



Neighborhood Mixed-Use (NMU) Ordinance Amendment

Date: January 10, 2023

To: Chairman and Members of the Planning and Zoning Commission

From: Susy Victor-Trevino, Planning Manager

Subject: Consideration and Action Regarding Approval of a Request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11).

Background/Discussion:

On August 09, 2022 the Planning and Zoning Commission made a recommendation to Council to approve the request to consider amending the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District. On August 16, 2022, the City Council voted unanimously to table this item and approved the item on September 06, 2022.

On November 08, 2022 the NMU City-initiated rezoning went before the Planning and Zoning Commission where they decided to recommend all the parcels, with the exclusion of parcels 6 and 8, be forwarded to the City Council with a recommendation for approval. The recommendation went before the City Council on December 06, 2022, but with recommendation from staff, the item was tabled due to potential conflicts in the existing ordinance language. Staff believed it was best to hold off on the rezoning until an NMU District amendment could be processed to ensure clarity before execution. The amendment change is presented in the following exhibit.

Staff Recommendation:

Staff recommends that the request for a Request to Amend the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11) be forwarded to the City Council with a recommendation for approval.

Attachments:

NMU Newspaper Notice, Ordinance 2022-03, NMU PowerPoint

Legals

CITY OF LAKE WORTH
ORDINANCE NO. 1250

AN ORDINANCE AMENDING Ordinance No. 1169, the Comprehensive Zoning Ordinance of the City of Lake Worth, BY CHANGING THE ZONING DESIGNATION OF APPROXIMATELY 0.425-ACRES OF LAND DESCRIBED HEREIN AS BLOCK 30, LOT 21, INDIAN OAKS SUBDIVISION, being that all of the certain called 0.425-acre PARCEL of land recorded in the deed records of Tarrant County, Texas, from a zoning designation of "pc" PLANNED COMMERCIAL (OBSOLETE zoning district) to a zoning designation of "C" commercial, for a property GENERALLY KNOWN AS 3029 CADDOR LRL, Lake Worth, Tarrant County, Texas and by amending the Official Zoning Map to reflect such change; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENFORCEMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND NAMING AN EFFECTIVE DATE.

SECTION 6. PENALTY CLAUSE. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 10. PUBLICATION CLAUSE. The City Secretary of the City of Lake Worth is hereby directed to publish in the official newspaper of the City of Lake Worth, the caption, the penalty clause, publication clause, and effective date clause of this ordinance two (2) days as authorized by Section 52.013 of the Local Government Code.

SECTION 11. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED on the 20th day of December 2022.

CITY OF LAKE WORTH
/s/ Walter Bowen
Walter Bowen - Mayor
ATTEST:
/s/ Holly Fimbres
Holly Fimbres - City Secretary
IPL0103112
Dec 23, 30 2022

NTTA

RFB 05756-DNT-05-CN-PD
DNT Winter Operational Facility
Project Description: This project consists of the construction of a covered winter maintenance operations facility under the DNT mainline bridge at US 380. Construction includes grading, paving, and the construction of aluminum covered storage structures with associated illumination, utilities, and sanitary facilities.

The North Texas Tollway Authority (NTTA) is accepting bids for the above mentioned solicitation until 1/19/2023 at 11:00 a.m. CT. Bidders are encouraged to upload their bids to NTTA's Marketplace (<https://www.nttamarketplace.org>). Bids will be read at a virtual bid opening meeting on 1/19/2023 at 3:00 p.m. CT. See RFB documents for meeting details.

A virtual pre-bid conference will be held on 1/10/2023 at 1:00 p.m. CT. See RFB documents for meeting details.

Email bidpurchasing@ntta.org for questions on registration or use of website.

ADVERTISEMENT FOR
REQUEST FOR PROPOSALS
CITY OF SOUTHLAKE
OWNER

Sealed Request for Proposals for Disaster Debris Management and Monitoring Services RFP-2211B320AM220011 will be received by the City of Southlake. All proposals must be submitted electronically and received by 3:00 PM, CST, Friday February 10, 2023. Further information regarding this solicitation is available from the City Website located at www.cityofsouthlake.com or Bonfire website located at <https://southlake.bonfirehub.com/login>.

The Owner reserves the right to waive any and all informalities or to reject any and all proposals.

For further information please contact City of Southlake Purchasing Manager at 817-748-8312.
IPL0103222
Dec 30, Jan 6 2023

City of Colleyville

The City of Colleyville City Council gives notice of a Public Hearing on Tuesday, 1/17/2023 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

VC22-013 - Consideration of a Variance for an accessory building to encroach into the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, specifically for the street side yard setback in the R-20 Single Family Residential district on Lot 3, Block G, Brook Meadows Addition, located at 4731 Meandering Way, Case VC22-013

The City Council will hold a Public Hearing on the above items on 1/17/2023 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas. All interested citizens will be given the opportunity to speak and be heard.

CITY OF COLLEYVILLE
JR
Jacquelyn Reynff
Planning Manager
IPL0103475
Dec 30 2022

PUBLIC HEARING

CITY OF GRAPEVINE, TEXAS

The City Council of the City of Grapevine, Texas will hold a public hearing on the adopting the Grapevine Youth Programs Standards of Care for the Parks and Recreation Department as required by Section 42.041(b)(14) of the Child Care Standards and Regulations of the Texas Human Resources Code, on Tuesday, January 17, 2023 at 7:30 p.m. The public hearing will be held during the regularly scheduled City Council Meeting in the Council Chambers at City Hall, 200 South Main Street, Second Floor, Grapevine, Texas 76051.

Citizens are invited to attend the hearing and make comments.
IPL0103512
Dec 30 2022

NTTA

North Texas Tollway Authority
RFQ 05775-NTT-00-PS-TM
Traffic Engineering Consultant Services

Project Description: NTTA is soliciting qualifications for a four (4) year contract to provide Traffic Engineering Consultant services consisting of speed zone studies, roadway capacity analysis, traffic safety studies, engineering design for roadway and traffic signs, origin and destination studies as well as other related tasks as requested by NTTA to improve toll road operations and safety performance.

CITY OF KELLER
PUBLIC HEARING

A public hearing will be held by the City Council of the City of Keller at 7:00 P.M. on Tuesday, January 17, 2023, at Keller Town Hall, 1100 Bear Creek Parkway, to consider an ordinance approving three Specific Use Permits (SUPs) for a detached accessory building on 2.83 acres located on the east side of Whitley Road, approximately 250 feet northeast from the intersection of Whitley Road and Harper Lane, legally described as Lot 1, Block A of Andrews Addition, zoned Single-Family 36,000 square-foot lot size or greater (SF-36) and Single-Family 8,400 square-foot lot size or greater (SF-8.4) and addressed 1621 Whitley Road, Nathan Olmstead, Owner/Applicant. (SUP-22-0037)

Persons with disabilities who plan to attend this hearing and who may need auxiliary aid or services, such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact the ADA Coordinator 48 hours in advance, at (817) 743-4041, and reasonable accommodation will be made for assistance.
IPL0103762
Dec 30 2022

City of Saginaw Public Notice

A Public Hearing will be conducted by the Planning and Zoning Commission at 6:00 p.m. on January 10, 2023 to consider amending the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District (2022-11). A Public Hearing will be conducted by the Saginaw City Council 6:00 p.m. on January 17, 2023 to consider the above-mentioned zoning ordinance amendment, contingent upon the receipt of a report regarding the amendment from the Planning and Zoning Commission. Both meetings will be in the Council Chambers at the Saginaw City Hall located at 333 West McLeroy Boulevard.

FINAL ACTION IS TAKEN BY CITY COUNCIL ON PUBLIC HEARING CASES.

Please direct any question regarding this matter to Susy Victor-Trevino, Planning Manager, 817-230-0440.
IPL0103770
Dec 30 2022

ADVERTISEMENT FOR BIDS

Sealed bids will be received via www.PlanetBids.com, until Thursday, January 19, 2023, at 2:00 p.m., at that time publicly opened and read via teleconference for the following:

BID # 23059 - Landscape Maintenance for Epic Central

There will be a pre-bid meeting held on Wednesday, January 11, 2023, at 9:30 a.m. at the Parks, Arts & Recreation Hall of Fame conference room, located at 400 College Street, Grand Prairie, TX 75050.

Further information and specifications may be obtained at www.planetbids.com, www.gptx.org, or from the Purchasing division at (972) 237-8045.

The city reserves the right to reject any or all bids and to waive formalities. The city also reserves the right to purchase these items through state awarded contracts or other intergovernmental agreements when it is in the best interest of the city.
IPL0103789
Dec 30, Jan 6 2023

DEPARTMENT OF

Fort Worth Sta

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The eEdition, the
of the print paper
to subscribers,
sections with up to
additional content

DAILY BONUS eEDITION



AP-NORC poll: Police v
remains high concern in

01/10/2023 P&Z Packet Page #10

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING SUBSECTIONS C AND D OF SECTION 6-18 "NMU (NEIGHBORHOOD MIXED USE)" OF ARTICLE 6 "ZONING DISTRICTS" OF APPENDIX A "ZONING" OF THE SAGINAW CITY CODE BY AMENDING DENSITY AND BUILD-TO-ZONE REGULATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City has a substantial interest in protecting the health, safety, welfare, convenience and enjoyment of the general public and has adopted zoning regulations to further this interest; and

WHEREAS, the City Council of the City has previously adopted regulations to create an NMU (Neighborhood Mixed Use) zoning district to provide for low-intensity mixed uses compatible with residential land uses, encourage the development of community gathering spaces, and enact regulations related to landscaping, screening, and fencing; and

WHEREAS, the City Council now finds it appropriate to amend those regulations; and

WHEREAS, the Planning and Zoning Commission of the City held a public hearing on January 10, 2023, and the City Council held a public hearing on January 17, 2023, with respect to the regulations described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements to amend the zoning regulations of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, THAT:

SECTION 1.

Subsection B of Section 6-18 "NMU (Neighborhood Mixed Use)" of Article 6 "Zoning Districts" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by adding a definition for Commercial Frontage Requirement, inserted alphabetically to read as follows:

“1. “Build-to-Zone” shall mean the area on a lot, measured parallel from the front and/or corner side lot line, wherein a structure’s façade must be built within the minimum and maximum ranges of setback provided.

2. “Commercial Frontage Requirement” shall mean the requirement that a minimum of 70 percent of the development frontage along Major Corridors, for a depth of at least 100 feet, shall consist of ground floor commercial uses not directly associated with the development’s residential leasing or resident service areas (ex. mailboxes, leasing office, non-publicly accessible amenities, etc.). Major Corridors constitute an existing or proposed roadway classified and designated on the Master Thoroughfare Plan, other than Local Streets.”

SECTION 2.

Subsection D of Section 6-18 “NMU (Neighborhood Mixed Use)” of Article 6 “Zoning Districts” of Appendix A “Zoning” of the Saginaw City Code is hereby amended to read as follows:

“D. *Area requirements.* Development shall comply with the following requirements, as it pertains to this district, and shall conform with the provisions provided in the table below:

Area Requirements	
Minimum Lot Area	N/A
Minimum Lot Width	N/A
Minimum Lot Depth	N/A
Minimum Front Yard Setback	10- to 20-foot build-to-zone ¹
Minimum Side Yard Setback	No interior side setbacks are required in the NMU district, except when NMU-zoned property abuts property zoned or used for single-family residential uses, in which case the minimum side yard setback required for the entire abutting side yard shall be 25 feet to include a Living Compatibility Buffer.

¹ City Council may approve, following submission of a site plan in accordance with section 8-1 governing supplemental district regulations, an adjusted build-to-zone due to existing site obstructions or site-specific issues that make the required build-to-zone impractical or overly burdensome.

Minimum Rear Yard Setback	10 feet, except when NMU-zoned property abuts property zoned for single-family residential, in which case the minimum rear setback required for the entire abutting rear yard shall be 25 feet.
Maximum Density	Residential uses shall be limited to a maximum of 8 dwelling units* per one acre, on each one acre not included within the Commercial Frontage Requirement area as described in subsection 6-18.C., unless or until ground floor commercial uses consistent with the standards and intent of the Commercial Frontage Requirement are constructed and operational. Once the city staff determines that aforementioned ground floor commercial uses are constructed and operational consistent with the Commercial Frontage Requirement, density allocation is permitted to include a maximum of 8 dwelling units* per acre for the entire development and is not limited to any one area of the development. Housing units can be placed above ground floor commercial areas within the commercial frontage requirement area.
Maximum Building Height	36 feet or 2 stories
Minimum Distance Between Residential Structures	15 feet, regardless of building orientation, measured from the dripline of any structure or structurally attached features

**Development is eligible to receive an increase in allowable maximum density, up to a maximum 10 dwelling units per one acre, should a minimum of 2,500 square feet of the gross land area be provided as an Activated Amenity as detailed in section 8-18."*

SECTION 6.

This ordinance shall be cumulative of all other ordinances of the City of Saginaw and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 7.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 8.

All rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the City Code or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 9.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2000.00) for each violation of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 10.

The City Secretary of the City of Saginaw is hereby directed to publish at least twice in the official newspaper of the City of Saginaw, the caption and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Local Government Code.

SECTION 11.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON this the ____ day of _____, 2023.

Todd Flippo, Mayor

ATTEST:

Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith, City Attorney



SAGINAW
TEXAS

NEIGHBORHOOD MIXED-USE DISTRICT AMENDMENT

COMPREHENSIVE PLAN IMPLEMENTATION

OVERVIEW

Implementation of
the Comprehensive
Plan that was
adopted on March
1, 2022

The new zoning
districts give guidance
to developers,
property owners, City
Leadership, Staff,
stakeholders, and
community members

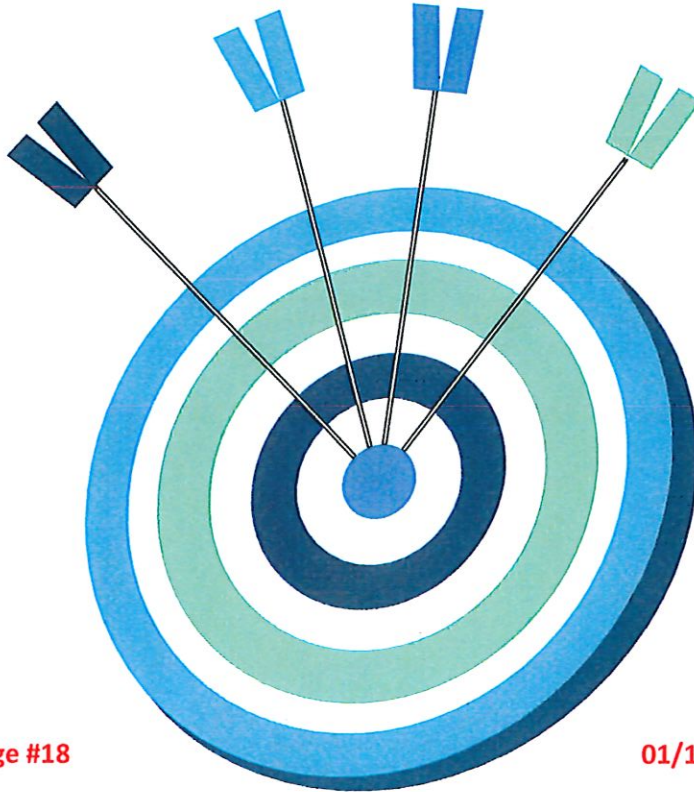
The Comprehensive
Plan is a guiding
document for
Saginaw that
includes a Vision for
the future and
strategies to make
the Vision a reality

New zoning districts
are being created to
match the Vision in
the Comprehensive
Plan

Properties are being
rezoned by the City to
match the
Comprehensive Plan
and apply the new
zoning districts

Continuous refinement
of zoning districts and
standards is essential
to Saginaw's success

PROCESS



Comprehensive Plan Update Adopted

- March 1, 2022

NMU Zoning District Created

- September 9, 2022

Batch 1 NMU Parcel Rezoning Public Hearings

- P&Z: November 8, 2022
- City Council: December 6, 2022

NMU District Amendment

Batch 1 NMU Parcel Rezoning Reconsideration

Batch 2 NMU Parcel Rezoning Public Hearings

Future Districts and Parcel Rezoning



COMPREHENSIVE PLAN NEIGHBORHOOD MIXED-USE

Neighborhood Mixed-Use Vision

Saginaw Comprehensive Plan (2022)

LAND USE

Shops, restaurants,
offices,
entertainment,
parks, and gathering
spaces with limited
residential

DESIGN

Low-intensity,
walkable
destinations (max
two stories)
connected to
neighborhoods

PURPOSE

Get desired
neighborhood-
oriented
commercial
development while
protecting existing
homes



NEIGHBORHOOD MIXED-USE ZONING DISTRICT CREATED

Neighborhood Mixed-Use District

Unanimously Recommended & Adopted in September 2022

COMMERCIAL FRONTAGE

Reserve valuable frontage along major roads for desired commercial development

MAIN STREET FEEL

Design buildings along major roads to have a Main Street-type feel

LIMITED RESIDENTIAL

Allow limited residential uses to support desired commercial & market feasibility

GATHERING & PARK SPACES

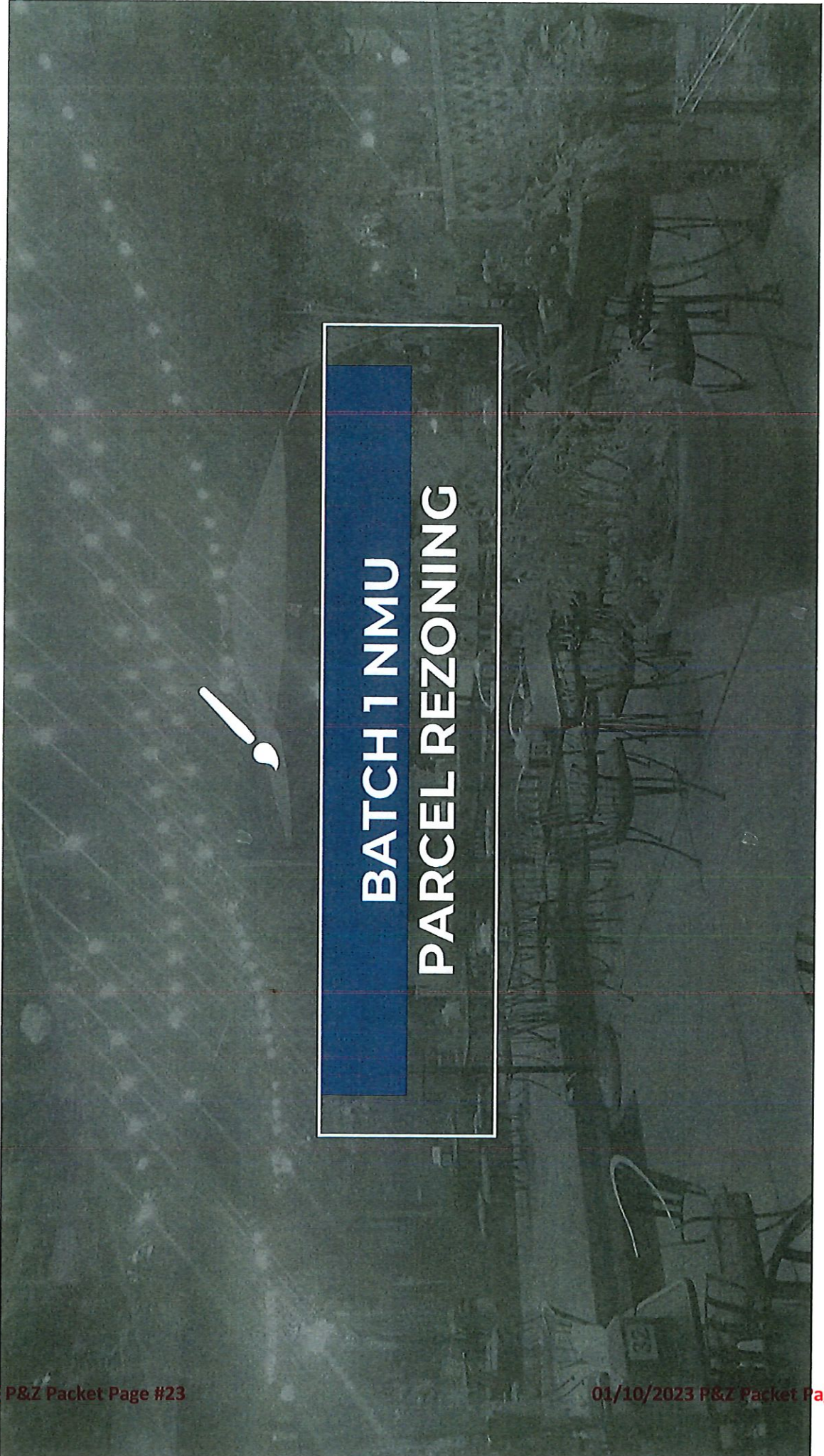
Encourage gathering & park spaces through residential use Activated Amenity incentive

RESIDENT PROTECTION

Protect existing residents by requiring compatible screening, heights, & uses

PREVENT OVERCROWDING

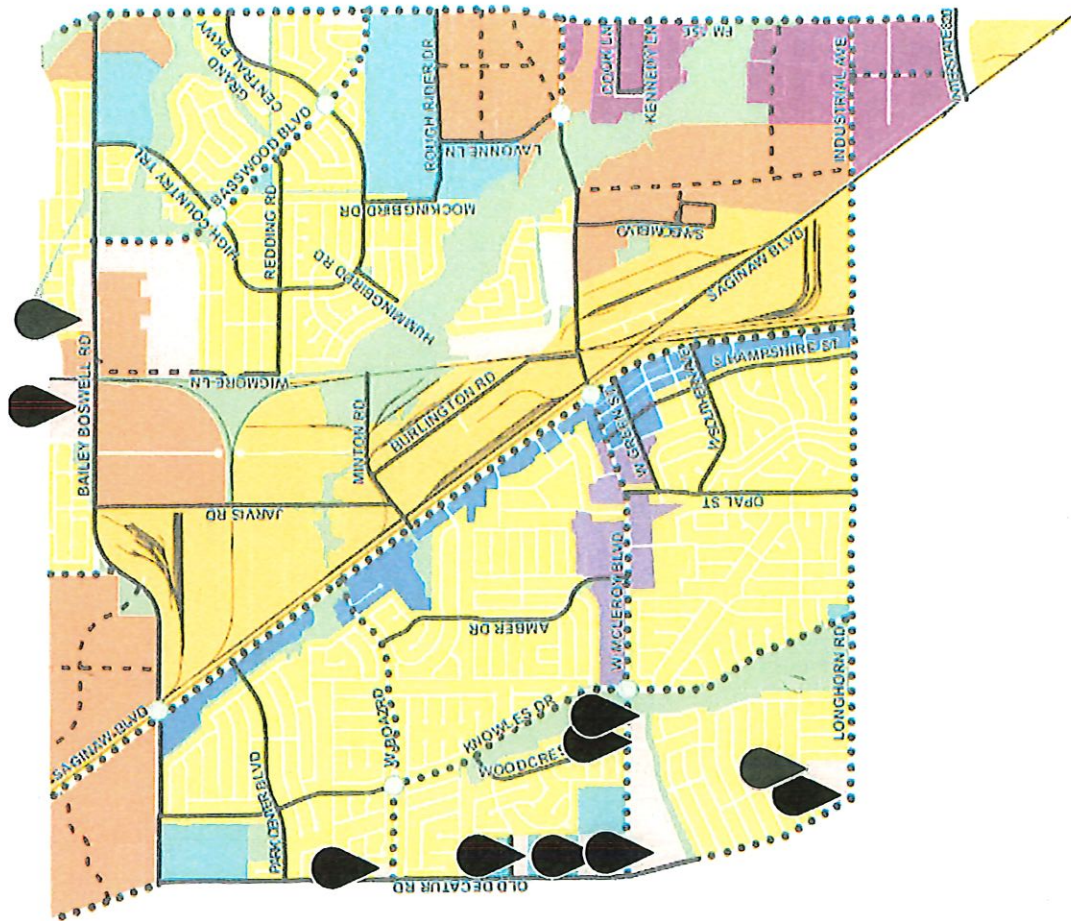
Prevent residential structure overcrowding and preservation of open space



BATCH 1 NMU PARCEL REZONING

Rezoning an Initial Batch of Parcels to NMU

To Apply New NMU District to Properties Designated NMU in Comp Plan



Rezoning an Initial Batch of Parcels to NMU

On 11/8/22, P&Z Recommended Approval but without Parcels 6 & 8 Based on Feedback from Property Owners at the Public Hearing



Rezoning an Initial Batch of Parcels to NMU

Apply New NMU District to Properties Designated NMU in Comp Plan

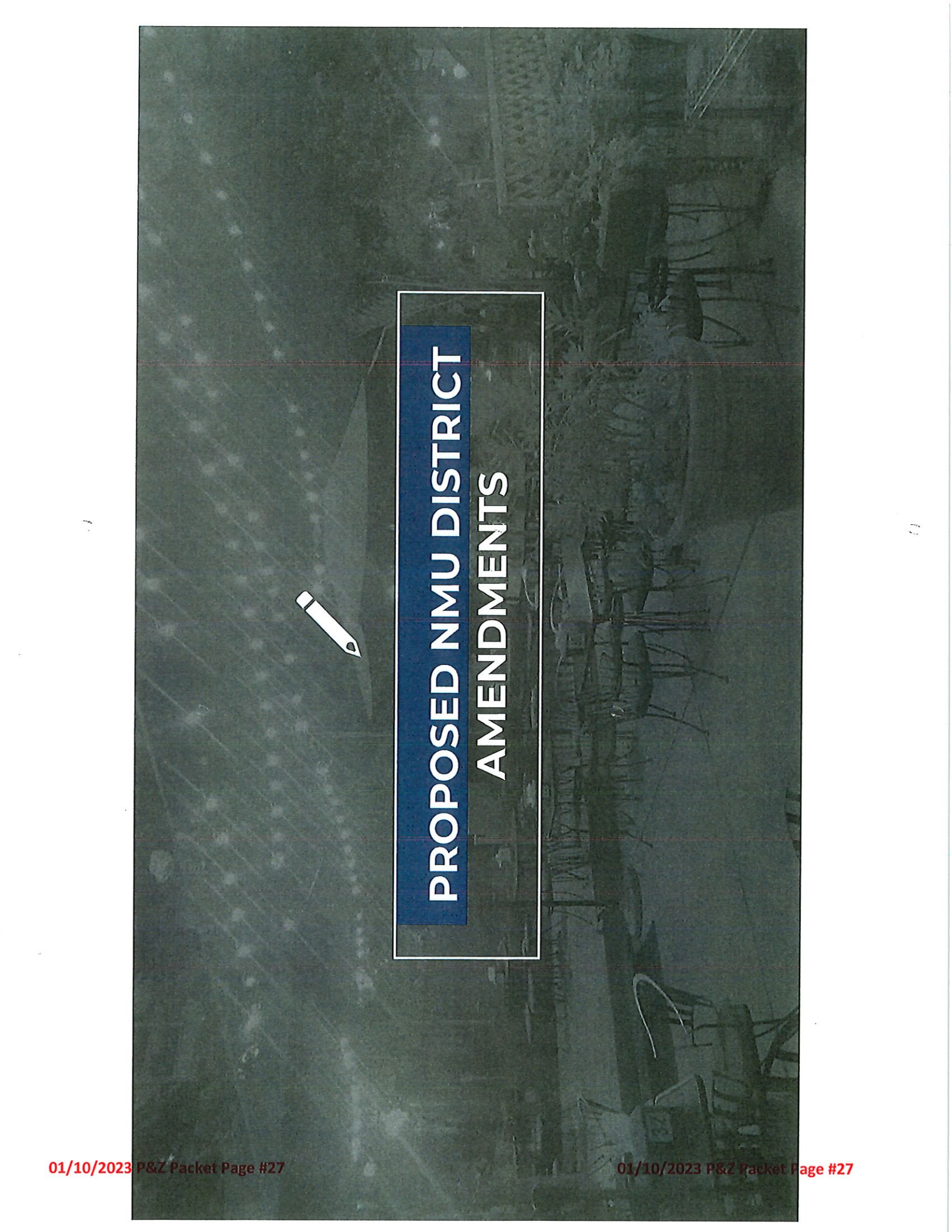
12/7/22 CITY COUNCIL

Staff recommended tabling the rezoning until an amendment to the newly adopted NMU District could be processed, based on clarification needs identified between P&Z and the City Council meeting.

PUBLIC HEARING FEEDBACK

A few propt owners expressed concern over the proposed zoning change but did not articulate what in the proposed zoning was specifically inconsistent with their development intentions.

City Council voted to table the item indefinitely.



PROPOSED NMU DISTRICT AMENDMENTS

Neighborhood Mixed-Use District

Proposed Clarification Amendments

DENSITY

Ground floor commercial uses constructed = maximum gross density can be grouped

Ground floor commercial uses not constructed = density limited to maximum eight* gross dwelling units per acre on each acre (not in Commercial Frontage Area) and cannot be grouped

BUILD-TO ZONE

The Build-to Zone can be adjusted, subject to the consideration and approval of the City Council, due to existing site obstructions or site-specific issues that make the required build-to-zone impractical or overly burdensome

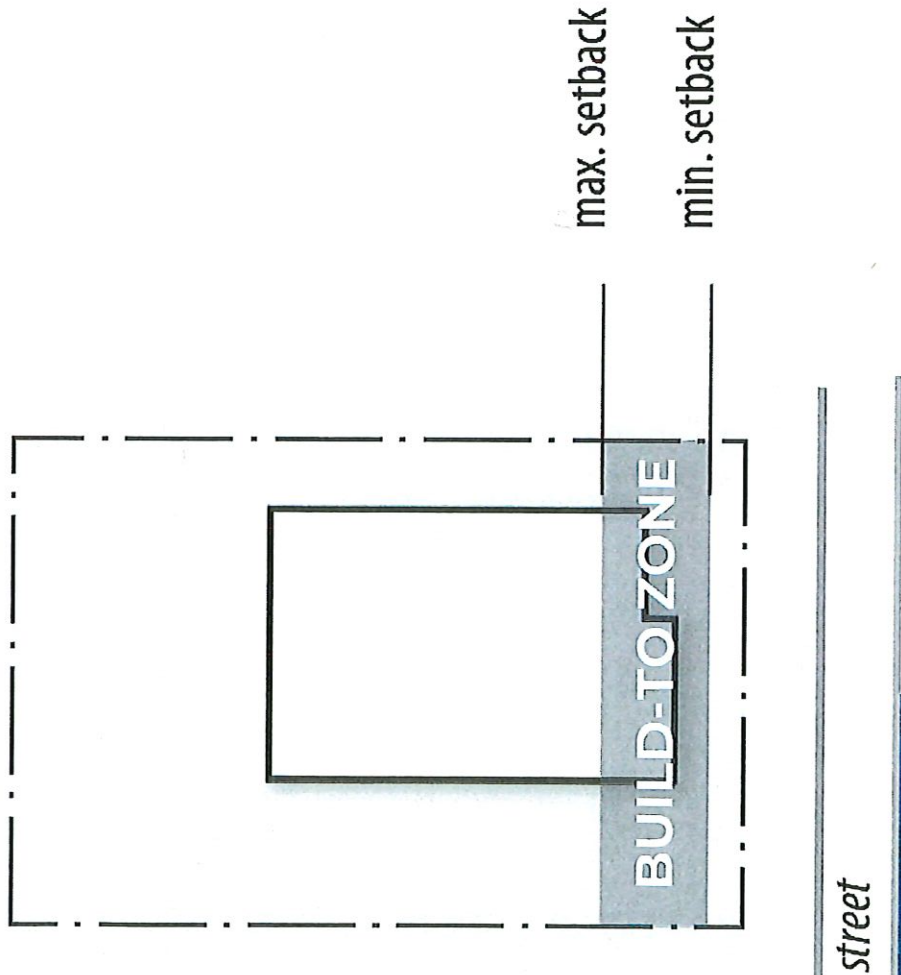
**Can be increased up to 10 gross dwelling units per acre on each acre if Activated Amenity is provided*

Neighborhood Mixed-Use District

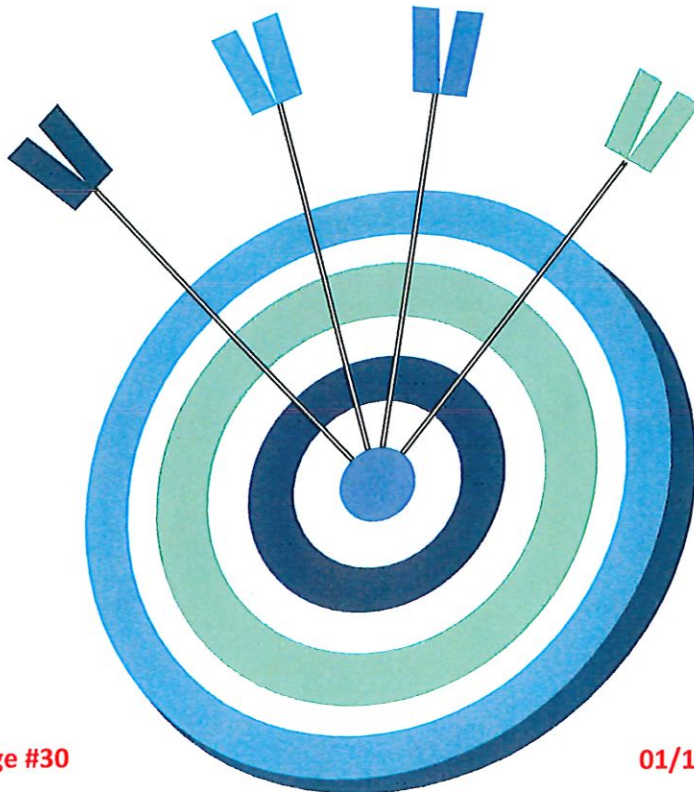
Proposed Clarification
Amendments

BUILD-TO ZONE

the area on a lot, measured parallel from the front and/or corner side lot line, where a structure must locate its façade within the minimum and maximum range of setback provided



NEXT STEPS



Comprehensive Plan Update Adopted

- March 1, 2022

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- September 9, 2022

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