



CITY COUNCIL CONSIDERATION ITEM CITY OF FAIR OAKS RANCH, TEXAS September 7, 2023

AGENDA TOPIC: Consideration and possible action approving the first reading of an ordinance amending the City of Fair Oaks Ranch Unified Development Code (UDC), Chapter 4 – Zoning Districts and Use Regulations and Chapter 5 – Subdivision Design Standards.

DATE: September 7, 2023

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Grant Watanabe, P.E., Director of Public Works & Engineering Services
Lata Krishnarao, A.I.C.P., Consultant, LEED ND, Consultant, Ardurra

PURPOSE:

Following the adjournment of the Public Hearing, the purpose of this agenda item is to provide an opportunity for discussion of proposed changes and any public comments received, and for consideration and possible action approving the first reading of an ordinance amending the City of Fair Oaks Ranch Unified Development Code Chapters 4-5.

Chapter 4: Zoning Districts and Use Regulations

Chapter 5: Subdivision Design Standards

INTRODUCTION/BACKGROUND:

Over the past two years the Planning and Zoning Commission (P&Z Commission) worked with City staff and the planning consultant on identifying and creating amendments to the Unified Development Code (UDC). The process consisted of the following steps:

1. A series of five work sessions were held to discuss the diagnostic findings of the current UDC and to gather the P&Z Commission's input on the issues identified. Staff also provided input and recommendations. Additionally, the consultant's experience in utilizing the UDC to undertake review of planning applications assisted in identifying areas of improvement.
2. Implementation steps were identified that included text amendments, incorporation of additional guidelines, and topics for further research and discussion.
3. The P&Z Commission was provided with a complete redlined version and a clean version of the proposed text amendments, and the City consultant presented a broad review of the changes.
4. The P&Z Commission determined a chapter-by-chapter review would be beneficial to understand the amendments and a series of work sessions were held to complete this review.
5. After the completion of this review, a final redline version and clean version of the UDC was produced and presented to the P&Z Commission.
6. At the P&Z Commission's March 9, 2023 meeting, the Commissioners recommended approval of the amendments to the City Council.

7. Subsequently, as directed by the City Council at their meeting of April 20, 2023, the proposed amendments were broken down into topics prioritized by the P&Z Commission. The City Council approved the topics on May 18, 2023.
8. On August 10, 2023, the P&Z Commission conducted a public hearing to receive public testimony on the proposed amendments to Chapters 4-5. Several residents voiced concerns regarding proposed changes to Table 4.2 Use Table regarding Commercial Stables/Boarding and the need to remain a “horse-friendly community” which contributes to the City’s rural hill country character. Following discussion on the need to incorporate “Non-Commercial Stables/Boarding of Horses as Accessory Use” and better define “Commercial Stables/Boarding,” the P&Z Commission voted unanimously to recommend approval of the proposed amendments with the condition that such changes, subject to P&Z Chairperson approval, be incorporated. The changes specific to this topic have been incorporated into the proposed amendments reflecting “Special Use Permit” for “Commercial Stables/Boarding,” and “Permitted with Conditions” for “Non-Commercial Stables/Boarding of Horses as Accessory Use” in all zoning districts.
9. At the Council meeting, the City Council will hold a Public Hearing on Chapters 4-5 to receive public testimony prior to consideration of this agenda item.

Supporting documents relative to this consideration item are included in the Public Hearing portion of the agenda packet. The front pages of the ordinance is attached, **while the marked-up version is included with the Consent Item.**

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Supports Priorities 2.1.2 and 2.2.5 of the Strategic Action Plan to Evaluate and Update the Comprehensive Plan and Unified Development Code.
2. Brings Chapters 4-5 into compliance with state law and recent legislative changes.
3. Various changes to preserve our City’s rural, hill country character.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

Legal has attended all P&Z Commission meetings, provided necessary guidance, and drafted the attached ordinance.

RECOMMENDATION/PROPOSED MOTION:

I move to approve the first reading of an Ordinance amending the City of Fair Oaks Ranch Unified Development Code (UDC), Chapter 4 – Zoning Districts and Use Regulations and Chapter 5 – Subdivision Design Standards.