



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

AGENDA TOPIC: Approval of the second reading of an ordinance amending the City of Fair Oaks Ranch Unified Development Code (UDC), Chapter 1 - General Provisions, Chapter 2 - Review Authority and Procedures, and Chapter 3 - Applications and Permits.

DATE: September 7, 2023

DEPARTMENT: Public Works and Engineering Services

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

PURPOSE:

On August 17, 2023, the City Council unanimously approved, with conditions, the first reading of an Ordinance amending the City of Fair Oaks Ranch Unified Development Code (UDC), Chapter 1 - General Provisions, Chapter 2 - Review Authority and Procedures, and Chapter 3 - Applications and Permits. The ordinance (**Attachment A**) has been updated to reflect these conditions. This consent item represents the second reading of the ordinance.

INTRODUCTION/BACKGROUND:

During 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 June 6, 2023, the P&Z Commission reviewed this first set of amendments with the Change Summary Report (as requested by the City Council) for Chapters 1-3.
9. On July 13, 2023, the P&Z Commission conducted a public hearing to receive public testimony on the proposed amendments to Chapters 1-3. Upon closing the public hearing, the P&Z Commission voted unanimously to recommend approval of the proposed amendments and authorized advancement to the City Council.
10. On August 17, 2023, the City Council conducted a public hearing to receive public testimony on the proposed amendments to Chapters 1-3. Upon closing the public hearing, the City Council voted unanimously to approve with conditions the first reading of an ordinance amending Chapters 1-3.

The following conditions of approval have been incorporated into Exhibit A of the ordinance.

- Section 1.9 (d), removed the word “joint” in reference to public hearings.
- Table 3.1 “Summary of Review Authority,” change “o” to “x” to reflect ZBOA as the final authority for “Appeal of Denial of Sign Permit”.
- Section 3.7 (4)(a), remove text in the sentence “If the Zoning Map is amended, the Comprehensive Plan and Code should also be amended if ~~the Commission finds it~~ necessary or advisable.”

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 1-3 into compliance with state law and recent legislative changes.
3. Clarifies the City’s review and approval authorities and procedures regarding various applications and permits.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

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

RECOMMENDATION/PROPOSED MOTION:

Consent Item - I move to approve the second reading of an ordinance amending the City of Fair Oaks Ranch Unified Development Code, Chapter 1- General Provisions, Chapter 2 – Review Authority and Procedures, and Chapter 3 – Applications and Permits.