

Future Land Use Map Consistency

Shoreline Ranch: Aligning the FLUM with Existing Entitlements

Shoreline Ranch Ask

Shoreline Ranch is requesting that the FLUM designation for its property match its existing entitlements, preserving its ability to request a modernized PDD Amendment for consideration by P&Z and Council.

The request today is Neighborhood Residential designation in the FLUM for Shoreline Ranch – NOT approval of a new PDD.

Pertinent Timeline

10/18/2007



On 10/18/2007, Shoreline Ranch received an approved update to its PDD, becoming the legally defining document dictating how Shoreline Ranch could be developed. The amended PDD outlined a Master Planned Community with single-family homes on quarter-acre, half-acre, and one-acre sized lots, a mix of condos and patio homes, waterfront amenities, and a private golf course with a clubhouse and related amenities. The residential pattern matches the Neighborhood Residential designation in the new Place Types defined in the proposed CMP. Conversely, it does NOT match the old Rural Residential or the new RR-1 FLUM designations.

Pertinent Timeline

10/18/2007 5/5/2016



2030 Comprehensive Master Plan adopted along with a FLUM that designated Shoreline Ranch as Rural Residential which is described in the 2030 CMP as an area containing 5+ acre lots. That designation appears to meet the City's own criteria of a mistake/error since it did NOT reflect any of the housing types granted in the 2007 PDD. According to former Development Services Director, Jordan Strohmeyer, a correction was requested at the time of the CMP adoption, but it was never processed by the city.

Fast Forward to the P&Z meeting on 7/9/2026 when the CMP/FLUM was on the agenda for consideration. Ms. Strohmeyer placed a FLUM map in the packet for consideration that designated Shoreline Ranch as Neighborhood Residential. That version of the FLUM tried to acknowledge the previous mistake and reflect the existing entitlements the landowners held.

Pertinent Timeline

10/18/2007

5/5/2016

1/2022



Current owners finish acquiring the parcels that make up Shoreline Ranch. Ownership begins the process of working with the city to bring their vision of the development to fruition, including notifying city staff of the FLUM error. An error former Development Services Director, Roy Jambor, acknowledged.

The current ownership group is NOT the same group that was granted the PDD amendment in 2007. The current ownership group only acquired the property a few years ago and has tried to work with the city ever since then to bring their economically viable vision to the property. This is not a stale entitlement that has been dormant for 20 years.

Pertinent Timeline

10/18/2007

5/5/2016

1/2022

8/2022



The new owners actively worked with the Development Services Director, Roy Jambor, to begin the process of having a new vision for Shoreline Ranch approved. Mr. Jambor has confirmed that he advised that they needed to obtain a FLUM change to match existing entitlements before seeking a PDD Amendment. Mr. Jambor requested a “letter of support” from the new owners and then scheduled the FLUM amendment request on P&Z’s agenda.

Pertinent Timeline

10/18/2007

5/5/2016

1/2022

8/2022

10/13/2022



P&Z heard the petition to have the FLUM updated to Low Density Residential for Shoreline Ranch. A motion was made and it passed unanimously to recommend to council that the FLUM designation for Shoreline Ranch be updated to Low Density Residential, matching its existing entitlements.

So, it is not unprecedented for this FLUM designation to be recommended for Shoreline Ranch by P&Z.

Pertinent Timeline

10/18/2007 5/5/2016 1/2022 8/2022 10/13/2022 1/19/2023



In January of 2023, the city council adopted Ordinance 23-01-19-03 which contained some key additions to the process of a FLUM Amendment:

- 1.) Any zoning change application not consistent with the FLUM cannot be considered unless the Comprehensive Plan is first successfully amended to eliminate the inconsistency.
- 2.) A Super Majority vote will be required at council level for a FLUM change, including corrections, no exceptions.
- 3.) Fee to request FLUM change is updated so that a large acreage landowner's application is calculated on a per acre basis. A Shoreline Ranch application would require a fee of over \$28,000 (this last change was modified by current council in ordinance 26-05-21-01 to make the fee much more reasonable).

Pertinent Timeline

10/18/2007

5/5/2016

1/2022

8/2022

10/13/2022

1/19/2023

8/3/2023



City council considers the Shoreline Ranch FLUM amendment approved unanimously by P&Z and denies it 6-1, halting progress on the project and preventing the new owner's vision from even being considered by P&Z and the city council.

Before I discuss what happened in August 2023, I want to acknowledge that I was sitting on your side of the dais for that meeting. I participated in the discussion and the vote. So, when I criticize aspects of that decision, I'm criticizing my own decision.

I've spent considerable time studying the PDD, the FLUM, and the subsequent ordinance changes and their interaction. I believe I made the wrong decision on 8/3/2023. That's one reason why I'm here today helping Shoreline Ranch request the proper FLUM designation.

8/3/2023 City Council Meeting

Why did a unanimous P&Z decision to approve the Shoreline Ranch FLUM amendment turn into a 6-1 denial vote at the council level? It came down to two things:

- **First**, our belief is the council **conflated two issues**: FLUM Amendment and PDD Amendment.
- With the January 2023 ordinance change requiring zoning changes to be consistent with the FLUM, the process broke into two separate decisions.
 - First, if landowners desire a zoning inconsistent with the FLUM designation, they must request a FLUM modification, and it is judged on its own merits. That decision is about the Place Type of the area and has nothing to do with the merits of a specific future PDD plan. The zoning change request **MUST** be consistent with the CMP/FLUM designation, or it cannot be considered.
 - Second, the actual zoning/PDD change request happens and that is when specific plan changes and density are discussed.
 - Much of Council's August 2023 discussion focused on concerns about a potential future PDD amendment rather than the narrower question then before Council: the appropriate FLUM designation. All the landowner wanted was the FLUM designation corrected which allowed it to submit a future zoning change request that was aligned with its existing entitlements. In the meeting, it appeared that council focused heavily on the potential future PDD Amendment and gave comparatively little attention to the narrower FLUM question before it.
 - In our current system, Zoning Changes **MUST** be consistent with the CMP/FLUM. The FLUM controls what Zoning may even be requested. Given that is the system in place, existing entitlements matter when it comes to making designations on the FLUM. Otherwise, you preclude landowners from even **ASKING** for changes that closely reflect what they are already entitled.

8/3/2023 City Council Meeting

Why did a unanimous P&Z decision to approve the Shoreline Ranch FLUM amendment turn into a 6-1 denial vote at the council level? It came down to two things:

- **Second**, some council members focused on the fact that the developer bought the land with existing entitlements and expected that developer to **live with what they bought**.
 - Cities (through duly elected council members) amend old ordinances because circumstances change. Property owners request amendments to old PDDs for the same reason.
 - Did the developer know what they were buying? Absolutely
 - Does that mean the PDD must remain unchanged forever? No. The existence of a PDD amendment procedure itself demonstrates that PDDs were never intended to be immutable.
 - Just imagine if any ordinance change the council considered had to match a Future Ordinance Plan (FOP), the FOP was designed to not match future ordinance desires, and the change required a super majority vote (6 of 7). Do you think you would ever modify any ordinance ever? That is what the city has put in front of landowners.
 - Our contention is that the Shoreline Ranch PDD shouldn't be any more immutable than Lago Vista city ordinances. Both city ordinances and PDDs have a defined process for alteration and both should be equally open to modification. In the case of the Shoreline Ranch PDD, **that starts with a FLUM designation that matches its existing entitlements.**

8/3/2023 City Council Meeting

To highlight the first point, remember:

- In September of 2022, a local developer, Younger Homes, requested that approximately 18 acres of land near 1431 be modified to receive a FLUM designation of Mixed Use
- Its original FLUM designation was Rural Residential.
- The argument was the land was inconsistent with feasible development and that the inconsistency resulted from an “oversight”.
- P&Z had unanimously recommended the change to the FLUM designation.
- On 9/1/2022, the city council followed up P&Z action by also unanimously approving the change from Rural Residential to Mixed Use as the FLUM designation for the property.
- In 2023, the developer sought the approval of the Lago Place PDD. Significant public opposition arose and the developer subsequently withdrew the PDD request.
- This example is provided to demonstrate that a modification to the FLUM designation does not preordain a zoning change. It simply **allows** for a zoning change to be requested.
- The local record demonstrates that FLUM modification and the subsequent zoning approval are two separate decisions.

Which Place Type Fits the Existing Entitlement

Keep in Mind: Approving Neighborhood Residential today does not require Council to approve a future PDD amendment.

2007 Entitlement	Rural Residential (5+ acre lots) RR1 (3+ acre lots)	Low Density Residential (1-4 per acre) Neighborhood Residential (1-4 units per acre)
1/4-acre lots	Not allowed	Yes
1/2-acre lots	Not allowed	Yes
1-acre lots	Not allowed	Yes
Multifamily/condos	Not allowed	Yes, if compatible
Master-planned neighborhood	Weak fit, No Diversity	Strong fit
	ZERO compatible residential lot types	Accommodates ALL existing residential entitlements and permits a similar future amendment request

Pertinent Timeline

10/18/2007

5/5/2016

1/2022

8/2022

10/13/2022

1/19/2023

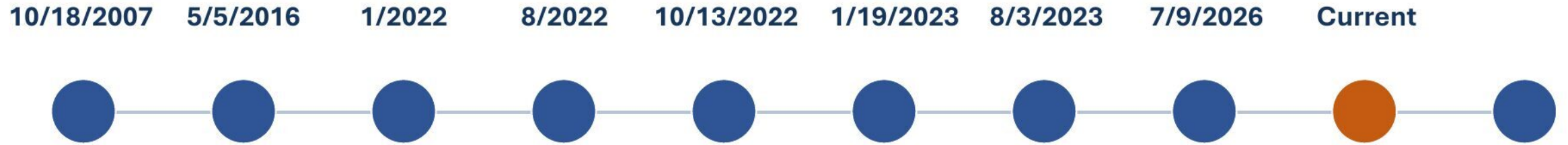
8/3/2023

7/9/2026



P&Z takes up the CMP/FLUM issue. They recommended a version of the FLUM to council that was never in one of their packets (I asked and they confirmed that fact). It had only appeared on the P&Z discussion board and only 3 commission members had posted comments on the discussion board. Shoreline Ranch was designated Rural Residential 1 (3+ acre lots) without any discussion about how that designation matched existing entitlements. After the meeting, when asked, multiple P&Z members voiced that they were unaware of the existing entitlements held by Shoreline Ranch.

Pertinent Timeline



The update of the CMP and FLUM are in the City Council's hands.

Does the FLUM match what the CMP says?

- The recommended CMP states: “The Future Land Use Plan is not a zoning map and does not grant development rights or entitlements. It does not predetermine specific land uses, densities, or development outcomes. “
- That statement and reality do not match. The designation of Rural Residential 1 for Shoreline Ranch in the FLUM does predetermine that only 3+ acre homesites will be allowed as a change to the existing entitlement unless the FLUM designation is changed to something like Neighborhood Residential.
- The FLUM may not grant development rights, but under §13.20(d) it determines which zoning amendments may be considered without first obtaining a FLUM amendment.
- For Shoreline Ranch, the RR-1 designation means a future PDD amendment inconsistent with 3+ acre lots **WILL NOT** be considered unless the FLUM is first changed.
- **RR-1 therefore does NOT preserve the status quo. It restricts what kinds of future PDD amendments Shoreline Ranch may even ask the City to consider. Contrary to the CMP language, a RR-1 FLUM designation DOES predetermine what Shoreline Ranch owners can even ask the city to approve.**

How did we get here and where do we go?

- **Shoreline Ranch's entitlement did not become inconsistent with the FLUM because of the landowner. Instead, it was the City that adopted a FLUM inconsistent with the preexisting entitlement and then adopted an ordinance that created an obstacle to future PDD amendments.**
- Under RR-1, Shoreline Ranch is effectively limited to two paths: pursue its nearly 20-year-old existing PDD that has yielded multiple unsuccessful development attempts or seek amendments consistent with 3+ acre development which also has historical problems. Neighborhood Residential creates a third path—allow the owner to propose a modernized, market driven master plan consistent with the general character of its existing entitlements and allow P&Z and Council to evaluate that proposal on its merits.
- This isn't about relitigating the past. The question now is simply what Place Type best reflects the existing entitlements and preserves Council's ability to consider a future proposal on its merits. Neighborhood Residential is the answer.
- **Keep in mind, the City modified the FLUM for the old WTP2 property from Low Density Residential to City Park to reflect the existing use of the land. City code allows for both a City as well as a private landowner-initiated change to the FLUM. This provides a recent example of the City using the FLUM amendment process to align the map with circumstances on the ground, which is like our request. The city is doing the same with Bowden Point. We are looking for the same opportunity to have the FLUM reflect existing conditions/entitlements.**
- **Neighborhood Residential designation in the FLUM does not give Shoreline Ranch approval to build anything. It gives Shoreline Ranch the opportunity to ASK for a change consistent with their current entitlements.**

Final Thoughts

- In the December 2024 joint City Council and Comprehensive Planning Advisory Committee, meeting several things were discussed:
 - There were a variety of discussions about the fact that the FLUM should reflect existing entitlements. There was agreement in that meeting that the FLUM should reflect existing entitlements. Why are we having to fight for it now?
 - We also discussed making sure the FLUM designations were appropriate so development would happen. There was no desire for designations that stymied development. That being the case, why are we having to fight to have the right present such a plan?
 - At the December 2024 meeting the council and CPAC agreed that the undeveloped land on the eastern side of the city would be anointed with the Neighborhood Residential designation. Why are we having to fight for something that was already discussed by the appropriate bodies and determined almost 2 years ago?
- What about transparency? Potential residents that rely on the FLUM to understand what they might live next to will be misled with a RR-1 designation. That does not match what could be built with existing entitlements. Not only is a RR-1 not transparent, it is outright mis-leading.
- Is it smart for the city to treat landowners differently? Allowing some to have a FLUM designation that matches their existing entitlements and not allowing it for others? Could that lead to legal troubles? You may want to ask your attorney that question.
- In closing, we are not asking for the development entitlements right now. Instead, we are asking for the appropriate FLUM Designation, so we have the ability to bring forward a modern, market driven development plan that can be evaluated on its merits.