

## FUTURE LAND USE PLAN

Falfurrias is expected to experience few land changes as its population shows little change during the planning period. The most likely land use changes will come from the re-organization of the City's commercial land uses as the City adapts this comprehensive plan and new zoning ordinance.

In prior years, US 281 had become the City's main commercial thoroughfare as businesses took advantage of more traffic on the road than was present on Business 281/St Mary's Street. The intersection of US 281 and Texas 285/Rice Street was the focal point of business at Falfurrias' historic downtown. The improvements to US 281 will change the local traffic patterns. Businesses will only be able to count on access road traffic at the intersections of Travis, Rice and St. Mary's Street at the north and south end of City.

Although new commercial development already is occurring along the new US 281 frontage roads, development along frontage roads requires city character, will compete with business opportunity in the historic CBD, and provides residents with little ability to walk or bike to shopping.

The Future Land Use Plan provides direction for growth in the City's commercial land percentages. Zoning, marketing and/or annexation of land may be outlined throughout the planning period to guide the Future Land Use. The Future Land Use vision of the City is depicted **Error! Reference source not found..**



## HOUSING

Existing housing conditions and uses help determine the City's initial land use. As a community grows and develops, clusters of land use forms; we are able to take this information to begin a land use plan.

Falfurrias appears to have enough housing to accommodate its workforce and residents but will be planning to identify other areas of city that can accommodate residential development. The existing population and housing conditions provide some insight into the general housing conditions in Falfurrias.

In the October of 2011, an exterior/windshield survey of all residential buildings in Falfurrias was conducted to determine the physical condition of each housing unit. Data gathered during a windshield survey provides a geographic perspective on the condition of housing in different parts of the City. The survey uses a classification system that rates the condition of each housing unit.

Falfurrias's housing inventory was determined using two datasets: the windshield survey described above and data from the 2010 U.S. Census. The two data sets are used in conjunction to render a complete picture of the City's current housing stock. The survey tabulated 1,768 single-family housing units (including mobile/manufactured housing units), and 319 multifamily units within the City's corporate boundaries. Nursing home units are incorporated in estimating the population living within the Falfurrias city limits.

### **Housing Condition**

Many of the housing units within the City limits were found to be in good condition. The primary concern are the concentrated areas of dilapidated and deteriorated housing. Initially identified dilapidated units are single family units and approximately 60% are occupied, while 40% are vacant. Of the vacant, dilapidated homes, approximately 10% are manufactured units.

The effects of deteriorated and dilapidated housing include:

- Health risks to residents of deteriorated and dilapidated structures
- Reluctance of new home permits or remodeling in these areas
- Downward pressure on property values

### **Housing Stock Age**

The age of a community's housing stock is an indicator of its overall condition. The majority of the City's houses are approximately 50 years old. The age of the City's housing stock is similar that of the County and around approximately 20 years older than housing stock within the State.

### **Housing Type**

Of the single-family housing stock within Falfurrias, approximately 12% are manufactured. Within the ETJ, approximately 31% are manufactured. While manufactured housing is typically more affordable, its overall quality and longevity may not yield the type of community desired. The City requires a permit for all manufactured housing and manufactured housing parks that are placed in the City limits.

## FALFURRIAS HOUSING AUTHORITY

Falfurrias Housing Authority (FHA) began operations in 1964. Our mission is to provide safe, decent, and affordable housing. We have a five (5) member board which consists of a president, vice president, two regular members and one resident member.

FHA Offers:

- Public housing, Section 8 and FmHA housing.
- 125 public housing units ranging from 0 to 4 bedrooms
- 25 elderly units in FmHA Phase I (1 bedroom)
- 34 family units in FmHA Phase II (1, 2, and 3 bedrooms)
- 120 Section 8 vouchers (covers Falfurrias and Premont)
- We also utilize the Section 3 program (hiring tenants)
- We also utilize a green environment in office supplies and appliances
- All money comes from HUD

We have an interagency agreement with Community Action (we have two apartment units that were taken offline and are used as daycare facilities. Community Action takes applications from residents in the units as well as section 8 and tries to offer to them first. Their aim is to provide daycare for the teenage parents so they can continue going to school (and college) and residents who work so they can have daycare.

## EXISTING LAND USE

The location and extent of land uses in a community affect property values, city service expenditures, traffic flow, aesthetics and economic development potential. The Existing Land Use Map (**Error! Reference source not found.**) shows land development patterns within the city limits and extraterritorial jurisdiction (ETJ) (**Error! Reference source not found.**). The Future Land Use Map (**Error! Reference source not found.**) and Land Use Study provide information regarding desired future land uses, and help the community consider and plan for potential conflicts in land use. It also provides legal support for amendments to the City's Subdivision Ordinance should amendments be made and for zoning regulations and maps should the City choose to adopt such regulations.

**Table 2D: Population Build-Out**

<i>How many people can the land hold at current densities and residential ratio?</i>		
<b>Land Use</b>	<b>Within City Limits</b>	<b>City and ETJ</b>
Semi-Developed Land (acres)	78	134
Population	5,662	6,975
Open Space Land (acres)	287	6,569
Population	6,465	29,200
Semi-Developed and Open Space Land (acres)	365	6,703
<b>Population</b>	<b>6,764</b>	<b>29,662</b>

Category	Percent 1998	Percent 2012
Residential	37%	41%
Commercial	6%	11%
Industrial	6%	2%
Public/Institutional	17%	18%
Agriculture	14%	22%
Vacant	19%	6%

<b>Classification</b>	<b>Examples</b>
Airport	Falfurrias Airport
Agricultural / Undeveloped	Fields, farms, woodlands, open flood plain
Agricultural - Processing	Grain storage, seed sorting and distribution
Single-Family Residential	Single-family houses, mobile homes
Multifamily Residential	Duplexes, triplexes, apartments, condominiums
Mixed Use	Apartment over office or store, home occupation with store/office front
Commercial	Stores, mini-storage businesses, offices, including medical offices, and commercial parking lots/facilities
Industrial	Factories, salvage yards, mines, large warehouses, industrial yards and refineries
Institutional	Educational and religious institutions, and hospitals, jails, prisons, and nursing homes, including associated parking lots and recreation/park areas for the institutional use only
Cemetery	Cemetery
Recreational	Developed recreational or open space (public or private), not associated with other uses
Public	Government offices and facilities, water and wastewater facilities, public utilities
ROW	Highway and street right-of-way, railroad right of way
Utility	Private utility, including cell phone towers, electrical stations, transformer stations, etc.
Semi-Developed	Vacant subdivided lots of less than 10 acres in areas with or very near water, sewer, and street infrastructure

## ZONING

Provision of high-quality new housing is most commonly ensured by the adoption and enforcement of subdivision and/or zoning codes. Subdivision codes define standards for the provision of water, sewer, streets, and drainage infrastructure for new subdivisions in the City and its ETJ. A zoning code can define standards for the location, size, and appearance of new construction with the city limits. The City adopted a Subdivision Regulations Ordinance in 1960. It provides for general design regulations related to streets, alleys, easements, blocks, lots, and parks/playgrounds. It states that block lengths cannot exceed 1,400 feet. It relies on a zoning code to define lot sizes. However, the City does not have a zoning ordinance. It also calls for required improvements related to roadway pavements, curbs and gutters, sidewalks, and utilities. The ordinance explains the procedures for filing and approval of a preliminary plat, final plat, their associated fees, and the process for appealing rulings or decisions made by the Commission. The ordinance also describes situations where the Commission may grant variances to the outlined regulations due to undue hardship as a result of compliance. The City does not have an agreement with the County related to subdivision jurisdiction in the City's ETJ.

The City has expressed a desire to adopt a zoning ordinance. The City should ensure that any zoning code adopted offers the following:

- The allowance of a variety of residential types throughout City to address a lack of affordability
- A change of use to commercial multi-family or mixed uses on major corridors where vacant, dilapidated housing now sits. The higher uses would benefit from higher visibility and access and clear vacant housing
- Zoning for development on already-subdivided lots where services and schools already exist and/or incentives for locating new development on already-platted lots. Incentives may include tax breaks for such construction, or even a waiver of zoning requirements. The intention is to prevent the City and Utility Board from unnecessarily expanding services like water, sewer, gas and streets.
- Using an Agricultural District designation to limit further growth in the floodplain.

Development codes help create cities that work. They establish elements such as:

- ✓ Permissible land uses within districts
- ✓ Building densities
- ✓ Parking requirements
- ✓ Design standards
- ✓ Energy and water conservation

A Unified Development Code is a single document that addresses all development regulations in one place.

## CODE ENFORCEMENT

Code enforcement helps ensure the integrity of the housing stock into the future. Regardless of what ordinances the City adopts, a system of regular, standardized enforcement must be in place for the codes to have effect. Enforcement can be made to pay for itself at least in part if fines are appropriate and standardized methods are in place to expedite processing. Falfurrias currently does employ one code enforcement officer. Increasing code enforcement could prevent further dilapidation of the housing stock as the officer enforces property rules that would require more minor violations to be fixed before they become “unsafe” as defined in the city ordinance. The City will be considering the implementation of a Code Enforcement Program.

## ANNEXATION

Chapter 43 provides the statutory authority for general law cities to annex. Section 43.033 of the Texas Local Government Code is the only major exception to the rule that general law cities may only annex by petition (with consent). That section allows for unilateral annexation and states that:

- A general-law municipality may annex adjacent territory without the consent of any of the residents or voters of the area and without the consent of any of the owners of land in the area provided that the following conditions are met:
  - the municipality has a population of 1,000 or more and is not eligible to adopt a home-rule charter;
  - the procedural rules prescribed by this chapter are met;
  - the municipality must be providing the area with water or sewer service;
  - the area:
    - ✓ does not include unoccupied territory in excess of one acre for each service address for water and sewer service; or
    - ✓ is entirely surrounded by the municipality and the municipality is a Type A general-law municipality;
  - the service plan requires that police and fire protection at a level consistent with protection provided within the municipality must be provided to the area within 10 days after the effective date of the annexation;
  - the municipality and the affected landowners have not entered an agreement to not annex the area for a certain time period; and
  - if the area is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code:
    - ✓ the municipality offers to make a development agreement with the landowner in the manner provided by Section 212.172 that would:
      - guarantee the continuation of the extraterritorial status of the area; and

- authorize the enforcement of all regulations and planning authority of the municipality that do not interfere with the agricultural or wildlife management use of the area; and
  - the landowner fails to accept an offer described by Paragraph (A) within 30 days after the date the offer is made.
- If, after one year but before three years from the passage of an ordinance annexing an area under this section, a majority of the landowners or registered voters in the area vote by petition submitted to the municipality for dis-annexation, the municipality shall immediately dis-annex the area. If the municipality dis-annexes the area under this subsection, the municipality may discontinue providing the area with water and sewer service.

### **Annexation by Petition of Area Voters**

Section 43.024 of the Local Government Code authorizes a type “A” general law city to annex an area if the majority of the qualified voters of the area vote in favor of becoming part of the city. Id. at §43.024(b). The approval of the majority of voters may be shown by any three of those voters preparing an affidavit to the fact of the vote and filing the affidavit with the mayor of the city. Id. The vote is not required to be done by ballot or at any type of formal election. The voter’s intentions may be expressed by any method that is satisfactory to themselves and the city council. Upon receipt of the affidavit, the mayor must certify the filed affidavit to the city council. The city council then may, after all of the procedural requirements of Chapter 43 are met, annex the area by ordinance. Id. at §43.024(c). This section only allows the annexation of an area that is one-half mile or less in width and is contiguous to the city limits. Id. at §43.024(a).

### **Annexation Plan**

Every city in Texas was required to adopt an annexation plan on or before December 1, 1999.7 TEX. LOC. GOV’T CODE §43.052(c), Statutory note (b). The plan must identify annexations that will occur beginning three years after the date the plan is adopted. Id. at §43.052(c). The term “annexation plan” is a legal term of art, and is adopted for the purposes of deciding which procedures apply to the annexation of a particular area. Falfurrias’s annexation plan is not a part of this comprehensive plan nor has the City expressed any plans to annex in the near future. Annexation requirements may be expressed in the City’s Subdivision Ordinance for new development occurring in the City’s 1-mile ETJ.

### **Requirement that Area be in the City’s ETJ**

In addition to regulating annexation authority and procedures, the Municipal Annexation Act created the concept of extraterritorial jurisdiction (ETJ) in 1963. An area to be annexed must be within the city’s ETJ under Section 43.051.