INTRODUCTION TO PLANNING

Bryce Cox, Principal Planner
Denton Navarro Rocha Bernal & Zech P.C.

WHAT IS COMMUNITY PLANNING?



COMMUNITY PLANNING

- Community planning is the process of creating plans, policy, and regulation to:
 - Promote the health, safety, morals, or general welfare of the community;
 - Protect and preserve places and areas of historical, cultural, or architectural importance and significance; and
 - Promote the safe, orderly, and healthful development of the community.
- Community planning can take on all sorts of shapes and sizes.

WHAT ARE SOME OF THE WAYS WE PLAN OUR COMMUNITY?

COMMUNITY PLANS & REGULATION

Community plans and regulation include but are not limited to:

- Comprehensive Plans
- Development regulations
 - Zoning
 - Subdivision
- Area/Neighborhood Plans
- Strategic Plans
- City Budget
- Capital Improvement Plan
- Development Agreements



WHO SHOULD BE INVOLVED IN COMMUNITY PLANNING?



- This should include everyone who lives, works, and plays within the community, including but not limited to:
 - residents
 - property owners
 - renters
 - business owners
 - business employees
 - business patrons
- Remember that your community is more than just the people who reside there.

WHO IS RESPONSIBLE COMMUNITY PLANNING?

COMMUNITY PLANNING RESPONSIBILITY



The entire community is responsible for planning through various levels of involvement.

- Decision Makers
- Planning Support
- Participants

MUNICIPAL PLANNING DECISION MAKERS

- City Council
 - Zoning, development regulations, comprehensive plans
- Planning and Zoning Commission
 - Zoning recommendations, comprehensive plan recommendations, plats
- Board of Adjustment
 - Variances, Special Exceptions, Appeals
- City Staff
 - Permits, development review, staff recommendations

WHAT IS A COMPREHENSIVE PLAN?

COMPREHENSIVE LAND PLAN

- Comprehensive Land Plan is a policy document that serves as a guide for decisions relating to the physical, social, and economic growth of the city.
- Comprehensive Land Plans come in all shapes and sizes and should be designed to meet the city's needs.
- If a city adopts a comprehensive plan, it must be followed when making zoning decisions. LGC § 211.004(a)



WHAT ARE SUBDIVISION REGULATIONS?

SUBDIVISION REGULATION

Primary purpose to regulate the subdivision of land and installation of roadways and public utilities.

Establishes the procedures for platting and design standards for subdivision layout.

Subdivision regulations are adopted to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality. COMMON REGULATED SUBDIVISION ELEMENTS

Blocks Lots Access Streets Alleys Sidewalks Utilities **Easements** Parkland dedication & improvement

WHAT IS ZONING?

WHAT IS ZONING AND WHY DO WE NEED IT?

- Zoning is the division of land into distinct districts and the regulation of certain uses and developments within those districts.
- It is the process to legally control the use that may be made of property and the physical configuration of development
- The power of a municipality to establish zones is a police power and the adoption or amendment of a zoning ordinance is a legislative function.

WHAT IS THE PUBLIC PURPOSE?

Lessen

• Lessen – Lessen congestion in the streets

Secure

• Secure – Secure safety from fire, panic, dangers

Promote

• Promote – Promote health & general welfare

Provide

• Provide – Provide adequate light & air

Prevent

• Prevent – Prevent overcrowding of land

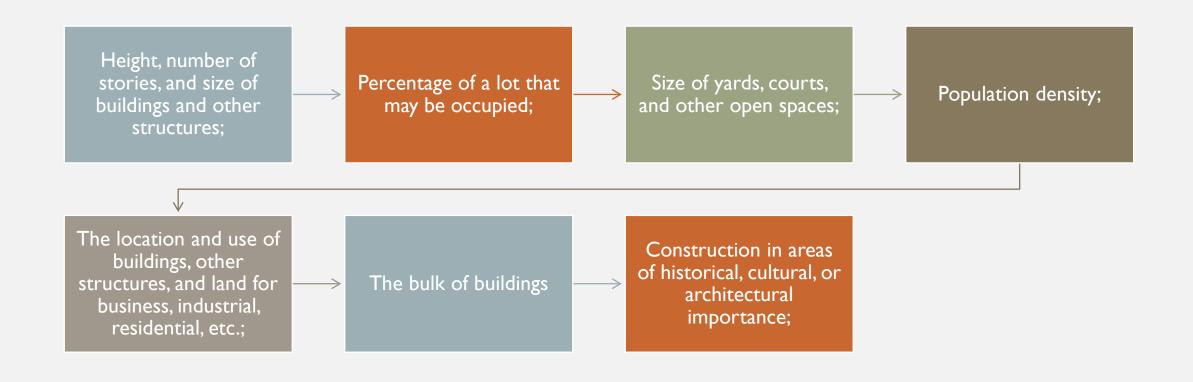
Avoid

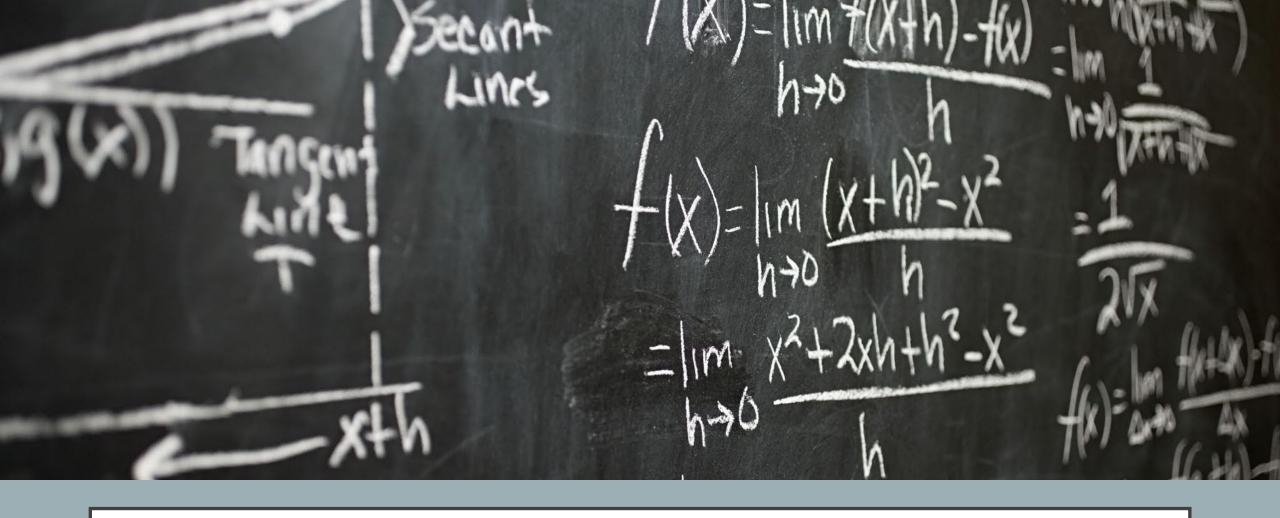
• Avoid – Avoid undue concentration of population

Facilitate

• Facilitate – Facilitate adequate provision of transportation, water, sewer, schools, parks, etc.

COMMON REGULATED ELEMENTS





DEVELOPMENT IS COMPLEX MULTIVARIATE EQUATION.

SOME VARIABLES WE CAN CONTROL AND SOME WE CANNOT.

THE BIG MYTHS!

More Regulation = Better Results

Increased design standards creates "high quality development"

City codes are the only thing regulating development

If we allow this everyone will do it

Our community will never change!



Be Respectful

 Recognize the rights of citizens to participate in planning decisions and listen and consider their comments.

Be Thoughtful

 Always remember that every decision you make has an impact on someone.

Be Compassionate

Every decision you make is important to someone.

Be Realistic

• Consider both the short term and long term impacts as well as the interconnectedness of the decision.

Be Informed

• Stay up to date on the city's comprehensive plan, policies, and regulations.

Be Fair

• Planning issues commonly involve a conflict of values and, often, there are large private interests at stake. These accentuate the necessity for the highest standards of fairness and honesty among all participants.

THE CONTINUUM

- Almost every decision made regarding planning and zoning policies has people strongly in support and strongly opposed.
- Your job is to determine where the community as a whole should be on the regulatory spectrum and act appropriately.

Where should your community be?

THOUGHT COOKIES FOR A HUNGRY BRAIN

Development regulations should focus on those elements that are most important to your community. There is no need to regulate everything.

Regulations promoting incremental development are good. Your community was (probably) not built overnight, but instead slowly developed and added onto over the years.

Approach development holistically. Each regulation or individual development is only a small piece of the complex development puzzle.

Strive to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons.

QUESTIONS?

Bryce Cox

Bdcox@rampagelaw.com

Denton Navarro Rocha Bernal & Zech P.C.

Austin Office:

2500 W. William Cannon, Ste. 609

Austin, TX 78745

(512) 279-6431

Rio Grande Valley Office:

701 East Harrison Ave, Suite 100

Harlingen, TX 78550

956-421-4904

San Antonio Office:

2517 N. Main Avenue

San Antonio, TX 78212

(210) 227-3243

Gulf Coast Office:

549 N. Egret Bay Blvd., Suite 200

League City, TX 77573

832-623-2102