Construction,” and “Intersection Joint Spacing” detail sheets with a revision date of “October, 2012”.

### **SECTION 12**

From and after the effective date of this Ordinance, Volume II, entitled “Construction Standards,” of the “Engineering Design Criteria and Construction Standards” is hereby amended by amending the index of standard pavement details, entitled “Streets Construction Standards,” to add the reference to the sheet reflecting the standard paving detail for the “Urban Minor Arterial with On-Street Parking” street section as ST-1, Sheet No. 6, with the following information and re-numbering existing Sheet Nos. 6 through 12 listed under Detail No. ST-1 as Sheet Nos. 7 through 13, respectively:

“Title: Urban Minor Arterial with On-Street Parking  
Detail No.: ST-1  
Sheet No. 6  
Revision Date October 2012”

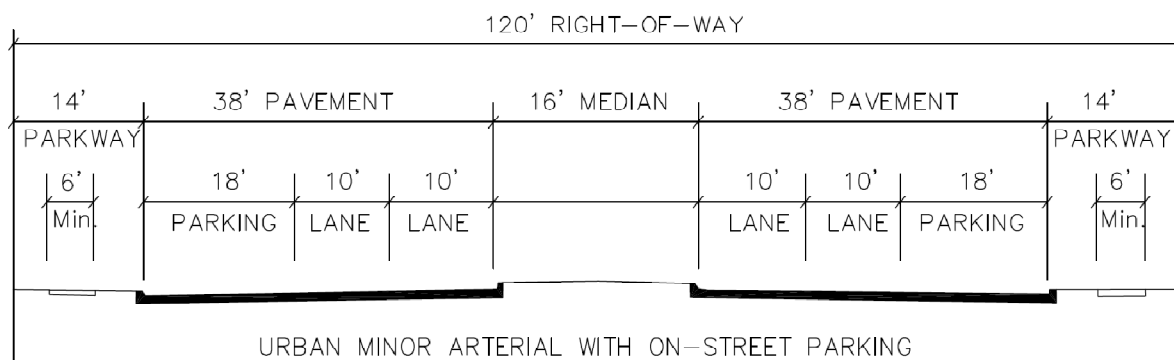
### **SECTION 13**

From and after the effective date of this Ordinance, Volume II, entitled “Construction Standards,” of the “Engineering Design Criteria and Construction Standards” is hereby amended by amending the index of standard pavement details, entitled “Streets Construction Standards,” to amend the Revision Dates for the “Intersection Joint Spacing” detail sheets with a revision date of “October, 2012”.

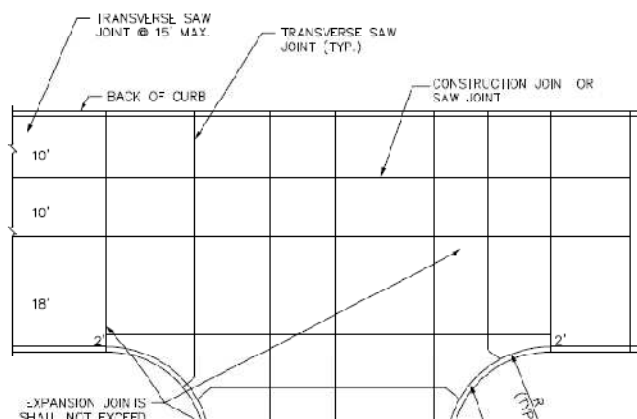


**SECTION 14**

From and after the effective date of this Ordinance, Volume II, entitled "Construction Standards," of the "Engineering Design Criteria and Construction Standards" is hereby amended through the amendment of the "Streets Construction Standards Details" by adding the street section for an "Urban Minor Arterial with On-Street Parking" as ST-1, Sheet No. 6, containing the following diagram.

**SECTION 15**

From and after the effective date of this Ordinance, Volume II, entitled "Construction Standards," of the "Engineering Design Criteria and Construction Standards" is hereby amended through the amendment of the "Streets Construction Standards Details" by adding the standard pavement detail sheets for the "Urban Minor Arterial with On-Street Parking" and "Intersection Joint Spacing" detail sheets with new standard pavement detail sheets for the "Urban Minor Arterial with On-Street Parking," to be identified as ST-1, Sheet No. 6, "Urban Minor Arterial with On-Street Parking," and "Intersection Joint Spacing," to be identified as ST-3, Sheet No. 4, of which new detail sheet will have a revision date of "October 2012" containing the following respective diagrams.



**SECTION 16**

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 17**

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 the valid judgment or decree of 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.

**SECTION 18**

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 19**

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 1ST DAY OF OCTOBER, 2012.**

**APPROVED:**

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**Thomas E. Hayden, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Theresa Scott, TOWN SECRETARY**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Terrence S. Welch, TOWN ATTORNEY**