



**CITY OF FAIR OAKS RANCH**  
**AGENDA – JOINT PUBLIC HEARING**  
**CITY COUNCIL and PLANNING AND ZONING COMMISSION**

March 7, 2019; 6:30 PM  
City Hall Council Chambers  
7286 Dietz Elkhorn, Fair Oaks Ranch

**I. OPEN MEETING**

- A. Roll Call – Declaration of a Quorum
- B. Pledge of Allegiance.

**II. PURPOSE OF THE JOINT PUBLIC HEARING**

- A. The City Council and the Planning and Zoning Commission of the City of Fair Oaks Ranch, Texas, will conduct a joint public hearing to receive public testimony regarding the proposed Unified Development Code (UDC).
  - a. Opening Comments from the Mayor
  - b. Consultant report of the UDC
  - c. Mayor opens the joint public hearing
  - d. Council and P&Z receive citizen testimony regarding the proposed UDC with the Mayor serving as the presiding officer
  - e. Mayor closes the joint public hearing
  - f. Council and P&Z discussion of the UDC, inclusive of questions of the consultant and staff.

**III. ADJOURNMENT**

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Signature of Agenda Approval:

A handwritten signature in blue ink, appearing to read "Todd M...". The signature is written over a horizontal line.

I, Christina Picioccio, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the city's website [www.fairoaksranchtx.org](http://www.fairoaksranchtx.org), both places being convenient and readily accessible to the general public at all times. Said Notice was posted by 5:00 PM, March 4, 2019 and remained so posted continuously for at least 72 hours before said meeting was convened.

The Fair Oaks Ranch City Hall is wheelchair accessible at the side entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available. The City Council reserves the right to convene into Executive Session at any time regarding an issue on the agenda for which it is legally permissible; pursuant to *Texas Government Code* Chapter 551. Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).



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**CITY COUNCIL and PLANNING AND ZONING COMMISSION  
JOINT PUBLIC HEARING  
City of Fair Oaks Ranch, Texas  
March 7, 2019**

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HEARING TOPIC: Joint Public Hearing to receive public testimony regarding the proposed Unified Development Code (UDC)

DATE: March 7, 2019

DEPARTMENT: Administration

PRESENTED BY: Jeff Barton, Gap Strategies Consultant and Tobin Maples, City Manager

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**INTRODUCTION/BACKGROUND:**

Sequence for conducting the joint public hearing is as follows:

1. Opening comments from the Mayor
2. Consultant report of the UDC
3. Mayor opens the joint public
4. Council and P&Z receive citizen testimony regarding the proposed UDC with the Mayor serving as the presiding officer
5. Mayor closes the joint public hearing
6. Council and P&Z discuss the case, inclusive of asking questions of the consultant and staff

**LEGAL ANALYSIS:**

The attached consultant report and today's joint public hearing demonstrate compliance with the requirements as prescribed in the Local Government Code.

**RECOMMENDATION/PROPOSED MOTION:**

Conduct the joint public hearing.

## **CONSULTANT REPORT**

### AGENDA BACKUP

This joint meeting – and associated public hearing – will formally present the results of work by the Planning and Zoning Commission begun last fall, when the City commissioned the Gap Strategies planning group to work with City staff and the Commission to complete work on a Unified Development Code (UDC) for Fair Oaks Ranch, updating, revising, and organizing the City's different development rules into one modern, cohesive set of regulations. Broadly speaking, the draft presented is the culmination of work begun by the City in 2016 and 2017, when the Council, and later a citizen stakeholder group, began work to update the City's comprehensive plan.

Community surveys completed as part of the comprehensive plan indicated a strong desire in the community for new, forward-looking development regulations to protect property values and neighborhood character in Fair Oaks Ranch. As part of the comprehensive plan effort, the City's planning team developed an interim zoning code for the City and draft recommendations for a UDC. The interim zoning ordinance was adopted unanimously by the Commission and the Council in June of 2018. Several months later, the planning team was instructed to complete work on a full UDC, expanding and integrating the City's new zoning regulations.

The regulations in the UDC are based on extensive public involvement during and after the development of the comprehensive plan, including: nearly a year of stakeholder meetings, a public design charrette, multiple town hall meetings and interactive planning events, virtual town halls, web and social-media-based comments, and a community survey. Since the final stage of the process began last fall, the Planning and Zoning Commission has conducted two public workshop sessions on the rules, plus one previous joint meeting with the City Council (on November 8, 2018). The follow-up workshop sessions were December 14, 2018, and January 11, 2019. The planning team has also met several times with City staff and updated progress on the rules on the project website, which is available both independently and through the City's website. A draft of the proposed regulations was posted to the website in advance of this meeting and notice was published in the newspaper.

The goal of this meeting is to refresh Commission members, the Council, and the public on the concepts and decisions that shaped the proposed UDC, dating back to the Stakeholder Committee's work in 2017; to lay out in detail how the new regulations would affect land development and the future quality of life in Fair Oaks Ranch; and, to give the public an additional and formal opportunity to comment on the proposed regulations. The Gap Strategies team will provide specific examples of how the UDC would affect different types of development projects, if adopted.

Subsequent to tonight's presentation and public hearing, the P&Z Commission will meet on March 14, 2019 to provide additional instructions to the planning team about any final changes or amendments they would like to see made to UDC. Further, the Commission will consider making a recommendation to the City Council at the March 14<sup>th</sup> meeting. The Commission may postpone the final recommendation if members feel the UDC is not ready, but to keep to the schedule outlined by City Council and the Planning Commission early in the process, it would be helpful to identify any remaining issues or concerns at the March 7 meeting, and to vote on March 14. At their last workshop meeting, in January, Planning and Zoning Commission members indicated a high level of comfort with the working draft of the UDC.

It is important to note that the Master Drainage Plan, and the Water, Wastewater Reuse Master Plan – developed by engineering consultants in a separate but related process – will be attached to the UDC as appendices.

A near-final draft of the UDC was delivered to members of the Planning and Zoning Commission, and City Council members, in early February. Since then, there has been one substantial amendment. Proposed regulations for Commercial Stables have been changed. Stables are now allowed only by Special Use Permit, which would be granted by a discretionary vote of the Planning and Zoning Commission and the City Council, and they are “not allowed” in mixed use and neighborhood commercial districts. This is reflected in the land use tables. In the interim zoning ordinance, stables were not addressed; in the earlier draft of the UDC, they were allowed in most zoning districts with Conditions, meaning they were allowed provided they met certain specific criteria. No vote by the P&Z or Council was required. Now, in addition to being designated “S” (for Special Use Permit), Commercial Stables are defined in the definitions section of the UDC. In a related change, new language affecting Special Use Permits has been added to Chapter 3, Section 3.7, subsection 3.b.ii (page 32), allowing the City to promulgate informal guidelines for certain land uses. At the meeting, the planning team will explain how this language could affect Commercial Stables and other uses, and why the changes are recommended. The latest draft of the UDC posted on the City’s public website includes the latest amendments.