

CITY OF FAIR OAKS RANCH

PLANNING AND ZONING COMMISSION MEETING

Thursday, April 08, 2021 at 6:30 PM

Via Zoom Videoconference

AGENDA

VIRTUAL MEETING NOTICE

There exists a public health emergency related to the COVID-19 VIRUS that necessitates a meeting of the planning and zoning commission to take place via video conference pursuant to government code chapters 551.127, as modified by executive order of the Governor.

Zoom Videoconference Link: <https://www.zoomgov.com/j/1613218853>

Phone in number: US: +1 669 254 5252 or +1 646 828 7666 or 833 568 8864 (Toll Free)

Webinar ID: 161 321 8853

If you wish to address the Planning and Zoning Commission via telephone, please select *9 on your phone, this will place you in a queue for speaking. At the appropriate time, the City Secretary will call upon each individual separately. *6 will unmute your phone to allow you to speak.

OPEN MEETING

Roll Call - Declaration of a Quorum

CITIZENS and GUEST FORUM

If you are calling by phone and wish to address the P&Z Commission, select *9 on your phone; this will place you in a queue for speaking. At the appropriate time the City Secretary will call upon each individual separately. Select *6 to unmute your phone to speak. In accordance with the Open Meetings Act, the P&Z Commission may not discuss or take action on any item which has not been posted on the agenda.

CONSENT AGENDA

All of the following items are considered to be routine by the P&Z Commission, there will be no separate discussion on these items and will be enacted by one motion. Items may be removed by any Commissioner by making such request prior to a motion and vote.

1. Approval of March 11, 2021 Planning and Zoning Commission Regular Meeting Minutes.

Christina Picioccio, City Secretary

2. Approval of March 25, 2021 Planning and Zoning Commission Special Meeting Minutes.

Christina Picioccio, City Secretary

CONSIDERATION / DISCUSSION ITEMS

3. Consideration and possible action recommending the approval of a Preliminary Plat request from SA Front Gate, LLC for Front Gate Unit 7 proposing 20 single-family residential lots, generally located on the south side of Van Raub Elementary School and north of Fair Oaks Parkway, City of Fair Oaks Ranch, Texas.

Katherine Schweitzer, P.E., Manager of Engineering Services
Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation

WORKSHOP

4. Discussion on the proposed amendments of the City of Fair Oaks Ranch Unified Development Code - Session 3.

Lata Krishnarao, AICP, LEED ND, Gunda Corporation

ADJOURNMENT

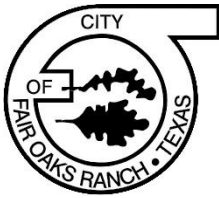
Signature of Agenda Approval: s/Tobin E. Maples

Tobin E. Maples, City Manager

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, both places being convenient and readily accessible to the general public at all times.

As per Texas Government Code 551.045, said Notice was posted by 6:30 PM, April 5, 2021 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.
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CITY OF FAIR OAKS RANCH
PLANNING AND ZONING COMMISSION MEETING
 Thursday, March 11, 2021 at 6:30 PM
 Via Zoom Videoconference

MINUTES

OPEN MEETING

Roll Call - Declaration of a Quorum

Present: Chairperson Frank Trapasso and Vice Chairperson Bobbe Barnes
 Commissioners: Linda Tom, David Horwath, and Dale Pearson

Absent: Commissioners Lamberto Balli and Douglas Leonard

With a quorum present, the meeting was called to order at 6:30 PM.

CITIZENS and GUEST FORUM / PRESENTATIONS

1. **Citizens to be heard.** - There were no citizens to be heard.
2. **Presentation on the Unified Development Code amendment process.**

Lata Krishnarao, AICP, LEED ND, Consultant from Gunda Corporation provided to the Planning and Zoning Commission a presentation regarding the process to amend the Unified Development Code and the reasons for doing so.

CONSENT AGENDA

3. Approval of the January 14, 2021 Regular Meeting Minutes.

MOTION: Made by Commissioner Horwath, seconded by Chairperson Trapasso to approve the minutes as written.

VOTE: 5-0, Motion Passed

CONSIDERATION / DISCUSSION ITEMS

4. **Consideration and possible action recommending the approval of a final plat request that establishes Elkhorn Ridge Unit 6B proposing 22 single-family residential lots, generally located on Dietz-Elkhorn Road between Enchanted Glen and Stevenson Gate, City of Fair Oaks Ranch, Texas.**

MOTION: Made by Vice Chairperson Barnes, seconded by Commissioner Pearson to recommend approval of the final plat of Elkhorn Ridge Unit 6B with the following conditions:

1. Prior to recordation, the applicant will provide a letter of acceptance of public improvement by the City or fiscal surety for public improvements with detailed cost estimates of all subdivision improvements.

MINUTESMarch 11, 2021

2. Prior to recordation, a maintenance bond for public improvements will be provided.
3. Prior to recordation, final drawings will be signed and sealed by a Texas licensed Professional Engineer.

VOTE: 5-0, Motion Passed

5. Consideration and possible action on calling special meetings for discussion of revisions to the City's Unified Development Code.

MOTION: Made by Commissioner Pearson, seconded by Commissioner Tom to approve setting March 25 and April 22, 2021 as two special meetings of the P&Z Commission for discussion and approval of UDC revisions.

VOTE: 5-0, Motion Passed

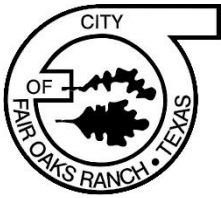
ADJOURNMENT

Chairperson Trapasso adjourned the meeting at 7:39 PM.

ATTEST:

Frank Trapasso, Chairperson

Christina Picioccio, City Secretary



CITY OF FAIR OAKS RANCH
PLANNING AND ZONING COMMISSION MEETING
 Thursday, March 25, 2021 at 6:30 PM
 Via Zoom Videoconference

MINUTES

OPEN MEETING

Roll Call - Declaration of a Quorum

Present: Vice Chairperson Bobbe Barnes

Commissioners: Douglas Leonard, David Horwath, and Linda Tom

Absent: Chairperson Frank Trapasso, Commissioners Lamberto Balli and Dale Pearson

With a quorum present, the meeting was called to order at 6:30 PM.

CITIZENS and GUEST FORUM

1. **Citizens to be heard.** – Christine Graham asked a question to the Commission regarding whether the City Manager has the ultimate say on development and wanted to know how many cities are able to require new developments to have an HOA or be a part of FORHA. City Attorney, Cynthia Trevino, directed Ms. Graham to contact the City Secretary to discuss this topic as the commission is not able to answer in this forum.

WORKSHOP

1. **Discussion on amendment of the Fair Oaks Ranch Unified Development Code.**

Lata Krishnarao, AICP, LEED ND, of Gunda Corporation, guided the Commission through a presentation on amendments to the Fair Oaks Ranch Unified Development Code and answered questions from the Commission.

ADJOURNMENT

Vice Chairperson Barnes adjourned the meeting at 7:32 PM

ATTEST:

 Frank Trapasso, Chairperson

 Christina Picioccio, City Secretary



PLANNING & ZONING CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
April 8, 2021

AGENDA TOPIC: Consideration and possible action recommending the approval of a Preliminary Plat request from SA Front Gate, LLC for Front Gate Unit 7 proposing 20 single-family residential lots, generally located on the south side of Van Raub Elementary School and north of Fair Oaks Parkway, City of Fair Oaks Ranch, Texas

DATE: April 8, 2021

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Katherine Schweitzer, P.E., Manager of Engineering Services
Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation

SUMMARY:

The purpose of this Preliminary Plat is to create 20 residential lots, two private streets (Shady Gate and Irving Circle), and 3 reserves that will be maintained as green belts, drainage easements, open spaces, and underground utility easements. The lot sizes range from 0.22 acres to 0.40 acres.

The subdivision is generally located south of Van Raub Elementary School and north of Fair Oaks Parkway (see attached Exhibit A: Location Map). Street access to the subdivision will be provided from Whisper Gate and Bullis Pond, that have been constructed and accepted by the City.

BACKGROUND

A Master Plan for this 173-acre development was approved in 2012 and included 548 lots and 10.3 acres (approximately) of open space. The Master Plan showed the general location, number of lots, and lot breakdown based on lot size. According to the Subdivision Ordinance that this development was approved under, the minimum lot width required was 70 foot for each lot. An updated Master Plan has been attached as Exhibit B.

Attached Exhibit B shows the location of the area being platted in relation to the entire Front Gate development. Exhibit C shows the current status of the development, number and size of lots, lot configuration, recordation data, and construction status. A detailed breakdown of the development progress (as of February 2021) of the various units, as provided by the applicant, is summarized below in Table 1: Front Gate Development Construction Status. The total number of lots actually platted and constructed appears to be less than the 548 lots shown on the Master Plan. Additionally, the open space amounts to 10.79 acres.

Table 1: Front Gate Development Construction Status

Status	Constructed	Under Construction	Not Platted
Units	1, 2A, 2B, 3, 8, 9, 10, 12	4, 5	6,7
Number of lots	364	114	65

The open space exhibits (Exhibits D and E) show the amount and location of open space. Attachment F shows an aerial view of the Front Gate Unit development. The aerial map is not current and the street giving access to this subdivision is constructed and has been accepted by the City.

The proposed Preliminary Plat that establishes Front Gate Unit 7 is in conformance with the Master Plan.

The Preliminary Plat review is based on the requirements of the Subdivision Regulations contained in Chapter 10 of the Code of Ordinances, that was in effect at the time of the approval of the Master Plan. Staff has reviewed the Preliminary Plat and relayed review comments to the applicant. Staff has been working with the applicant to address comments generated by staff review. An update will be provided at the Planning and Zoning Commission meeting.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The City of Fair Oaks Ranch's current process requires the Planning and Zoning Commission to consider the Preliminary Plat application and make a recommendation to the City Council. The City Council has the final authority to act on the plat.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

Sec. 212.006 (a) of the Texas Local Government Code titled, Authority Responsible for Approval Generally, states the following:

"The municipal authority responsible for approving plats under this subchapter is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to that of the municipal planning commission."

RECOMMENDATION/PROPOSED MOTION:

Staff has reviewed the revised plans and recommends approval of the Preliminary Plat with the following minor conditions:

1. Applicant to correct the plat notes to reflect the revisions related to the addition of street names. All references to the proposed streets should include the street names and not numbers, as indicated by staff on the marked up plat.
2. Applicant needs to remove the term "reserve" from the description of private streets, as indicated by staff on the marked up plat.

Motion: I move to recommend approval of the Preliminary Plat of Front Gate Unit 7 with conditions as listed above.

Exhibit A: Front Gate Unit 7 Site Location Map

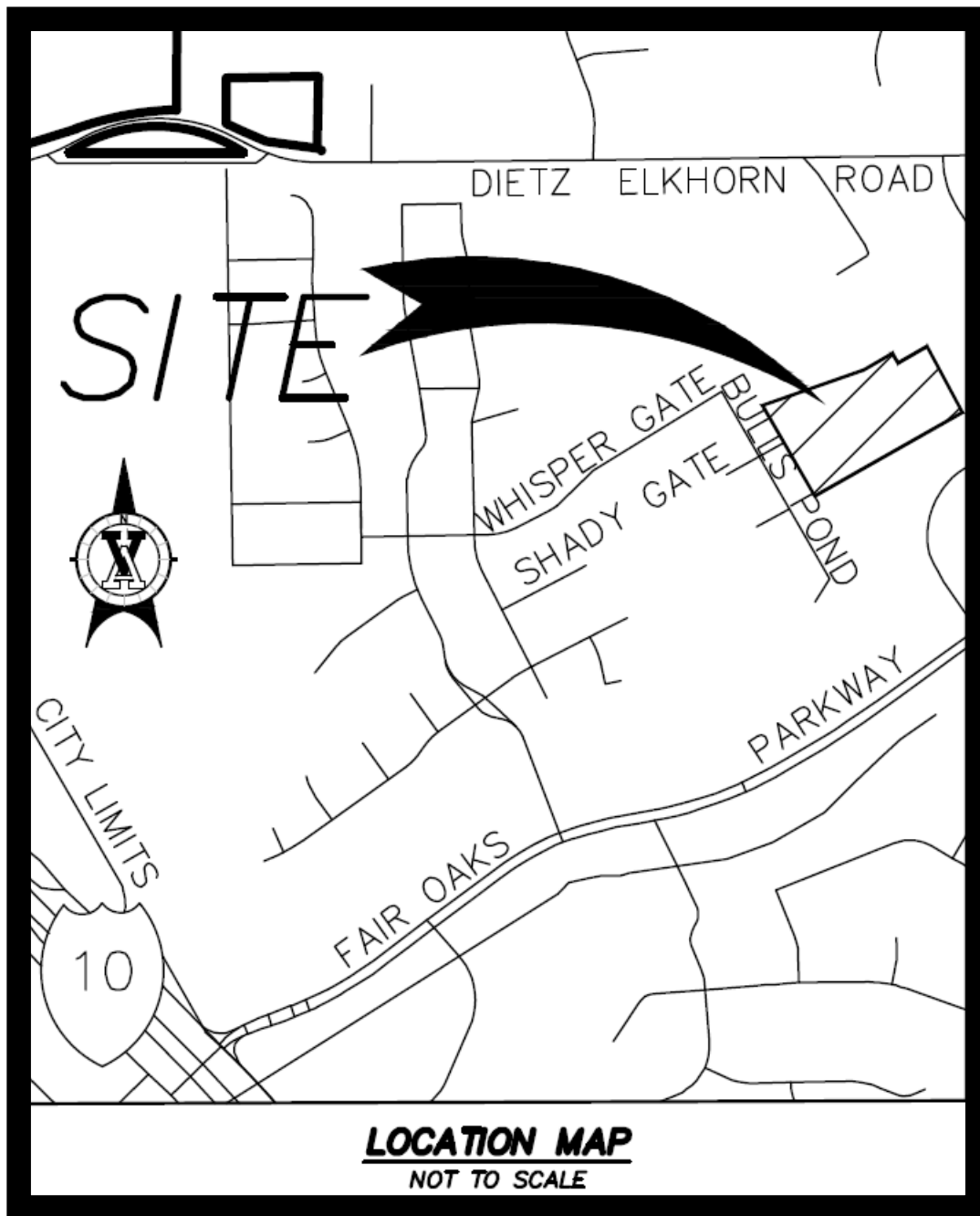


Exhibit B: Front Gate Updated Master Plan 2021 – (Unit 7 Highlighted)



Exhibit C: Front Gate Subdivision - Progress Summary Table (February 2021)

		U 1	U 2A	U 2B	U 3	U 4	U 5	U 6	U 7	U 8	U 9	U 10	U 12
60' LOTS	177	—	—	—	—	46	—	—	—	33	54	44	—
70' LOTS	308	29	5	3	56	19	49	45	20	15	—	—	62
90' LOTS	63	26	14	23	—	—	—	—	—	—	—	—	—
TOTAL	548	55	19	26	56	65	49	45	20	48	54	44	62
RECORDING DATA		V9640/P.82	V9704/P.211		V9658/P.82		NOT RECORDED	NOT PLATTED	NOT PLATTED	V9659/P.66	V9716/P.137	V9691/P.15	V9762 P.28-29
CONSTRUCTION STATUS		COMPLETED	COMPLETED	COMPLETED	COMPLETED	CONSTRUCTION 95%	75% CONSTRUCTION	N/A	N/A	COMPLETED	COMPLETED	COMPLETED	COMPLETED

Exhibit D: Front Gate Subdivision Open Space Exhibit (Unit 7 Highlighted)

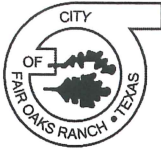


Exhibit E: Open Space Requirement

OPEN SPACE REQUIREMENT			
AREA = 548 LOTS/(100 LOTS/AC) = 5.48AC.			
UNIT NO.	OPEN SPACE AC.	STATUS	TOTAL ACCUMULATION
1	0.66	PLATTED	0.66
3	0.04	PLATTED	0.70
8	0.92	PLATTED	1.62
10	1.07	PLATTED	2.69
2A	0.24	PLATTED	2.93
9	0.18	PLATTED	3.11
12	3.06	PLATTED	6.17*
2B	2.15	PLATTED	8.32
4	1.98	PLATTED	10.3
5	0.00	2021	10.3
6	0	UNKNOWN	10.3
7	0.49	2021	10.8
TOTAL	10.79		
* SATISFIES SUBDIVISION OPEN SPACE REQUIREMENTS			

Exhibit F – Front Gate Subdivision Aerial View (Unit 7 Highlighted)**Attachments:**

1. Appendix A Universal Application
2. S10 Preliminary Plat Specific Application Form
3. Letter of Intent
4. Front Gate Unit 7 Subdivision Plat
5. Front Gate Masterplan



7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900.FAX: (210) 698-3565. bcodes@fairoaksranchtx.org www.fairoaksranchtx.org**UNIVERSAL APPLICATION (FORM UA)**

All applications must be submitted with:

(1) A complete **Universal Application** form (2 pages), and(2) A complete **Specific Application Form** with all materials listed in the checklist for the specific application.

The City staff is available to assist you in person at City Hall or over the phone at (210) 698-0900.

DEVELOPMENT INFORMATION

Project Name/Address/Location: Front Gate Unit 7 Acreage: 7.13
 Brief Description of Project: To create lots for a residential subdivision
 Is property platted? ☒ No ☐ Yes Subdivision name: N/A No. of Lots: 20
 Recordation #: N/A Parcel(s) Tax ID#: 1186415
 Existing Use: Residential Proposed Use: Residential
 Current Zoning: Existing Residential 2 Proposed Zoning: Existing Residential 2
 Occupancy Type: N/A Sq. Ft: N/A Bed #: N/A Bath #: N/A Car Garage #: N/A
 Water System ☐ Well ☒ Public Flood Zone: ☐ Yes ☒ No Sewer System: ☐ Septic ☒ Public

PROPERTY OWNER INFORMATION

Owner: SA Front Gate, LLC Contact Name: Lloyd A. Denton, Jr.
 Address: 11 Lynn Batts Lane, Suite 100 City/State/ZIP: San Antonio, Texas 78218
 Phone: 210.828.6131 Email: plats@bitterblue.com

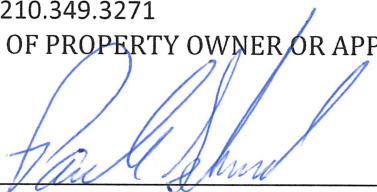
APPLICANT INFORMATION

Applicant/Developer: SA Front Gate, LLC Contact Name: Benjamin Bunker
 Address: 11 Lynn Batts Lane, Suite 100 City/State/ZIP: San Antonio, Texas 78218
 Phone: 210.828.6131 Email: ben@bitterblue.com

KEY CONTACT INFORMATION

Name of the Individual: Paul A. Schroeder, PE, RPLS Contact Name: Vickrey & Associates, LLC
 Address: 12940 Country Parkway City/State/ZIP: San Antonio, Texas 78216
 Phone: 210.349.3271 E-mail: Pschroeder@vickreyinc.com

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Signature:  Date: March 2, 2021

(Signed letter of authorization required if the application is signed by someone other than the property owner)

*******OFFICE USE ONLY*******

DATE REC'D: _____ BY: _____

FEES PAID: _____ APPROVED BY: _____

DATE APPROVED: _____

APPLICATION/PERMIT NO: _____ EXP DATE: _____

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.

Land Use Policy Related

- (Section 3.9 of the UDC)
- ☐ Annexation* - Form S1
 - ☐ Comprehensive Plan Amendment
 - ☐ Unified Development Code (UDC) Text Amendment
 - ☐ Rezoning* - Form S2
 - ☐ Special Use Permit* - Form S3
 - ☐ Planned Unit Development (PUD)* - Form S4
 - ☐ Development Agreement
 - ☐ Conservation Development Alternative* (CDA) (Section 4.8) - Form S5

Subdivision and Property Development Related

- (Section 3.8 of the UDC)
- ☐ Amending Plat* - Form S6
 - ☐ Minor Plat* - Form S7
 - ☐ Development Plat* - Form S8
 - ☐ Concept Plan** - Form S9
 - ☒ Preliminary Plat* - Form S10
 - ☐ Final Plat* - Form S11
 - ☐ Replat* - Form S12
 - ☐ Construction Plans* - Form S13
 - ☐ Vacating Plat
 - ☐ Plat Extension

Site Development Related

- (Section 3.9 of the UDC)
- ☐ Vested Rights Verification Letter
 - ☐ Zoning Verification Letter
 - ☐ Written Interpretation of the UDC
 - ☐ Temporary Use Permit* - Form S14
 - ☐ Special Exception* - Form S15
 - ☐ Site Development Permit* (Site Plan Review) - Form S16
 - ☐ Floodplain Development Permit* - Form S17
 - ☐ Stormwater Permit* - Form S18
 - ☐ Certificate of Design Compliance* - Form S19
 - Appeal of an Administrative Decision
 - ☐ Zoning ☐ Others
 - Variance
 - ☐ Policy ☐ Judicial* - Form S20
 - ☐ Sign Special Exception/Appeal to an Administrative Decision
 - ☐ Administrative Exception
 - ☐ Permit for Repair of Non-Conforming Use/Building
 - ☐ Letter of Regulatory Compliance
 - ☐ On-Site Sewage Facility Permit (OSSF)
 - ☐ Certificate of Occupancy (CO)* - Form S21
 - ☐ Relief from Signage Regulations
 - ☐ Group Living Operation License* - Form S22
 - ☐ Grading/Clearance Permit - Form S23

Building Permits Related

- Commercial**
- ☐ New/Remodel/Addition* - Form S24
 - ☐ Fence* - Form S25
 - ☐ Miscellaneous* - Form S26
- Residential**
- ☐ New Home* - Form S27
 - ☐ Remodel/Addition* - Form S28
 - ☐ Detached Buildings* - Form S29
- Others**
- ☐ Solar* - Form S30
 - ☐ Swimming Pool* - Form S31
 - ☐ Demolition, Drive or Move
 - ☐ New Lawn/Water* - Form S32
 - ☐ Backflow Device/Irrigation Systems - Form S33
 - ☐ Sign* (Includes Temporary Banner) - Form S34
 - ☐ Appeal of Denial of Sign Permit
 - ☐ Master/ Common Signage Plan* - Form S35
 - ☐ Water Heater or Water Softener* - Form S36
 - ☐ Right-of-Way Construction* - Form S37
 - ☐ Flatwork* - Form S38
- Inspections**
- ☐ Mechanical ☐ Electrical
 - ☐ Plumbing ☐ Building
 - ☐ Others _____
- Water- Wastewater Service**
- ☐ Connect/ Disconnect Form* - Form S39

*These types of applications require additional information as listed in the Specific Application Form. Refer to **Appendix B** of the Administrative Procedures Manual for more information.

** The Concept Plan is required for PUD and CDA, and for Rezoning if included in a previously approved Concept Plan.

Application Checklist for all Applications

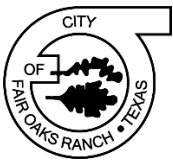
- ☒ Universal Application Form (Form UA).
- ☒ Items listed in the checklist for the Specific Application Form (Form S#) ¹. (Please make sure the boxes are checked)
- ☒ Application Processing Fees and other application fees.
- ☒ Letter of intent explaining the request in detail and reason for the request.

N/A Signed Letter of Authorization required if the application is signed by someone other than the property owner.

N/A Site plan and shapefile drawings (if applicable) for the property

- ☒ Location map clearly indicating the site in relation to adjacent streets and other landmarks
- ☒ One (1) copy of proof of ownership (recorded property deed or current year tax statements)
- ☒ One (1) USB drive containing the general required documents in Adobe PDF format (if required)

¹For items that are duplicated in the specific type of application, only one copy is required.



S10

SPECIFIC APPLICATION FORM - PRELIMINARY PLAT

Section 3.8 (4) of the Unified Development Code

The following steps must be completed, and the items must be submitted for the application to be deemed complete and processed:

- ☒ A completed Universal Development Application and checklist signed by the owner/s of the property.
- ☒ Payment of all other applicable fees (see Schedule of Fees).
- ☒ An accurate metes and bounds description of the subject property (or other suitable legal description).
- ☒ Location/vicinity map showing the location and boundaries of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
- ☒ Tax certificate/s showing that all taxes owing to the State, County, School District, City and/or any other political subdivision have been paid in full to date.
- ☐ Pre-Application Conference prior to application submittal.
- ☐ Approved copy of a Concept Plan or other approved plats, if applicable.
- ☐ Concept plan approval (if required).

pending A title report.

- ☒ Three (3) copies (full size) of complete sets of construction plans (plan views) to verify required easements and reserves, showing existing and proposed configurations if applicable. This includes grading, streets, green spaces, drainage/stormwater systems, gas, electrical, water, wastewater, cable and TV, fiber and all utilities.

- ☒ One (1) copy (11x17) of proposed plat.

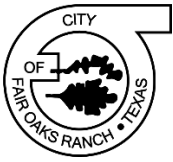
☐ One (1) copy (11x17) of all existing recorded plats pertaining to the preliminary plat.

☐ Basic engineering information, if deemed necessary by the City.

pending Letter of Certification from each utility provider servicing this area (CPS, PEC, SAWS, Time Warner, Grey Forest, GBRA, Spectrum, etc.).

- ☒ Letter from USPS and other service providers to ensure the name of the proposed subdivision, or any of the physical features, (such as streets, parks, etc.) must not be so similar to the names of any similar features in the county or in any incorporated town or city therein. Streets, which are a continuation of any existing street, shall take the name of the existing street.

☐ Drainage/Stormwater plan, if any grade changes.



City of Fair Oaks Ranch

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

Item #3.

PH: (210) 698-0900 FAX: (210) 698-3565 bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

- ☒ Tree Plan designating all trees proposed for removal or preservation and describing the measures proposed to protect remaining trees during development as per Unified Development Code Section 8.8.
- ☒ Electronic copies of the required exhibits in "PDF" format and shapefile for property boundary where applicable should be submitted in a USB flash drive or via email.
- ☒ Acknowledgement that the applicant or representative will attend all Planning and Zoning Commission, City Council and applicable meetings where this request is discussed.

Additional Requirements. The City Manager (or designee) may, from time to time, identify additional requirements for a complete application that are not contained within but are consistent with the application contents and standards set forth in the UDC and state statutes.

March 2, 2021

Katherine Schweitzer, PE
Manager of Engineering Services
City of Fair Oaks Ranch
7286 Dietz-Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Front Gate Unit 7
V&A Job NO. 2752-008-051

Dear Ms. Schweitzer,

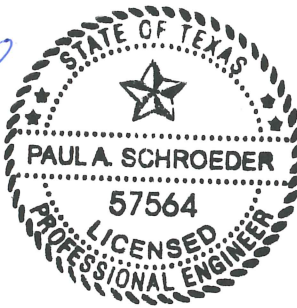
This submittal is to subdivide 7.13 acres of land out of tracts conveyed by signed warranty deeds recorded in Volume 15852, Page 1405, Official Public Records of Bexar County, Texas. The Front Gate Unit 7 subdivision will contain 20 lots.

Sincerely,

VICKREY & ASSOCIATES, LLC.
TBPE F-#159/TBPLS F-#10004100

Paul A. Schroeder, PE, RPLS
Residential Division Manager

PAS/ksh

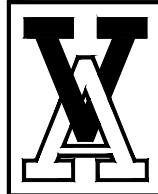
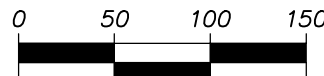


PRELIMINARY SUBDIVISION PLAT ESTABLISHING FRONTGATE UNIT 7 SAWS PLAT # FOR

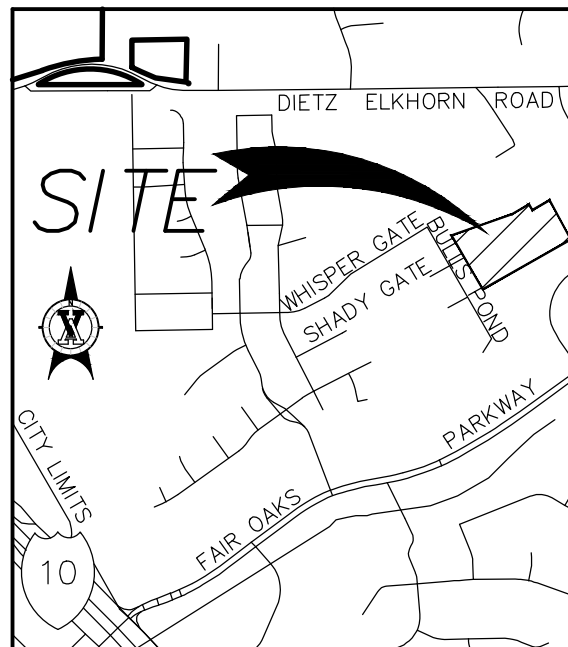
BEING 7.13 ACRES OF THE MARIA F. HERNANDEZ SURVEY NO. 420 ABSTRACT NO. 314, COUNTY BLOCK 4709, BEXAR COUNTY, TEXAS AND OUT OF A CALLED 78.629 ACRE TRACT, RECORDED IN VOLUME 15852, PAGE 1405, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND OUT OF A 78.629 ACRE TRACT AS RECORDED IN VOLUME 15852, PAGE 1405, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS.

REASON FOR PRELIMINARY PLAT:
TO CREATE 20 RESIDENTIAL LOTS, 1 PRIVATE STREET, AND 3 RESERVES.

SCALE: 1"=100'

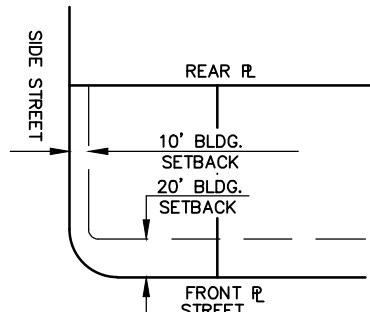


VICKREY & ASSOCIATES, LLC
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12940 Country Parkway San Antonio, TX 78216
Telephone: (210) 349-3271
Firm Registration No.: F-159
TBPELS Firm Registration No: 10004100



LOCATION MAP
NOT TO SCALE

Line Table		
Line #	Length	Direction
L1	50.14	S30°04'26"E
L2	49.48	N29°22'12"W
L3	51.92	N29°42'04"W
L4	9.54	S64°16'35"W
L5	5.74	S64°16'35"W



TYPICAL CORNER LOT
BUILDING SETBACKS

NOTE: ALL LOTS HAVE A MINIMUM BUILDING SETBACK OF 20' ALONG THE FRONT, AS SHOWN ABOVE, AND SUBDIVISION DEED RESTRICTIONS.

IMPACT FEE PAYMENT DUE : "SAWS"

WATER AND WASTEWATER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET AND/OR WASTEWATER SERVICE CONNECTION.

FIRE FLOW NOTE:

IN AN EFFORT TO MEET THE CITY OF SAN ANTONIO'S FIRE FLOW REQUIREMENTS FOR THE PROPOSED RESIDENTIAL DEVELOPMENT, THE PUBLIC WATER MAIN SYSTEM HAS BEEN DESIGNED FOR A MINIMUM FIRE FLOW DEMAND OF 1000 GPM AT 25 PSI RESIDUAL PRESSURE. THE FIRE FLOW REQUIREMENTS FOR INDIVIDUAL STRUCTURES WILL BE REVIEWED DURING THE BUILDING PERMIT PROCESS IN ACCORDANCE WITH THE PROCEDURES SET FORTH BY THE CITY OF SAN ANTONIO DIRECTOR OF DEVELOPMENT SERVICES DEPARTMENT AND THE SAN ANTONIO FIRE DEPARTMENT FIRE MARSHAL.

SAWS DEDICATION NOTE:

THE DEVELOPER DEDICATES THE SANITARY SEWER AND/OR WATER MAINS TO THE SAN ANTONIO WATER SYSTEM UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY THE SAN ANTONIO WATER SYSTEM.

EDU NOTE:

THE NUMBER OF EQUIVALENT DWELLING UNITS (EDUS) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.

SAWS HIGH PRESSURE NOTE:

A PORTION OF THE TRACT IS BELOW THE GROUND ELEVATION OF 1425 FEET WHERE THE STATIC PRESSURE WILL NORMALLY EXCEED 80 PSI. AT ALL SUCH LOCATIONS, THE DEVELOPER OR BUILDER SHALL INSTALL AT EACH LOT, ON THE CUSTOMER'S SIDE OF THE METER, AN APPROVED TYPE PRESSURE REGULATOR IN CONFORMANCE WITH THE PLUMBING CODE OF THE CITY OF SAN ANTONIO.

FLOODPLAIN VERIFICATION:

NO PORTION OF THE FEMA 1% ANNUAL CHANCE (100-YEAR) FLOODPLAIN EXISTS WITHIN THIS PLAT AS VERIFIED BY FEMA MAP 48091C0085F EFFECTIVE DATE AUGUST 28, 2017. FLOODPLAIN INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE FEMA MAP REVISIONS AND/OR AMENDMENTS.

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY: VICKREY & ASSOCIATES, INC.

VICKREY & ASSOCIATES, INC.
BY: PAUL A. SCHROEDER, R.P.L.S.

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

VICKREY & ASSOCIATES, INC.
BY: PAUL A. SCHROEDER, P.E.

LICENSED PROFESSIONAL ENGINEER

LEGEND

- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD WITH "VICKREY PROP COR"
- ⊕ SET MAG NAIL W/WASHER STAMPED "VICKREY PROP COR"
- D.R. DEED RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- 740 EXISTING CONTOURS
- [740] PROPOSED CONTOURS
- BSL BUILDING SETBACK LINE
- ESMT EASEMENT
- R.O.W. RIGHT OF WAY
- EX. VOL. EXISTING VOLUME
- PG. PAGE
- C.V.E. CLEAR VISION ESMT
- BLK. BLOCK
- CB. COUNTY BLOCK
- AC. ACRES
- PED. PEDESTRIAN CITY LIMITS LINE
- * SAME AS PREVIOUS MEASUREMENT CENTERLINE
- ① 15' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT
- ② 10' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT VOL. 9692, PG. 179-181
- ③ 10' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT VOL. 20001, PG. 1443
- ④ 16' ELECTRIC ESMT DOC. # 20150065617
- ⑤ 12' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT VOL. _____ PG. _____
- ⑥ 6' ELECTRIC EASEMENT VOL. 8000, PG. 124
- ⑦ 8' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT VOL. _____ PG. _____
- ⑧ 10' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT VOL. _____ PG. _____
- ⑨ 15' SANITARY SEWER EASEMENT
- ⑩ EXISTING SANITARY SEWER ESMT. VOL. 20001, PG. 1172

UTILITY EASEMENT:

UTILITIES, INCLUDING, WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, TELEPHONE, AND CABLE TELEVISION, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES")

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE UTILITIES; THE RIGHT TO PLACE NEW OR ADDITIONAL UTILITIES IN THE EASEMENT AND TO CHANGE THE SIZE THEREOF; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE UTILITIES; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OR OPERATION OF THE UTILITIES; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE UTILITIES.

THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.

THE UTILITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE UTILITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE UTILITY USUAL AND CUSTOMARY PRACTICES.

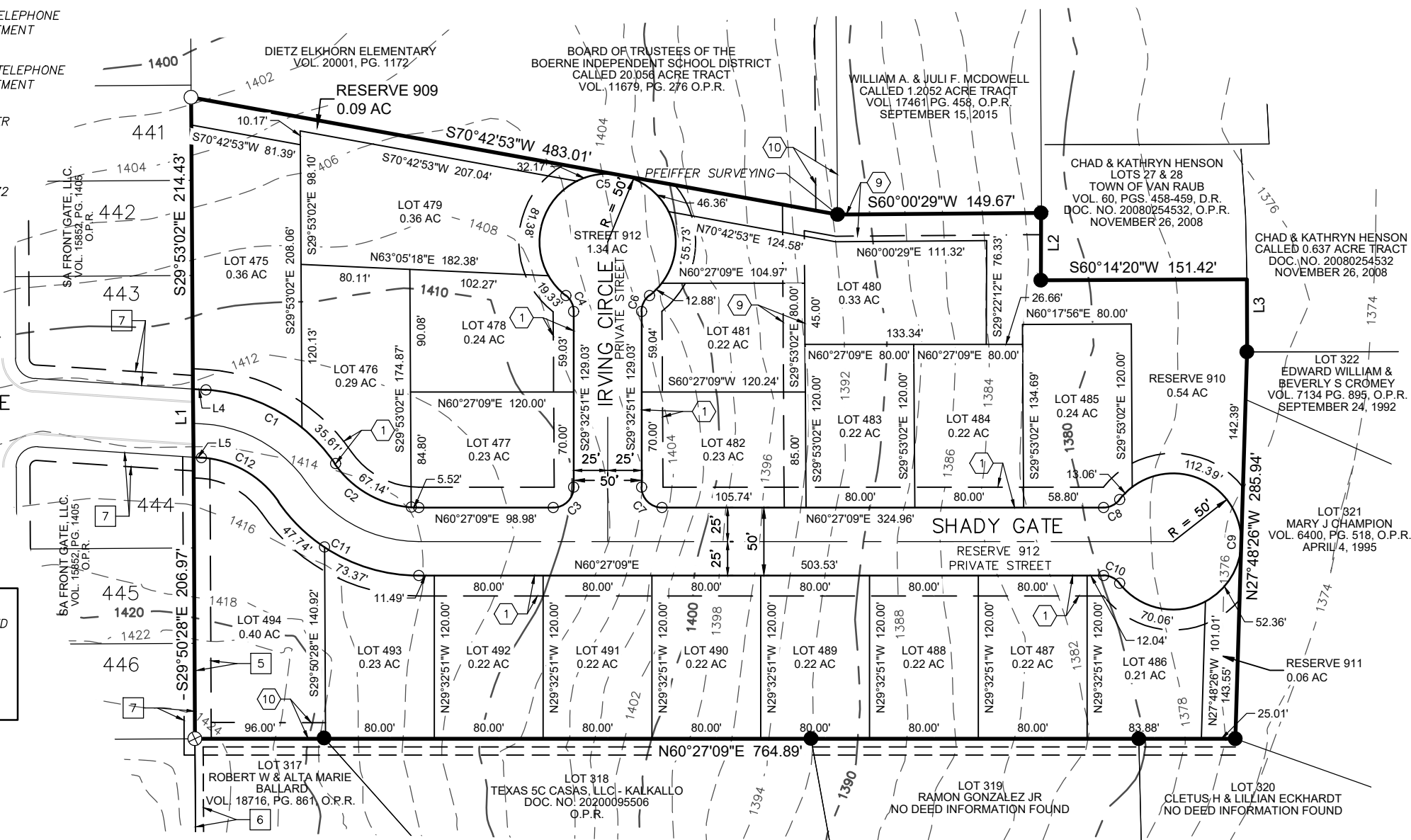
THE MAINTENANCE OF THE TURF, GRASSES AND LANDSCAPE VEGETATION WITHIN THE EASEMENT SHALL BE THE DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER.

ZONING DESIGNATION NOTE:

THIS PLAT AREA IS CURRENTLY ZONED AS EXISTING RESIDENTIAL ZONE 1.

PRIVATE STREET DESIGNATION NOTE:

912 IS PRIVATE STREET AND ARE DESIGNED AS UNDERGROUND PUBLIC WATER AND PUBLIC SANITARY SEWER AND UTILITY EASEMENT.



CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	51°41'13"	125.00'	112.78'	60.54'	N89°52'48"W	108.98'
C2	55°30'40"	75.00'	72.66'	39.47'	N88°12'29"E	69.85'
C3	90°00'00"	15.00'	23.56'	15.00'	N15°27'09"E	21.21'
C4	52°01'12"	15.00'	13.62'	7.32'	N55°33'27"W	13.16'
C5	284°02'24"	50.00'	247.87'	-39.04'	S60°27'09"W	61.54'
C6	52°01'12"	15.00'	13.62'	7.32'	S3°32'15"E	13.16'
C7	90°00'00"	15.00'	23.56'	15.00'	S74°32'51"E	21.21'
C8	52°01'12"	15.00'	13.62'	7.32'	N34°26'33"E	13.16'
C9	284°02'25"	50.00'	247.87'	-39.04'	N29°32'51"W	61.54'
C10	52°01'12"	15.00'	13.62'	7.32'	S86°27'45"W	13.16'
C11	55°30'40"	125.00'	121.11'	65.78'	N88°12'29"E	116.42'
C12	51°41'13"	75.00'	67.66'	36.33'	N89°52'48"W	65.39'

THE LOTS SHOWN ON THIS PLAT ARE SUBJECT TO ADDITIONAL EASEMENTS AND RESTRICTIONS AS RECORDED FOR THIS UNIT IN THE PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

FOR SPECIFIC BUILDING SETBACKS REFER TO THE SUBDIVISION DEED RESTRICTIONS. GATES ACROSS EASEMENT: DOUBLE SWING GATES SHALL BE MINIMUM 16 FEET AND INSTALLED WHEREVER FENCES CROSS UTILITY AND DRAINAGE EASEMENTS

OBSTRUCTIONS OF DRAINAGE: ADEQUATE STRUCTURES SHALL BE PROVIDED TO ALLOW THE UNHINDERED PASSAGE OF ALL STORM AND DRAINAGE FLOWS WHEREVER FENCES CROSS DRAINAGE EASEMENTS.

THE CONTOURS SHOWN ON THIS PLAT ARE FROM AERIAL TOPOGRAPHY. VICKREY & ASSOCIATES, INC. DOES NOT CERTIFY TO THE ACCURACY OF THE ABOVE MENTIONED AERIAL TOPOGRAPHY.

BASIS OF BEARING IS STATE PLANE CORRD. SYSTEM. NAD 83

909, 910, 911, AND 912 WILL BE PRIVATELY OWN AND MAINTAINED BY THE FRONT GATE HOA. 1/2" IRON RODS WITH "VICKREY PROP COR" SET AT ALL CORNERS.

20 LOTS, 1 PRIVATE STREET, 3 RESERVES

CPS NOTES:

- THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC, GAS, WATER, AND WASTEWATER SYSTEMS - CITY PUBLIC SERVICE BOARD (CPS ENERGY) AND SAN ANTONIO WATER SYSTEM (SAWS) - IS HEREBY DEDICATED EASEMENTS AND RIGHTS-OF-WAY FOR UTILITY, TRANSMISSION AND DISTRIBUTION INFRASTRUCTURE AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT," "ANCHOR EASEMENT," "SERVICE EASEMENT," "OVERHANG EASEMENT," "UTILITY EASEMENT," "GAS EASEMENT," "TRANSFORMER EASEMENT," "PUMP EASEMENT," "SANITARY SEWER EASEMENT," AND "RECYCLED WATER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING UTILITY INFRASTRUCTURE AND SERVICE FACILITIES FOR THE REASONS DESCRIBED ABOVE. CPS ENERGY AND SAWS SHALL ALSO HAVE THE RIGHT TO RELOCATE SAID INFRASTRUCTURE AND SERVICE FACILITIES WITHIN EASEMENT AND RIGHT-OF-WAY AREAS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LANDS FOR THE PURPOSE OF ACCESSING SUCH INFRASTRUCTURE AND SERVICE FACILITIES AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF WATER, SEWER, GAS, AND/OR ELECTRIC INFRASTRUCTURE AND SERVICE FACILITIES, NO BUILDINGS, STRUCTURES, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN EASEMENT AREAS WITHOUT AN ENCROACHMENT AGREEMENT WITH THE RESPECTIVE UTILITY.
- ANY CPS ENERGY OR SAWS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS ENERGY OR SAWS INFRASTRUCTURE AND SERVICE FACILITIES, LOCATED WITHIN SAID EASEMENTS, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATIONS.
- THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE TV EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED HEREON.
- CONCRETE DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) AND TEN (10) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY UNDERGROUND ELECTRIC AND GAS FACILITIES.
- ROOF OVERHANGS ARE ALLOWED WITHIN THE FIVE (5) AND TEN (10) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC AND GAS FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) AND TEN (10) FOOT WIDE EASEMENTS.

EASEMENT NOTES

ALL PROPERTIES DESIGNATED AS EASEMENTS SHALL OR MAY BE UTILIZED FOR THE FOLLOWING PURPOSES:

DRAINAGE EASEMENT:

DRAINAGE, WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BEDS, EMBANKMENTS, SPILLWAYS, APPURTENANCES, AND OTHER ENGINEERED DEVICES (THE "DRAINAGE SYSTEM") TOGETHER WITH RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE THEREOF; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE DRAINAGE SYSTEM; THE RIGHT TO CREATE AND/OR DREDGE A STREAM COURSE, REFILL, OR DIG OUT SUCH STREAM COURSE, ESTABLISH OR CHANGE STREAM EMBANKMENTS WITHIN THE EASEMENT, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER GAPS, AND PROTECTING RAILS; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OF THE DRAINAGE SYSTEM; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE DRAINAGE SYSTEM.

WITH RESPECT TO THE DRAINAGE SYSTEM, IT IS EXPRESSLY AGREED AND UNDERSTOOD BY ALL PARTIES HERETO, THAT THE INTENTION IS TO IMPROVE CONDITIONS OF SANITATION AND WATER DRAINAGE CONTROL ON THE PROPERTY FOR THE BENEFIT OF THE PROPERTY, ADJACENT PROPERTY, AND THE COMMUNITY, BUT THE CITY DOES NOT GUARANTEE OR WARRANT THAT SUCH CONTROL WORK WILL BE EFFECTIVE, NOR DOES THE CITY ASSUME ANY ADDITIONAL LIABILITY WHATSOEVER FOR THE EFFECTS OF FLOOD, STANDING WATER, OR DRAINAGE ON OR TO THE PROPERTY, OR ANY OTHER PROPERTY OR PERSONS THAT MIGHT BE AFFECTED BY SAID STREAM, WASH, OR GULLY IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.

2. THE CITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY USUAL AND CUSTOMARY PRACTICES.

3. THE MAINTENANCE OF THE TURF, GRASSES AND LANDSCAPE VEGETATION WITHIN THE EASEMENT SHALL BE THE DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER.

4. RESERVES 909, 910, AND 911 WILL BE GREEN BELTS, DRAINAGE, AND UNDERGROUND UTILITY EASEMENTS AND WILL BE MAINTAINED AS OPEN SPACE.

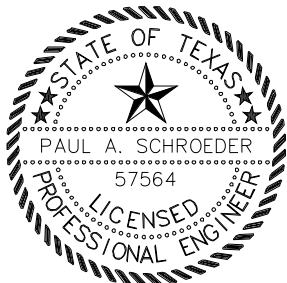
SHEET 1 OF 1

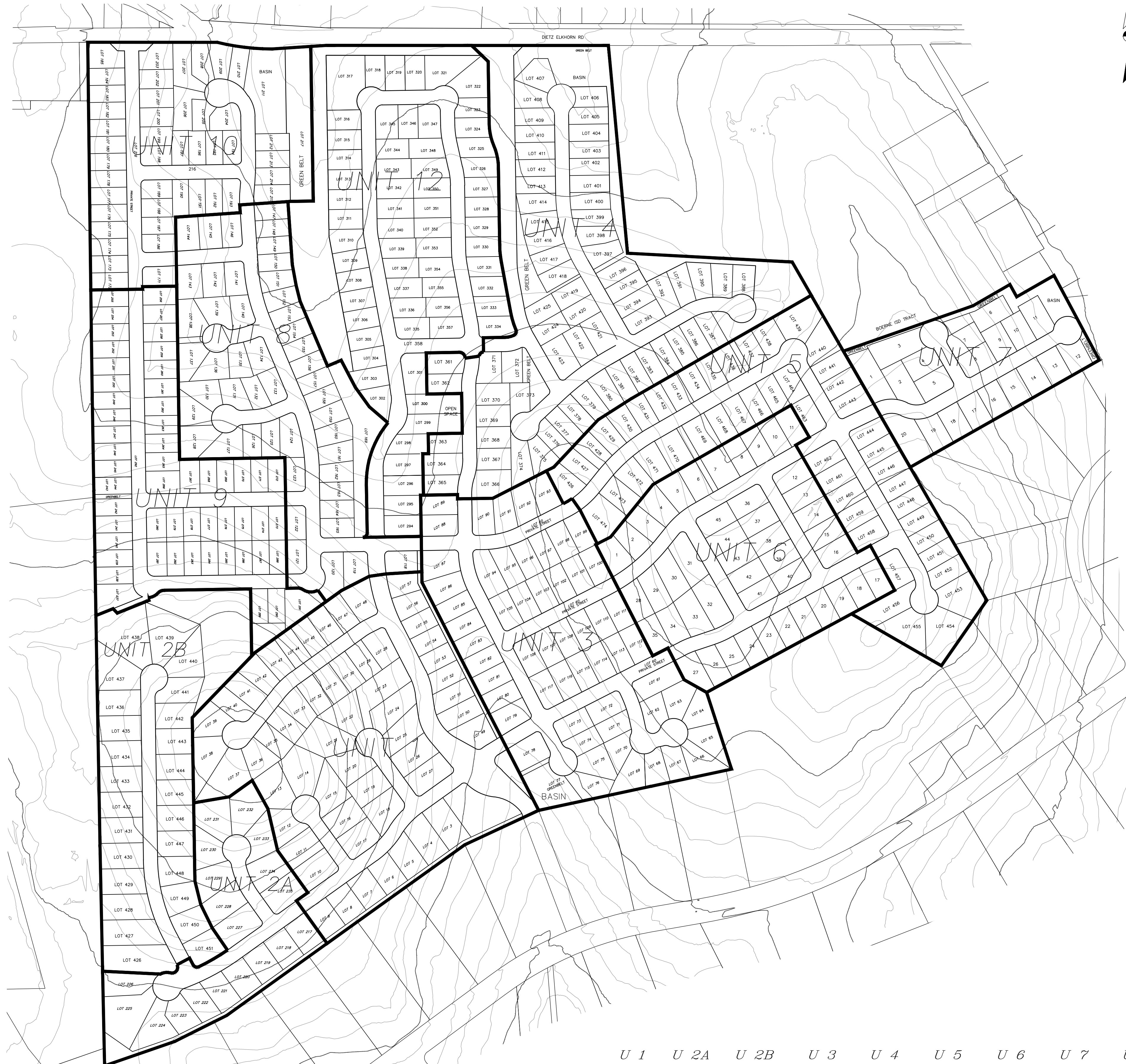
JOB No. 2742-007

DATE OF PREPARATION: 03/31/2021

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PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT





UNIT NO.	AREA AC.	LOTS	ROAD L.F.
1	20.58	55	3,600
2A	7.54	19	900
2B	11.92	26	750
3	16.80	56	3,000
4	21.68	65	3,100
5	14.75	49	2,900
6	13.21	45	2,400
7	7.14	25	590
8	14.12	48	2,680
9	12.44	54	1,100
10	12.37	44	1,850
12	20.45	62	2,700
TOTAL	173.00	548	

60' LOTS	177	—	—	—	—	46	—	—	—	33	54	44	—
70' LOTS	308	29	5	3	56	19	49	45	20	15	—	—	62
90' LOTS	63	26	14	23	—	—	—	—	—	—	—	—	—
TOTAL	548	55	19	26	56	65	49	45	20	48	54	44	62
RECORDING DATA	V.9640/P.82	V.9704/P.211		V.9658/P.82		NOT RECORDED	NOT PLATTED	NOT PLATTED	V.9658/P.86	V.9716/P.137	V.9691/P.15	V.9762 P.28-29	
CONSTRUCTION STATUS	COMPLETED	COMPLETED	COMPLETED	COMPLETED	CONSTRUCTION 98%	UNDER CONSTRUCTION	N/A	N/A	COMPLETED	COMPLETED	COMPLETED	COMPLETED	

REVISIONS

1	
2	
3	
4	
A	DESC.

VICKREY & ASSOCIATES, INC.

CIVIL - ENVIRONMENTAL - SURVEY

12940 Country Parkway San Antonio, TX 78216

Phone: (214) 490-3274

Firm Registration No: F-169

TBPLS Firm Registration No: 10004100

MASTER PLAN

FRONT GATE AT FAIR OAKS RANCH

DATE: FEB. 2021

Vertical Scale 1"=N/A

Horizontal Scale 1"=0'

SHEET 1

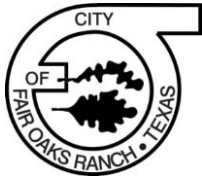
OF 1

PROJ NO. 2742-000

Item #3.

DATE

Page 18



PLANNING & ZONING CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
April 8, 2021

AGENDA TOPIC: Discussion on the proposed amendments to the Unified Development Code
DATE: April 8, 2021
DEPARTMENT: Public Works and Engineering Services
PRESENTED BY: Katherine Schweitzer, P.E., Manager of Engineering Services
Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation

SUMMARY:

This is Session 3 of the discussion on proposed amendments to the Unified Development Code. Prior work sessions were held on March 11, 2021 and March 25, 2021.

PROPOSED AMENDMENTS TO BE DISCUSSED AT SESSION 2:

The attached memo explains the proposed amendments.

P & Z ACTION:

Review recommendations and provide input.

City of Fair Oaks Ranch
Proposed Unified Development Code Amendments
Session 3

Improvements to Style, Layout, and User-Friendliness

1. Observation – Style and Formatting
2. Observation – Grouping Similar Regulations
3. Observation – Table of Contents Layout
4. Observation – Include Pictures and Illustrations
5. Observation – Missing Hyperlinks
6. Observation - UDC Cover Page

Streamline Applications and Procedural Requirements

1. Observation – Application Calendar
2. Observation – Official Zoning Map

Revisions to Conflicting Sections, Grammatical Errors and Inaccuracies

1. Observation – Inappropriate Interchangeable Language
2. Observation – Interchangeable Terms
3. Observation – Narrow Applicability
4. Observation – Numbering Errors

Corrections to Missing and Omitted Items

1. Observation – Access to Development Agreements for Subdivisions Approved Prior to the Adoption of the UDC
2. Observation – Street Lighting Requirements

Clarifications to Zoning Categories, Standards, and Amendments

1. Observation – Future Land Use Map Zoning Categories
2. Observation – Zoning Boundaries
3. Observation – Alcohol and Liquor Sales
4. Observation – Setback and Screening Requirements

Posting Responsibility

1. Observation - Posting Responsibility

Amending Plat Procedures

1. Observation – Conflicting procedures for Amending Plat approval.

Clarifications to Low Impact Development Standards

1. Observation – Low Impact Development Incentives
2. Observation – Conservation Development Alternative - Applicability of Low Impact Development Principles and Approval Process

Improvements to Style, Layout, and User-Friendliness

The purpose of these set of recommendations is to improve the UDC's readability, visual appeal, and ease of usage.

1. Observation – Style and Formatting

In the current format, a user cannot quickly scan through the UDC to find information because the ordinance lacks subheadings, lists, and graphics. The layout is structured in a non user-friendly manner, making it difficult for readers to feel engaged.

✓ **Recommendation**

- Improve the numbering system and layout by incorporating spacing between sections;
- Incorporate the use of more subheadings to increase visual scanning;
- Utilize bullet points, tiered charts, and illustrations wherever possible;
- Introduce colors throughout the UDC to differentiate between subjects and enhance visual variety.

2. Observation – Grouping Similar Regulations

The City's existing code of ordinances currently contains several chapters with separate regulations. Regulations are scattered throughout the document and hard to find.

✓ **Recommendation**

The existing layout should be reorganized to bring related sections closer together. Permit requirements need to be centralized in a single location and cross-referencing of where all these requirements are located via hyperlinks is essential to assist the users and provide ease in navigating the document. Please see the example below:

User-Friendly Hyperlinked Code Format - City of Austin

Zoning establishes site regulations, such as building heights, bulk (density/floor-to-area ratio), setbacks, building coverage, impervious cover, etc. Zoning is a power granted to municipalities by the State in order to promote public health, safety, morals, or general welfare, and to protect and preserve places and areas of historical, cultural, or architectural importance and significance.

[Zoning Districts](#) are established to promote compatible patterns of land use within the city limits. Zoning districts also establish site development regulations and performance standards appropriate to the purposes and the uses allowed in each district. Distinct zoning districts exist for residential, office, retail and industrial uses. Furthermore, specific use restrictions, site development regulations or performance standards may apply to zoning districts combined with special overlay or combining districts.

As part of the zoning process, appropriate land uses for an area are identified based on such factors as the intensity, density, height of a proposed project, surrounding land uses, traffic impacts and access to a site, environmental concerns and overall compatibility. An illustration of [Compatibility: Height and Setbacks](#) shows how compatibility applies to surrounding properties.

More About Zoning

- [Permitted Use Chart](#)
- [Zoning Resources](#)
- [Zoning Forms and Applications](#)
- [Site Development Regulations](#) - Sec. 25-2-492 of the Land Development Code establishes the site development regulations for each zoning district.
- [Zoning Districts](#)

3. Observation – Table of Contents Layout

The Table of Contents, chapter headers, and section titles are not written with the reader audience in mind. The labels neglect to call out important categories like Zoning Map Amendments and Annexation, which citizens and developers will use to inform themselves and their land use decisions.

- ✓ **Recommendation:** Revise the Table of Contents and section titles to bring the most commonly used topics, such as Annexation, Zoning Districts, etc. to the reader's attention and to assist in ease in navigation.

Current Format (City of Fair Oaks Ranch)

CHAPTER 4 ZONING DISTRICTS AND USE REGULATIONS	61
Section 4.1 Purpose and Intent	61
Section 4.2 Permits, Projects, and Vested Rights.....	61
Section 4.3 Official Zoning Map	63
Section 4.4 Rezoning.....	64
Section 4.5 Lot Standards and Zoning	65

Proposed Format (Ref: City of Pearland)

Article 4 – Zoning Districts	36
Division 1 – Zoning Districts Established	36
Section 2.4.1.1 Uniformity	36
Section 2.4.1.2 Division Into Zoning Districts	36
Division 2 – Residential Zoning Districts	37
Section 2.4.2.1 SD, Suburban Development District	37
Section 2.4.2.2 R-E, Single-Family Estate District	38
Section 2.4.2.3 SR-15, Suburban Residential-15 District	38
Section 2.4.2.4 SR-12, Suburban Residential-12 District	39
Section 2.4.2.5 R-1, Single-Family Residential-1 District	40
Section 2.4.2.6 R-2, Single-Family Residential-2 District	41
Section 2.4.2.7 R-3, Single-Family Residential-3 District	43
Section 2.4.2.8 R-4, Single-Family Residential-4 District	44
Section 2.4.2.9 TH, Townhouse Residential District	46
Section 2.4.2.10 MF, Multiple-Family Residential District	48
Section 2.4.2.11 MH, Manufactured Home Park District	50
Division 3 – Mixed Use Zoning Districts	53
Section 2.4.3.1 SPD, Spectrum District	53
Section 2.4.3.2 C-MU, Cullen-Mixed Use District	63

4. Observation – Include Pictures and Illustrations

Sections of the UDC are characterized by lengthy verbal explanations of some requirements that make it difficult for the reader to understand. Reformatting is particularly helpful where a large volume of information needs to be presented and can be better displayed as a picture, chart, or table, such as when discussing:

- Chapter 4 – Zoning (ex. density illustration of R-1 vs R-4)
- Chapter 5 – Impervious Cover, Block Lengths, Easements
- Chapter 6 – Encroachments, Corner Lot View Lines
- Chapter 7 – Shading Requirements, Sidewalk Shading
- Chapter 8 – Conservation Development Alternatives
- Chapter 10 – Signs

✓ Recommendation

Consider utilizing graphics, tables, and illustrations in appropriate sections where the requirements can be presented and better explained as a picture, chart or table. These instances have been redlined in the UDC. Please see examples of visualizations below:

i. Example of Sign Measurements and Dimensions – General



ii. *Example of Information Tables – City of Pearland*

Outdoor Activities and Uses – No outdoor activity or use shall be permitted in the below districts without a CUP or temporary permit issued by the City's Building Official pursuant to the City Building Code, unless expressly authorized herein:

	Outdoor Seating	Outdoor Storage	Outdoor Display	Outdoor Sales
OT-MU	P			
OT-GB	P		P	
RRN	C		C	
OP		C		
BP-288	P	C		
NS	P			T (4) See 2 and 5
GB	P	C	P	T (6) See 5
GC	P	C	P	T (6) See 5

P = Uses permitted by right

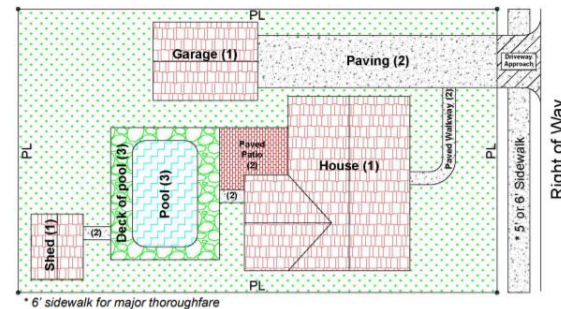
C = User permitted by a Conditional Use Permit approved by P & Z and City Council

T = Temporary Uses permitted with conditions as indicated

iii. *Example of Impervious Calculation – City of Houston*

CALCULATION OF IMPERVIOUS AREA PERCENTAGE

A. Total area of impervious cover located on private property.



This diagram is to assist in identifying the various items considered impervious.

	Existing Sq. Ft.	+	Addition Sq. Ft.	=	Final Sq. Ft.
1. Building(s) (e.g., house, garage, shed, carport)		+		=	↓ +
2. Paving (e.g., driveway, sidewalk, patio, etc.)		+		=	↓ +
3. Swimming Pool/Retention Ponds, etc.		+		=	↓ +
4. Others		+		=	↓ +
Totals		+		=	sq. ft. (A)

B. Total Area of Lot: sq. ft.

C. Percentage Impervious Area Calculation

$$\left(\frac{\text{A}}{\text{B}} \right) \times 100 = \text{C} \%$$

NOTE: If > 65% , refer the Infrastructure Design Manual, Chapter 9, Section H for additional provisions.

5. Observation – Missing Hyperlinks

The Unified Development Code makes several references to an Administrative Procedures Manual and Technical Criteria Manual, but neither document was prepared. Draft versions of these document have been prepared.

✓ Recommendation

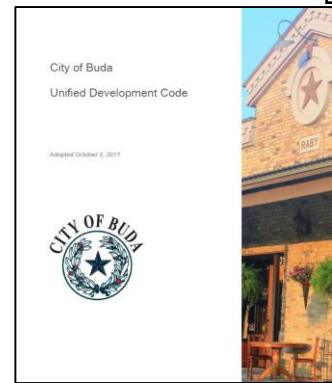
Make these items available online and hyperlink referenced locations throughout the UDC.

Observation - UDC Cover Page

The City of Fair Oaks Ranch Unified Development Code cover page does not reflect the City's brand or its robust legacy.

✓ Recommendation

Create a UDC cover page that incorporates visual branding elements such as: city seal, adoption date, revision date, iconic imagery and photographs from around Fair Oaks Ranch, and a preface explaining the purpose of the document. See example.



Streamline Applications and Procedural Requirements

1. Observation – Application Calendar

Applications are submitted on a rolling basis with no clear deadlines for corrections or revisions, confusing applicants and interrupting City Staff workflow.

✓ Recommendation

Create a 13-month application calendar detailing initial submission, revision, and City Staff response deadline. This promotes clarity and transparency through an enforceable application process.

This has been completed. An example is the following plat submittal calendar that is available on the City's website to guide the applicants and ensure that the timelines meet the statutory requirements.

(<https://www.fairoaksranchtx.org/DocumentCenter/View/3429/2021-22-Plat-Submittal-Schedules>)



CITY OF FAIR OAKS RANCH 2021-2022 PLAT SUBMITTAL SCHEDULE ¹

Month	Submittal Deadline (for Initial Review) (Wednesdays at 5 pm)	Completeness Check and Review Comments sent to Applicant ² (Fridays by 5 pm)	Application Filing Date (Complete Applications Only) (Wednesday by 10:00am)	Administrative Review Comments Sent to Applicant (Wednesdays by 5 pm)	Request for Extension of Time Deadline ³ (Fridays by 5 pm)	Planning & Zoning (P&Z) Meeting ⁴ (2nd Thursdays at 6:30 pm) ¹	City Council Meeting (3rd Thursdays at 6:30 pm)
December (2020)	November 4, 2020	November 13, 2020	November 18, 2020	November 25, 2020	December 4, 2020	December 10, 2020	December 17, 2020
January (2021)	December 9, 2020	December 18, 2020	December 23, 2020	December 30, 2020	January 8, 2021	January 14, 2021	January 21, 2021
February	January 6, 2021	January 15, 2021	January 20, 2021	January 27, 2021	February 5, 2021	February 11, 2021	February 18, 2021
March	February 3, 2021	February 12, 2021	February 17, 2021	February 24, 2021	March 5, 2021	March 11, 2021	March 18, 2021
April	March 3, 2021	March 12, 2021	March 17, 2021	March 24, 2021	April 2, 2021	April 8, 2021	April 15, 2021
May	April 7, 2020	April 16, 2020	April 21, 2020	April 28, 2020	May 7, 2020	May 13, 2020	May 20, 2020
June	May 5, 2020	May 14, 2020	May 19, 2020	May 26, 2020	June 4, 2020	June 10, 2020	June 17, 2020
July	June 2, 2021	June 11, 2021	June 16, 2021	June 23, 2021	July 2, 2021	July 8, 2021	July 15, 2021
August	July 7, 2021	July 16, 2021	July 21, 2021	July 28, 2021	August 6, 2021	August 12, 2021	August 19, 2021
September	August 4, 2021	August 13, 2021	August 18, 2021	August 25, 2021	September 3, 2021	September 9, 2021	September 16, 2021
October	September 8, 2021	September 17, 2021	September 22, 2021	September 29, 2021	October 8, 2021	October 14, 2021	October 21, 2021
November	October 6, 2021	October 15, 2021	October 20, 2021	October 27, 2021	November 5, 2021	November 11, 2021	November 18, 2021
December	November 3, 2021	November 12, 2021	November 17, 2021	November 24, 2021	December 3, 2021	December 9, 2021	December 16, 2021
January (2022)	December 8, 2021	December 17, 2021	December 22, 2021	December 29, 2021	January 7, 2022	January 13, 2022	January 20, 2022

1. Dates are subject to change and may be adjusted due to holidays and other events

2. Applications deemed incomplete will be returned to the applicant and will need to be submitted at the following submittal deadline for Initial Review

3. Extension of 30-day period to act

4. Joint Public Hearing with Planning and Zoning Commission and City Council for replats, if required

NOTE: Dates highlighted in red are adjusted due to holidays and other events

2. **Observation – Official Zoning Map**

The Official Zoning Map is required to be updated once annually (Section 4.3.2). This can result in misrepresentative zoning and misguiding development decisions.

✓ **Recommendation**

Revise this section to require the Official Zoning Map to be updated as soon as an amendment is passed. Digital maps are easy to modify and timely updates will help to avoid misrepresenting current or amended zones.

Revisions to Conflicting Sections, Grammatical Errors and Inaccuracies

These recommendations are applicable to all sections of the UDC and some examples are listed below. Individual instances will be highlighted when the marked-up version of the entire UDC is presented for review.

1. **Observation – Inappropriate Interchangeable Language**

The UDC does not distinguish between suggestive, prescriptive, and mandatory language. The UDC uses the words “may,” “must,” “shall,” and “should” interchangeably throughout. These terms all have distinct interpretations and may not convey the intended purpose when used interchangeably.

✓ **Recommendation**

Clarify the UDC’s intent and distinguish clearly between suggestive (may), prescriptive (should), and mandatory language (shall/must).

2. **Observation – Interchangeable Terms**

The UDC incorrectly enables certain clauses and definitions to be used interchangeably, even in cases where doing so results in a different interpretation than originally intended. For example, Section 2.2 allows the following terms to be used interchangeably, despite varied meanings and implications in the development process: “Owner, Owner’s Owner, Landowner, Property Owner, Applicant, developer, and Subdivider.”

✓ **Recommendation**

These sentences about the terms being interchangeable are not accurate and need clarification. Consider modifying these terms as applicable.

3. **Observation – Narrow Applicability**

Certain sections in the UDC are too specific and too detailed with narrow applicability, thus limiting the enforceability of other applicable requirements of the UDC. For example, Section 5.3(3)d reads: “Every building erected or moved and every lot platted must conform to the following minimum requirements...[must] meet minimum dimension, environmental, parking, landscaping, and water conservation requirements of this code”. This clause should be modified to ensure that all requirements are met and not just ones specified here.

✓ **Recommendation**

These clauses should be made more generally applicable. Consider editing this clause to read: "...[must] meet all minimum requirements set forth in this code."

Section 5.3 (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 at least one type of lot described in this Section;*
- 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. Observation – Numbering Errors

Various sections and/or lists have been skipped or numbered incorrectly; for example, the list in Section 3.9 skips from number 14 to 16.

✓ **Recommendation**

Correct this, and other similar errors as redlined.

Section 3.9 Site Development Related Applications

(14) Relief from Signage Regulations

- a. Applicability. The owner of property seeking to erect, move, add to, or alter a signlimit or the ETJ may seek relief from the regulations found in Chapter 10 of this Code by requesting a signage Variance from the Zoning Board of Adjustment...*

~~(16)~~ (15) Group Living Operating License.

Corrections to Missing and Omitted Items

1. Observation – Access to Development Agreements for Subdivisions Approved Prior to the Adoption of the UDC

The Existing Residential zoning designations apply to residential developments that were approved prior to the adoption of the UDC and are currently being platted or under construction. All lot, building, landscaping, and other standards for these developments are controlled by applicable deed restrictions or development agreements in these neighborhoods. Some of these deed restrictions and development agreements have master plans and contain requirements on amenities and open space. Sometimes, staff and home-builders are not aware of these requirements and is difficult to access these development agreements.

Section 4.6 Zoning District

(1) Residential Districts

c. Existing Residential 1 (R1)

*The Existing Residential 1 (R1) category governs the most dense existing residential types with lot sizes generally under 0.3 acres. Exclusive of city permits and ordinances, all lot, building, landscaping and other standards **will be controlled by the applicable deed restrictions** in these neighborhoods, in compliance with City ordinance requirements.*

d. Existing Residential 2 (R2)

*The Existing Residential 2 (R2) category governs existing residential lots with lot sizes generally between 0.3 acres and 1.3 acres. Exclusive of city permits and ordinances, all lot, building, landscaping and other standards will be **controlled by the applicable deed restrictions** in these neighborhoods, in compliance with City ordinance requirements.*

e. Existing Residential 3 (R3)

*The Existing Residential 3 (R3) category governs the existing rural residential lots with lot sizes generally between 1.3 acres and 5 acres. Exclusive of city permits and ordinances all lot, building, landscaping and other standards will be controlled by the **applicable deed restrictions** in these neighborhoods, in compliance with City ordinance requirements.*

f. Existing Residential 4 (R4)

*The Existing Residential 4 (R4) category governs existing rural oriented neighborhoods with lot sizes generally greater than 5 acres. Exclusive of city permits and ordinances all lot, building, landscaping and other standards will be controlled by the **applicable deed restrictions**, in compliance with City ordinance requirements.*

✓ Recommendation

Publish a list of these development agreements on the City of Fair Oaks Ranch web site with a copy of approved document and a map identifying the boundaries.

2. Observation – Street Lighting Requirements

An outdoor lighting plan is not included as part of the building permit application for commercial and multi-family properties. Also, height standards are absent.

✓ Recommendation

As part of the application, an outdoor lighting plan should be included in the application checklist. Nonresidential lighting poles should have a specific height limit; typically, this limit is 20' (See Section 7.8(4) & (6)).

Clarifications to Zoning Categories, Standards, and Amendments

1. Observation – Future Land Use Map Zoning Categories

The Future Land Use Map uses land use categories that are identical to the current zoning district designations. This is confusing and can lead to misreading the Future Land Use Map and misinterpreting the zoning designations. Please See Table 4.1 below.

- ✓ **Recommendation** Consider changing the names of the Future Land Use Map (FLUM) land use categories to be distinct from current zoning district designations. For example, the FLUM categories could be broader: Low-Density, Medium-Density, High-Density. The various zoning district designations can be grouped under each of these FLUM categories. Add a zoning equivalency table to clarify the appropriate zoning district for each land use category.

Table 4.1 Zoning Districts

RESIDENTIAL DISTRICTS		FLUM Categories	FLUM Categories
		Existing	Proposed
Rural Residential (RR)	RR	Rural Residential	Low Density Residential
Neighborhood Residential (NR)	NR	Neighborhood Residential	Medium Density Residential
Existing Single Family Residential 1 (SF-1)	R1	Existing Residential	Existing Residential 1
Existing Single Family Residential 2 (SF-2)	R2	Existing Residential	Existing Residential 2
Existing Single Family Residential 3 (SF-3)	R3	Existing Residential	Existing Residential 3
Existing Single Family Residential 4 (SF-4)	R4	Existing Residential	Existing Residential 4
NON-RESIDENTIAL DISTRICTS			
Mixed Use Village Zone (MUZ)	MU	Mixed Use Village	Mixed Use Village
Neighborhood Commercial or Services or Local Commercial (NS or LC)	NC	Neighborhood Commercial	Neighborhood Commercial
Community Facilities-Public and-Civic Uses (PCU)	CF	Community Facilities	Community Facilities
Logistics Office Commercial (OC)	LO	Logistics	Logistics
Open Space	OS	Parks/Open Spaces/Existing Parks	Parks/Open Spaces/Existing Parks
SPECIAL DISTRICTS			
Planned Unit Development	PUD		Planned Unit Development

3. Observation – Zoning Boundaries

Interpretation of zoning boundaries does not acknowledge the legal description provided in the ordinance establishing the zone.

✓ Recommendation

To assist in the interpretation of zoning boundaries add a rule to the effect of: “Boundaries as indicated in the legal description provided with the application that established zoning may be referred to as a guide to resolve discrepancies.”

Section 4.3 Official Zoning Map

(5) Interpreting Zoning District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

a. Boundaries indicated as approximately following the centerlines of street, highways, or alleys

shall be construed to follow such centerlines.

b. Boundaries indicated, as approximately following platted lot lines shall be construed as

following such lot lines.

c. Boundaries indicated, as approximately following city limits shall be construed as following city limits.

d. Boundaries indicated as approximately following the center lines of streams, rivers, canals,

lakes, or other bodies of water shall be construed to follow such center lines.

e. Boundaries indicated as parallel to or extensions of features indicated in subsections (a) through (d) above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

f. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or where precise scale is difficult to determine, or in circumstances not covered by subsections (a) through (e) above, the City Manager shall interpret the district boundaries.

g. Boundaries as indicated in the legal description provided with the application that established zoning may be referred to as a guide to resolve discrepancies.

4. Observation – Alcohol and Liquor Sales

Alcohol and Liquor sales are regulated by the Texas Alcoholic Beverage Commission (TABC).

✓ Recommendation

Check the treatment of this zoning designation with the appropriate governing body. Ensure that the UDC is not in conflict with TABC regulations for alcohol.

5. Observation – Setback and Screening Requirements

Screening standards and setback requirements between properties and varying adjacent use types are unclear.

✓ **Recommendation**

Additional landscape and screening standards with detail on the type, location, and material should be included as redlined.

Posting Responsibility

1. Observation - Posting Responsibility

Posting of signs, as indicated in the Table 3.4 – Summary of Notice Requirements, is not required by the Texas LGC for some of the applications listed in the table. Currently, the UDC requires the City to install these signs. As written, the City is responsible to ensure that signs are posted in a timely manner and remain on site for the specified period. Failure to post the sign in a timely manner and ensuring it remains in place for the specified period prevents the public hearing from being conducted as advertised.

✓ **Recommendation**

Consider removing this requirement or shifting the responsibility of installing the notification sign to the applicant.

If the requirement is removed, then the table needs to be modified as shown below.

If the applicant is required to post these signs, then section 3.6(5) needs to be modified as shown.

Table 3.4: Summary of Notice Requirements

<i>Procedure</i>	<i>Published</i>	<i>Mailed</i>	<i>Posted <u>on Site</u></i>
<i>Comprehensive Plan Amendment</i>	X		
<i>UDC Text Amendment</i>	X		
<i>Special Use Permit</i>	X	X	✗
<i>Zoning Map Amendment (Zoning or Rezoning)</i>	X	X	✗
<i>Planned Unit Development</i>	X	X	✗
<i>Annexation</i>	X		X
<i>Certificate of Design Compliance</i>			X
<i>Appeal of Administrative Decision</i>	X		
<i>Policy Variance</i>	X	X	✗
<i>Judicial Variance</i>	X	X	✗
<i>Development Agreement</i>	✗	✗	✗
<i>Appeal of Denial of Sign Permit</i>			✗
<i>Replat</i>	X	X	

X – Notice Required

3.5(3) Published Notice

*Before the 15th day before the date of the hearing before the governing body, the City Manager (or designee) will cause to be published public notice in an official newspaper or a newspaper of general circulation in the municipality. The notice will contain notice of the time and place of the hearing and a description of the item to be considered or reviewed. If notification of a public hearing before the Planning and Zoning Commission is required to be published, publication of the hearing before the **Planning and Zoning Commission** and the City Council may be done concurrently.*

3.5(5) Posted Notice

*The **City applicant** will be responsible for posting notice along rights-of-way frontage of the subject property in a format approved by the City Manager (or designee) not less than fifteen (15) days prior to the scheduled public hearing.*

Amending Plat Procedures

1. Observation – Conflicting procedures for Amending Plat approval.

Section 3.2 of the UDC requires P&Z recommendation and City Council approval of Amending Plats. This conflicts with Section 3.8 (2) and Table 3.1 that permit approval of Amending Plat administratively.

✓ Recommendation

Amend Section 3.2 to be consistent with Section 3.8 (2) and Table 3.1 (see below) and permit approval of Amending Plat administratively.

Section 3.2 (2)

*b. Amending Plat. An amending plat will be filed in accordance with the procedures and requirements set forth in the Local Government Code (LGC) §212.045. ~~The Planning and Zoning Commission (Commission) may recommend and the City Council~~ **The City Manager (or designee)** may approve and issue an amending plat, which may be recorded and control over the preceding plat without vacation of that plat and without notice and hearing, if the amending plat is signed and acknowledged by the owners of the property being replatted and is solely to do one or more of the following:*

- i. Correct an error in a course or distance shown on the preceding plat;*
- ii. Add a course or distance that was omitted on the preceding plat;*
- iii. Correct an error in a real property description shown on the preceding plat;*
- iv. Indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;*
- v. Show the location or character of a monument which has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;*
- vi. Correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;*

- vii. *Correct an error in courses and distances of lot lines between two (2) adjacent lots if:*
 - 1. *Both lot owners join in the application for amending the plat;*
 - 2. *Neither lot is abolished;*
 - 3. *The amendment does not attempt to remove recorded covenants or restrictions; and*
 - 4. *The amendment does not have a materially adverse effect on the property rights of the other owners in the subdivision;*
- viii. *Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;*
- ix. *Relocate one or more lot lines between one or more adjacent lots if:*
 - 1. *The owners of all those lots join in the application for amending the plat;*
 - 2. *The amendment does not attempt to remove recorded covenants or restrictions; and*
 - 3. *The amendment does not increase the number of lots;*
 - 4. *The amendment does not render any resulting lot substandard for a required well, on- site sewage facility, or below minimum lot size requirements in existing deed restrictions on in the City's Future Land Use Map; or*
- x. *Make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:*
 - 1. *The changes do not affect applicable zoning and other regulations of the municipality, including water and on-site sewage facility regulations;*
 - 2. *The changes do not attempt to amend or remove any covenants or restrictions; and*
 - 3. *The area covered by the changes is located in an area that the Commission or City Council has approved, after a public hearing, as a residential improvement area; or*
- xi. *Replat one or more lots fronting on an existing street if:*
 - 1. *The owners of all those lots join in the application for amending the plat;*
 - 2. *The amendment does not attempt to remove recorded covenants or restrictions;*
 - 3. *The amendment does not increase the number of lots; and*
 - 4. *The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities, or require a variance for water well lot sizing and setbacks or on-site sewage facility regulations.*

Table 3.1: Summary of Review Authority

Permit or Application	Within City Limits	Within ETJ	Administrative Review	Planning & Zoning Commission	Zoning Board of Adjustment	City Council	Appropriate County
SUBDIVISION AND PROPERTY DEVELOPMENT RELATED APPLICATIONS AND PERMITS							
Minor Plat	+	+	X				
Amending Plat	+	+	X				
Replat	+	+	O	O		X	
+: Applicable X: Final Action O: Review/Recommendation *: Limited Review Authority/Applicability							

Section 3.8 Subdivision and Property Development Related Applications

6. Administrative Plat Review

- a. Applicability. Minor Plats or Amending Plats may be approved by the City Manager (or designee) following an evaluation for plan compliance and technical compliance with this Code.
 - i. Minor Plat. A Minor Plat is any plat involving four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.
 - ii. Amending Plat. A plat that complies with LGC §212.016, as amended, which is generally submitted to correct errors and omissions, or make minor changes such changing the preceding plat to create six (6) or fewer lots in the subdivision, when agreed to by all adjacent property owners.

Clarifications to Low Impact Development Standards

1. Observation – Low Impact Development Incentives

Incentives for Low Impact Development (LID) are unclear, ambiguous, and at the discretion of the Planning and Zoning Commission (Section 8.3).

✓ Recommendation

Clarify the site assessment process, the feasibility of best management practices, and related incentives that might be offered.

2. Observation – Conservation Development Alternative - Applicability of Low Impact Development Principles and Approval Process

- a. Applicability - Low Impact Development (LID) is referenced as a type of environmentally-sensitive development, but in other places throughout the

document, the UDC also uses the term Conservation Development Alternative (CDA). It is not clear if these terms are interchangeable and where Low Impact Development principles are required.

✓ **Recommendation**

Ensure that Conservation Development Alternative meets the standards of Low Impact Development. Specify other areas where Low Impact Development standards are required or recommended.

- b. **Approval Process-** Currently, the approval process is not clear and appears to be similar to the subdivision approval process. The process is not addressed in Table 3.1, as discussed earlier. The subdivision approval process for a similar development requires preliminary and final plat approval by the City Council, after a recommendation by the Planning and Zoning Commission, without a public hearing. However, these plats are required to meet all the requirements the underlying zoning category. The CDA permits flexibility on minimum lot (no minimum lot size required) by allowing smaller lots and larger open spaces with adherence to LID principles, as indicated below. Due to this deviation from the base zoning category the City may want to consider a public hearing process, similar to that required for a zone change, to gain input from neighboring properties on the impact of the proposal.

Section 8.3 (2)

c. **Lot Size and Density.** *In order to incentivize Conservation Development, larger areas of contiguous conservation area and encourage the implementation of LID principles a density bonus is allowed. The allowed number of lots is calculated by taking the total net lot area (not including streets and ROW's) and dividing it by the Conservation Alternative Minimum in Table 8.1. There **is no individual lot size minimum** using the Conservation Development but the lots shall conform to the base zoning setback requirements.*

Table 8.1 Conservation Development Alternative Density Incentive

Zoning District	Neighborhood Residential	Rural Residential
<i>Conventional Lot Size Minimum</i>	<i>1 Acre</i>	<i>5 Acre</i>
<i>Conservation Development Alternative Minimum</i>	<i>.75 Acre (blended average)</i>	<i>3.75 Acre (blended average)</i>

- j. **Density Calculation Example:** *For example, a hypothetical 100 acre tract in the rural residential area with a net lot area of 80 acres would be able to be developed into 16 - 5 ac lots with 0 ac of protected open space. With the Conservation Development Alternative the net lot area of 90 acres, requires*

less area dedicated to streets and could be built to have 22 total clustered lots of which 27 acres of the 90 acres is protected conservation area. (Minimum of 30 percent of the site as protected conservation areas)

✓ **Recommendation**

Modify the process to include a public hearing, similar to a zone change process.

Section 8.3 Conservation Development Alternative

*A Conservation Development is a development of land, occupying ten (10) contiguous acres or more, that is developed in a manner generally consistent with LID principles as **per Section 8.2 of this Unified Development Code**, is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may cover more than one parcel as long as all parcels are contiguous, but the entirety of each included parcel will be included in the gross area of the development. The requirements for approval are similar to those for subdivisions of the same size according to this Code, with the only differences being contained in this Section 8.3, **and the requirement of a public hearing by the Planning and Zoning Commission and City Council**. A Conservation Development requires a certain amount of permanently protected Open Space and allows flexibility on minimum lot or yard sizes. A Conservation Development must be clearly indicated as such on its Preliminary and Final Plats.*