



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

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TO: Mayor and City Council

CC: Mary Smith, *City Manager*
Joey Boyd, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: September 7, 2021

SUBJECT: Change to Urban Residential in the Downtown (DT) District

Recently the Mayor has asked staff to review the *Urban Residential* land use in the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) and propose changes to ensure that a public hearing would be required for this land use in the future. Based on this staff has prepared the following:

Background on the Urban Residential Land Use

The *Urban Residential* land use was originally created with the adoption of the Unified Development Code (UDC) on June 7, 2004 by *Ordinance No. 04-38*. At the time of adoption, this undefined land use was only permitted *by-right* in the Central Business District (CBD) and by Specific Use Permit (SUP) in the Multi-Family 14 (MF-14) District. The land use standards for this land use (*at that time of adoption and remaining unchanged today*) are as follows:

Urban Residential

- (1) *Urban Residential* includes residential development which at least partly face streets, public sidewalks, or common open space, or which are located above retail office or service uses.
- (2) Ground floor *Urban Residential* should have direct access to a sidewalk via a stoop or landing, and a majority of parking should be located in a structure.

Staff should note, that this land use was created as a result of the *Downtown Plan: Blueprint for a Downtown Village* [referred to as the *Downtown Plan*], which was drafted by a team of consultants and adopted by the City Council on November 15, 2004. This plan states that "(i)n the Downtown District, there should be a variety of housing including townhomes, lofts (*with or without retail at grade*) and "big home" style properties (*buildings and site plans which look like large homes, but may contain 2-6 or so living units*) ..." and that "... these properties should be targeted to young professionals, 'empty nesters' and retirees." When the Downtown (DT) District was created by *Ordinance No. 07-06* on February 5, 2007 the *Urban Residential* land use was indicated as being a permitted *by-right* land use in this ordinance (*subject to the land use standards above*). The reason for this was most likely due to the fact that the land use was previously allowed *by-right* in the Central Business District (CBD), and that the Downtown (DT) District was designed to replace this district moving forward.

On September 3, 2019, the City Council adopted *Ordinance No. 19-32*, which provided definitions for all land uses contained in the *Permissible Use Charts* as stipulated by Article 04, *Permissible Uses*, of the Unified Development Code (UDC). The change defined *Urban Residential* as "... (a) development situated within the City's Downtown (DT) District -- *which is also referred to as the urban core* -- that allows for multiple single-family dwelling units grouped into a single building."

Proposed Changes to Ensure a Public Hearing is Required

The following changes could be implemented to ensure that a public hearing is required for all *Urban Residential* requests moving forward:

LAND USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference Article XIII, Definitions]	CONDITIONAL USE REFERENCE Reference Article IV, Permissible Uses]	RESIDENTIAL DISTRICTS														MIXED USE DISTRICTS	NON-RESIDENTIAL DISTRICTS			OVERLAY DISTRICTS			
LAND USES	RESIDENTIAL AND LODGING LAND USES			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District
Urban Residential		(23)	(16)												S	PS									

ADDITIONS: **HIGHLIGHTED**; DELECTION: ~~HIGHLIGHTED STRIKETHROUGH~~

By making this change and requiring the *Urban Residential* land use to get a Specific Use Permit (SUP) in the Downtown (DT) District, the City Council will retain more discretion with each specific request. In addition, the City Council could consider amending the definition of *Urban Residential* to include only certain types of housing. For example, the definition could be changed to "...(a) development situated within the City's Downtown (DT) District -- *which is also referred to as the urban core* - - that allows for single-family, single-family attached, townhomes, and lofts (*i.e. one [1] story of residential above commercial only*)."

Process for Text Amendment

Should the City Council choose to direct staff to make changes to the Unified Development Code (UDC) at the September 7, 2021 City Council meeting the calendar for these changes would be as follows:

- Planning and Zoning Commission Work Session: September 28, 2021
- Planning and Zoning Commission Public Hearing: October 12, 2021
- City Council Public Hearing/First Reading: October 18, 2021
- City Council Second Reading: November 1, 2021

Staff should note that this change will not have any effect on any requests that have previously submitted a development application. Should the City Council have any questions concerning the proposed changes or process, staff will be available at the September 7, 2021 meeting.