




## OVERVIEW




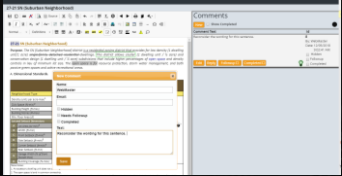

- Background & Public Engagement
  - Why Do This?
  - Public Input
- Evaluation
  - This is only an evaluation
  - No UDC amendments to take place immediately
- Next Steps
  - Scope and Timeline
- Comments / Q&A




## BACKGROUND | KNOWN ISSUES FROM RFP




- Digital ease of use - enCodePlus™
- Reorganization / consolidation of tables
- Efficiency of overlay / special purpose districts
- Clarification of Trust Fund
- Best practices for incentivizing:
  - Appropriate increased density
  - Affordable / work force housing
  - Low-impact development



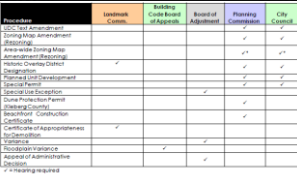
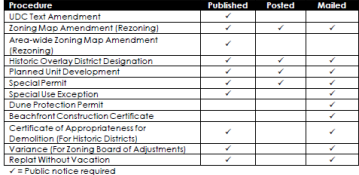
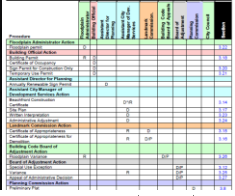
- Online Drafting in Word-like format
- Collaborative drafting and editing
- Hyperlinks of definitions and cross-references
- Password-protected commenting
- Documentation via track-changes
- Personalized tracking
- Comment management system
- Searchable comment/response record
- Denote required follow-ups

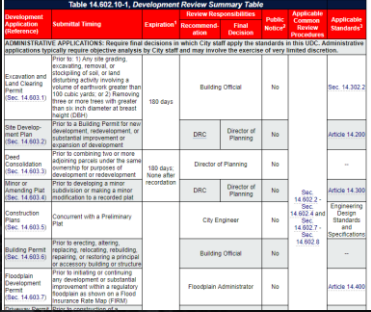


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Kendig Keast Collaborative | enCodePlus



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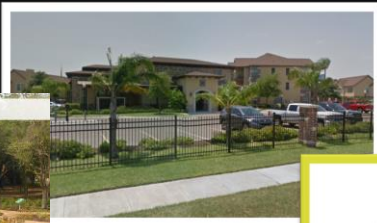
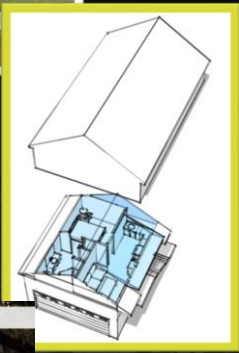








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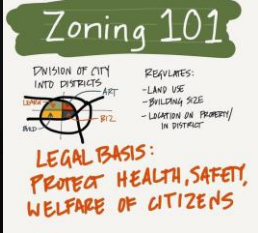






BACKGROUND | KNOWN ISSUES



- Ideally, a UDC should:
  - Assure the **protection** of the public's health, safety, and welfare
  - Implement** the land use policies Plan CC, the Area Development Plans, and City master plans
  - Be **flexible** enough to allow property owners the **freedom** to create lasting, valued, and affordable communities without unreasonable regulatory **barriers** that may delay a project or stifle creativity





BACKGROUND | PUBLIC ENGAGEMENT

▪ Stakeholder Interviews

▪ City Staff

▪ Appointed Officials

▪ Engineers, Contractors, and Designers

▪ Builders

▪ Environmental Organizations

▪ Architects and Planners

▪ U.S. Navy Air Station Representatives

▪ Downtown Advocates

▪ Realtors and Property Owners Association Representatives

▪ Two Open Door Meetings

▪ Presentations to PC and CC

▪ Comment Highlights

▪ Complications in UDC and Staff turnover leads to enforcement problems

▪ Combine incentives and streamlining to promote affordable housing



▪ Fix inconsistencies within UDC and between UDC and City Code

▪ More administrative decision-making – especially for waivers

▪ Lots of room for infill development

▪ City no longer accepts park dedication – only fees in place of dedication

▪ Problem with large preliminary plats never finaling out perimeter streets



EVALUATION | STRUCTURE

▪ Executive Summary

▪ Section 1. Planning, Zoning, and Platting Basics

▪ Section 2. Plan Conformance

▪ Section 3. UDC Best Practices

▪ Section 4. Zoning Districts and Land Uses

▪ Section 5. Development Standards

▪ Section 6. Development Review and Administrative Improvements

▪ Appendix A. Stakeholder Interview Summary

▪ Appendix B. Key Terms

▪ Appendix C. Additional Comments

**Principle 2. Adopt Regulations that are Legally Defensible**


ALLURA. Aside from a few incidental uses of the term "church," the UDC appears to comply with the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), which requires that in most cases, places of worship should be treated in the same manner as other places of public assembly, and that various types of places of worship (e.g., churches, mosques, and temples) be regulated evenly among one another. The Places of Worship Use Category is currently prohibited in all single-family and industrial zoning districts and permitted by right in all multifamily and commercial districts. On the other hand, the Community Service Use Category, which includes community centers, library, museum, philanthropic institution, senior center, youth club facilities, and zoo, are permitted with limitations and prohibited in the same sets of zoning districts. Combining the Community Service and Places of Worship Use Categories into one would facilitate treating all RLUIPA-related uses the same.


**Group Homes and Definition of "Family."** The UDC correctly permits group homes with six or fewer residents by right in the same manner as it permits single-family detached residences. The UDC's definition of "family" could be modified to take into account protected classes, such as the physically and mentally handicapped. As such, the City could consider modifying the definition to take into account unrelated persons making up a household, plus necessary staff, living together in a state-licensed group home. In addition, it is advisable to make it more clear that, in the definition of "family," a boarder is a single person with a rental contract, and that a family of boarders does not equate to one boarder.

**Content-Neutral Sign Regulations.** The City Council amended the Signs section of the UDC in August 2018 in order to eliminate provisions that were not content-neutral. This was in an effort to bring the UDC in compliance with the U.S. Supreme Court's 2015 decision in *Reed v. Town of Gilbert*, which said that local governments must only regulate the height, number, placement, timing of images, and face area of a sign. The wording, specific images, and purpose for a sign do not come into play in terms of how to regulate it. The following are terms that remain in § 7.2. Signs that regulate signs based on content and thus, warrant revision:

- Address Sign
- Construction Sign
- Home Occupation Sign
- Institutional Sign
- On- and Off-Premises Directional Sign
- Real Estate Sign
- Subdivision Development Sign

**Figure P2.3, The UDC should treat Community Service and Places of Worship Uses the Same**





EVALUATION | SUMMARY OF RECOMMENDATIONS





Table ES.1, Summary of Recommendations			
Recommendation	Priority <sup>1</sup>	Source <sup>2</sup>	Responsibility
Section 2. Plan Conformance			
All Plan CC Recommendations except as follows:	S	P	Consultant
- Give preference to energy-efficient designs, materials and equipment in public facilities and in infrastructure.	M	P	Consultant
- Support passive design strategies, such as site designs that take advantage of prevailing winds, sunlight, shade trees, etc. to reduce energy consumption.	M	P	Consultant
- Promote resource-efficiency in all new housing through financial or non-financial incentives, such as permit streamlining.	M	P	Consultant
- Promote compact and walkable mixed-use urban villages where they could support improved public transportation service. Bus stations and future stops for bus rapid transit, creating “transit-ready” locations.	L	P	Consultant
All North Beach ADP Recommendations except as follows:	S	P	Consultant
- Remove the uses allowed in CR-3 that are not particularly pedestrian oriented, including Commercial Parking Use Category, Game processing, and auto rental.	S	P	Staff
- Incorporate a maximum setback in CR-3 to force buildings closer to the street.	S	P	Staff
- Allow off-site parking for a nonresidential use to be located in a residential zoning			


TABLE NOTES:

<sup>1</sup>S = Shorter (1-2 years); M = Medium (3-5 years); L = Longer (5+ years)

<sup>2</sup>SH = Stakeholders; P = Plan CC or ADP; BP = Best Practices; DS = Development Services Staff



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EVALUATION | SUMMARY OF RECOMMENDATIONS


- Implement many of the **land use-related recommendations** of Plan CC, Strategic Plan for Active Mobility, and the North Beach, Downtown, and Mustang –Padre Island ADPs
  - Remove UDC provisions that **conflict** with the City Code
  - Combine the **Special Permit and Special Use Exception** into on procedure
  - Reduce Variances** including flexibility in placement of pools and landscaping
  - Incorporate existing Staff’s **written interpretations** into the UDC

- Allow Staff to approve **Waiver** requests under certain criteria
  - Increase **accessory dwelling unit** maximum square footage to make them more useful
  - Improve the **content-neutrality** of the Signs Section
  - Reduce** required parking minimums based on national practices
  - Lessen landscaping requirements for **industrial** uses in industrial districts
  - Rework **half-street and perimeter street** provisions so that new subdivisions are better served







### NEXT STEPS | SCOPE AND SCHEDULE

- Shorter-Term updates in 3 Modules
- Staff-Led and Consultant-Led amendments
- Staff Technical Committee to review for practicality
- Policy Advisory Committee to oversee project
- Process for each module
  - Module submittal to STC
  - 3 weeks of review
  - Video conference with Staff
  - Revision of module
  - Revised module forwarded to PAC
  - 3 weeks of review
  - Consultant presentation

Module	Topics
1	Zoning Districts and Land Uses
2	General Development Standards and Subdivision Standards
3	Development Review Procedures, Nonconformities, Enforcement, Definitions

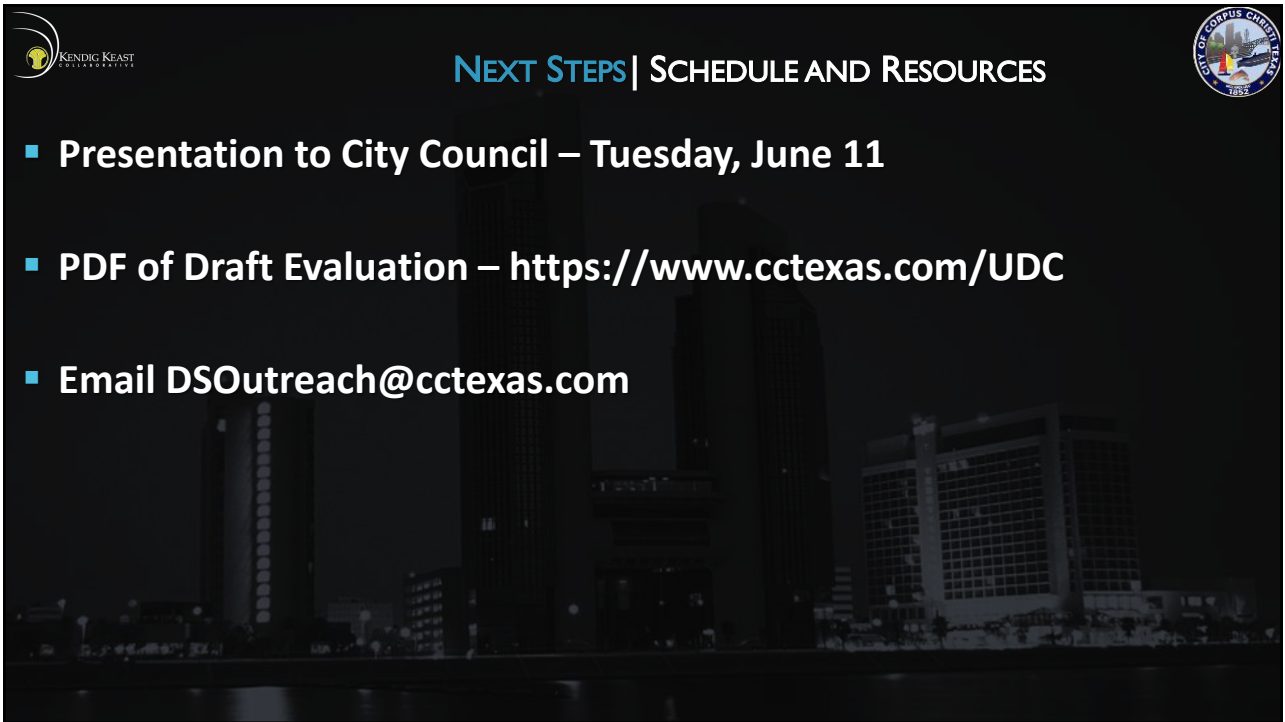


- Consolidated Draft
  - One more opportunity for STC and PAC to comment
- Public Review Draft
  - Takes in comments from Consolidated Draft
- Public Hearings and Adoption
  - Planning Commission recommendation
  - City Council final action



### NEXT STEPS | SCOPE AND SCHEDULE

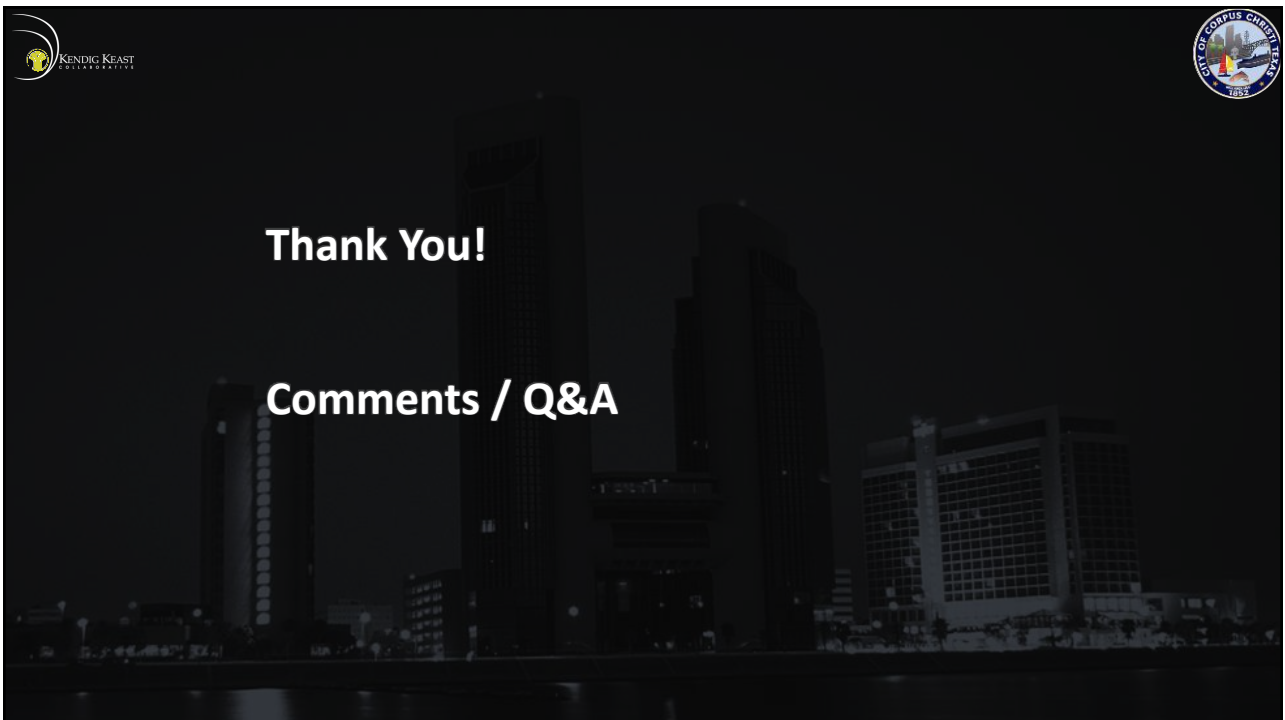


- Approximately 20 months from notice to proceed to adoption
- Including providing a scope, schedule, and budget for Phases 3 and 4 (medium- and longer-term priorities)

Activity	Trip #	Purpose	Meeting Time <sup>1</sup>
PHASE 2-1: MODULE DRAFTING			
Staff Video Conference		-	Month #1
Deliverable: Detailed Project Schedule			Month #1
Deliverable: Draft Module 1			Month #3
Staff Deliverable: Module 1 comments			Month #4
Staff Video Conference			Month #4
Deliverable: Revised Draft Module 1			Month #5
Staff Leadership Meeting	Trip #1 (2 nights / 1 day)	Presentation / Discussion on Module 1 – Zoning Districts & Land Uses	Month #5
Policy Advisory Committee (PAC) Meeting			
Staff Technical Committee (STC) Meeting			
Open Door Meeting			
Deliverable: Draft Module 2			Month #7
Staff Deliverable: Module 2 comments			Month #8
Staff Video Conference			Month #8
Deliverable: Revised Draft Module 2			Month #9



## NEXT STEPS | SCHEDULE AND RESOURCES

- **Presentation to City Council – Tuesday, June 11**
- **PDF of Draft Evaluation – <https://www.cctexas.com/UDC>**
- **Email [DSOutreach@cctexas.com](mailto:DSOutreach@cctexas.com)**



## Thank You!

## Comments / Q&A