

Fair Oaks Ranch Proposed UDC Amendments - Summary of Significant Changes Chapter 5

Topic # 3 - Subdivision Standards

	Sections of the Current UDC (2019)	Proposed Change This list reflects the changes made to the UDC adopted in 2019	Reason
1	Section 5.4 (2)	Corrected the percentage in the formula to match the text description.	Clarified the formula to make it easier to understand.
2	Section 5.4 (4)	Added - "...of a policy variance, after a recommendation from the Planning and Zoning Commission. The minimum width of the pole portion of the lot shall be twenty feet (20')."	Clarified that the process requires a recommendation from Planning and Zoning Commission. Added minimum width for the pole portion of the lot to ensure fire/emergency services access. This information was missing.
3	Table 5.1	Impervious Cover Replaced "Refer to Restriction Committees" with "Not Regulated". Added a note regarding enforcement through deed restrictions.	Legal input - impervious cover for the R1, R2, R3, and R4 districts are privately enforced through deed restrictions.
4	Section 5.5	Section 5.5 (3) Added standards for cul-de-sacs Table 5.2 Block Length and Character Block length increased to 1200'.	Staff input. Missing standards. Old subdivision regulations had addressed these requirements. Diagrams added. Input from City staff/Fire Marshal/development community and to ensure fire/emergency services access.
5	Section 5.6	Easements Added language to address minimum width, encroachments, overhangs.	Staff input. Missing standards. Old subdivision regulations had addressed these requirements.

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July 20, 2023

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CHAPTER 5 SUBDIVISION DESIGN STANDARDS

Section 5.1 Purpose

The purpose of this Chapter is to describe Subdivision development standards for residential and non-residential developments. This Chapter contains lot size, lot configuration, easement considerations, and general open space requirements in order to provide for a variety of housing and land development patterns and to meet the diverse needs of the current and future residents of Fair Oaks Ranch, all in a manner consistent with the goals and objectives set forth in the Comprehensive Plan. This Chapter also contains standards on Maximum Impervious Cover, both for entire subdivisions and for individual lots as they are developed. The impervious cover standards are essential in order to manage or avoid the adverse problems of excessive quantity and degraded quality of urban storm water runoff, increased erosion of downstream channels and waterways, reduced interception and absorption of rainfall and runoff by the soil and vegetative cover, increased reradiating of excessive heat from large pavement surfaces, and other related problems that can arise as a result of intensive urban development. Chapter 6 Site Development and Building Form Standards, and 7, Design Standards, have additional standards that pertain to both residential and non-residential development.

Section 5.2 Applicability

- (1) This Chapter identifies minimum standards for areas both within the city limits and the ETJ. Lot design standards within the city limits are categorized by Zoning District. Because zoning only applies to areas within the City limits, these standards are not applicable to development in the ETJ; however, these lot standards will apply to areas previously outside the City limits after they are incorporated and then zoned through annexation and zoning procedures.
- (2) Lot sizes outside the City limits are restricted by on-site sewage facility (OSSF) standards. Bexar, Comal and Kendall Counties are the responsible entities that review and approve applications for an OSSF. For developments planning to utilize OSSFs, please consult the County in which the property is located for OSSF standards and rules.

Section 5.3 Minimum Requirements

- (1) The design standards contained in this Unified Development Code (Code) represent minimum standards considered necessary to ensure good public health and safe development within the community. The Subdivider is required to meet or exceed these standards.
- (2) Approval of plans and specifications by the City will not be construed as relieving the Subdivider and his professional engineer of responsibility for compliance with this Code or with the requirements of other local, county or state authorities having jurisdiction.
- (3) No Preliminary Plat or Final Plat will be approved and no completed improvements will be accepted unless they conform to the standards and specifications of this Code. Every building erected or moved and every lot platted for development must conform to the following minimum requirements:
 - a. Meet the minimum lot requirements of the zoning district that it is located on;
 - b. Have direct access to an approved public or private street or street right of way, as specified in this Code; ~~except as provided in Section 7.4(1) of this Code~~;
 - c. Provide safe parking and fire and police access; and
 - d. Meet ~~the minimum dimensional, environmental, parking, landscaping, and water conservation~~ all other applicable requirements of this Code.

- (4) No development applications for a Subdivision development will be approved without a geological assessment, if required by the City, as per Title 30, Texas Administration Code 213.5. Development applications include Site Plans, Site Develop ~~submit a geological assessment in conjunction with a Site Plan.~~
- a. The geological assessment must contain all that information required by Title 30, Texas Administration Code 213.5.
 - b. Subsequent applications required to develop the subject property will not require a new geological assessment provided the regulated activity, as submitted in the application, is consistent with the accepted geological assessment. Any deviations will result in the need to submit an updated geological assessment prior to final approval of the application.
 - c. Critical and sensitive geological features shall count towards dedication of open space in accordance with the regulations provided in Section 8.6 of this Code.

Section 5.4 Lots

(1) Minimum Lot Size

- a. Lots Served by a Public Water and Wastewater System. All lots in a subdivision within the corporate limits of the City or within the City's extraterritorial jurisdiction (ETJ) which are served by a Public Water and a Public Wastewater System will have no minimum area, except the applicable regulations outlined in Chapter 4, Zoning Districts and Use Regulations, of this Code.
- b. Lots Served by a Private Well or OSSF. Lots in a subdivision within the corporate limits of the City or within the City's ETJ which are served by either individual private wells and public Wastewater Systems, or Public Water Systems and private on-site sewage facilities disposal systems (OSSF), will have a minimum street frontage of 150 feet and total lot area greater than 1 acre.
- c. Lots Served by a Private Well and OSSF. Lots in a subdivision within the corporate limits of the City or within the City's ETJ which are served by individual private wells and private on-site sewage disposal systems will have a minimum street frontage of 200 feet and total lot area greater than 217,800 square feet (5 acres).

(2) Impervious Cover

- a. Maximum Impervious Cover. Each development has a Maximum Impervious Cover standard based on zoning district that limits the intensity of development over the entire tract or proposed subdivision. Impervious cover will be calculated by the developer. The formula for computing Maximum Impervious Cover is a two- step process, as follows:
 - i. Net Site Area. The Net Site Area is calculated by summing those portions of the tract or subdivision that are readily developable- lands outside of floodplain areas and having a flat or moderately sloping surface. It is defined as follows:
 - 1) One hundred (100) percent of land with a slope of fifteen (15) percent or less and located outside of the one hundred (100) year floodplain; and
 - 2) Fifty (50) percent of the land with a slope of more than fifteen (15) percent and not more than twenty five (25) percent and located outside the one hundred (100) year floodplain; and
 - 3) Zero (0) Percent of the land with a slope of more than twenty-five (25) percent of the land percent and located outside the one hundred (100) year floodplain.

4) Put another way: Net Site Area = Gross Site Area – (100-year floodplains +100% of land at ~~15~~**25**% slope or greater outside of floodplain +50% of land area with 15%-25% slopes outside of floodplain).

- ii. **Maximum Impervious Cover Application.** Maximum Impervious Cover standard is applied to the Net Site Area as follows:
 - 1) The Maximum Impervious Cover, measured as a percent, is multiplied by the Net Site Area to calculate the Total Allowable Impervious Cover for the entire tract or proposed subdivision.
 - 2) Put another way: Maximum Impervious Cover (%) X Net Site Area = Total Allowable Impervious Cover.
 - 3) **Impervious Cover Example:** For example, a hypothetical 100 acre tract has 90 acres of land outside the 100 Year Flood. Of that 90 acres 50 acres has a slope less than 15% and 40 acres has a slope of 20%. The 50 acres of relatively flat land has no penalty but the moderately sloped 40 acres only counts as half towards the net site area. Therefore, the applicant is left with 70 acres of net site area of the 100 acres. The tract is zoned at rural residential so the applicant would be allowed up to 20% of the site to be impervious cover, in this case 14 acres.)
- iii. **Infrastructure.** Impervious cover includes the infrastructure for the development (streets, sidewalks, parking areas, etc.) plus specific improvements on each lot (buildings, driveways, patios) and any other constructed surfaces that are impenetrable to stormwater. When calculating impervious cover for a subdivision the impervious cover due to infrastructure can be clearly calculated and an approximation can be calculated based on the average size building footprint and driveway footprint per lot.
- iv. **Maximum Impervious Cover by Zoning District**

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential
Maximum Impervious Cover	80%	80%	60%	70%	Refer to Restriction Committees	40%	20%

Table 5.1 Impervious Cover

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential
Maximum Impervious Cover	80%	80%	60%	70%	Not regulated*	40%	20%

* Note: Impervious Cover for the R1, R2, R3, and R4 districts are privately enforced through deed restrictions. The City does not enforce private deed restrictions or HOA regulations. The City does not enforce private deed restrictions or HOA regulations.

(3) Street Access

All lots subdivided under this Code will front on a public or private street built in conformance with city standards. Lots without direct street access are prohibited. Direct street access is defined as a common property line between the lot in question and the public or private street ROW line.

(4) Flag Lots

Flag shaped lots generally will not be approved in any subdivision. Lots that have a long dimension (depth) greater than five times the lots' street frontage (width) will only be permitted with City Council approval of a policy variance, after a recommendation from the Planning and Zoning Commission. The minimum width of the pole portion of the lot shall be twenty feet (20').

Section 5.5 Blocks

(1) Block Length and Character

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential
Block Length	600' Maximum and no more than 400' without a midblock pedestrian connection	500' Maximum	1000' Maximum	1000' Maximum	Refer to individual Restriction Committees	800' Maximum	No Maximum
Block Character	Rectilinear and/or connected blocks	Rectilinear and/or connected blocks	Rectilinear and/or connected blocks	Rectilinear and/or connected blocks	Defer to individual Restriction Committees	Rectilinear or curvilinear connected blocks	Rectilinear or curvilinear blocks

Table 5.2 Block Length and Character

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential
BLOCK LENGTH	1200' MAXIMUM AND NO MORE THAN 400' WITHOUT A MIDBLOCK PEDESTRIAN CONNECTION	1200' MAXIMUM	1200' MAXIMUM	1200' MAXIMUM	REFER TO INDIVIDUAL RESTRICTION COMMITTEES NO REGULATION*	1200' MAXIMUM	NO MAXIMUM
BLOCK CHARACTER	RECTILINEAR AND/OR CONNECTED BLOCKS	RECTILINEAR AND/OR CONNECTED BLOCKS	RECTILINEAR AND/OR CONNECTED BLOCKS	RECTILINEAR AND/OR CONNECTED BLOCKS	NO REGULATION*	RECTILINEAR OR CURVILINEAR CONNECTED BLOCKS	RECTILINEAR OR CURVILINEAR BLOCKS

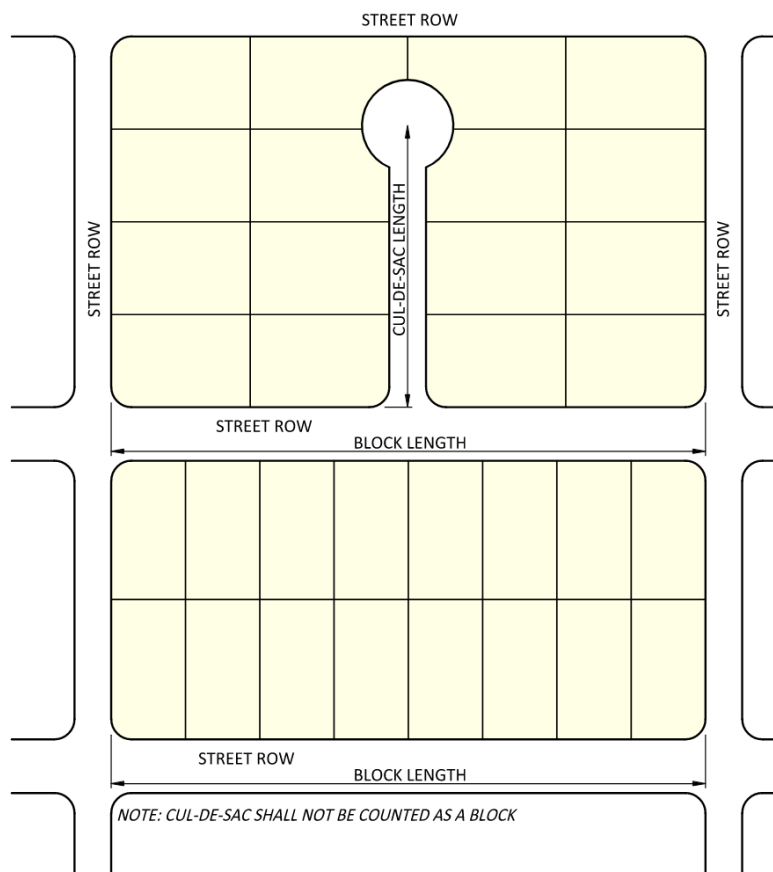
* Note: Block Length and Block Character for the R1, R2, R3, and R4 districts are privately enforced through deed restrictions. The City does not enforce private deed restrictions or HOA regulations. The City does not enforce private deed restrictions or HOA regulations.

(2) Width

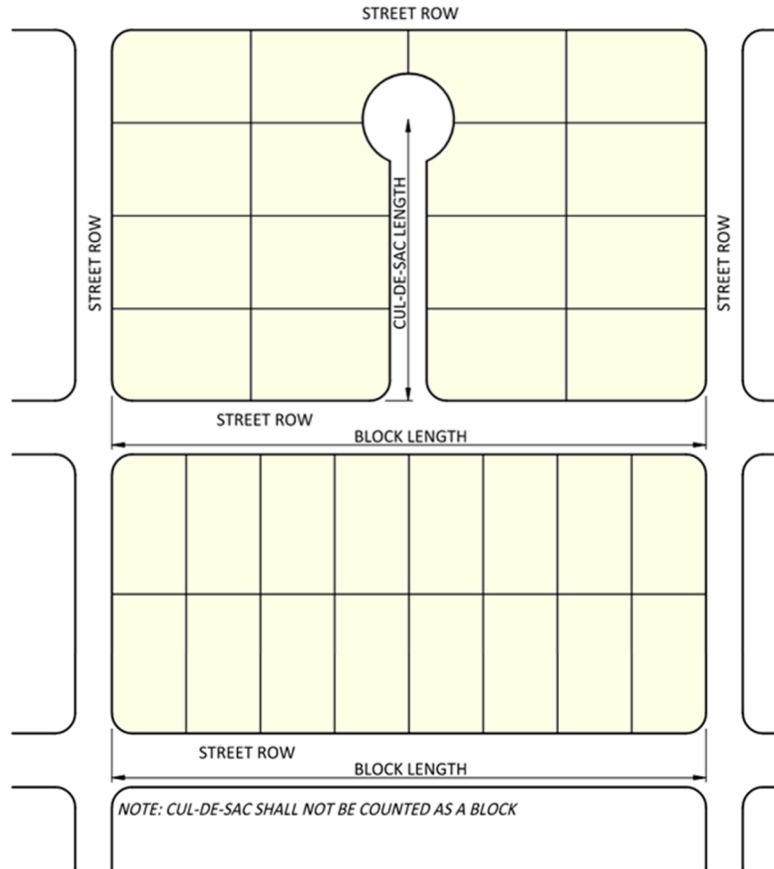
Blocks will be wide enough to accommodate two rows of lots, except where the lots back up to a major street with no access by the lots.

(3) Cul-de-sacs

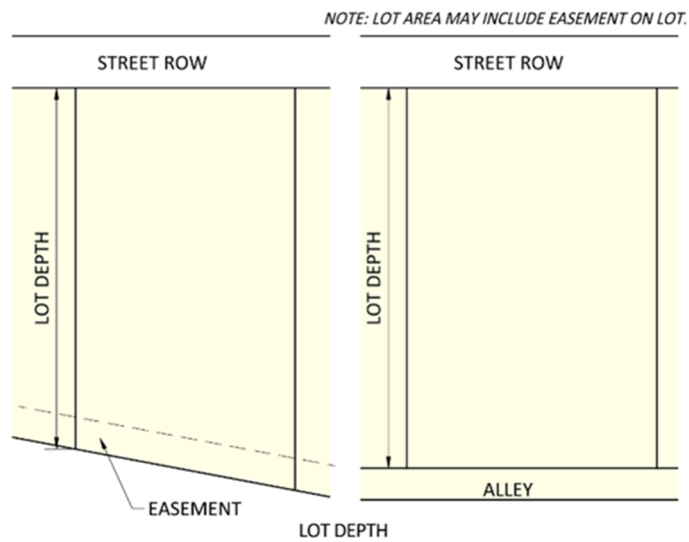
In general, cul-de-sac streets may not exceed 600 feet in length and shall be designed with a minimum cul-de-sac turnaround of not less than a 100-foot diameter right-of-way and a minimum 96-foot diameter pavement surface in residential areas and not less than a 150-foot diameter right-of-way and a minimum 146-foot diameter pavement surface in commercial and industrial areas. Cul-de-sac streets over 600 feet in length may be acceptable upon approval of a policy variance by the City Council upon recommendation by the Planning and Zoning Commission. The Planning and Zoning Commission will make a recommendation to accept or reject a plan with longer cul-de-sac streets based on its merits after considering density, land use, safety and convenience.

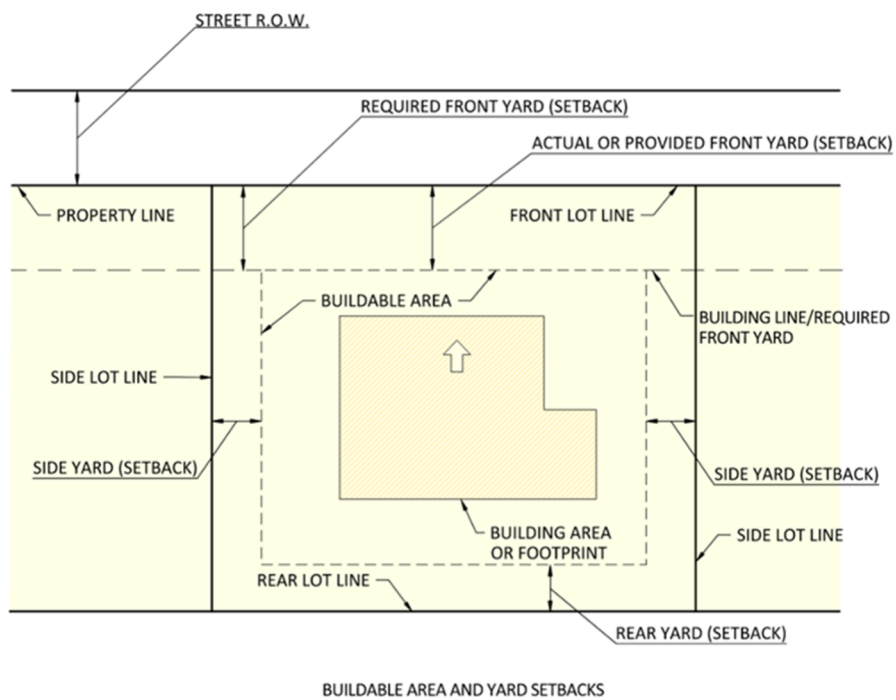
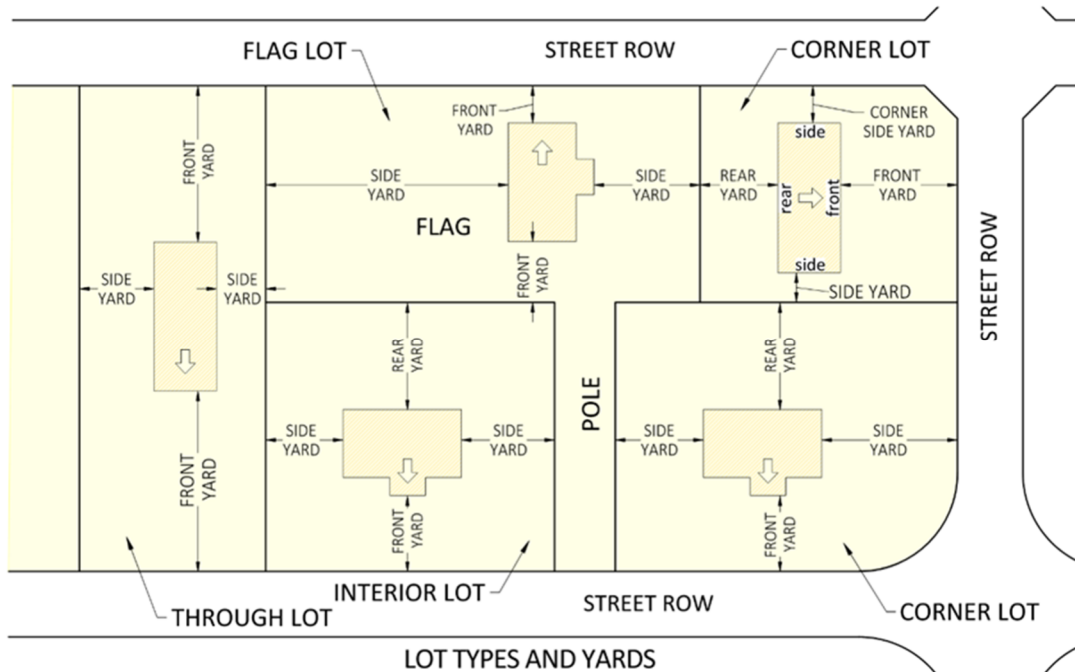


BLOCK LENGTH AND CUL-DE-SAC LENGTH



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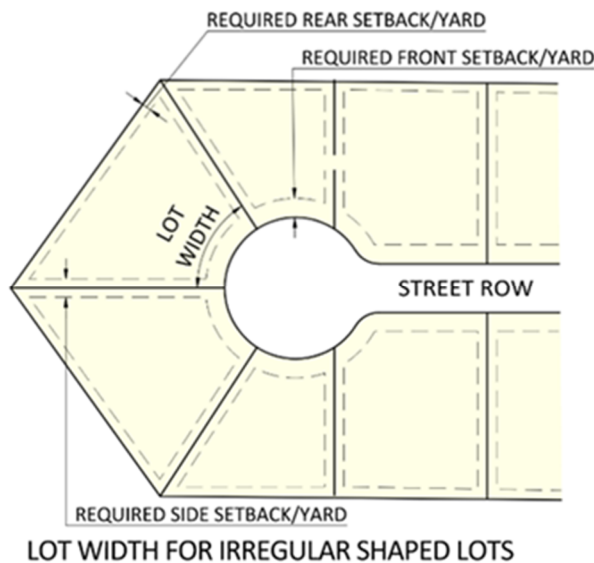


Figure 5.1 Block and lot illustrations

Section 5.6 Easements

(1) Dedication required

Where necessary to adequately serve a subdivision with public utilities, the subdivider will dedicate or grant easements for poles, wires, conduits, drainage channels, stormwater, water, wastewater and other utilities. These easements shall be at least 15 feet wide, except that where an easement contains multiple utilities and the city determines that a greater width is necessary, the city may require a minimum width of up to 20 feet. In certain circumstances, additional width may be required by the City or the utility provider. All necessary on-site easements should be established during the platting process and establishment of easements by a separate instrument is discouraged.

(2) Location of easements

The easements required under this section will be continuous for the entire length of the block. These easements will parallel as closely as possible the street line frontage of the block. Easements may ~~not~~ straddle, ~~but may~~ cross property lines and ~~may~~ cross lots other than along lot boundary lines, if in the opinion of the City Manager (or designee), such locations are needed.

(3) Access to easements

Drainage easements are not permitted to be enclosed by a fence or gate, except to contain a basin or pond in accordance with TCEQ. All fences crossing an easement will have double swing gates to allow ready access to the easement. The minimum width of the opening will be no less than 12 feet.

(4) Additional easements for guy wires

Where aboveground utility easements or alleys are not straight within each block, or if they do not connect on a straight course with the utility easements or alleys of adjoining blocks, then additional

easements will be provided for the placing of guy wires on lot division lines in order to support poles set on the curving or deviating easement lines or alley row.

(5) Encroachments on easements

No structure, vegetation (other than ground cover), or equipment shall be placed within any easement dedicated pursuant to this UDC unless the person or entity wishing to place such structure or equipment has first obtained written consent to encroach from all holders of the right to use said easement. A fence or screen shall be permitted over any utility easement only if approved by the City Manager or designee and provided that the easement remains fully accessible to the city for maintenance and repair purposes. A fence or screen shall be permitted over any drainage easement if the water flow within the easement is not adversely affected by the fence or screen. In addition to all other remedies provided by this Unified Development Code, the city may summarily remove any fence or screen erected in violation of this section, and the city shall not incur any liability or assume any duty to compensate the owner or replace the fence or screen.

(6) Overhang easements

Where utilities are not located in alleys, an overhang easement at least six (6) feet wide must be provided on the opposing side of the 15-foot easement strip, at a height at and above 10 feet. In all alleys, overhang easements at least six feet wide must be provided on each side of the alley for electric and telephone lines, at a height at and above 10 feet.

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- 1) The Maximum Impervious Cover, measured as a percent, is multiplied by the Net Site Area to calculate the Total Allowable Impervious Cover for the entire tract or proposed subdivision.
- 2) Put another way: Maximum Impervious Cover (%) X Net Site Area = Total Allowable Impervious Cover.
- 3) Impervious Cover Example: For example, a hypothetical 100 acre tract has 90 acres of land outside the 100 Year Flood. Of that 90 acres 50 acres has a slope less than 15% and 40 acres has a slope of 20%. The 50 acres of relatively flat land has no penalty but the moderately sloped 40 acres only counts as half towards the net site area. Therefore, the applicant is left with 70 acres of net site area of the 100 acres. The tract is zoned at rural residential so the applicant would be allowed up to 20% of the site to be impervious cover, in this case 14 acres.)
- iii. Infrastructure. Impervious cover includes the infrastructure for the development (streets, sidewalks, parking areas, etc.) plus specific improvements on each lot (buildings, driveways, patios) and any other constructed surfaces that are impenetrable to stormwater. When calculating impervious cover for a subdivision the impervious cover due to infrastructure can be clearly calculated and an approximation can be calculated based on the average size building footprint and driveway footprint per lot.
- iv. Maximum Impervious Cover by Zoning District

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All lots subdivided under this Code will front on a public or private street built in conformance with city standards. Lots without direct street access are prohibited. Direct street access is defined as a common property line between the lot in question and the public or private street ROW line.

(4) Flag Lots

Flag shaped lots generally will not be approved in any subdivision. Lots that have a long dimension (depth) greater than five times the lots' street frontage (width) will only be permitted with City Council approval

of a policy variance, after a recommendation from the Planning and Zoning Commission. The minimum width of the pole portion of the lot shall be twenty feet (20').

Section 5.5 Blocks

(1) Block Length and Character

Table 5.2 Block Length and Character

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential
BLOCK LENGTH	1200' MAXIMUM AND NO MORE THAN 400' WITHOUT A MIDBLOCK PEDESTRIAN CONNECTION	1200' MAXIMUM	1200' MAXIMUM	1200' MAXIMUM	REFER TO INDIVIDUAL RESTRICTION COMMITTEES NO REGULATION*	1200' MAXIMUM	NO MAXIMUM
BLOCK CHARACTER	RECTILINEAR AND/OR CONNECTED BLOCKS	RECTILINEAR AND/OR CONNECTED BLOCKS	RECTILINEAR AND/OR CONNECTED BLOCKS	RECTILINEAR AND/OR CONNECTED BLOCKS	NO REGULATION*	RECTILINEAR OR CURVILINEAR CONNECTED BLOCKS	RECTILINEAR OR CURVILINEAR BLOCKS

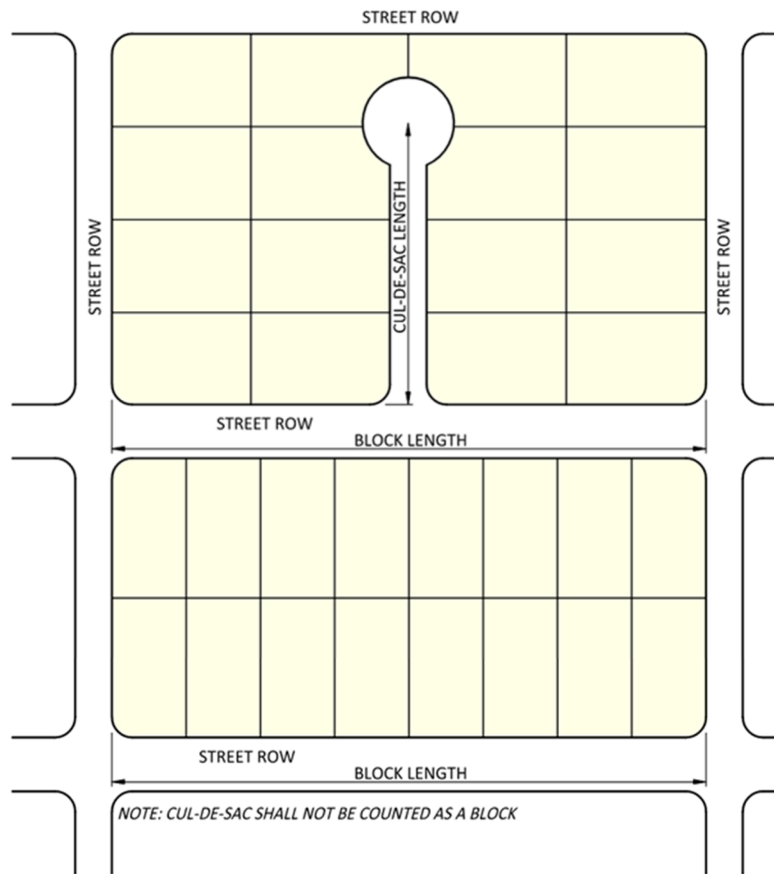
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(2) Width

Blocks will be wide enough to accommodate two rows of lots, except where the lots back up to a major street with no access by the lots.

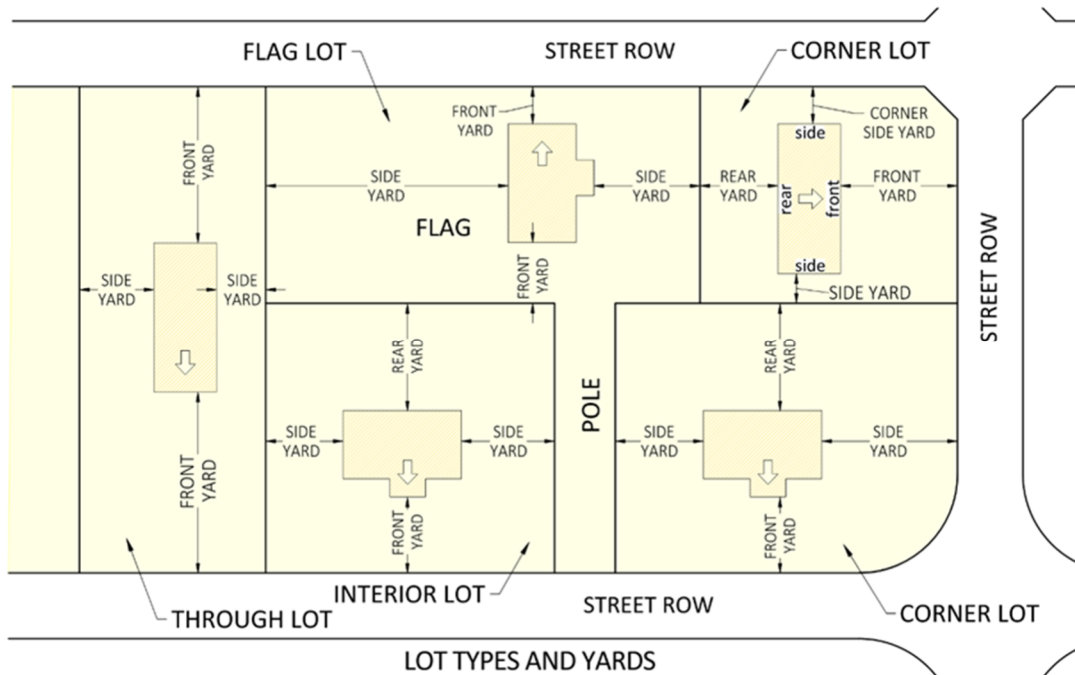
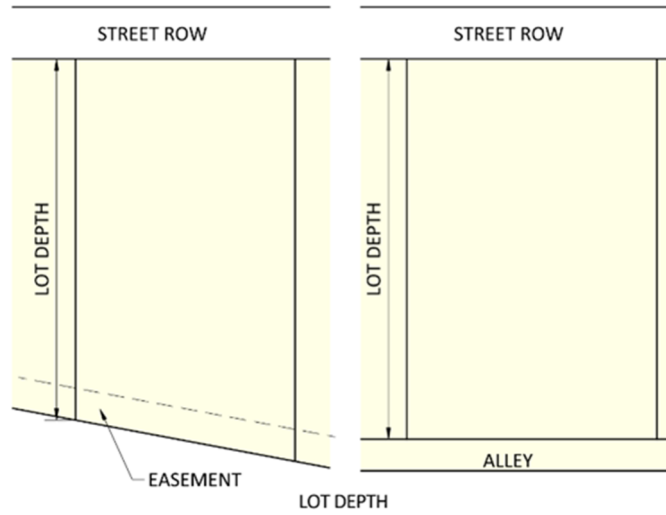
(3) Cul-de-sacs

In general, cul-de-sac streets may not exceed 600 feet in length and shall be designed with a minimum cul-de-sac turnaround of not less than a 100-foot diameter right-of-way and a minimum 96-foot diameter pavement surface in residential areas and not less than a 150-foot diameter right-of-way and a minimum 146-foot diameter pavement surface in commercial and industrial areas. Cul-de-sac streets over 600 feet in length may be acceptable upon approval of a policy variance by the City Council upon recommendation by the Planning and Zoning Commission. The Planning and Zoning Commission will make a recommendation to accept or reject a plan with longer cul-de-sac streets based on its merits after considering density, land use, safety and convenience.



BLOCK LENGTH AND CUL-DE-SAC LENGTH

NOTE: LOT AREA MAY INCLUDE EASEMENT ON LOT.



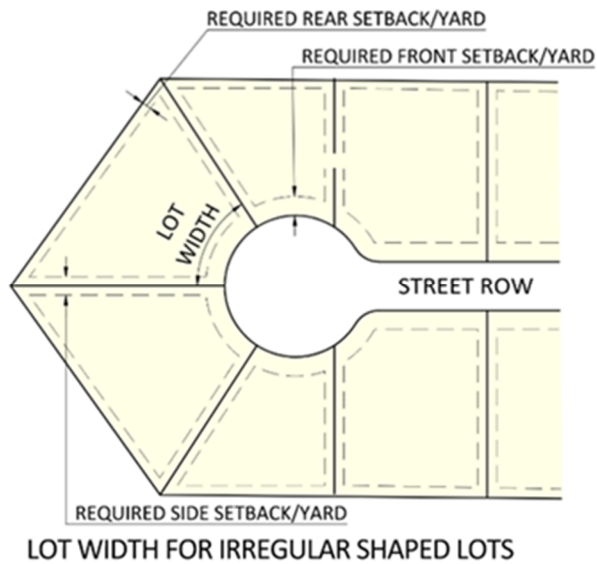
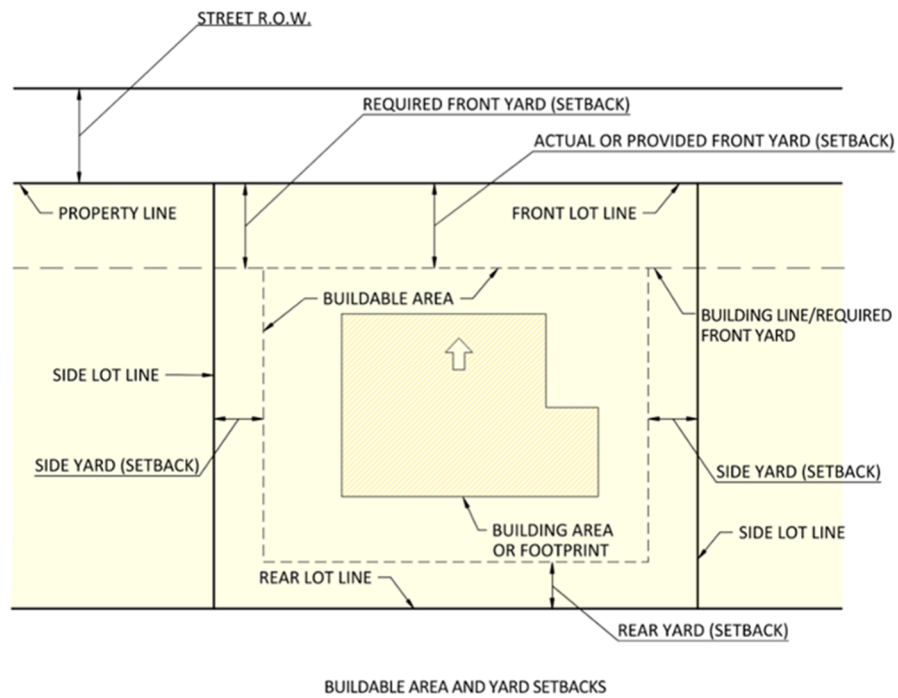


Figure 5.1 Block and lot illustrations

Section 5.6 Easements

(1) Dedication required

Where necessary to adequately serve a subdivision with public utilities, the subdivider will dedicate or grant easements for poles, wires, conduits, drainage channels, stormwater, water, wastewater and other utilities. These easements shall be at least 15 feet wide, except that where an easement contains multiple utilities and the city determines that a greater width is necessary, the city may require a minimum width of up to 20 feet. In certain circumstances, additional width may be required by the City or the utility provider. All necessary on-site easements should be established during the platting process and establishment of easements by a separate instrument is discouraged.

(2) Location of easements

The easements required under this section will be continuous for the entire length of the block. These easements will parallel as closely as possible the street line frontage of the block. Easements may straddle, cross property lines and cross lots other than along lot boundary lines, if in the opinion of the City Manager (or designee), such locations are needed.

(3) Access to easements

Drainage easements are not permitted to be enclosed by a fence or gate, except to contain a basin or pond in accordance with TCEQ. All fences crossing an easement will have double swing gates to allow ready access to the easement. The minimum width of the opening will be no less than 12 feet.

(4) Additional easements for guy wires

Where aboveground utility easements or alleys are not straight within each block, or if they do not connect on a straight course with the utility easements or alleys of adjoining blocks, then additional easements will be provided for the placing of guy wires on lot division lines in order to support poles set on the curving or deviating easement lines or alley row.

(5) Encroachments on easements

No structure, vegetation (other than ground cover), or equipment shall be placed within any easement dedicated pursuant to this UDC unless the person or entity wishing to place such structure or equipment has first obtained written consent to encroach from all holders of the right to use said easement. A fence or screen shall be permitted over any utility easement only if approved by the City Manager or designee and provided that the easement remains fully accessible to the city for maintenance and repair purposes. A fence or screen shall be permitted over any drainage easement if the water flow within the easement is not adversely affected by the fence or screen. In addition to all other remedies provided by this Unified Development Code, the city may summarily remove any fence or screen erected in violation of this section, and the city shall not incur any liability or assume any duty to compensate the owner or replace the fence or screen.

(6) Overhang easements

Where utilities are not located in alleys, an overhang easement at least six (6) feet wide must be provided on the opposing side of the 15-foot easement strip, at a height at and above 10 feet. In all alleys, overhang easements at least six feet wide must be provided on each side of the alley for electric and telephone lines, at a height at and above 10 feet.