TOWN OF WESTLAKE

ORDINANCE NO. 1015

AN ORDINANCE OF THE TOWN OF WESTLAKE, TEXAS, APPROVING TEXT AMENDMENTS TO PD, PLANNED DEVELOPMENT DISTRICT NO. 3-8 GENERALLY LOCATED AT THE SOUTHEAST CORNER OF U.S. HIGHWAY 377 AND STATE HIGHWAY 170; PROVIDING A PENALTY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas is a general law municipality; and

WHEREAS, the Town Council of the Town of Westlake finds it necessary for the public health, safety and welfare that development occur in a controlled and orderly manner; and

WHEREAS, On September 14, 1998 the Board of Aldermen of the Town of Westlake, Texas approved Ordinance 307, which approved and adopted the Circle T Ranch Planned Development Zoning District Number 3 (PD3) Supplement providing for various development provisions within the Circle T Ranch; and

WHEREAS, on September 14, 1998 the Board of Alderman of the Town of Westlake, Texas and approved Ordinance 314, which created the PD3-8 zoning district and related regulations; and

WHEREAS, On December 14, 1998 the Board of Aldermen of the Town of Westlake, Texas approved Ordinance 322, amending the PD3-8 zoning district; and

WHEREAS, On June 9, 2003 the Board of Aldermen of the Town of Westlake, Texas approved Ordinance 438, amending the PD3-8 zoning district; and

WHEREAS, On April 24, 2008 the Board of Aldermen of the Town of Westlake, approved Ordinance 592. amending the PD3-8 zoning district and creating the PD3-10 zoning district; and

WHEREAS, the Planning and Zoning Commission recommended to the Town Council approval of the amendments contained herein, on December 10, 2024.

WHEREAS, following provision of proper legal notice, published notice and posted notice in accordance with the Texas Open Meetings Act of public hearing, a public hearing was held on January 6, 2025 by the Town Council; and

WHEREAS, the Council believes that the interests of the Town, the present and future residents and citizens of the Town, and developers of land within the Town, are best served by adopting this Ordinance, which the Council has determined to be consistent with the 2015 Comprehensive Plan and its Land Use Map, Thoroughfare Plan, and Open Space Plan, all as amended to date; and

WHEREAS, upon the recommendation of the Planning and Zoning Commission and after a public hearing, the Town Council of the Town of Westlake, Texas, is of the opinion that it is in the best interests of the Town and its citizens that the amendments contained herein, should be approved and adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS:

SECTION 1: That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2: That the Town Council of the Town of Westlake, Texas hereby approves the tex amendments to the PD3-8 zoning district as follows:

1.   That an additional note be added to the Permitted Uses Table to read as follows: "After site plans have been submitted for the first data center in the Office/Industrial Sub-district for review and approval; each successive data center thereafter shall require a SUP. This restriction shall only apply in the Office/Industrial Sub-district.";

2.   That, for the design and construction of the first data center in the Office/Industrial Sub-district only, the exterior finish material requirements and other architectural features contained in the building quality manual only apply to the building facades facing United States Highway 377 and residential properties;

3. That utility shop and storage, warehouse/storage (inside), warehouse/storage (outside), light manufacturing and apparel manufacturing only permitted as accessory uses to a movie studio only;

4. That a provision be added into the text of PD3-8 exempt movie studios from the building quality manual and that such architectural review and approval shall be subject to that of the town planner;

5. That Section 9 be titled: "BUFFER REQUIREMENTS";

6. That Section 9.1 be entitled: "Non-Compatible Use Setback"; and

7. That Section 9.2 be entitled: "Landscape Buffer".

SECTION 3: That this Ordinance shall be cumulative of all other Town Ordinances and all other provisions of other Ordinances adopted by the Town which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

SECTION 4: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5: It is hereby declared to be the intention of the Town Council of the Town of Westlake, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the Town Council of the Town of Westlake without the incorporation in this Ordinance of any such legally invalid or unconstitutional, phrase, sentence, paragraph or section.

SECTION 6: This ordinance shall take effect immediately from and after its passage as

the law in such case provides.

PASSED AND APPROVED ON THIS 6th DAY OF JANUARY 2025.

_____

Kim Greaves, Mayor

ATTEST:

_____

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

_____

L. Stanton Lowry, Town Attorney

EXHIBITS

EXHIBIT "A" —   Legal Description of PD 3-8

EXHIBIT "B" —   Concept Plan of PD 3-8

EXHIBIT "C" —   PD 3-8 Development Standards