

STAFF REPORT

Case Number: N/A
Request: Review and discuss the draft multi-family development policy.
Address: City Wide
Lot Size: N/A
Petitioner: City of Farmers Branch

Background:

Why create a multi-family development policy? First of all, the City is committed to providing for a diversity of housing types, whether it be single family or multi-family. Housing diversity also contributes to a community's vibrancy, and provides housing options for persons at various stages of their life. Secondly, multi-family development continues to be a highly requested land use given the population growth and overall increasing economic development that is occurring throughout the Dallas-Ft. Worth area, and Farmers Branch is no different. Many of the City's long-range planning policies, such as the East Side Plan, identify "high quality multi-family development" as a recommended land use. Since long-range planning documents address land use policies at a higher level or broader perspective, it is appropriate to consider adopting supplemental planning policies that further define certain types of land use development desired. If higher quality multi-family development is desired by a community, then what does that really mean?

Given the continued requests for multi-family development within Farmers Branch, combined with the City's desire for high-quality development, at the recommendation of staff, City Council directed staff to create a multi-family development policy at their September 17, 2019 meeting. The goal of this policy is to ensure that new multi-family development be of high quality and incorporate best practices that are appropriate to Farmers Branch as well as the specific site, while still providing some flexibility recognizing that not all sites and areas are created equally.

The use of this policy will provide staff, developers, the Planning & Zoning Commission (Commission), and City Council with better direction and defined expectations related to multi-family developments to ensure priorities identified by the City are addressed. This supplemental policy is intended to primarily be used to evaluate zoning applications in tandem with applicable comprehensive plans and zoning regulations at the time of rezoning and to some extent, detailed site plan consideration where possible.

Topics that may be incorporated into the policy include, but are not limited to:

- Amenities
- Attainable multi-family housing
- Building design
- Building materials
- Density
- Landscaping

- Lighting
- Locational considerations
- Mixed-use
- Parking
- Open space (public and private); and
- Site design.

The purpose of this agenda item is to present the draft multi-family development policy to the City Council and Commission, and obtain feedback and direction on priority items to include in the policy. The Commission previously provided direction on January 25, 2021 when this topic was first introduced, and the proposed draft policy reflects the Commission's initial direction. Additionally, during City Council's discussion related to population growth on March 2, 2021, City Council requested that the policy consider addressing attainable multi-family housing which is also addressed in the draft policy.

Current Policy and Regulatory Direction:

Multi-family development is currently regulated by the City's comprehensive plans and zoning regulations (planned development districts, and the Comprehensive Zoning Ordinance (CZO)).

The City's four comprehensive plans – East Side Plan, Central Area Plan, West Side Plan, and IH-35E Corridor Vision Study – provide high-level direction regarding multi-family development. Direction provided in comprehensive plans is generally limited to location, density, and proximity of multi-family developments to other land uses.

Zoning regulations (mostly in Planned Development Districts) provide detailed requirements regarding height, site coverage, floor-to-area ratio, density and setbacks, but may not provide direction regarding specific design elements that contribute to higher quality multi-family developments. In the case of the Planned Development District No. 86 (the Station Area Code), additional detail regarding building form and public realm improvements are provided.

Role of the Multi-family Policy:

As stated previously, once adopted the multi-family development policy will act as an accompaniment to adopted comprehensive plans and provide further guidance when evaluating zoning requests. The policy will provide direction that is not normally included in high-level comprehensive planning documents. The policy will aim to identify best practices that are appropriate for implementation in Farmers Branch and should result in higher quality multi-family development.

As a policy document, the multi-family development policy will not be the same as a zoning ordinance. The policy is intended to provide better direction and defined expectations to applicants, staff, the Commission, and City Council when evaluating rezoning requests for multi-family development. It is expected that applicants will incorporate direction provided by the policy into their rezoning applications, and staff will also be able to provide more specific feedback to applicants based on the policy. Presuming the rezoning request is consistent with the multi-family

policy, City's comprehensive plans, as well as any other development requirements, then the anticipated end result will be higher quality multi-family development.

Previous Feedback Received:

As mentioned previously, this topic was first introduced to the Commission on January 25, 2021 in which staff brought forward possible topics for inclusion in the multi-family development policy for feedback and direction. The Commission supported the development of the policy including the topics presented by staff, and provided direction as summarized below.

- Include a disclaimer that this policy will apply to proposed rezoning requests, and that existing zoning supersedes policy;
- Identify all the development features and/or amenities desired and include those in the policy;
- Amenities desired will change over time so the policy should not dictate the amenities provided;
- Do not want to stymie development and prevent creative design – policy needs to be flexible;
- Supportive of not dictating a certain amount of density – like providing a range option;
- Policy should focus on facilitating developments that promote a sense of community particularly with redevelopment, and that drive (promote) commercial development;
- Policy should focus on site design and open space – Farmers Branch is known as a “City in a Park;”
- Promote quality open space which may also contribute to or benefit surrounding developments;
- How should the policy address affordable housing and balancing that housing option if we are desiring certain design elements be included in multi-family developments since those elements increase construction cost;
- The policy should not demand amenities which could preclude affordable housing within the community;
- There is a generational transition occurring of how people live today and desired housing choices, such that younger generations do not view home ownership the same way as previous generations;
- Should consider infrastructure implications (e.g. internet, telecom) if the City is to allow an increase in multi-family development;
- Are there “gaps” amongst the City's existing comprehensive plans that also need to be addressed; and
- Anticipate more multi-family development occurring within the Station Area.

Additionally, during City Council's discussion related to population growth on March 2, 2021, City Council requested that the policy also consider addressing attainable multi-family housing.

Therefore, the draft policy is reflective of both the Commission and City Council's direction received thus far.

Draft Multi-family Policy:

The draft multi-family development policy is divided into five main sections: introduction; location; density; site design; and building design. In drafting the policy, staff has sought to incorporate the Commission and City Council's prior direction and best practices that are appropriate within the context of Farmers Branch. Staff is seeking feedback from the Commission and City Council regarding the draft policy content; once direction is received, staff will use the input to help finalize the multi-family policy.

1. Introduction:

This section of the policy contains information related to how the policy functions. Specifically, the introduction outlines the policy's intent, direction on how the reader should use the document, and the document's relationship to the City's comprehensive plans and applicable zoning regulations. It also addresses attainable multi-family housing, also referred to as affordable housing and/or workforce housing, which is discussed in more detail later within this report.

2. Location:

This section of the policy incorporates prior direction received from City Council during the past few years regarding where additional multi-family development is appropriate, or in some cases, not appropriate. Additionally, it provides direction related to: the importance of creating sustainable neighborhoods; avoiding isolated or leap-frog development unless it is feasible to accommodate additional residential development within a given area; and promoting multi-family which supports other development goals of the City. Lastly, the policy specifically addresses the appropriateness of multi-family development within the City's West Side, East Side, Station Area/IH-35E corridor, and Four Corners (Josey Lane/Valley View Lane intersection).

3. Density:

Section 3 of the draft policy provides general guidance related to preferred development densities, recommending that densities be within the range of 45 to 80 units per acre. Specifying this density range should ensure that urban style multi-family be developed as directed by City Council (2019) but also consistent with the East Side Plan, IH-35E Corridor Vision Study, and Station Area development goals. These densities will also lend themselves towards structured parking being provided. The density range is still relatively wide, as appropriate densities will vary depending on the location of the multi-family development, and existing direction provided by applicable comprehensive plans.

4. Site Design:

The draft multi-family development policy provides direction related to how buildings, parking, services, and open space are placed on a site, specifically in relation to one another and the adjacent streets and sidewalks – these site design elements are all key to the overall functionality and character of a development. The goal in doing this is to ensure that a site is developed in a manner that can best serve its residents and integrate into the larger neighborhood. This section of the draft

multi-family development policy is divided into seven subsections each of which is described below:

Orientation

This section (section 4.1) of the policy touches on several elements of site design including characteristics supportive of urban development form and activating the adjacent public street realm. The orientation of a building and application of the policies in this section will contribute to the pedestrian environment along surrounding streets, and the site's relationship and integration into the surrounding neighborhood.

The appropriateness of mixed-use development is also addressed, given that multi-family is a common land use included within these types of developments. Therefore, a key element when considering mixed-use developments from a land use perspective is that all uses are able to successfully exist if the uses are individually developed, in particular the multi-family.

Open Space

Open space can occur as private open space or public open space. Private open space is for the exclusive use of residents within the multi-family development and their guests, and is often in the form of amenities (such as swimming pools, tennis courts, and BBQ facilities). Public open space is accessible to residents and the general public and often takes the form of pathways, courtyards or greenspace. Provision of a mix of private and public open space on a site is encouraged on all sites at a ratio of 150 square feet per dwelling unit. Public and private open space should be of a usable size (a minimum of 15 feet in any direction), contiguous to provide courtyard amenities instead of incidental disconnected spaces, and be designed and located to provide a safe environment and encourage use.

Parking

Parking can be provided as structured or surface parking. A strong preference for structured parking is expressed in the policy, while recognizing that there may be cases where surface parking may be necessary. Use of structured parking helps to ensure that densities and amenity levels on a multi-family site are maximized. Direction related to surface parking outlines that the amount of surface parking should be minimized and be located on a site so that it can be repurposed in the future. Additional direction in section 4.3 of the draft policy relates to access to parking (preferably from the least adjacent busy street), placement of parking on a site (to minimize views from adjacent streets), screening of parking, and the use of permeable pavers where appropriate.

Landscaping

Landscaping requirements are typically specified in the CZO and/or planned development districts where applicable. This policy provides specific direction related to where to place landscaping on a site supportive of other site design elements. The policy recommends that landscaping be used to separate uses, accentuate building entrances or amenities, or to screen utilities and parking with the goal of improving site aesthetics and functionality.

Sidewalks

Sidewalks provide connections within a site and to the surrounding neighborhood. This section of the draft policy highlights the importance of these connections and requires that sidewalks meet ADA requirements to ensure accessibility for all users.

Lighting

The draft policy directs multi-family developments to be lit in a manner that provides for the safety and security of residents. In addition, lower and downward cast lighting is encouraged to provide human scale and create less light pollution; lighting should also compliment the site design.

Service Areas

Service areas and utilities associated with multi-family sites including loading areas, garbage and recycling facilities, electrical panels, and mechanical equipment should be sited so as to minimize their off-site impacts. In addition, screening can help minimize impacts to the site and the surrounding land uses.

5. Building Design

The design of multi-family buildings should ensure visual interest, appropriate scale and durability over time. This section (section 5) of the draft multi-family development policy provides direction related to: exterior building materials; building articulation and modulation; windows; and building entrances. The intent of these policies is to encourage efficient use of land, appropriate building scale and design, use of quality and durable materials, and to promote functional building design that is sustainable over time.

Building articulation and modulation

Articulation and modulation on a multi-family building can diminish the appearance of the building mass and create visual interest. This section of the draft multi-family policy directs the use of these techniques, including the intervals at which articulation and modulation should occur, and encourages that the techniques be used in conjunction with other tools outlined in this policy such as changes in building materials (including color) and non-residential uses at the ground floor.

Windows

Windows provide visual interest to a multi-family building and contribute to the safety of the pedestrian environment at ground level. The policy encourages windows to be used which complement the building modulation, are enhanced with surrounding building materials, and which recess or project from the building's façade in order to provide visual interest. The policy also sets goals for the percentage of a ground level façade that should be covered by windows in order to appropriately activate the adjacent street (i.e. public realm). The window percentage requirement changes based on where the façade is located relative to the street, and the land use that is in the ground level space if the building is mixed-use.

Exterior Building Materials

Section 5.1 encourages buildings be built with varied, high quality exterior building materials. The goal in doing this is to have multi-family developments that are attractive over time and to minimize the amount of maintenance required on multi-family buildings. The policy encourages the use of quality, durable construction materials such as masonry, brick or stone, yet also supports the use of materials with a 30-year warranty or more to assist with promoting design creativity. In light of HB 2439 passed during the 2019 state legislative session, cities cannot dictate use of certain building materials in zoning ordinances.

Building Entrances

Building entrances facing the public street should be given the greatest emphasis because this conveys to pedestrians where to enter the building. Therefore, this section includes recommendations related to entrance placement, and methods in which to clearly distinguish primary entrances from other building entrances.

Attainable Multi-family Housing

Attainable housing, also referred to as affordable housing and/or work force housing, can be desirable forms of housing as it provides an additional housing choice for residents, particularly residents employed within the service, local government, and educational employment sectors. As single family and market rate rental housing costs continue to increase, the need for attainable housing – including attainable multi-family housing – will become more prevalent. Therefore, the City should continue to monitor housing options provided within the community and consider further defining what is meant by attainable housing.

Absent a definition for what is meant by attainable housing for Farmers Branch, of which this policy does not attempt to define, the policy focuses on other approaches that can be considered that offer the City options should attainable housing projects be presented for consideration. From a land use perspective, multi-family policy recommendations that affect land use, building form, and relationship to the adjacent public realm should be given priority. While density, open space, and building materials and design should also be given priority, unfortunately these items also increase overall construction costs which can potentially have a direct effect on rental rates.

Therefore, the proposed draft policy presents a broader approach when considering attainable multi-family housing rezoning requests, and provides flexibility for elected and appointed officials when evaluating rezoning requests that also allow for individual developments and site conditions to be considered. It also allows for the City to continue to monitor housing options provided within the community and to further define what is considered attainable housing at a later time (if deemed necessary). The following recommendations below are proposed for inclusion in the draft policy to assist with evaluating attainable multi-family developments:

- Lower costs for development and construction;
- Fewer development amenities offered;
- Reduction in development density;
- Financial incentives; and/or
- Developments which pursue third party financing options.

Additionally, where it is demonstrated that a proposed multi-family development will provide housing for Farmers Branch residents at an attainable price point, relief to certain policy recommendations may be necessary such as density (section 3), open space (4.2), and building materials, modulation/articulation and entrances (5.1, 5.2 and 5.4).

Questions for Consideration by the Commission and City Council:

Staff is seeking direction from the City Council and Commission related to the draft multi-family development policy, including the following:

- Is the policy reflective of the type of high-quality multi-family development desired in Farmers Branch?
- As elected and appointed officials, do you find this policy to assist you in your decision making when evaluating rezoning requests for multi-family?
- Is the proposed density range appropriate (45 to 80 dwelling units per acre)? Should the minimum number (45) of the range be higher? *(Note that Station Area Code requires minimum 55 du/ac which is more indicative of developments near transit stations. Also see attached draft presentation slides for existing development density examples.)*
- Is the proposed amount of open space recommended appropriate (minimum 150 square feet per unit)? Is it too much or not enough? *(See attached draft presentation slides for existing development open space examples.)*
- Are the location recommendations, which will further supplement any location recommendations provided for in the City's various comprehensive plans (e.g. West Side Plan, East Side Plan, Four Corners, IH-35E Corridor Vision Study), appropriate?
- Are the policy recommendations related to attainable housing appropriate?
- Is the policy too cumbersome to use where it will deter future development?
- Do you find that the policy offers flexibility and design creativity?

Two things to keep in mind after the policy has (presumably) successfully been adopted and is being implemented: 1) if elected and appointed officials find that the policy is too restrictive or did not address a particular item of need, the policy can be amended; and 2) if zoning actions are being taken that are consistently inconsistent with the adopted policy, then the adopted policy should be amended accordingly.

Next Steps:

Direction provided by the Commission and City Council will be incorporated into the draft multi-family development policy, and subsequently reviewed by the City's legal counsel. Additionally, staff will compare the proposed policy with three to five more recently developed multi-family developments within Farmers Branch, and present the findings to the Commission and City Council prior to policy adoption, in order to better understand how existing developments would rate against the proposed policy.

Depending on feedback received at the joint meeting on July 12, 2021, it is anticipated that the policy could be adopted by ordinance or resolution later this fall 2021. Since this policy is an

amendment to the City's various comprehensive plans, public notification in the newspaper followed by public hearings at both the Commission and City Council meetings is required.

Recommendation:

Staff recommends that the Planning & Zoning Commission and City Council provide feedback and direction related to the draft multi-family development policy.