



# THE LONG VIEW

*UDC Diagnostic Report*



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## Introduction

The City of Longview has recognized a need for updated development regulations. The recently adopted comprehensive plan and the small area plans, changes in State law, outdated zoning and subdivision standards, coordination of various requirements, and a desire for an improvement in the quality of development are a few reasons that new development regulations are needed. The City's elected and appointed leaders, therefore, have initiated efforts to update, reorganize and simplify the City's regulations into a cohesive Unified Development Code (UDC). This *Diagnostic Report* has been drafted as the first step in the Council's directive to create the new UDC. The following broad concepts pertaining to City issues have been considered in the drafting of this report:

Coordination Between Regulations/Standards – Due to the fact that a complete re-write of the zoning and subdivision regulations has not occurred in decades, there are many requirements that are in various locations. Requirements need to be provided in a single location, adequate cross-referencing of where all these requirements are located is essential.

A User-Friendly Format – The City would like to consolidate its various development regulations into a single code, referred to herein as the Unified Development Code (UDC), that is well-organized, well-written, and easy to use. Developers, consultants and others who use the Code should be able to easily navigate the new Code without referring to a variety of separate ordinances.

A Simplified Development Process – While development standards need to encourage quality development in the community, the City would like to simplify, to the extent possible, the process by which development is approved. City staff has been addressing this issue in recent years, and many strides have been made. However, the process needs to be integrated in ordinance form in the new UDC. The ideal for the development process in Longview is to have a fair, open, and understandable process for all the parties involved in all parts of the process.

The Incorporation of Innovative Planning Principles – The City seeks to incorporate the latest thinking in the art and science of city planning into its new Code. The ultimate goal of the new Code is to make Longview a better community. Therefore, one of the central objectives of this work effort will be to improve the basic policies and rules that govern and manage land development activities in the community. The new Code should focus on outlining a land development process that would result in a better-quality urban environment.

A Legally Sound (and Fair) Document – Finally, the new regulations must be a fair, but highly defensible, set of rules for the development of land in the community. The new Code must clearly reflect basic Constitutional principles, recent Court rulings, and other applicable case law. It also must be framed in accordance with Texas statutory authority as it pertains to community planning and land development, with issues such as vested rights, appeal processes, and rezoning.

### The Initial Step

As an initial step to formulate the diagnostic report, the project team has interviewed City Staff, developers, and the elected and appointed officials to receive their thoughts and ideas on the most pressing issues in the current code of ordinances and how to resolve those issues.

### The Resulting Directive

Following the review of this Diagnostic Report, the Planning and Zoning Commission and City Council will need to provide input on the recommendations contained herein.

If the Planning and Zoning Commission and City Council agree with the recommendations presented in this report, Phase II of the work effort will commence, which is the actual drafting the new UDC document.

If the Planning and Zoning Commission and/or City Council have concerns about any of the issues or recommendations for regulatory action cited herein, these issues should be discussed and additional direction should be given as to how City leaders would prefer to approach those issues in the new UDC.

Once the City reaches consensus on the issues within this Diagnostic Report, this document will be used as the basis for the City's directives as the new UDC is written.

# General

## 1. Revise the Layout and Organization

### Issue

The City’s existing code of ordinances currently contains several chapters with separate regulations. The existing layout should be reorganized for the Unified Development Code (UDC).

### Resolution

The City’s Unified Development Code (UDC) will be restructured to follow the proposed outline:

Existing Outline	Proposed Outline
-	General Provisions
Buildings and Structures	Building and Safety Code
Electrical Code	
Fire Prevention	
Plumbing and Gas	
Signs	Signs
Subdivisions	Subdivision
Streets and Sidewalks	Development Standards
Flood Damage and Prevention	
Water and Sewer	
Trailers, Manufactured Homes, and Trailer Parks	Trailers, Manufactured Homes, and Trailer Parks
Zoning	Zoning
Tree Preservation	
Definitions	Definitions

## 2. Improve Style and User-Friendliness

### Issue

Ordinances are typically scanned by readers and not intended to be read from cover to cover; therefore, it is important to design a document that meets the “scan-ability” desire of its readers. With the current format, the reader cannot scan the document and quickly find information due to the lack of subheadings and organizational format.

### Resolution

Develop the format to be structured more like an outline with subheadings for each paragraph. The following steps should be taken in order to improve the ordinance format and provide readers greater control over understanding the new UDC:

- Improve numbering system and layout
- Incorporate the use of more subheadings to increase the ability to scan
- Utilize bullet points or illustrations when possible
- Use cross references and hyperlinks to simplify navigation

*Figure 1: Example of a User-Friendly Format*

**1.02. Purpose**

**A. Implementation of the Comprehensive Plan**

The zoning regulations and districts established in this [Zoning Ordinance](#) have been made in accordance with the [Comprehensive Plan](#) for the purpose of promoting the health, safety, and general welfare of the [City](#). The zoning regulations and districts have been designed to achieve the following purposes:

1. Lessen congestion in the streets;
2. Secure safety from fire, panic and other dangers;
3. Promote health and the general welfare;
4. Provide adequate light and air;
5. Prevent the overcrowding of land;
6. Avoid undue concentration of population; and
7. Facilitate the adequate provision of transportation, water, wastewater, schools, parks, and other public requirements.

**B. Zoning Ordinance Considerations**

The zoning regulations and districts have been made with reasonable consideration for, among other things, the character of the districts, a district’s peculiar suitability for the particular uses specified, conserving the value of buildings and encourage the most appropriate use of land through the [City](#) consistent with the [Comprehensive Plan](#).

**1.03. Zoning District Map Regulation**

**A. Official Zoning District Map**

1. The official Zoning District Map shall be labeled the “Official Zoning District Map of the City of Balch Springs, Texas” and shall be maintained as a physical hard-copy file and an electronic file.
2. The “Official Adoption Date” and the “Last Amended Date” shall be shown on the official Zoning District Map.

**B. Management, Physical Locations, and Maintenance of the Official Zoning District Map**

1. Three identical copies of the [Zoning District Map](#) shall be adopted and shall bear the signature of the Mayor and the attestation of the [City Secretary](#). The three official copies of the [Zoning District Map](#) shall be filed and maintained as follows:
  - a. One copy shall be filed with the [City Secretary](#) and retained as an original record and shall not be changed in any manner.
  - b. One copy shall be filed with the [Building Official](#) and shall be maintained with all changes and subsequent amendments for observation in issuing building permits and enforcing the [Zoning Ordinance](#).

### 3. Clarify the Overall Development Process

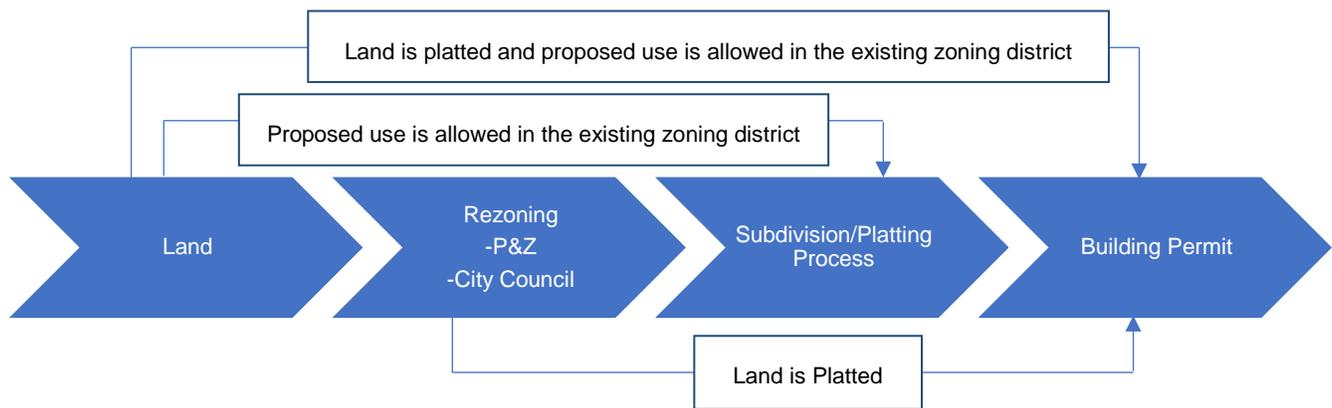
#### Issue

The current code of ordinances has different procedures outlined in different sections. The users of the UDC should benefit from an outline for the overall development process.

#### Resolution

Include a section in the UDC outlining the overall development process.

Figure 2: Example of an Overall Development Process



## Buildings and Structures; Electrical Code; Fire Prevention; Plumbing and Gas

### 4. Consolidate into a Building and Safety Code

#### Issue

The following chapters are separately laid out in the existing code of ordinances:

- Buildings and Structures
- Electrical Code
- Fire Prevention
- Plumbing and Gas

#### Resolution

Consolidate these sections into an integrated Building and Safety Code section with formatting consistent with the remainder of the UDC. No revisions to the text/content of the chapters are anticipated.



## Flood Damage and Prevention and Tree Preservation

### 5. Review and Update Contents for Flood Damage and Prevention

#### Issue

Articles II – IV should be evaluated to determine if the contents are up to date with the current FEMA regulations.

#### Resolution

A thorough review of the existing regulations during the UDC drafting process will ensure that the new Development Standards section is in accordance with FEMA's latest requirements.

### 6. Provide Alternative Solutions to Ensure Adequate Drainage

#### Issue

The current ordinance provides general parameters to define adequate drainage requirements, however, it does not provide specific solutions to ensure adequate drainage.

#### Resolution

Provide alternative solutions to determine adequate outfalls or areas of influence that do not have adverse impacts downstream.

### 7. Review Standards for On-Site Detention

#### Issue

There is a conflict between Article VI Drainage and Stormwater Control and the Drainage Criteria and Erosion Control Manual prepared by Espey, Huston & Associates concerning on-site detention requirements. Based on Article VI Section 43-51 (a), on-site detention is not required. Based on the design criteria Section 2.0 General Drainage Policy subpoint 8, detention will be necessary based on whether public improvements are built based on the Longview Master Drainage Plan.

#### Resolution

The City should re-evaluate the requirements for on-site detention and revise the ordinance and/ or criteria manual.

### 8. Address Adverse Impacts Downstream from Development

#### Issue

The downstream impact for future developments should be evaluated to protect properties from increased flooding. A pre- and post-development downstream assessment should address increase in both discharge and velocity. Alternative design solutions should be provided to the applicants as options to alleviate an increase of downstream flooding.

#### Resolution

A method should be developed to determine the location of the furthest downstream outfall which is impacted by the proposed development. This will allow the applicant to know the total area in which to conduct the analysis. The City should also evaluate and consider potential developer/City cost-sharing methods to fund a master drainage study, regional detention solutions, and downstream capacity improvement projects.

## 9. Relocate the Tree Preservation Section

### Issue

The Tree Preservation section is better suited within the Landscape Requirements section of the zoning ordinance than with the Flood Damage and Prevention section.

### Resolution

Relocate the Tree Preservation section in the zoning ordinance, with no major revisions to the section. Additionally, provide clear language for penalties for unauthorized tree removal in this section.

## 10. Reflect Current Storm Water Pollution Prevention Requirements

### Issue

The Environmental Protection Agency (EPA) and the Texas Commission of Environmental Quality (TCEQ) require construction of developments generally one acre and larger to prepare a Storm Water Pollution Prevention Plan (SWPPP) based on the MS4 Permit. The SWPPP identifies potential pollution sources and identifies the practices that will be used to minimize pollutants during the construction process.

### Resolution

Ensure that the new UDC reflects the latest SWPPP requirements and practices required by TCEQ.

# Signs

## 11. Review and Update Components of Sign Ordinance

### Issue

The current sign ordinance has some components that might be interpreted to be content-restrictive. According to the recent lawsuit “Reed et al. v. Town of Gilbert, Arizona et al.”, sign regulations should not contain any content-based restriction.

### Resolution

Review and update the sign ordinance to remove any regulations that may be interpreted to be content-based. Ensure all requirements are regulating only size, height, and placement of the signs.

## 12. Reduce Variance Requests Regarding Pole Signs

### Issue

The City currently requires a setback for pole signs; however, frequent variance requests are received by the City for the reuse of existing pole signs within the required setback.

### Resolution

Allow reuse of existing legally-installed pole signs to be located within the required setback.

## 13. Evaluate Different Types of Signs to Allow

### Issue

There are many different types of signs that can be used within the City to achieve different purposes and visual impacts. For example, roof-mounted signs are not currently allowed within the City. However, it is the City’s desire to allow specific architectural roof-mounted signs in order to provide greater flexibility in sign placement. Additionally, the permitting of horizontal signs, wall signs, and entryway signs are also desired to be allowed in the City. The varieties of display/holiday signs (LED vs. neon) are not properly defined and regulated in the current ordinance.

### Resolution

Consider allowing different types of signs within the City and develop appropriate standards to address these sign types. Also, clearly define size and location of signs with corresponding illustrations. Formulate guidance on temporary signs. Permit all sign types by zoning district in order to be consistent with other sections of the UDC.

## 14. Ensure Clearance in Driveway and Street Sight Visibility Triangle

### Issue

The current sign ordinance does not provide guidelines to ensure that the sign heights do not create obstacles in the sight visibility triangle. The clearance on the sight visibility triangle is an important safety aspect to be addressed in the UDC.

### Resolution

Include a section for the sight visibility triangle in the subdivision ordinance and provide reference to the section in the sign ordinance to ensure its applicability to signs.

### 15. Include Instructions for Sign Measurements

#### Issue

A common source of confusion regarding sign sizes is the lack of guidelines on measurement procedures.

#### Resolution

Include illustrations to explain how sign dimensions should be measured. See Figure 3 for an example of sign measurement illustrations.

Figure 3: Example of Sign Measurements



## Streets and Sidewalks

### 16. Include Language to Clarify Use of Public Funds

#### Issue

Although public funds are not available for the operation and maintenance of private streets, explicitly spelling it out may help the City to prevent confusion and establish an official policy of this practice.

#### Resolution

Include language to prohibit the use of public funds for the operation and maintenance of private streets. Define and clarify procedures for private streets to meet the City standards in order to be accepted by the City.

### 17. Include Provisions for Street Lights

#### Issue

The current code of ordinances does not address the provision of street lights.

#### Resolution

Include a section for street lights that discusses policies for the placement of street lights to maximize the effectiveness of lights along the roadways without adding a significant amount of light pollution. This can be achieved with well-placed pedestrian-level lighting rather than taller street lights. Additionally, a policy direction should be formulated for a cost-effective provision of street lights as there are significant differences in cost depending on the type of street lights that are installed.

### 18. Include Provisions for Sidewalks

#### Issue

The current ordinance does not require sidewalks to be constructed on any of the streets. However, the comprehensive plan calls for sidewalks to be included in all levels of streets.

#### Resolution

Translate the guidelines from the comprehensive plan into sidewalk requirements. Provide a staff exemption option for large lot developments and redevelopments in existing neighborhoods that do not include sidewalks. Include standards to require separation from back of the curb, establish minimum sidewalk widths and ensure coordination with the Bike and Ped Plan.

### 19. Improve Street Connectivity

#### Issue

Street connectivity has been identified as a pressing issue in the City. The subdivision ordinance only recommends provisions for connectivity; no requirements or standards are outlined within the code of ordinances to ensure adequate street connectivity.

#### Resolution

Explore and establish requirements to achieve increased street connectivity.

## 20. Establish Standards to Implement Complete Streets Approach

### Issue

One of the priorities from the recently adopted Comprehensive Plan is to implement the Complete Streets approach in the City.

### Resolution

Establish standards to implement the Complete Streets approach or include a Complete Streets policy statement, based on the comprehensive plan recommendations.

## 21. Include Requirements to Trigger Traffic Impact Analysis (TIA)

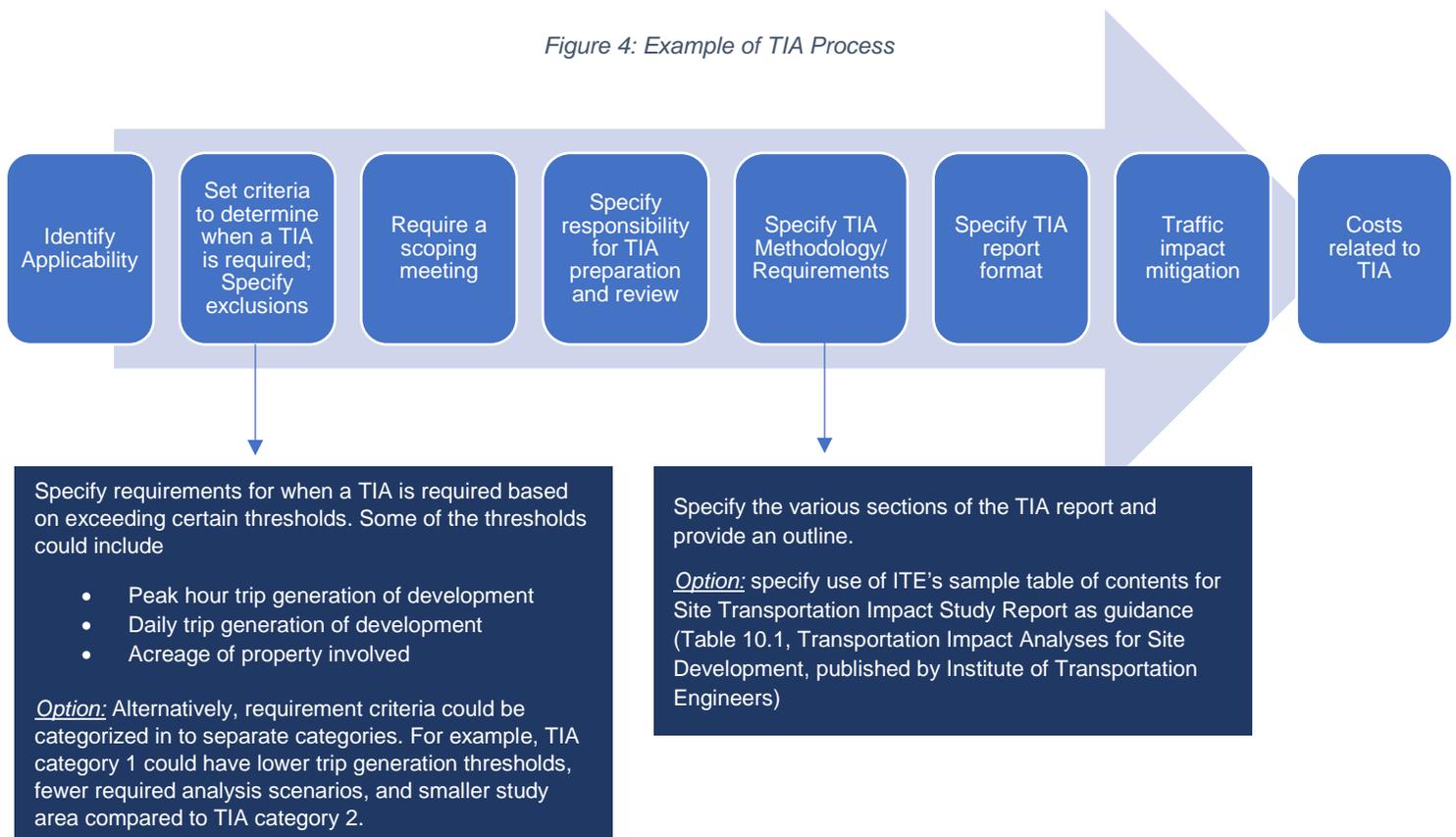
### Issue

The current ordinance does not require a Traffic Impact Analysis (TIA) to be conducted for new or redevelopments; it refers to the City Traffic Engineer for the decision regarding traffic impacts.

### Resolution

Include set requirements and processes for TIAs. Consult with the City Traffic Engineer to develop the requirements.

Figure 4: Example of TIA Process



# Subdivisions

## 22. Clarify Plat Procedures

### Issue

The City provides three separate tracks for the developers to proceed with the plats. Providing three different tracks provides flexibility to the developers; however, it might generate confusion without clearly outlined procedures.

### Resolution

Review and clarify all three tracks to provide detailed instructions with corresponding flow charts for plat procedures while retaining the different tracks, one of them being an administrative track for minor plats.

Figure 5: Example of Flow Charts Illustrating Plat Procedures



## 23. Reference the Engineering Criteria Manual

### Issue

Many design guidelines included within the current ordinance are currently serving as recommendations or are separate memos not referenced within the ordinances. However, in order to ensure that new developments are meeting the standards of the desired look and feel of the City, these guidelines should be formulated as requirements.

### Resolution

The subdivision ordinance should include policy guidance referring to the Engineering Criteria Manual for the design requirements. Note that the City is currently in the process of developing an Engineering Criteria Manual, which will be referenced by the new UDC.

## 24. List All Plat Types in One Location

### Issue

Along with the two separate tracks for the developers to proceed with plats, there is a third track listed in the subdivision ordinance that outlines the procedures for minor plats. However, minor plat is a type of plat, similar to an amending plat or vacating plat and should not be listed separately as a track of plat procedures.

### Resolution

Develop a consistent list of the available plat types and identify the appropriate use of each type. Rename the "minor plat" track to "administrative plat" track in the plat procedure section and include provisions for minor plats in the section that outlines all different types of plats to ensure consistency.

## 25. Continue Pre-Submission Conferences

### Issue

The City currently recommends a pre-submission conference with applicants as a primary step for the proposed development. This pre-submission conference is important for the City to gather a proper understanding of the proposal and provide the developers with appropriate codes and regulations.

### Resolution

Continue the provision of the pre-submission conferences with applicants.

## 26. Streamline Development Procedures and Standards

### Issue

One of the recurring issues that was identified during the diagnostic process was inconsistent development procedures and required standards. Delay in the development process is one of the consequences of these inconsistencies.

### Resolution

Provide step-by-step details on the development process. Include a comprehensive checklist of necessary elements for development procedures to be developed by Staff within the ordinance.

## 27. Continue Utilizing Submission and Filing Dates

### Issue

The City maintains a calendar to track the official filing dates and the official submission dates of the plats.

### Resolution

The City should continue to utilize a calendar to establish the filing and submission dates of plats. The UDC will establish definitions for “Official Submission Date” and “Official Vesting Date” for the platting process. There should be a clear difference between the LGC 245 vesting requirement (“Official Vesting Date”) and LGC 212 30-day action requirement (“Official Submission Date”). The UDC will reference the calendar of dates, which should be developed and maintained by City staff.

## 28. Rename Variances to Waivers

### Issue

The term “variance” is typically associated with zoning. The current subdivision ordinance uses the term “variance” instead of “waiver”, which might cause confusion regarding the requirements and processes (e.g., determining whether a hardship is required).

### Resolution

Rename the term “variance” to “waiver” within the subdivision ordinance and clearly outline the consideration requirements.

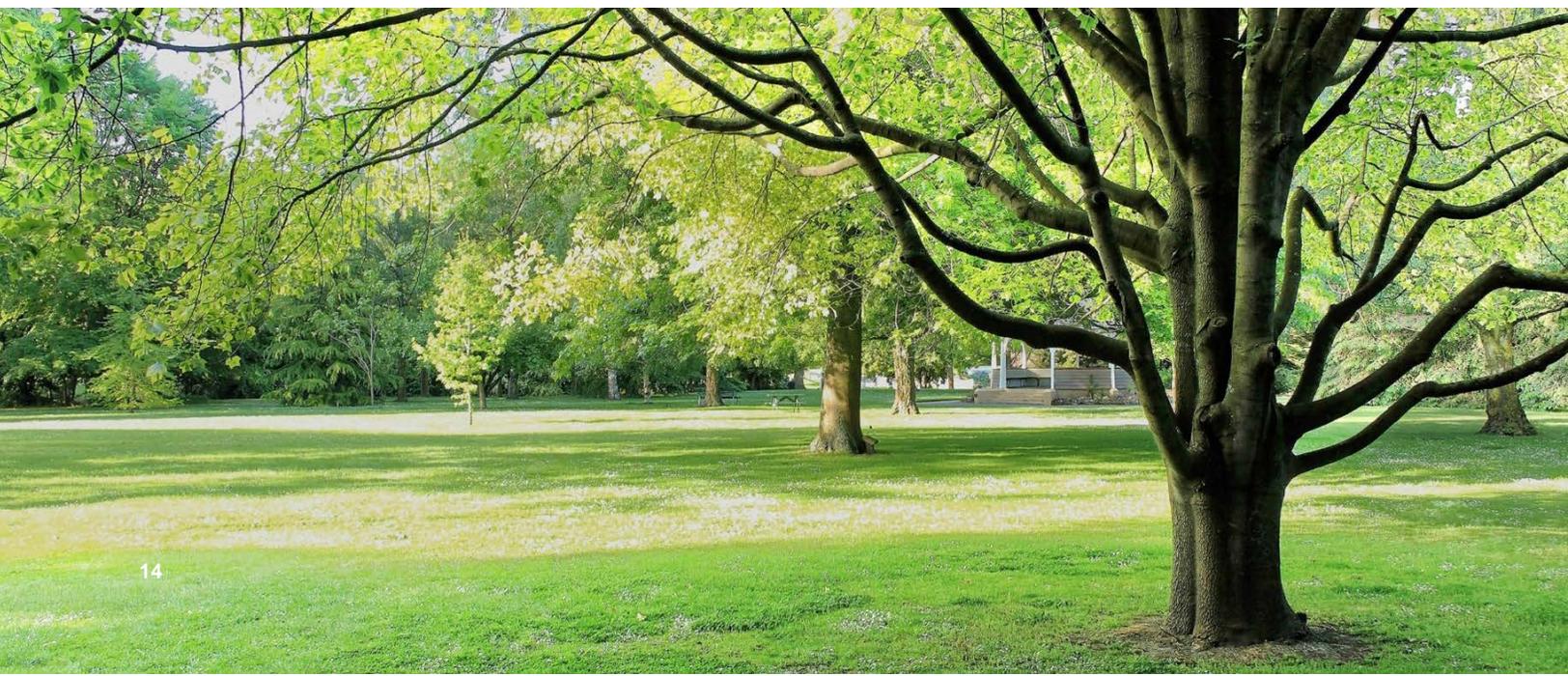
## 29. Develop a Parkland Dedication Requirement

### Issue

The current subdivision regulations do not have a parkland dedication section, which would help the City to ensure adequate amount of parkland for all residents.

### Resolution

Develop a parkland dedication section in the subdivision ordinance that will correlate with the comprehensive plan. A fee-in-lieu of dedication should be required particularly for smaller subdivisions, unless otherwise approved by the City. A minimum size (e.g., 10 acres) should be established for neighborhood parks to manage long-term maintenance costs. The section will reference a fee schedule and park benefit zone to be developed and maintained by Staff.



### 30. Codify the Section for Abandonment of Right-of-Way and Easements

#### Issue

The City currently has an established procedure to address the abandonment of right-of-way and easements. However, this procedure is not included within the code of ordinances.

#### Resolution

Incorporate the existing procedure to address the abandonment of right-of-way and easements in the new UDC.

### 31. Encourage Provisions for Alleys

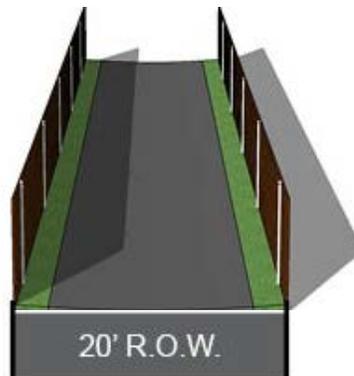
#### Issue

The current ordinance allows alleyways but does not provide adequate standards to construct alleys.

#### Resolution

Continue allowing alleys within the City. Provide clear guidance and standards for alley provision with illustrations.

*Figure 6: Example of an Alley Illustration*



### 32. Include a Section for Subdivision Proportionality Appeal

#### Issue

As per State Law, the developer should only pay his/her "fair share" in construction of utilities (such as roads) related to the development in question. The current ordinance does not establish any procedure to appeal to City Council for proportionality related issues.

#### Resolution

Include a section in the subdivision ordinance to provide clear procedure to appeal to City Council for events where the City and the developer disagrees on what is considered to be the "fair share".

### 33. Ensure Appropriate Bond Issuers

#### Issue

Currently the City does not require a licensed and registered issuer for infrastructure bonding, which can leave the City vulnerable to developers potentially abandoning a project and forcing the City to fund and install infrastructure.

#### Resolution

Require developers to obtain bonds from issuers registered with the U.S. Treasury. Additionally, outline different bond types to ensure development of appropriate infrastructure and protection of existing infrastructure.

## Trailers, Mobile Homes, and Trailer Parks

### 34. Align Trailers, Mobile Homes, and Trailer Parks Regulations with State Law

#### Issue

The definitions within this section should be evaluated to ensure they are clear. For example, RV parks and Manufactured Housing subdivisions can be confused to be the same, if not defined clearly,

#### Resolution

Align the Trailers, Mobile Homes, and Trailer Parks regulations with corresponding State Law. Additionally, review and modify the definitions associated with this section to avoid confusion. For example, RVs are temporary whereas manufactured homes are not; provide definitions with clear distinctions.



## Water and Sewer

### 35. Allow Options for Dead-End Lines

#### Issue

Dead-end lines are not allowed. The question of who pays for looping the waterline is not clearly addressed in the ordinance.

#### Resolution

Dead-end lines are frequently proposed when construction is phased. Consideration could be given to allow dead-end lines but limiting the number of connections to minimize the need for flushing. For new developments that propose dead-end lines that would require flushing, an option would be to require the developer/HOA to pay a fee to the City or hire a City-approved vendor to perform the service. This could be accomplished through a Community Facilities Agreement or installation of approved automatic flushing devices.

In addition, consider instituting impact fees for programmed (Master Planned) lines.

### 36. Revise Waterline Design

#### Issue

The minimum size waterline allowed is 6". It can be difficult to provide sufficient fire flow in 6" lines.

#### Resolution

A larger minimum line size will result in lower head losses and will make it easier to meet the volume and pressure requirements for fire flow. There would be a relatively small additional cost per foot of waterline, but consideration should be provided to the additional costs incurred to provide adequate fire protection when smaller lines are used such as storage, pumping, parallel lines. Many communities currently require an 8" minimum line size.

### 37. Clarify Definitions of "Private" and "Public"

#### Issue

The definitions of what is considered to be public and private are vague.

#### Resolution

Provide a description of the limits of public and private utility lines. In general, the street or alley ROW line or public utility easement should mark the limit of public maintenance for water and sanitary sewer lines. In the case of single lot developments, the design criteria for waterlines should be updated to include guidelines from the 11/18/10 *Public Utility Design Standards* memo. For sanitary sewer lines, it is a standard practice in some municipalities to place a cleanout at the ROW line to facilitate maintenance and to help mark the limit of public responsibility.

Sample Definitions:

- a. Public Water Service Line – The portion of the water service line between a water main located in a public street or alley to and including the water meter and box through which a given property is supplied with water.
- b. Public Wastewater Service Line – The portion of the wastewater service line located in a public street or alley between the main or lateral and the right-of-way line nearest to the site to be served.
- c. Private Water Service Line – The portion of the water service line that connects to the public water service line, located on private property between the water meter and the private structure.
- d. Private Wastewater Service Line – The portion of the wastewater service line that connects to the public wastewater service line, located on private property between the right-of-way line and the private structure.

## 38. Clarify Implications on Commercial vs. Residential Development

### Issue

According to the current ordinance, commercial developments can be served outside of the City Limits, but not residential development.

### Resolution

Adopt a policy to serve residential and commercial developments equally, within the City's CCN. The City should require that utilities meet the subdivision design standards throughout the CCN.

## 39. Incorporate References from TCEQ

### Issue

No reference to Texas Commission of Environmental Quality (TCEQ) is provided within the current ordinance.

### Resolution

Update codes to incorporate TCEQ requirements and provide reference to the TCEQ requirements within the ordinance.

## 40. Include Illustrations for Utilities Location Options

### Issue

Water, sewer and franchise utilities are all required to be located behind the curb in the current ordinance.

### Resolution

Include a typical street section illustrating the preferred locations of utilities within the ROW in the design standards.

## 41. Develop Guidelines for Waterline Size Increase

### Issue

The rules for reimbursing a subdivider for line oversizing are not clear.

### Resolution

The City should consider rules and a methodology for determining subdivider oversizing, reimbursement taking into account the rough proportionality rule, per Chapter 212.904 of the Texas Local Government Code.

Per 212.904, "...the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development as approved by a professional engineer."

Determining a new development's fair and proportional share might include the following steps:

1. Develop a clear and flexible Participation Policy
  - a. Define the developer's responsibility
  - b. Address city participation
  - c. Reimbursement instrument options
  - d. Development agreements
2. Determine the developer's loading
  - a. Standard per capita if the number of lots is known

- b. Land use estimations
  - c. Fire flow
3. Comparison to capacity or buildout flow based on one of the following:
- a. Estimated capacity based upon max friction loss
  - b. Capacity based on modeled system
  - c. Buildout loading based on projected development
4. Comparison to a minimum standard based on city policy
5. Reimbursement for oversizing
- a. Reimbursement for cost over the minimum standard
  - b. Reimbursement by Pro Rata agreement:
    - $\text{Developed \%} = \text{Loading/Buildout Flow}$

Implementation of impact fees would provide a funding source for citywide projects and compensating a developer for participation in line upsizing.

## Zoning

### 42. Update the Number of Residential Districts

#### Issue

Currently, there are 5 single-family, 3 two-family and 3 multi-family residential zoning districts. Several of these districts have not been utilized in years and represent a small portion of existing development.

#### Resolution

Evaluate each residential zoning district for its applicability within the City. Consider removal of districts that are obsolete and not applicable in the City anymore. Create new districts that provide denser and more affordable neighborhoods, as needed.

### 43. Consider Creating New Districts Aligned with the Small Area Studies

#### Issue

The recently adopted Small Area Studies for Downtown and the Interstate 20 Corridor are not reflected in the zoning ordinance, which may make the implementation of the plans difficult.

#### Resolution

Consider creating new base or overlay zoning districts to support implementation of the Small Area Studies for Downtown and the Interstate 20 Corridor.

### 44. Update the Dimensional Standards Table

#### Issue

The dimensional standards for the zoning districts are listed in multiple tables by use type, which makes finding and comparing the dimensional standards of multiple districts difficult and inconvenient.

#### Resolution

Consolidate the dimensional standards to be presented in one table for residential districts and one table for nonresidential districts. Provide corresponding illustrations to clarify the dimensional requirements.



## 45. Reduce the Need for Planned Developments (PDs)

### Issue

The current practice of using Planned Developments (PDs) excessively indicates that the current zoning districts do not adequately support the most common or desired types of developments within the City. Excessive use of PDs also creates delays in the development process, as well as additional expense for applicants.

### Resolution

Evaluate and update the regulations and standards for the existing and/or proposed zoning districts to ensure that they support the desired developments within the City, which will reduce the need for PDs.

## 46. Ensure Compatible Land Uses

### Issue

The term “cumulative zoning” refers to the practice of allowing most/all uses of lesser intensity within a particular zoning district. This practice can create issues with incompatible uses and results in a less predictable land use pattern.

### Resolution

Evaluate all uses allowed in each zoning district and assign the uses to appropriate and compatible zoning districts. Minimize the cumulative zoning practice with assigning specific allowed uses to each district.

## 47. Update and Clarify Uses and Definitions

### Issue

Many uses listed within the current zoning ordinance are outdated and many modern uses that are likely to take place in the City are not included, such as short-term residential rentals. There are also uses that are often used interchangeably by people, but have a different impact on land uses such as night club vs wine bar. Additionally, many uses are not defined.

### Resolution

Evaluate and update uses to capture all uses that are likely to occur in the City and remove obsolete uses. Additionally, consider consolidating existing uses and recalibrating to focus on building scale. Ensure that all uses are defined and linked via cross-reference from the use chart to the definition. Incorporate the City's current ordinances containing regulations for the modern uses such as the temporary vendor regulations.

## 48. Increase Front Setbacks to Provide Clear Sidewalk Access

### Issue

The setbacks required in the current ordinances (such as 30') are inadequate and results in parked vehicle blocking the sidewalks.

### Resolution

Require 35' front yard setbacks for front-loaded residential homes and allow reduced front yard setbacks for rear-loaded/alley accessed homes in order to avoid parked vehicles blocking sidewalks.

## 49. Uses in Downtown

### Issue

Some of the uses that are currently allowed in Downtown are incompatible with the vision for the Downtown.

### Resolution

Evaluate the allowed uses and update to allow the compatible uses in the Downtown area that reflect the community's vision and Small Area Study recommendations.

## 50. Include Standards for Central Business District Parking

### Issue

Parking is not required in the Central Business District; however, when parking is provided, there are no standards in place to ensure an aesthetically-pleasing parking lot design, which can negatively impact the Downtown's character.

### Resolution

Develop standards related to landscaping, parking lot layout, and placement if parking is provided in the CBD zoning district. Additionally, guidelines for bike parking and street furniture in the CBD Business District should be developed.



## 51. Address Home Occupations

### Issue

The definition and provision for home occupations are inadequate and outdated in the zoning ordinance.

### Resolution

Update the definition and standards related to home occupations. Consider a provision to allow more intense home occupation uses with SUP for detailed consideration.

## 52. Address Child Care Related Uses

### Issue

Provisions for child care facilities are not adequately laid out in the current ordinance. There are several types of child care facilities having different impact on the land uses, which are not addressed in the current ordinance.

### Resolution

Provide definitions for child care facilities based on the Texas Department of Family and Protective Services regulations and allow facilities in appropriate zoning districts.

## 53. Evaluate Parking Standards

### Issue

The existing parking standards require too much or too little parking. Frequent requests for variances for reduced parking indicate that the current standards may need to be adjusted.

### Resolution

Develop updated parking standards; make the parking standards consistent with the generalized scale of uses within the Use Chart. Additionally, include an option for enabling Staff to allow minor variances regarding parking requirements to reduce the caseload of the Board of Adjustment and expedite the development process.



## 54. Provide Stacking Standards

### Issue

The current ordinance does not provide any standards for queuing and loading/spaces for uses such as drive-thru restaurants, drive-thru banks, and schools.

### Resolution

Develop and include stacking standards for applicable uses.

## 55. Provide Parking Dimensions and Layout

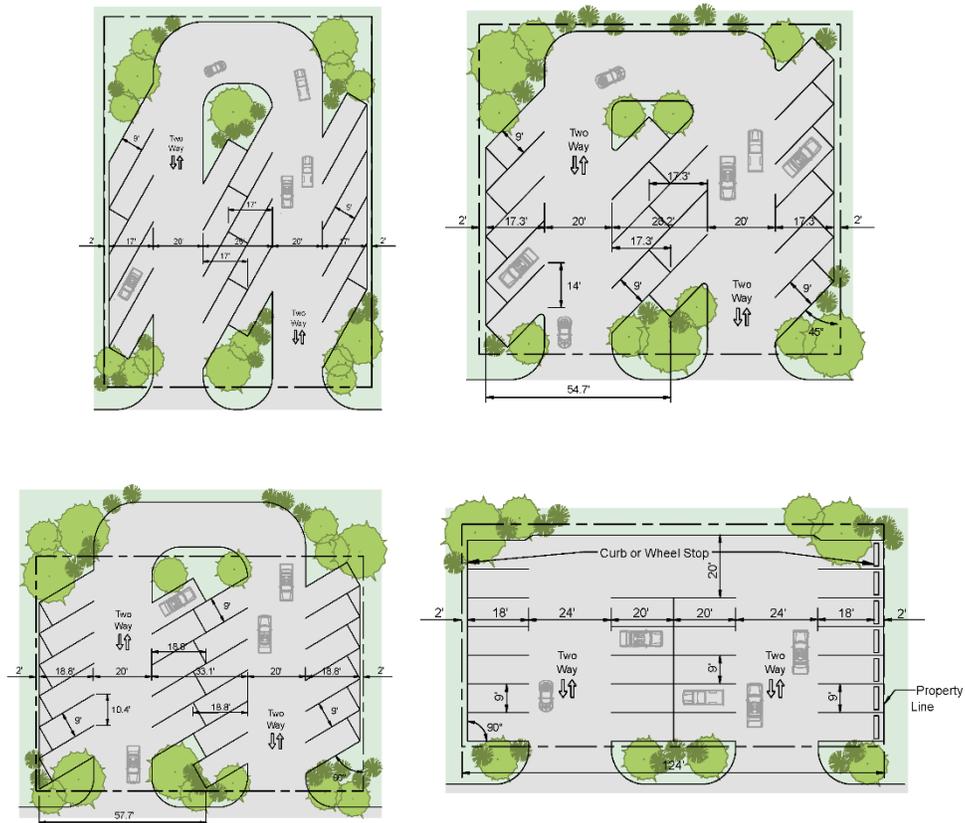
### Issue

The required dimensions and permitted layouts for parking spaces are not provided in the current ordinance.

### Resolution

Require parking space dimensions of 9'x18'. Provide illustrations for different layouts (30 degrees, 45 degrees, 60 degrees, or 90 degrees) of the parking lots, as demonstrated in Figure 7.

Figure 7: Examples of Parking Lot Layout Illustrations



## 56. Provide Guidelines on Accessory Dwellings

### Issue

The provisions to allow or regulate accessory dwellings are not clear within the current ordinance.

### Resolution

Incorporate clear guidelines for accessory dwellings to allow with the primary dwellings; however, include language to prohibit the accessory dwellings to be rented out. Clear regulations should be included to define what is allowed as an accessory dwelling unit. The compatibility of building materials with the main dwelling units should also be considered as a key factor for accessory dwelling units.

## 57. Update Regulations for Carports and Garages

### Issue

The regulations for carports and garages are unclear and confusing.

### Resolution

Clarify and update the regulations for carports and garages.

## 58. Review the Setbacks and Height Regulations for Accessory Buildings

### Issue

The dimensional standards such as setbacks and height regulations for accessory buildings should be evaluated to ensure that they are providing desired standards.

### Resolution

Review and modify the dimensional standards for accessory buildings. For example, require a 3' setback for accessory buildings for any lot line or a 5' setback when adjacent to an alley.



## 59. Enhance Aesthetic Regulations in the Special Areas

### Issue

The Small Area Studies for the Downtown and the Interstate 20 Corridor recommend establishing a high-quality look and feel for these special areas. Lower-quality design practices and construction materials, such as metal, hinders the desired look and feel of these special areas.

### Resolution

Require masonry or stucco building materials in the Downtown and Interstate 20 Corridor special areas to promote aesthetically-pleasing special areas. Also, develop and include façade requirements (such as building articulation, window openings, and roof design) for the Downtown and Interstate 20 Corridor special areas.

## 60. Consider Including Design Standards throughout the City

### Issue

There are currently no design standards (such as landscape regulations or architectural standards) currently applied throughout the City. Although the comprehensive plan and the Small Area Studies provide emphasis on enhancing the look and feel of the special areas, the comprehensive plan also calls for overall aesthetic enhancement of the City.

### Resolution

Consider including standards related to landscaping, building materials, and architectural features for some/all zoning districts.

## 61. Establish Maximum Setbacks Requirements for Downtown

### Issue

Currently, there are minimum setbacks requirements in the Downtown area; however, maximum setbacks would be more helpful to achieve the desired look and feel of the downtown area.

### Resolution

Establish maximum setbacks for the Downtown area to ensure a consistent block face and appearance.

## 62. Provide Options for Alternative Compliance

### Issue

The current ordinance does not have any procedure established for Staff to review or approve minor deviances, which results in time-consuming procedures to be conducted for minor issues.

### Resolution

Allow for alternative compliance, which would allow City staff to approve pre-determined minor deviations that result in a similar or improved development. This would reduce the caseload for the City's elected and appointed officials and expedite the development process for applicants.