



CITY COUNCIL WORKSHOP CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Mixed-Use Village Zoning District - Residential Component
DATE: April 18, 2024
DEPARTMENT: Planning and Zoning Commission
PRESENTED BY: Eric Beilstein, P&Z Commissioner

INTRODUCTION/BACKGROUND:

The City's Comprehensive Plan defines the Mixed-Use Village zoning district as an area within the City that encourages a mixture of uses that establish pedestrian scaled development at major transportation nodes, including retail, restaurants, offices, civic uses, and housing options. It also enables commercial developments to incorporate a mix of housing types, including a focus on aging adult communities, allowing older residents the option to downsize their homes.

Mixed-use developments have gained popularity in recent years as they create vibrant and dynamic spaces that meet the needs of diverse communities. The City of Fair Oaks Ranch is unique as it does not have a commercial downtown and only has limited zones for commercial use. Establishing a maximum residential component in the Mixed-Use Village zone helps protect those undeveloped commercial developments from effectively being transitioned to majority, or completely residential based.

While the Mixed-Use Village district was envisioned to encourage mixed uses, the Unified Development Code (UDC) currently does not require a mix of uses within the zoning district. This potential loophole became evident when a developer proposed a multi-unit development that did not include a mixture of uses. Although the development did not advance, it raised awareness of the need for a UDC policy amendment.

Attached as **Exhibit A** is the proposed revision to Section 4.9, Table 4.2 Permitted Use Table. The Planning and Zoning Commission reviewed the policy at its March 14 meeting.

There are currently four types of residential uses permitted within the Mixed-Use Village zoning district:

- Single Family Residential
- Accessory Building Residential Unit (Garage Apartment)
- Single Family Residential Attached/Townhomes/Patio Home/Duplex/Multi-Unit Home (3-4 units)
- Multi-Family Residential

The commission's proposed revision inserts an "*" (asterisk) into each of the four residential uses listed above. This change places a maximum of thirty (30) percent of the total area for residential uses based on square feet.

“Permitted as part of a mixed-use development that contains both residential and nonresidential components within a single unified development. The residential component shall not exceed thirty (30) percent of the total area (square feet) of the land uses in the entire single unified development or lot as applicable. A single unified development shall be considered as the area/lots shown on an approved Concept Plan, if no concept plan exists then this maximum residential component percentage shall be calculated per lot. The total area of the land uses in a development calculation shall include the gross area inside all buildings, on all floors, and any outdoor areas associated with land uses (i.e. outdoor dining areas).”

The commission’s recommendation does not allow for a completely residential development but rather provides for commercial development with or without some residential component. This provides amenities and benefits that potentially outweigh losing a commercial zone to a residential area greater than 30%. They further noted that developers can request re-zoning when they desire a deviation from the UDC zone restrictions. For example, a developer could request re-zone from mixed-use village to Neighborhood Residential (or Rural Residential) if it was believed to be in the interest of the development and the community.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

- Supports Priority 2.1 to Manage the Physical Development of the City in accordance with the Comprehensive Plan.
- Establishes limitations on certain residential types within the Mixed-Use Village zoning district to ensure a mix of uses when certain residential types are part of a development.
- Retaining primarily commercial areas is a benefit to the citizens by increasing the tax base and provides a combination of amenities, and services in our City rather than having to travel to surrounding cities.
- Having a residential component can enhance a development by accommodating aging or other opportunities to stay in the City.
- Limiting the amount of a residential component allows for more citizens to have a place to gather and connect, creating a sense of community.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A