



**NOTICE OF WORK SESSION AGENDA
LANCASTER CITY COUNCIL**

**James R. Williams Pump Station
Training Room, 1999 Jefferson**



Monday, April 21, 2014 – 7:00 PM

DEFINITIONS:

Written Briefing: Items that generally do not require a presentation or discussion by the staff or Council. On these items, the staff is seeking consent from the Council or providing information in a written format.

Verbal Briefing: These items do not require extensive written background information or are an update on items previously discussed by the Council.

Regular Item: These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items may be accompanied by a formal presentation followed by discussion and direction to the staff.

**[Public comment will not be accepted during Work Session
unless Council determines otherwise.]**

Regular Items:

- 1.** Receive a presentation from Vision North Texas regarding North Texas 2050.
- 2.** Receive an update and presentation on the proposal for funding of infrastructure by Dallas County for the proposed sale of water to the City of Wilmer.
- 3.** Receive a presentation regarding the 2013 Racial Profiling Analysis Annual Report.
- 4.** Consider Amending Ordinance 13.00, 13.106 of the Drought Contingency and Water Emergency Response Plan.
- 5.** Receive a presentation from Councilmember Mejia, District 3 regarding allowable building materials within the Lancaster Development Code.
- 6.** Receive a presentation from James Hardie Industries regarding fiber cement siding products.
- 7.** Receive a presentation regarding a proposed Rental Registration Program.
- 8.** Discuss the City of Lancaster Public Improvement District Policy.

EXECUTIVE SESSION: The Council reserves the right to convene into executive session on any posted agenda item pursuant to Section 551.071(2) of the TEXAS GOVERNMENT CODE to seek legal advice concerning such subject.

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Certificate

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on April 17, 2014 @ 5:00 pm. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



Sorangel O. Arenas
City Secretary

LANCASTER CITY COUNCIL

Work Session Agenda Communication

April 21, 2014

Item 1

Receive a presentation from Vision North Texas regarding North Texas 2050.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Quality Development

Background

Vision North Texas is a public-private partnership designed to increase awareness about the growth expected in North Texas and to involve people and organizations in initiatives that accommodate this growth successfully. Vision North Texas was formed as a unique, public-private partnership for the North Texas region. The Urban Land Institute's North Texas District Council and the North Central Texas Council of Government's formed this partnership in 2004. The City of Lancaster has been supportive since the partnership began by participating in phase 1, the April 2005 kickoff event in which an invited group of business, civic and political leaders gathered at the University of Texas at Arlington to consider where millions of new Metroplex residents would live, work and play.

The City of Lancaster was among over 33 participating partner cities in the Vision North Texas Leadership Summit held in September 2006. During this summit, elected and appointed officials and members/staff of the public and private sector identified the top regional issues of the entire North Texas area. This summit was held within phase 2 of Vision North Texas' efforts, in which a City of Lancaster councilmember was appointed to the Leadership Advisory team. The initiatives during this phase were continued education and outreach, involvement of more people in the regional discussion, research into Development Excellence Best Practices, and to decide on whether to create a preferred regional scenario.

In January 2007, a Southeastern sub-regional workshop was hosted at the Lancaster High School where a diverse group of stakeholders were invited from southern Dallas County, Ellis and Kaufman Counties to discuss growth in this area. The City of Lancaster was one of the partners and sponsors of this workshop.

In June 2009, Vision North Texas presented the initial findings to various cities related to the North Texas Alternative Futures. The City of Lancaster was among the partners and sponsors of their efforts. The culmination of the alternative futures scenarios was presented in September 2009 and became the guiding principles for the creation of the *North Texas 2050*.

In March 2010, the *North Texas 2050* was completed. Efforts are underway to put into action its recommendations. This vision will become reality as cities, counties, private sector decision-makers and stakeholder groups consider its principles and use its recommendations when they make their own choices that have supported the Vision North Texas partnership in its work.

Vision North Texas is intended to raise awareness about growth expected in the Metroplex during the next 25 years. It creates a forum for regional dialogue about options to accommodate this growth that are successful and sustainable. A Vision North Texas representative from the Speaker's Bureau, David Rodriguez, will brief the City Council.

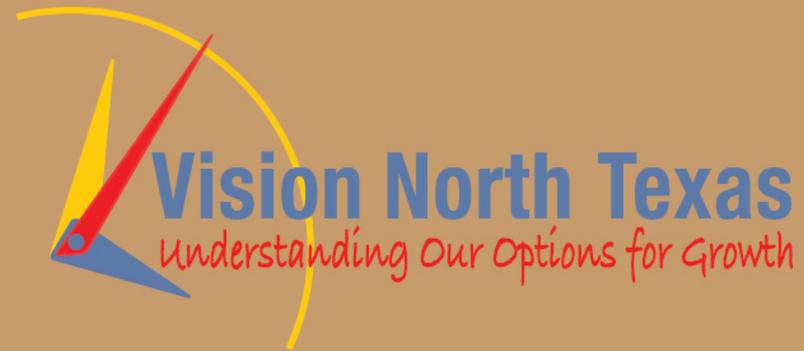
Attachments

- North Texas 2050 plan
-

Submitted by:

Opal Mauldin Robertson, City Manager

Wise
Denton
Collin
Hunt
Palo Pinto
Parker
Tarrant
Dallas
Rockwall
Kaufman
Navarro
Ellis
Johnson
Hood
Somervell
Erath



North Texas 2050



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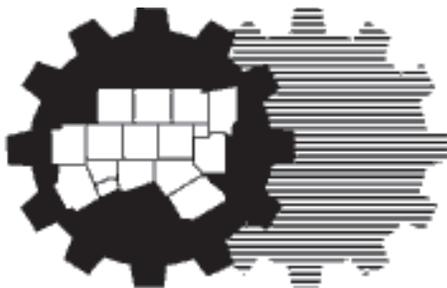
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City of Dallas, Dallas Council Member

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TIG Real Estate Services, Inc., ULI North Texas, Immediate Past President

Vision North Texas Charter Sponsors

* Vision North Texas is able to carry out this initiative because of the support of its sponsors. The 2009 and 2010 sponsors are listed below.



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Executive Summary

North Texas – the sixteen county region surrounding Dallas and Fort Worth – is the fourth largest region in the nation. Its population is expected to reach almost 12 million by the year 2050. How can North Texas accommodate that growth? What quality of life will residents experience ten, twenty or forty years from now? The decisions made today by investors, homeowners, businesses and other stakeholders will determine the answers to these questions.

Vision North Texas is a private, public and academic partnership created to serve as a forum for dialogue and action on these important issues. Beginning with a regional visioning workshop in 2005, the partnership has involved people from all parts of the region in the consideration of choices for the region's future. After five years of workshops, presentations, research and debate, seven conclusions are clear:

- * The North Texas region will face a significant amount of growth in the next several decades.
- * Current infrastructure is not adequate to meet the needs of this growth.
- * A continuation of the development patterns of the past leads to significant impacts on the region's air, water, land and natural resources.
- * The market of the future is more likely to want a different type of community – one that is more compact, walkable and with natural assets and urban amenities nearby.
- * The past patterns cannot be changed by the actions of one or a few decision-makers. Choices made by many stakeholders will affect the result.
- * A shared vision and more complete information for these stakeholders offers the region a better chance to achieve a desirable future.
- * North Texans want a future that is better than the one forecast by a continuation of 'business as usual' trends.

This *North Texas 2050* document describes the preferred future envisioned by Vision North Texas participants. It is the result of collaboration of experts in many professional fields, input of interested residents and direction from regional leaders. The document contains two major sections that present a 2050 vision and the actions to achieve it.

The first major section, *A Vision for North Texas*, proposes a Vision Statement and a set of twelve Guiding Principles for the region's growth and development. It describes a preferred future for North Texas by identifying five policy areas (natural, rural, separate community, outer tier and inner tier), each with its own challenges and opportunities, and two types of important centers (employment centers and mixed use centers) that are focal points for the region and its communities. This physical development pattern is served by an investment framework that integrates eight areas of investment – regional ecosystem, community character and form, economy, housing, mobility, climate resilience, education and health. A set of policy recommendations addresses the role of this investment framework throughout the region and in each policy area and type of center.

The second major section, *Action Package*, identifies the tools and techniques needed for action to achieve this vision. The action package includes incentives, best practices, model ordinances and templates, technical assistance, benchmarks & indicators, new institutions/entities, regional coordination & collaboration, and communication. It concludes with a set of priority actions for 2010 – a list of the 'top 20' items that should receive the greatest amount of attention and action, and a list of the 'next 10' items that address individual issues and innovative research. This proposed action agenda should be the focus of next steps to achieve the *North Texas 2050* preferred future.

Overview

Business as Usual – Not the Preferred Future

If current trends continue, the 16-county North Texas region will have over 75% more people in 2030 than in 2000, and the population will more than double by 2050. These trends create a ‘business as usual’ future for North Texas that is very different from the quality of life people find in the region today.

New neighborhoods built by 2030 will be developed at substantially lower densities than those in existing urban areas. Such low density neighborhoods mean that almost all trips must be by car, adding to traffic congestion and air pollution. Health research has documented higher levels of obesity and related problems for residents of these neighborhoods, leading to increased pressures on the region’s health care system.

Due to this development pattern, the region is expected to lose 900,000 acres of agricultural land, as well as substantial areas of natural habitat. The amount of impervious surface in the region (buildings and pavement) will double, increasing runoff and affecting water quality in streams, severity of floods and the temperatures experienced by people in the region’s urban areas. More than half of the new households will live in the watersheds of the region’s water supply lakes, affecting the water quality of these lakes and the drinking water they provide.

Over 1/3 of the region’s households will live outside today’s urban areas. In addition to these effects noted above, this shift also makes it less likely that the existing neighborhoods and communities closer to the region’s core will remain vital and desirable because infrastructure investments and tax base will be focused on the newer, outlying urban areas.

‘Business as usual’ means additional infrastructure but, with current resources, investments cannot keep pace with demand. For transportation facilities, the anticipated investment of almost \$71 billion from 2007 to 2030 does not improve conditions. Instead, it results in 66% more hours lost to travel delay in 2030 and a congestion cost of \$6.6 billion (compared to \$4.2 billion in 2007). In 2050, existing water supplies are not sufficient to meet the needs of this urban area and North Texans will need 21% more electricity production capacity than is currently available.

Finally, this development pattern may not even offer the housing choices that the market of the future will demand. Stakeholder preferences, changing demographics and lifestyle choices, new technologies for work and communication, and economic options for businesses and employees all suggest that the market of the future will not be met by the housing options of the past. Instead, market demand is expected to favor more compact neighborhoods where walking and biking are feasible options for many trips and where a resident can enjoy both the advantages of an urban location as well as the assets of a natural setting.

North Texas has grown successfully and dramatically over the past 40 years. But more of the same will not be successful or sustainable for the next 40 years. This conclusion – and the desire for a future that is better than this ‘business as usual’ scenario – has been supported consistently in discussions with North Texans during the past five years. Through the work of Vision North Texas, a new vision for the future has emerged that accommodates anticipated growth and offers a higher quality of life and a better future. This *North Texas 2050* document presents this preferred future and proposes action to make it a reality.

Vision North Texas

The Partnership

Vision North Texas is a partnership of private, public, and academic organizations working to increase awareness about the growth expected in North Texas and to involve people and organizations in initiatives that accommodate that growth successfully and sustainably. The partnerships' three Charter Sponsors are the Urban Land Institute's North Texas District Council (ULINT), the North Central Texas Council of Governments (NCTCOG) and the University of Texas at Arlington (UTA); many other organizations participate as partners and sponsors. Vision North Texas' activities are directed by a 10-member Management Committee representing the Charter Sponsors and other leaders in the private, public and academic sectors, and are guided by more than 75 Advisors representing key private and public sector entities.

Vision North Texas brings together people from diverse backgrounds and perspectives to discuss common interests, understand differences, and find solutions. It educates people about the change and growth our region is facing, and about the options we have to successfully accommodate this growth. It is the region's forum to debate and agree on a shared vision for our region and a practical action program to create that future. It provides North Texas decision-makers with the tools they need to make better choices that will make this vision a reality.

Vision North Texas Activities and Accomplishments

The Vision North Texas partnership began its work by hosting a regional visioning workshop, held in April 2005 at the University of Texas at Arlington. This workshop brought together a diverse group of nearly 200 stakeholders from across the region to discuss alternatives to the pattern of urban growth currently projected for the area. During the visioning workshop, participants defined 15 alternative development scenarios that could provide increased

quality of life, sustainability and economic vitality for the people who will live and work here in the future. Evaluation of these scenarios showed they could provide North Texas with significant economic and environmental benefits—more than \$15 billion in transportation cost savings, in one case.

Following the 2005 workshop, leaders from across the region urged Vision North Texas to continue this important work. Vision North Texas has now completed more than 150 workshops and presentations and conducted research on issues such as creation of a regional greenprint and support for development best practices. A Leadership Summit in 2006 engaged the elected and appointed leaders of the regions' cities and counties. In 2007 and 2008, four subregional workshops involved diverse stakeholders throughout the region in a more detailed discussion of the best ways to accommodate anticipated growth. Since 2005, Vision North Texas has involved and heard from hundreds of stakeholders who share a vision for a sustainable North Texas and who overwhelmingly urged our region to take action.

In September 2007, the Vision North Texas leadership began an ambitious effort to create North Texas 2050. The process to develop this 'gamebook' has included three phases of work, extensive research and participation by a wide range of stakeholders, leaders and decision-makers. Each phase has produced a major report and has concluded with a stakeholder event. These results are summarized below and are documented in reports available at www.visionnorthtexas.org.

Regional Choices for North Texas

This report contains information and research on the range of issues affecting the lives of the people who live and work in North Texas now and in the future. It was developed through a collaborative research effort including experts in fields from housing to forestry to urban design. The report establishes a baseline of information about the current characteristics of the North Texas region. It summarizes

the region's current plans for its future and projections of growth trends, both of which generally describe the expected future under 'business as usual'. It also describes efforts that are already underway that are changing those trends. Lastly, it suggests four possible alternatives to the 'business as usual' future.

This report was presented and discussed at a Regional Summit held in December 2008. Expert panelists and participants reviewed the report and discussed its implications for specific issues such as water and energy. Summit participants strongly supported the need for a future that was better than 'business as usual'. They provided feedback on the set of potential alternatives to that future.

Scenarios

In early 2009, the Vision North Texas Research Team used this stakeholder input to finalize a set of five alternative futures for the region. In all cases, the region was expected to have about 9.5 million residents and 5.6 million jobs in 2030 and almost 12 million residents and over 7 million jobs in 2050.

Scenario 1: Business as Usual

This scenario represents the region as it will exist in 2030 if private and public decision-makers continue in the direction the region is headed today. It is based on the North Central Texas Council of Governments 2030 Forecast and distribution of growth, with additional assumptions regarding development patterns in the region's outlying counties. Exhibit 2.1 shows the concept for this scenario.

Scenario 2: Connected Centers

This scenario envisions a region where people have more choices about how they connect to the places where they live, work and play. Exhibit 2.2 indicates the general concept applied to the region.

With this scenario, many human-scale mixed use centers would be located throughout North Texas. These centers might be similar to the development projects created in recent years near DART

Exhibit 2.1: Business As Usual (Scenario 1)

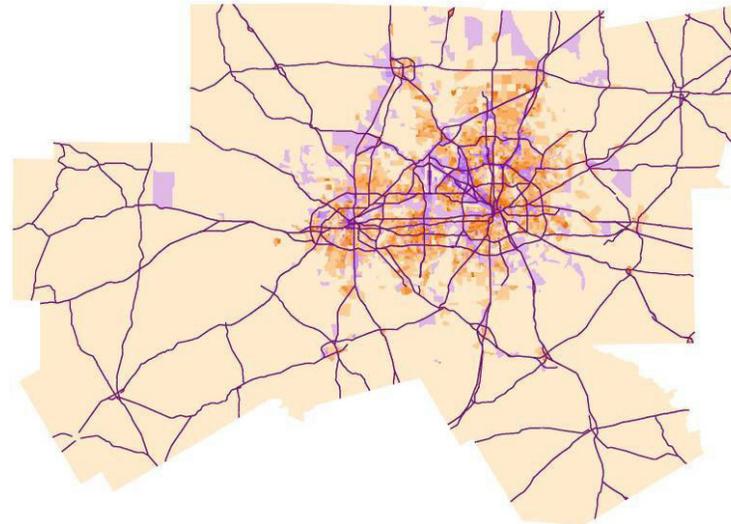
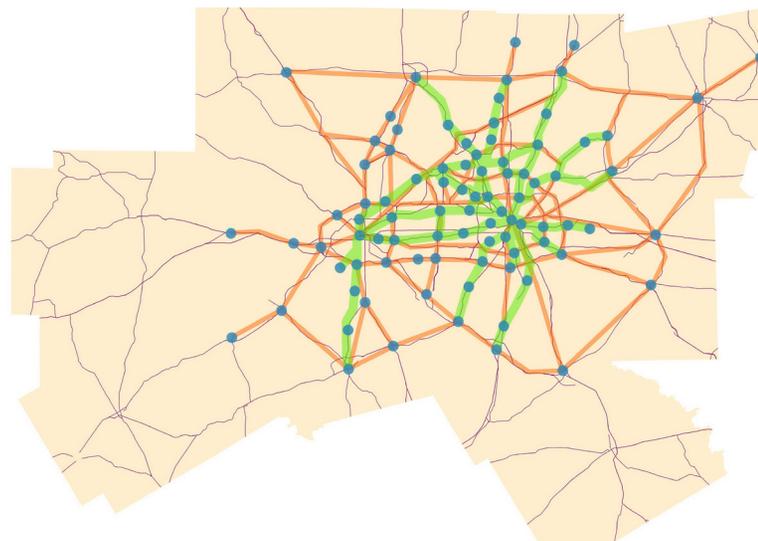


Exhibit 2.2: Connected Centers (Scenario 2)



light rail stations. The investment framework associated with this scenario emphasizes mobility choices within and between the centers, including trails/paths, public transportation (bus, streetcar, light rail and commuter rail) and routes for travel by car. In Exhibit 2.2, important roadway connections are shown in brown and important rail connections are shown in green.

Scenario 3: Return on Investment

This scenario envisions a region that maximizes the benefit received from the extensive investment taxpayers and property owners have made in the region's existing infrastructure and development pattern. Exhibit 2.3 shows the scenario diagram for this alternative, with blue shading in the area that is currently included in transportation planning. The green shading shows areas that are generally urban (they have existing development or existing infrastructure). In this scenario, the growth through 2030 would be mostly contained in these green areas, where urban-scale infrastructure already exists. Development would emphasize infill, revitalization and maintenance of existing communities.

Scenario 4: Diverse, Distinct Communities

This scenario creates a region with different sorts of communities and centers, built on the traditional character of regional communities but designed to meet the needs of the region's future markets. Instead of focusing on quantities (of new population or of facility capacity), it focuses on qualities – the features, places and experiences that make one community stand out from another and that encourage residents to develop strong and lasting ties to their own community. Exhibit 2.4 shows the scenario diagram for this alternative. It supports reinvestment and development in downtown Dallas, downtown Fort Worth and in the downtowns of other communities around the region, providing regional support for the efforts many of these communities have underway.

Exhibit 2.3: Return On Investment (Scenario 3)

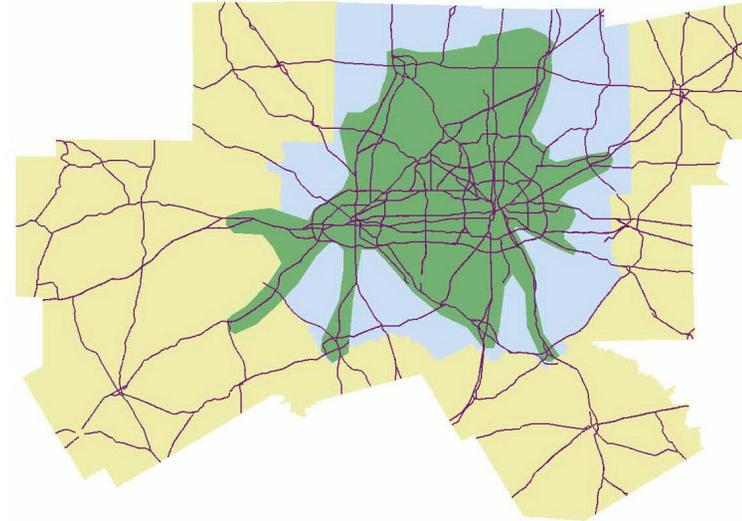
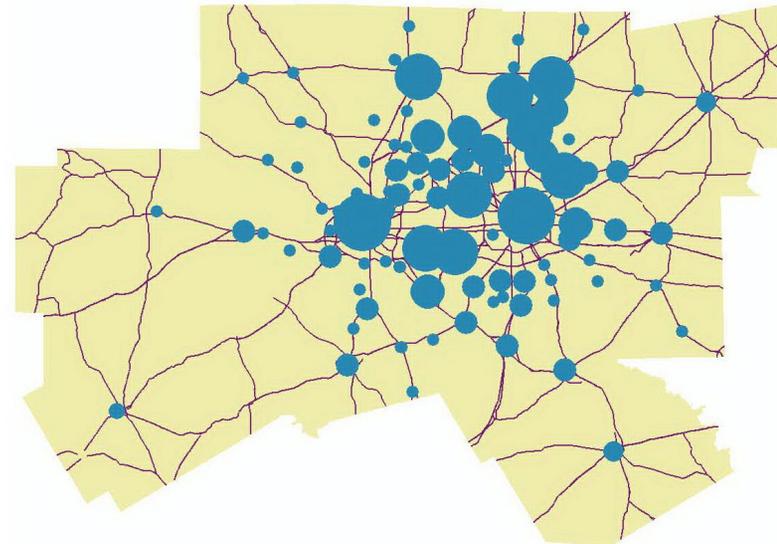


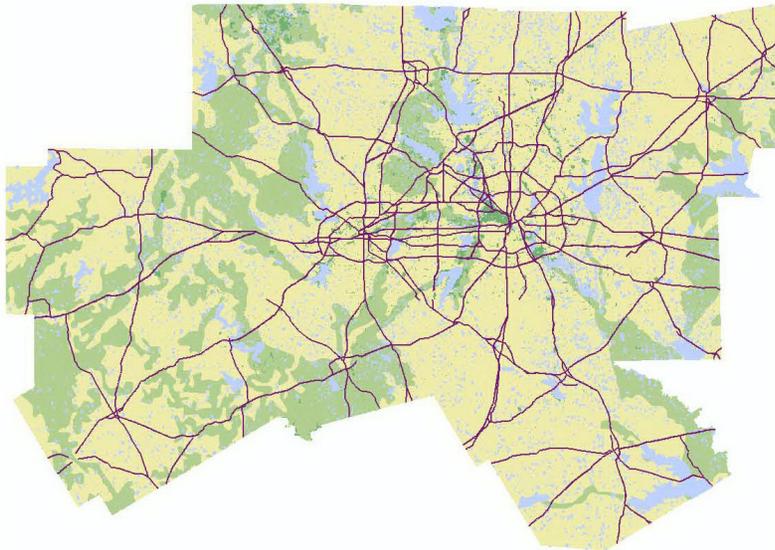
Exhibit 2.4: Diverse, Distinct Communities (Scenario 4)



Scenario 5: Green Region

This alternative emphasizes green development or natural assets as the foundation for future regional growth. Exhibit 2.5 shows the scenario diagram of this concept. It is based on an initial identification of natural assets and open spaces that create a 'green infrastructure' for the region and that should be protected or enhanced. It also emphasizes support for green jobs, the use of alternative energy sources and LEED building standards, and sustainable community design.

Exhibit 2.5: Green Region (Scenario 5)



Alternatives Analysis

A research team of experts evaluated these alternative futures for the region. The results were striking. All four alternatives did a better job of addressing transportation concerns compared to the Business As Usual scenario. The Health Research Team concluded that the Diverse, Distinct Communities and Green Region scenarios were most likely to support healthy people and communities. Housing indicators suggest that the Connected Centers scenario would do the most to achieve objectives for housing intensity and affordability. The Return on Investment and Green Region scenarios were most successful in addressing water and natural asset objectives.

A stakeholder session in September 2009 provided the opportunity for North Texans to discuss these results and add their own perspectives. Participants provided input on the advantages and drawbacks of the four alternative scenarios. They strongly supported a preferred future that was better than business as usual.

North Texas 2050

This *North Texas 2050* document is the culmination of the Vision North Texas initiative. Based on stakeholder input, expert research and the guidance of regional leaders, its Vision for North Texas (Chapter 4) describes a future that current residents would like to achieve and its Action Package (Chapter 5) proposes tools and techniques that can be used by many different private and public decision-makers to help achieve this regional vision.

Following the release of *North Texas 2050* at the Regional Summit in March 2010, the Vision North Texas Charter Sponsors, partners and other public and private organizations will be asked to consider these recommendations, endorse this vision and use their own investments and decisions to help achieve this preferred future.

The People of North Texas



The People of North Texas

People live in North Texas for many reasons – some were born here and others moved here for school or a job opportunity. One of the main goals of Vision North Texas is to gain a better understanding of the people who live and work here today and those who are expected to be here in the future. “What kind of place do North Texans want for living and working?” was asked continually throughout the process.

Current research shows that North Texas is growing, aging and becoming more ethnically diverse. Where people live and work today will not be the same in 2050 due to the changes in demographics, as well as changing technology, lifestyle choices, job markets, transportation choices and other factors. For example, baby boomers are retiring and moving into a different phase of their lives. Their housing preference is likely to change as a result.

In order for the North Texas region to be as successful and sustainable as possible in the future, the changing needs and preferences of the people who live and work here must be understood. The area needs to be ready for this expanding and changing market demand. In this chapter of the report, the current and future demographics of North Texas residents are examined.

Existing Conditions ¹

Regional Population

The sixteen county region that is the focus of Vision North Texas had slightly more than a half million people when the 20th century began (Exhibit 3.1). By the beginning of the 21st century, the region’s population had increased nearly ten-fold, to 5.3 million. Most of that growth occurred after World War II, as this region saw the dramatic expansion of jobs and growth of suburban neighborhoods that characterized much of the Sunbelt.

Today, the sixteen-county North Central Texas region is home to over 6.5 million people. It is more populous than many countries including Jordan, Denmark, Finland, Norway, and New Zealand. The region is the 4th largest nationwide after only New York, Los Angeles and Chicago. Nearly eighty-six percent of the region’s population is concentrated in four core counties: Collin, Dallas, Denton and Tarrant.

Exhibit 3.2 reflects the sixteen-county population totals for the latest Census (2000) and the NCTCOG population totals (2008). The population of each county has increased by an average of thirty-one

¹ Much of the information in this chapter is drawn from more detailed analysis in earlier Vision North Texas reports. Please review “Regional Choices for North Texas” and “North Texas Alternative Futures” for more information.

percent over the last eight years. Rockwall County experienced the highest growth rate at seventy-six percent and Dallas County was among the lowest at ten percent. Despite the low population increase, Dallas County still holds the largest share, thirty-seven percent, of the 6.5 million people who reside in the North Texas region.

Population Density

The 6.5 million people living in North Texas are not evenly distributed across the 16-county region. The most densely populated county is Dallas with more than four people for each acre of land. The least populated county is Palo Pinto. Located on the western edge of the region, Palo Pinto has twenty-one acres of land for every person living in the county. Over the last eight years, all of the core counties and many of the outer counties experienced an increase in population density. Rockwall and Collin counties showed the greatest percentage change in density. For some counties, the change was insignificant. No county experienced a decline in density.

Exhibit 3.1: North Texas Population, 1900 to 2000

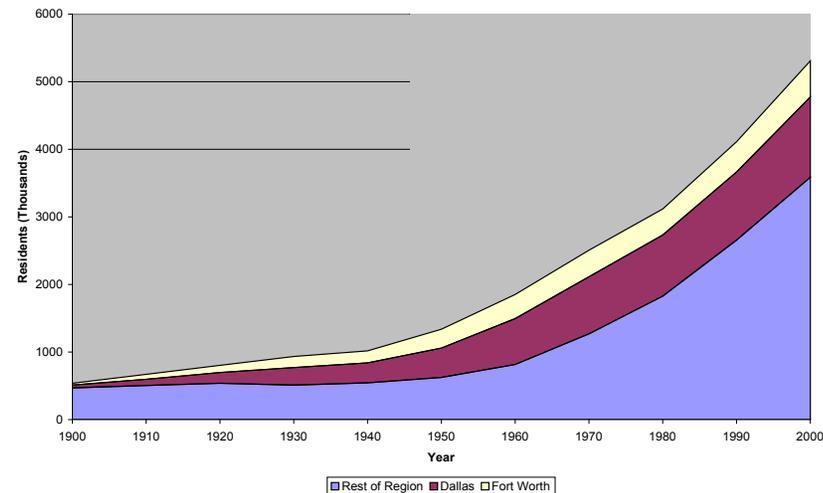


Exhibit 3.2: Population Density by County, 2000 and 2009

County	Census 2000 Population	NCTCOG 2008 Population	Percent Change 2000-2008	Area (in acres)	2000 Population Density (persons per acre)	2008 Population Density (persons per acre)	Percent Change in Density (2000-2008)
Collin	491,675	748,050	52%	566,851	0.9	1.3	52%
Dallas	2,218,899	2,451,800	10%	581,279	3.8	4.2	10%
Denton	432,976	614,650	42%	610,108	0.7	1	42%
Ellis	111,360	147,850	33%	608,915	0.2	0.2	33%
Erath	33,001	38,550	17%	697,446	0	0.1	17%
Hood	41,100	54,900	34%	279,519	0.1	0.2	34%
Hunt	76,596	91,600	20%	564,381	0.1	0.2	20%
Johnson	126,811	159,750	26%	469,982	0.3	0.3	26%
Kaufman	71,313	102,550	44%	516,425	0.1	0.2	44%
Navarro	45,124	49,500	10%	695,131	0.1	0.1	10%
Palo Pinto	27,026	29,600	10%	630,583	0	0	10%
Parker	88,495	120,300	36%	582,327	0.2	0.2	36%
Rockwall	43,080	76,000	76%	95,211	0.5	0.8	76%
Somervell	6,809	9,100	34%	122,805	0.1	0.1	34%
Tarrant	1,446,219	1,780,150	23%	577,162	2.5	3.1	23%
Wise	48,793	64,500	32%	590,386	0.1	0.1	32%
Region	5,309,277	6,538,850	Avg. Change = 31%	8,188,511	0.6	0.8	23%

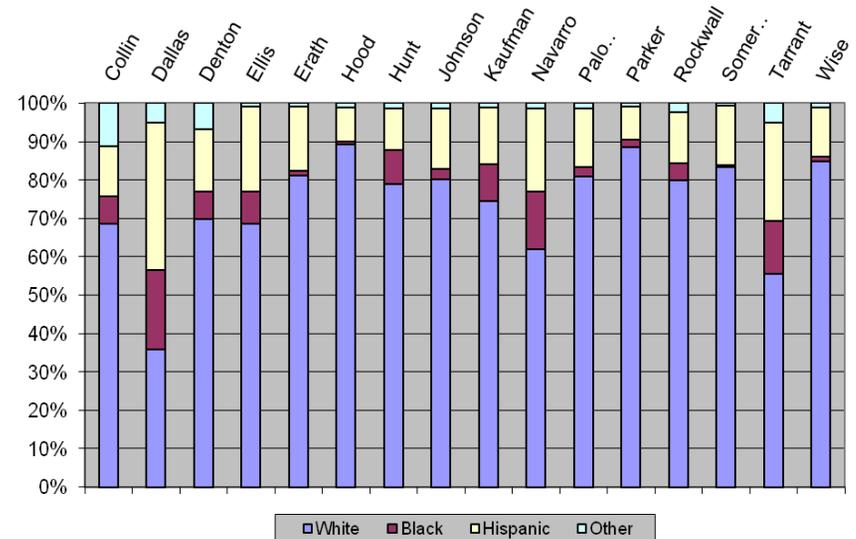
Overall, the North Texas Metropolitan Statistical Area (MSA)'s population density was 1.01 persons per acre in 2005. By comparison, the New York and Los Angeles MSA's had population densities over 4 persons per acre. When just the areas in urban development are considered population density of the developed parts of the 16-county North Texas region was 4.3 persons per acre in 2001.

Leading health issues for North Texans today include obesity, cardiovascular disease, and diabetes. Obesity, which stems primarily from poor nutrition and lack of physical activity, continues to increase. According to the Centers of Disease Control and Prevention the percentage of overweight and obese population increased from 61.8 percent in 2004 to 63.6 percent in 2008 in the Fort Worth-Arlington MMSA. The Dallas-Plano-Irving MMSA increased from 61.9 percent to 65.4 percent.

Ethnicity and Diversity of the Region

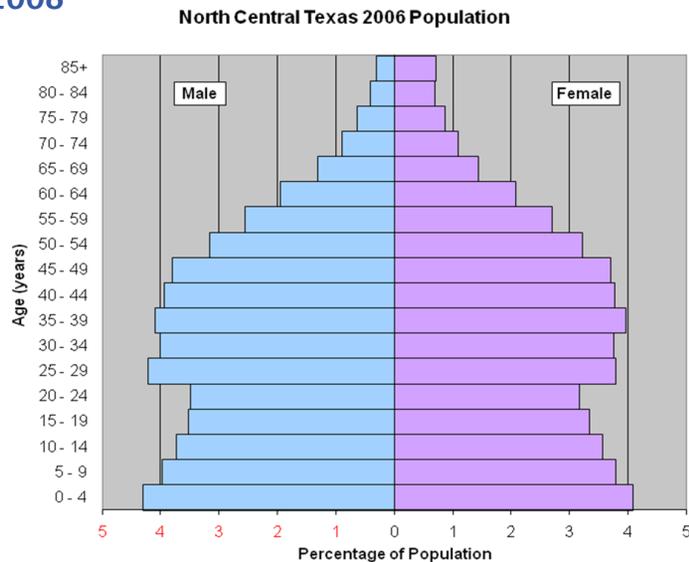
In 2008, approximately fifty-four percent of North Central Texans were white, twenty-seven percent were Hispanic, fourteen percent were black, and the remaining five percent were Asian or of another race (Exhibit 3.3). Dallas County is by far the largest and most racially and ethnically diverse county in the North Central Texas region. The dominant group in Dallas County is the Hispanic population, which is larger both in terms of absolute number and percentages than in any other North Central Texas county. Collin County has a relatively large share of the region's Asian population. This is reflected in their greater than ten percent showing in the "other" category. With the exception of Navarro, the rural counties tend to be much less diverse than their urban neighbors.

Exhibit 3.3: Share of Population by Race/Ethnicity, 2008



The population pyramid displayed in Exhibit 3.4, is a breakdown of the North Texas region's population by age and gender as of the year 2006. The median age for all people in the area is about 33.5 years. Sixty-one percent of the population is located within the workforce category (ages 20-64) and twenty-two percent of the population is school aged children (ages 5-19), with the remaining nine percent of the population located in the seniors category (ages 65-85+) and nine percent in the under five category (0-4).

Exhibit 3.4: North Texas Population by Age & Sex, 2006



Household Characteristics

A household includes all the people who occupy a housing unit as their usual place of residents. A family is a group of two or more people who reside together and who are related by birth, marriage, or adoption.

Ten North Central Texas counties have a population of at least 65,000. Exhibit 3.5 shows of these top ten counties, Kaufman has the highest average number of persons per household (3.36); Tarrant has the lowest (2.77). The average number of people in each household is 2.65. In most of the counties, forty to forty-five percent of the households have children.

Fifty-six percent of all housing units in Dallas County are occupied by the unit's owner. This figure is twelve percentage points lower than any other county except for Tarrant, where there is a seven point difference. At nearly eighty-four percent, Rockwall has the highest percentage of owner-occupied housing units.

Exhibit 3.5: Selected Household Characteristics, 2007

County	Number of Households	Average Household Size	Households with children	Households with seniors (60+)	Housing units which are owner occupied
Collin	256,954	2.82	42.6%	20.0%	72.5%
Dallas	829,143	2.82	39.3%	24.2%	56.3%
Denton	201,202	2.98	41.9%	17.7%	67.8%
Ellis	45,924	3.08	45.2%	26.6%	75.6%
Hunt	28,925	2.79	34.5%	35.9%	69.3%
Johnson	47,546	3.10	40.5%	29.2%	74.7%
Kaufman	28,442	3.36	42.5%	27.5%	77.0%
Parker	35,895	2.95	42.7%	28.9%	81.5%
Rockwall	23,905	3.04	45.6%	23.6%	83.5%
Tarrant	610,185	2.77	40.3%	23.7%	63.4%

Seventy percent of Dallas-Fort Worth (DFW) area residents live in families (Exhibit 3.6). Twenty-five percent live alone and five percent live in households with at least one other, non-related person.

Exhibit 3.6: Household and Market Characteristics, 2007

	Dallas - Fort Worth - Arlington	Percent	US	Percent
Family Households with Children	786,656	37%	34,999,584	31%
Other Family Households	695,723	33%	40,119,676	36%
Single Person Households w/ Seniors	122,890	6%	10,264,914	9%
Other Single Person Households	411,543	19%	20,380,226	18%
Other Non-Family Households	111,836	5%	6,613,577	6%
Totals	2,128,648	100%	112,377,977	100%

Exhibit 3.6 shows that North Texas has a larger proportion of households with children than does the U.S. as a whole. Some notable characteristics of these families are:

- * Of the region's families with children, sixty-five percent have school-aged children, between the ages of six and seventeen. About seventeen percent have very young children (aged three years and under). For these families, the quality of schools is often an important determinant in housing selection. These are the households that typify the 'traditional' composition of a household in the region and the nation.
- * More than eighty percent of North Central Texas families live in detached, single-family structures. Of all families, three percent live in a mobile home, trailer, RV or some other place.
- * Only twelve percent of North Central Texas families currently live in apartment buildings.
- * Approximately twenty-five percent of families with seven or more members live in apartments or other multi-unit buildings.
- * Even though households with children are a larger share of households in North Texas than in the U.S., they still account for only thirty-seven percent of the region's households.

Fully a quarter of all households in North Texas today include only one person. Some notable characteristics of these households are:

- * More of these households live in apartments than in single-family homes. Approximately the same proportions of these households live in single family detached homes as in large apartment buildings (those with 5 or more units in the structure). 7% live in apartments in buildings with 2 to 4 units and 4% live in single family units, such as townhomes.
- * Of the region's single householders, about 23 percent are young, between the ages of 15 and 34.
- * Seniors between the ages of 65 and 74 account for 2.6% of these

households. These households may fit the image of 'empty nesters' or retirees interested in living close to cultural activities and less interested in maintaining a large house and yard.

- * Seniors older than 74 account for 3.2% of these households. These households may have special concerns about accessibility and proximity to medical care and other services. They may be particularly disadvantaged if their neighborhoods lack public transportation and they can no longer drive a car themselves.

Households with two or more non-related people comprise more than 5% of North Texas households. They may be interested in the space afforded by a single family detached home, but may also be interested in proximity to services and amenities; they are less likely to be concerned about school quality when selecting a home.



Household Income

In 2007, half of area households had an income of at least \$54,730, which is higher than both the state median of \$47,548, and the national median of \$50,740. The estimated median income for the DFW area is just below the figure for the Austin MSA. However, the Austin metro area has less than one-third as many households as does the DFW metro. DFW's median income is higher than the median incomes of the Houston and San Antonio MSAs.

Trends and Projections

Overall Growth Projections

The North Central Texas Council of Governments prepares long-range demographic forecasts for the ten counties surrounding and including the Dallas-Fort-Worth area. The forecasts are developed to provide a uniform base for regional planning and resource allocation. The 2030 projections produced by NCTCOG use the year 2000 as a base year and project population and employment in five-year increments to 2030. Separate from its 2030 forecasts, NCTCOG also developed projections for the 16-county region through 2050. These projections are solely for use in this Vision North Texas project, not for other modeling purposes. As Exhibit 3.7 shows, this sixteen county area is expected to have over 9.4 million total population and over 5.5 million non-construction jobs by the year 2030. In addition, by 2050, the region is expected to have almost 12 million people and over 7 million jobs. This represents an average annual population growth rate of 2.4% for the time frame from 2000. NCTCOG forecasts reflect only one set of growth assumptions. If circumstances change, real growth outcomes might be considerably different. The recent economic downturn is not expected to significantly change these long term projections.

Exhibit 3.7: North Texas Growth Projections

	2000	2030	2050
Population (millions)			
Total Population	5.31	9.49	11.66
Total Employment	3.22	5.58	7.17
Total Households	1.94	3.48	4.38

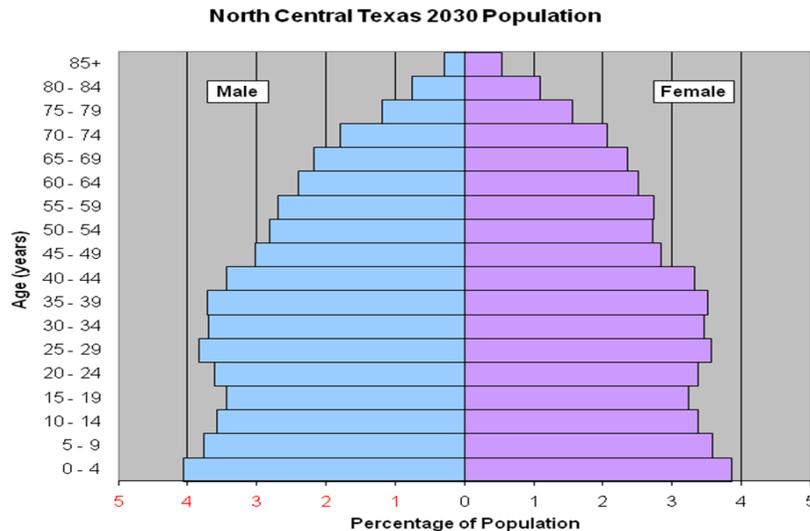
Demographic Trends

Two factors will dominate North Central Texas demographic trends over the next twenty years. These are increasing diversity and the aging of the region's population. The growth in non-white groups will be driven by migration and natural increase (births and deaths in the region). The region's strong job market and international connectivity attract workers of all skill levels from all over the world. As long as the region's economy remains moderately strong, internal and external migration to the area is expected to continue. While fertility rates for non-white groups have been declining, they are still considerably higher than rates for whites. Even with mortality rates factored in, the rates of growth for most non-white groups, particularly Hispanics, outpace that of whites.

Age group numbers are becoming more evenly distributed; equal numbers of children, parents, young professionals and seniors. In 2006 the population distribution was shaped very much like a pyramid hence the name 'population pyramid'. By 2030 and 2050, the shape of the region's population will bear less resemblance to a pyramid and more like a rectangle (Exhibit 3.8). This is primarily due to the aging of the large baby boom generation. The other factor affecting the shape of the distribution will be migration, since people moving to this region tend to be those in the labor force – young and middle-aged adults.

As for the diversity of the region, there will be a higher percentage of Hispanic and Asian residents in the future. By 2050 the Hispanic population is projected to be 4.1 million and the Asian population is projected to be 1.1 million, which combined is higher than the total White population and considerably higher than the Black population.

Exhibit 3.8: North Texas Population By Age and Sex, 2030



Despite the impact of the aging baby boomers, natural increase and migration will keep the median age relatively close to the current figure. In 2030, the median age of the total population is projected to be about 34.7 years.

The share of some key age groups will be different than in the past, however. In 2006, people in the age group that provides most of the labor force (ages 20 through 64) comprised 61% of the region’s population. In 2030, this age group will comprise only 57% of the population. On the other hand, seniors aged 65 to 84 were only 7% of the population in 2006 and will be 13% of the population in 2030. In fact, the age groups with the highest percentage increase from 2006 to 2030 are those from 70 to 74 and 75 to 79.

Housing Demand

Demand for housing reflects the character of the people who live in North Texas. Choices for housing -- and neighborhoods -- often vary with a person’s family composition and stage of life. Also, increasing costs (in time and money) of commuting and a growing interest in a ‘green’ lifestyle are making housing close to jobs more desirable. The mix of housing available in North Texas in the future should meet the needs of North Texas’ changing households.

By 2030, the region is expected to have over 3.5 million people living in households in the 16-county Vision North Texas region and 4.4 million by 2050. Household sizes, which have been generally declining for decades, are expected to continue to decline. However, the decline is not expected to be as dramatic as in the past. In fact, the average household size for the forecast area in 2030 is likely to be very close to the current household size as populations increase for those racial/ethnic groups that have historically had larger households.

These demographic changes will result in changes to the housing demand in the region. The sheer number of older and non-white residents will impact both the quantity and type of housing demanded in North Central Texas as well as the location of that housing.

Aging homeowners looking to downsize and trade in home maintenance for community living will certainly contribute to changes in housing demand. There is also likely to be an increase in demand for housing near transit. Also, expansion of the region’s transit systems will locate stations closer to more neighborhoods, businesses and other destinations, making this a more convenient choice for more people.

Funding for expansion of the region’s transit system must be secured so the needs of this growing market can be met and the neighbor-

hoods, businesses and major destinations in the region can be served with convenient transit.



The Center for Transit-Oriented Development has calculated the market for transit-oriented development, now and in the future, for the 42 metropolitan areas that have fixed rail transit systems that exist now or are planned to be in place in 2030. The Dallas region is expected to see a very large increase in the demand for housing within one-half mile of transit stations. This market segment was estimated at 46,429 households in 2007; the study projects that there will be 270,676 households in this transit-oriented housing market in 2030. To accommodate this anticipated demand, development around transit stations should include a variety of housing types and price levels.

Living alone has become an increasingly common choice. Single person households have increased over recent years and are forecasted to rise steadily. Today twenty-six percent of the households in the sixteen county area are single-person households. By 2013 single person households will make up an average of twenty-seven percent of all total households. Economics and shifting social norms are some of the reasons for the rise. The single person housing choice is a lot smaller and closer to urban areas than the typical 3-bedroom house that families want. Single person households are also a major component of homeowners. In 2005, the 'Dallas Morning News' reported that 47% of the mortgagees in the region were singles.

Conclusions

Throughout the five-year Vision North Texas process, the demographics of the region were closely considered. In order to plan for the future of North Texas, an understanding of the characteristics of the people who live here is necessary. Housing types and locational choice are changing as the population becomes more diverse. The needs and choices of smaller families and families without children are redefining how cities and communities are planned and which housing types are demanded in the marketplace.

There are opportunities as a result of the changing demographics for cities and first ring suburbs to attract baby boomers, households without children and young professionals. Thoughtful planning for the future based on these local demographic changes and preferences is one of the principles of Vision North Texas. The recommendations in this *North Texas 2050* document should help this region respond to these changes and better meet the needs of our communities, businesses and current and future residents.

Throughout the five-year Vision North Texas process, the demographics, business climate, transportation network, sustainability and other factors affecting the Region were closely considered. In order to plan for the future of North Texas, an understanding of the people who live, work and travel to and through here is necessary. Housing types and locational choice are changing as the population becomes more diverse, the needs of businesses evolve, transportation networks and options change and the region, nation and world become more connected. The needs and choices of smaller families and families without children, changing populations are redefining how cities and communities are planned and which housing types are demanded in the marketplace.

A Vision for North Texas



The people of North Texas do not view ‘business as usual’ as a desirable future. They want a future that is better than that. This message was expressed throughout the Vision North Texas process. It was heard at stakeholder workshops throughout the region, at meetings ranging from regional realtor conferences and individual City Council sessions to Rotary Clubs and sustainability events, as well as in written and electronic comments. This chapter of *North Texas 2050* describes a future that balances concerns about the economy, the environment and the people. It creates a future that is desired by a broad range of North Texas stakeholders.

This chapter presents this vision in three increasingly specific sections. First, a broad Vision Statement is presented. This vision reflects the most important themes for North Texans. Second, a set of twelve Guiding Principles add more detail to this vision. Third, a Preferred Future for North Texas recommends a pattern for physical development and a framework for investment that enable decision-makers throughout the region to apply these principles to their own properties, businesses and communities.

Vision Statement

North Texas is recognized worldwide as a region that sustains its economic success and vitality because it contains many distinctive and highly desirable communities, supports innovative people and businesses and nurtures its varied natural assets.

- * It contains diverse neighborhoods, mixed use centers and communities that appeal to people of all income levels and at all stages of their lives.
- * It is a preferred location for the employees and businesses that comprise the broad-based and innovative local economy.
- * It offers residents and businesses access to resources and opportunities that lead to their long-term success.
- * It protects, manages and enhances critical natural areas and uses energy and natural resources responsibly.
- * It supports resilient and effective responses to change through collaboration and cooperation within the region.

Guiding Principles for North Texas 2050

Guiding Principles supplement the Vision Statement by providing a more precise description of the region’s preferred future. These Guiding Principles update the Principles of Development Excellence adopted for North Texas in 2001. They are based on the input of stakeholders at Vision North Texas workshops and events. The principles listed below are all important; they are not listed in order of priority.

1. **Development Diversity** – Meet the needs of changing markets by providing a mix of development options and land use types in communities throughout the region.
2. **Efficient Growth** – Promote reinvestment and redevelopment in areas with existing infrastructure, ensure that new infrastructure supports orderly and sustainable growth, and provide coordinated regional systems of natural and built infrastructure.
3. **Pedestrian Design** – Create and connect pedestrian-(and bicyclist) oriented neighborhoods, centers and places throughout the region.
4. **Housing Choice** – Sustain and facilitate a range of housing opportunities and choices that meet the needs of residents of all economic levels and at all stages of life.
5. **Activity Centers** – Create mixed use developments that are centers of neighborhoods and community activities and serve as hubs of non-automobile transportation systems.
6. **Environmental Stewardship** – Protect, retain or enhance the region’s important natural assets (including its air, water, land and forests) and integrate these natural features and systems into the character of the region’s communities and the experiences of its residents.
7. **Quality Places** – Strengthen the identities of the region’s diverse communities through preservation of significant historic structures and natural assets, creation of new landmarks and gathering spaces, use of compatible architectural and landscape design, and support for the activities and institutions that make each community unique.
8. **Efficient Mobility Options** – Invest in transportation systems, facilities and operations that provide multi-modal choices for the efficient and sustainable movement of people, goods, and services.
9. **Resource Efficiency** – Design buildings, sites, communities and regional systems to use water, energy, and renewable resources responsibly, effectively and efficiently, and to retain non-renewable resources for the use of future generations.
10. **Educational Opportunity** – Provide opportunities for all North Texans to have access to the schools, people and technology they need for success in learning throughout their lives.
11. **Healthy Communities** – Identify and support functional, sustainable infrastructure and institutions that offer North Texans access to affordable, nutritious foods, opportunities for physical activity, and access to wellness and primary care services.
12. **Implementation** – Achieve the region’s vision by adoption of compatible comprehensive plans and ordinances for cities and consistent investment plans for regional systems; involve citizens and stakeholders in all aspects of these planning processes.

A Preferred Future for North Texas

Achieving this *North Texas 2050* Vision requires change from business as usual. More of the same will not create the region that stakeholders have said they want. The twelve Guiding Principles give decision-makers additional insight into the future envisioned through this process, but they provide a very broad description of this direction. The clearer picture of this preferred future is



found in the following sections, which describe both a preferred pattern for the region's physical development and a preferred approach to the region's investment framework. The policy recommendations found in these sections are directed at public, private, academic and civic decision-makers. Some recommendations are also provided for action by individuals, households, businesses and local neighborhood and business organizations.

The choices made by all these decision-makers will combine to determine the North Texas that will actually exist in the year 2050. These decision-makers must consider the economics of their choices; for long-term success and sustainability, they must also consider the implications of their choices for the region's environment and communities. By communicating, collaborating and making decisions that support a shared vision, the many individual choices and investments made by these regional decision-makers will be most likely to produce a region that is similar to the one described by the stakeholders who have participated in Vision North Texas.

Futures that are 'Better Than Business As Usual'

During 2009, Vision North Texas used stakeholder input to define four alternatives to the 'business as usual' future represented by the North Central Texas Council of Governments' 2030 Forecast. Those four alternatives were:

Connected Centers. This scenario envisions a region where people have more choices about how they connect to the places where they live, work and play.

Return on Investment. This scenario envisions a region that maximizes the benefit received from the extensive investment

taxpayers and property owners have made in the region's existing infrastructure and development pattern.

Diverse, Distinct Communities. This scenario creates a region with different sorts of communities and centers, built on the traditional character of regional communities but designed to meet the needs of the region's future markets.

Green Region. This scenario reflects the concept of 'greenprinting' – using technology and stakeholder dialogue to decide what natural assets are valuable or important in a particular region and then identifying those areas so they can be retained to provide greater benefit as the region grows.

A large team of researchers from diverse professional backgrounds evaluated these scenarios. Their results were presented at a regional event in September 2009. The feedback from stakeholders did not favor one alternative scenario over all others; instead, North Texans identified some desirable features in each of the four alternatives. The *North Texas 2050 Preferred Future* blends these best features into a hybrid concept that illustrates the future these residents and leaders want to see.

- * Begin with the identification of important natural assets and an investment framework using alternative energy sources, LEED building standards and conversation to make more effective use of natural resources, as suggested in the Green Region scenario.
- * Reflect areas with existing urban services (such as those identified in green on the Return on Investment scenario).
- * Recognize the investments in the region's many communities and the role they play in offering residents the ability to choose among communities with many types of character (such as those shown in the Diverse, Distinct Communities scenario).
- * Identify centers of varying sizes throughout the region. These are both mixed use centers and employment centers. They include

the transit-oriented centers found in the Connected Centers scenario.

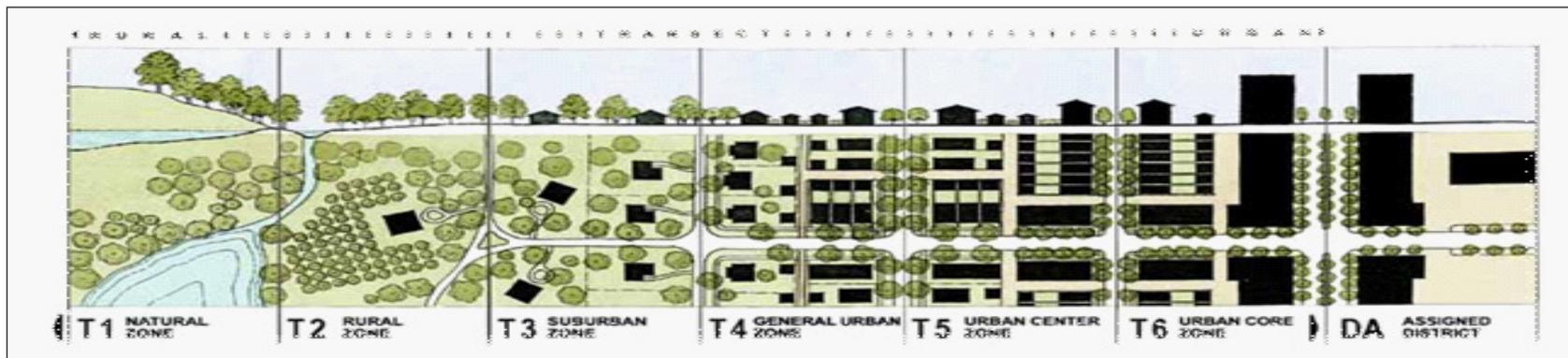
The preferred future in 2050 is described by a physical development pattern and an investment framework. Policy recommendations are presented that relate to particular parts of this development pattern and investment framework, as well as to the region as a whole. Together, the physical development pattern and the investment framework illustrate a future that is based on the *North Texas 2050* Guiding Principles and achieves the Vision Statement presented above.

Preferred Future – Physical Development Pattern

Policy Areas

One part of the preferred future plan is a general description of the way development and redevelopment would occur in the region through the year 2050 if the region is to achieve its desired future. This physical development pattern illustrates the form and function of neighborhoods, business areas, communities and natural areas that together shape the place North Texans will experience in the future.

Exhibit 4.1: Transect



Five “Policy Areas” describe the desirable characteristics of various types of development in the North Texas region. Each policy area includes development that meets anticipated market demands in ways that should be sustainable over time. These policy areas and centers are explained in this section, with photos and diagrams that illustrate them. Exhibit 4.2 is a preliminary depiction of these policy areas in North Texas.

The policy area descriptions also include information that allows them to be related to the ‘Transect’. The Transect is an urban planning model created by the New Urbanism movement as a way to organize and identify different landscapes found within the environment, ranging from completely undeveloped natural areas to very dense downtown environments. The Transect is divided into six zones. These six zones vary by the level and intensity of their physical and social character. And form the basis for the use of urban design approaches recommended by New Urbanists. For example, the Transect includes a “Suburban Zone” (T3) which primarily includes single-family homes at the edge of a city.

In the sections that follow, the *North Texas 2050* policy areas are related to the most comparable Transect Zones. Exhibit 4.1 displays the Transect diagram.



Natural Areas

The natural areas found in North Texas in 2050 are places where the natural and environmental features should be the focus. The purpose of this policy area is to preserve and protect open spaces, public parks, greenways, lake shores, significant views, stands of trees, and floodplains. The development that occurs near these natural features is planned with these important environmental features in mind. Retaining and managing the natural assets that are at the heart of these areas is the goal. This policy area would focus efforts to provide financial opportunities to owners and managers of natural areas that properly reflect the economic benefit these areas provide regionally and globally. Also, new growth and development that takes advantage of the amenities (parks, trails, and lakes) provided by the natural areas will be encouraged in this policy area through ‘best practices’ and incentives.

The natural areas shown on the Exhibit 4.2 generally reflect floodplains, major public parks & open spaces, shores along major lakes and potential connections between these natural assets. This policy area corresponds to the Transect Zone, T1, or “Natural Zone”.

Rural Areas



The region’s preferred future envisions these areas in 2050 as places where people can choose a rural or country lifestyle and where businesses based in agriculture can prosper. These areas have large lots, ranches, farms – all with low population and density.

The infrastructure (like roads, water supply and sewage treatment) in rural areas is sized to serve small numbers of homes or businesses. Economic activity is largely related to agricultural and farming activities. Most areas are not part of incorporated communities.

To make the most of the investments and assets found in these areas,

policies focus on support for continuing the economic life of existing businesses and uses. This preferred scenario offers North Texans of the future the opportunity for a rural lifestyle. The creation of new businesses (such as alternative energy production) that are based on the renewable resources that exist in these areas or that provide local goods and produce to meet the needs of people in the other parts of North Texas are highly encouraged.

The rural areas shown on the Exhibit 4.2 generally reflect the areas that are not in urban scale service areas, incorporated cities or natural areas. This policy area corresponds to the Transect Zone, T2 or “Rural Zone”.

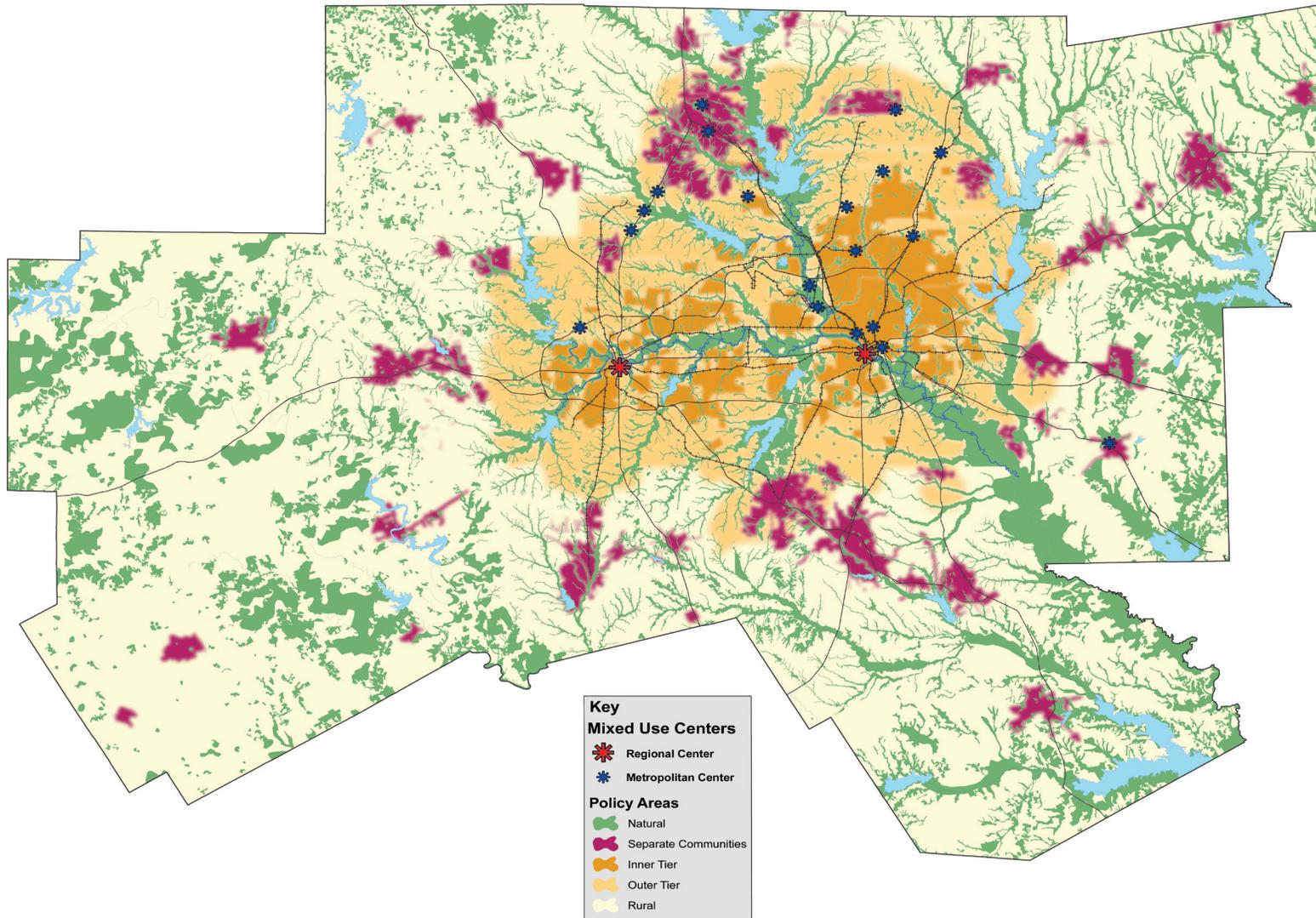
Separate Community Areas

The region’s preferred future envisions these areas in 2050 as a collection of diverse communities, each with its own center and distinct character. They are generally separated from the central urban areas of the region by rural or natural areas. Their traditional core areas (often historic downtowns) offer unique features and support community pride. Although residents may need to commute to jobs in the central urban part of the region, they mainly identify with the character and the traditions of these separate community areas.

To make the most of the investments and community assets found in these areas, action focuses on economic growth that makes the traditional core areas sustainable over time and on steps to distinguish one community from another – through community design practices, emphasis on heritage, action to pursue new opportunities that differentiate individual communities, or retention of the rural and natural areas around and between them.

The separate community areas shown on the Exhibit 4.2 generally reflect the incorporated communities beyond the outer tier. This policy area corresponds to the Transect Zone, T3 or “Suburban Zone”.

Exhibit 4.2: Preferred Future Diagram
(Illustration of a Preferred Physical Development Pattern for the Year 2050)





Outer Tier Areas

The region's preferred future imagines these areas in 2050 as a major part of the region's more urban area. The outer tier areas frame the inner tier and provide different options for living and working, though still in an urban setting. There is still opportunity for new greenfield development in the outer tier areas.

While there may be places with older development, most of the neighborhoods and business areas were developed after 1980. Rehabilitation and reinvestment are generally not concerns in the outer tier today, though they will become more important over time.

To make the most of the community assets found in these areas, the policies for the outer tier areas focus on steps to ensure that greenfield development follows the principles of the *North Texas 2050* document, actions to maintain and support existing neighborhoods, and emphasis on the establishment of distinct identities when new neighborhoods and communities are created.

The outer tier areas illustrated on the Exhibit 4.2 generally reflect the areas within regional waste-water service areas and/or locations where lakes and rivers create a logical edge to urban-scale development. This policy area corresponds to the Transect Zone, T3 and T4 or "Suburban" and "General Urban".



Inner Tier Areas

The region's preferred future envisions these areas in 2050 as the core of the North Texas region. These are areas that today are largely developed and have little land left for new (greenfield) development.

Their neighborhoods and business areas were mostly built before 1980. Many of the major regional institutions (museums, universities, etc.) are located here, as

are many places with regional historic significance. They are facing challenges of infrastructure repair. While some neighborhoods are desirable and thriving, others are suffering from neglect. The inner tier areas include both major employment locations and major shopping destinations, as well as a wide variety of neighborhoods.

To make the most of the investments and community assets found in these areas, action focuses on steps to keep these neighborhoods prospering, reuse of older buildings, and selection of locations for infill development.

The inner tier areas shown on the Exhibit 4.2 generally reflect areas where 15% or less of the land area is still vacant. This policy area corresponds to the Transect Zone, T5 and T6 or "Urban Center" and "Urban Core".

Centers

North Texas' preferred future includes many types of centers. These centers are special places that draw residents of North Texas to them, for many reasons, including shopping and entertainment. These centers are intended to be places that people can easily park their cars once, then shop, eat, mail a letter – all without having to ever move their cars. They are active and inviting places, due to their thoughtful design, which tends to be centered on the pedestrian. The streets are designed not just for cars, but for pedestrians and bicycles. Their appeal is wide so that many people visit them each day for work or shopping, and they are desirable places to call "home" for many future North Texans. The vision of the preferred future for North Texas includes many centers with opportunities for connections between centers.

The mixed use centers shown on the Exhibit 4.2 are those that have been identified to date. After release of this *North Texas 2050* document, the VNT partners encourage municipalities, land owners

and interested parties to share information on other centers that meet these definitions. These will be added to later versions of the diagram. The most significant centers are shown in the Exhibit 4.2. Other local-serving centers will be shown online but not in this exhibit. Additionally, it is recognized that some of the centers shown as ‘Community Centers’ now may play a larger role in the region over time. Further discussion may change their designation from ‘Community’ to ‘Metropolitan’. The different centers are described in detail below and are based on information collected from VNT research, NCTCOG records and UTA data.

Employment Centers



The North Texas region has a large, diverse business community and is home to many corporate headquarters. Some regional locations offer higher employment concentrations than other areas. These Employment Centers are important to the North Texas region because they are the location of significant numbers of jobs and

of the major corporate citizens of the region. Employment centers may include single-use office parks or campuses, large manufacturing or distribution centers and similar areas with a concentration of jobs. While downtowns and mixed-use, high density areas also have significant numbers of jobs, they include a mix of residential and non-residential uses. For *North Texas 2050*, these areas are included among the Mixed Use Centers described below. By analyzing these concentrations of employment, the region may be better able to anticipate the amount of job growth expected, the types of jobs that will be in highest demand, and which industry sector is expected to contribute the largest share of jobs. The region can also use this information to better provide the services and infrastructure needed to support these businesses and the people who work in

these locations, including transit for people who work in these areas. Employment centers will be generalized from previous Vision North Texas research and preliminary center locations will be presented in the Regional Choices Diagram.

Mixed Use Centers

The mixed use centers are: Regional, Metropolitan, Community and Neighborhood. The four centers reflect areas with a variety of uses (including both employment and housing), at least a moderate intensity of development and, for some, their roles as distinct or traditional centers of communities. The mixed use centers differ in terms of size, scale, and specific function. For the most part, Regional and Metropolitan centers are similar in that they provide a strong employment base for the North Texas region, have a mix of land uses, and are highly developed. In turn, Community and Neighborhood centers are also similar. They are mixed use but do not provide as many job opportunities as the larger Mixed Use Centers. Also these two centers may have a single family residential component compared to the Regional and Metropolitan centers, where most residential uses are at higher densities. All of the centers are envisioned to be mixed use and pedestrian friendly, with more intense development than their surroundings. Characteristics common to all four are the presence of transportation connections and rapid transit lines. Transit-Oriented Development (TOD) is expected around transit stations in all four types of Mixed Use Centers.



Specific criteria have been established to distinguish the four centers and to identify where they are located in the region. The table in Exhibit 4.3 summarizes key criteria defining Mixed Use Centers. A more detailed description of each mixed use center follows.

Regional Centers

Regional Centers are the densest of the four mixed use centers, with a wide variety of uses. A Regional Center has a balance of office, retail, entertainment, light industrial and multi-family residential uses. Regional Centers are envisioned as pedestrian-oriented, urban areas, in a central location. All modes of transportation serve the Regional Centers. The North Texas region has two Regional Centers, Downtown Dallas and Downtown Fort Worth.



Exhibit 4.3: Mixed Use Center Criteria

Typologies/Districts	Mix of Uses	Employment Intensity	Residential Density	Scale	Height	Transit System Function
Regional Center	Office, retail, MF residential, light industrial and entertainment; includes mixed-use. Emphasis on employment uses.	100 - 200 jobs/acre	50 - 100 units/acre	600 - 1,000 acres	5 to 50 stories	All modes of transportation; regional public transit, parking restrictions, and served by multiple major highways.
Metropolitan Center	Office, retail, MF residential and entertainment; includes mixed-use.	50 - 80 jobs/acre	15 - 50 units/acre	100 - 500 acres	2 to 10 stories	Served by one or more corridor/ regional lines and local services. Freeways with multiple access points. In some cases served by public transit.
Community Center	SF and MF residential and retail; includes mixed-use.	30 - 50 jobs/acre	5 - 10 units/acre	20 - 100 acres	1 to 5 stories	Served by at least several local transit and located on an arterial network. Served by a transit route providing connections to at least one Metropolitan Center. Commuter parking is located in this center. In some cases served by public transit.
Neighborhood Center	Mix of uses at a neighborhood scale.	20 - 30 jobs/acre	10 - 15 units/acre	20 - 100 acres	1 to 5 stories	Served by local roads and local transit to nearest larger center. Commuter parking is located in this center. In some cases served by public transit.
Note: Transit-Oriented Development (TOD) projects may occur within any of these centers.						

Metropolitan Centers



Metropolitan Centers offer the same variety of uses, just on a somewhat smaller scale. Their development is less intense than Regional Centers. They tend to be populated urban areas that are primarily mixed-use, accommodating business and multi-family residential land uses. They meet a wide variety of

business and employment needs and are large enough to serve several surrounding cities. Metropolitan Centers also include the larger historic downtowns of cities in the North Texas area. Metropolitan centers are served by one or more corridor/regional transit lines and local bus services. Twenty Metropolitan Centers have been identified so far and examples of these centers are below:

- * Addison (includes Addison Circle and Vitruvian Park)
- * Downtown Denton
- * Las Colinas
- * La Villita
- * Legacy Town Center

Community Centers

Community Centers have a mix of uses and are distinguished by their smaller size and scale. Community Centers offer development that provides retail and residential within the same building or in close, walkable proximity to one another. They attract visitors and people from across the region because of their uniqueness, historic nature and design character. They provide access to shops, restaurants and community-oriented services. Community Centers are traditionally located on a major arterial network and served by a transit route providing direct transit to at least one Metropolitan Center. Thirty-

nine Community Centers have been identified so far and a few examples of these centers are as follows:

- * Berry/University
- * Bishop Arts District
- * Brick Row
- * Downtown Arlington
- * Downtown Garland
- * Park Lane Place

Neighborhood Centers

This is the smallest of the four Mixed Use center types. Neighborhood Centers serve the shopping, service or entertainment needs of one or more existing or planned residential neighborhoods. They contain a diverse mix of land uses, at a neighborhood scale, including those schools, shopping, personal services and restaurants. These centers may offer quality amenities, like parks, that attract people from the adjacent neighborhoods. Good pedestrian, bicycle and bus transportation links are found in Neighborhood Centers; some may also include transit stations and adjacent Transit-Oriented Development. Neighborhood Centers are served by local roads and local transit to the nearest larger mixed use center. Over 25 Neighborhood Centers have already been identified to date. Examples of Neighborhood Centers include:



- * Rockwall Commons in Rockwall
- * Desoto Town Center
- * Downtown Mansfield
- * Bluebonnet Circle

Exhibit 4.4: Population Capacity of Preferred Future Diagram

Area	Size (Acres)	Density (persons per acre)	Population Capacity	Assumptions
Existing Developed Area	1,273,216	4.3	5,429,366	Amount of developed area in the region in 2001, based on NCTCOG land use analysis.
North Texas 2050 Policy Areas				
Natural	1,653,000	1.29	2,132,370	Density is 30% of that of N TX urban area in 2001, balancing areas for no development with those for resort/sustainable urbanism uses.
Rural	4,657,000	0.27	1,234,105	Density assumes 2.65 persons per household, average 1 household per 10 acres.
Separate Communities	366,000	4.70	1,720,200	Density is that from 'Green Region' scenario.
Outer Tier	1,140,000	4.70	5,358,000	Density is that from 'Green Region' scenario.
Inner Tier	373,000	5.60	2,088,800	Density is 30% higher than in existing developed area.
Total Capacity	8,189,000		12,533,475	
Anticipated Population			11,660,000	Population estimate for 2050
% Capacity Needed			93.0%	Share of capacity occupied by the estimated population in 2050
Notes:				
1. The density factors used here are the number of persons divided by the number of acres in all urban land uses (not just residential).				
2. These densities (for Separate Communities, Outer Tier & Inner Tier) include the more intensely developed centers averaged with the less intense surrounding developments.				

directed - cities or counties, developers, property owners, universities or non-profit organizations. The leaders of Vision North Texas propose these actions because they change the 'business as usual' trend and shift the region toward its preferred future.

Preferred Future Accommodates Growth

North Texas is one of the fastest-growing regions in the nation, and this growth is expected to continue. By 2030, this sixteen county area is expected to have 9.5 million residents and by 2050, there could be 11.7 million people living here. Can this preferred future handle all this growth? Exhibit 4.4 shows that this preferred future illustrated in Exhibit 4.2 can accommodate the growth expected through the year 2050.

Exhibit 4.4 assumes that future development in Separate Communities and the Outer Tier areas would occur at approximately the average intensity of the Green Region alternative scenario. Natural and rural areas are expected to be less densely developed because of the character of those areas. The Inner Tier Areas – those that are largely developed but that would see intensification as revitalization occurs and mixed use centers are created – would have an intensity of development that reflects these more compact patterns and the concepts in the VNT alternative scenarios. For this estimate, the average intensity in the Inner Tier Areas is assumed to be 30% higher than the average for the developed parts of North Texas in 2001.

Under these assumptions, the development pattern illustrated in Exhibit 4.2 could accommodate over 12.5 million people. The anticipated 2050 population of the region would require about 93% of this capacity.

Clearly, this preferred future does not constrain or limit the region's ability to house the people who are expected to live here in the next 40 years. It provides enough capacity to meet needs and provide opportunities for development choice and market competition.

National research shows that the demand for large-lot residential development through 2030 can be met by the supply of lots that existed in 2007. By providing more opportunities for other types of residential development, Exhibit 4.2 should better meet the needs of the expected market. It is also less likely to contribute to an oversupply of large lots compared to market demand.

This development pattern is adequate for growth over the next 40 years, but it anticipates a significant amount of development in areas that are not currently urban. As a result, it is reasonable to consider the most efficient ways to stage or phase growth into these new urban areas. If the region is to develop with the sustainable, compact and walkable communities people want, it will be important to ensure that the development of these areas occurs at urban densities (retaining most of the land in rural uses in the short term), rather than developing large parts of this area at lower, more sprawling densities that will require costly extensions of services and will repeat the 'business as usual' pattern of the past. Property owners, developers, regional leaders and service providers will need to create new approaches to infrastructure timing and phasing if investors are to receive a reasonable return on their investments as growth occurs over the next 40 years and if the region is to achieve the stakeholders' preferred future for North Texas.

Preferred Future –Investment Framework

The physical pattern of development in North Texas is both shaped by and served by the area's investments and infrastructure. For *North Texas 2050*, this framework includes eight areas of investment. Each of these is introduced below, with an explanation of the role they play in the region's effort to achieve its Preferred Future. Policy recommendations follow this introduction. Many

of the policy recommendations apply throughout the North Texas region; these recommendations are presented first. They are followed by recommendations that relate to a particular part of the region's preferred physical development plan - the policy areas and centers - described above.

Each recommendation indicates the decision-makers(s) to whom it is The areas discussed below are the focus of important investments by public, private and other decision-makers in North Texas. Each of these areas plays an important role in the region's future, so action in each area is important to achieve this preferred future. These investment areas also interact with one another. Coordination and integration of investments and decisions across these areas is also essential – these choices must be aligned to create synergy and support a sustainable region.

Investment Areas Regional Ecosystem

As the population of our region continues its rapid growth, 'business as usual' means new development that expands into the undeveloped rural or natural areas of our region. This expansion poses a threat to natural assets – such as watersheds, open space, wetlands, forests and water resources – that are important to our quality of life. If this pattern of growth continues, the damage to the environment will be wide-ranging, from drought, floods, poor air quality and the disappearance of the diverse habitat and wildlife in our region. To prevent these impacts, it is important to understand the value and importance of the region's undeveloped rural and natural areas and to consider these when development and investment decisions are made. A Regional Ecosystem Framework is a central recommendation of *North Texas 2050*. It will provide communities with necessary information on the benefits of the natural assets that may be affected by future development. It should enable property owners, service providers and local governments to make more informed decisions. The result of this approach to development is an investment framework that protects the vitality of the environment and the



health of the region's residents because the ecosystems are themselves an essential part of the region's investments and infrastructure.



Community Character and Form

When an individual or a family chooses a place to live, they seldom focus on statistics such as regional growth rates. Instead, they are concerned with the quality of life and the opportunities available in a particular neighborhood, city or metropolitan area. From 2000 to 2008, almost 52% of the region's growth was from people moving into the area, and

over half of the people moving to the region came from another country. In the future, North Texas is expected to continue adding residents and jobs, but the region's success at attracting and retaining people depends on maintaining or enhancing its appeal to newcomers and to long-term residents.

North Texas 2050 envisions a future with many neighborhoods and communities, all thriving but each different. In this way, the region as a whole will offer choices that are attractive to all the diverse households that are expected to live here. The *North Texas 2050* physical development pattern describes the general character and location of development in the region. The policies recommended here provide guidance for successful and sustainable action in communities throughout the region.

Economy

The *North Texas 2050* Vision is based on a sustainable, thriving economy. This economic focus for the region:

- * Is based on the strengths of many distinctive and highly desirable communities, each of which may have a different economic focus or emphasis.
- * Relies on the talents of innovative people for its continuing success.
- * Nurtures the region's natural assets, and using them as a basis

for the future economy, helps to make this a sustainable economy.

- * Meets the needs of many different market segments, so there is not a 'one size fits all' pattern of development throughout the region.
- * Investments – public and private – are made where they are most efficient and effective in their use of resources.
- * The region's economy is globally competitive and attractive as a place to visit, work and live.
- * Public-private partnerships are used at the regional and local level, and resources like model ordinances and incentives facilitate economic vitality throughout the region.

Policy recommendations support increased collaboration at the regional level, as well as support for action that retains the distinctive economic role of individual communities and employment centers within the region.

Housing

With millions of additional residents expected in North Texas in the coming decades, there is little doubt that housing will be important. More important than providing basic shelter, though, the housing choices we make as a region today will impact almost every aspect of our future. Having a mix of housing types and styles – from single family homes on large lots to smaller units close to transit to housing for seniors who want to 'age in place' – will better match the region's expected market demands.

Every city should strive for a variety of housing types and sizes. Successfully aligning these housing choices with job locations will decrease commutes, increase productivity and reduce air pollution. Infill of today's employment-rich areas with housing choices will create mixed use areas that also achieve these objectives. Support for strong, diverse neighborhoods will



restore many communities to economic vibrancy while retaining the individual character that makes them special.

North Texas 2050 recognizes that housing is an essential part of a community and a region. One of the twelve Guiding Principles (found on page #) addresses Housing Choice and other guiding principles support the fundamental role of housing and neighborhoods in the region's long term success. These policy recommendations support investment in housing so housing options are available to meet the needs of future North Texans. They result from the work of the North Texas Housing Coalition (NTHC), which has led Vision North Texas efforts related to housing.

Mobility

Every day, North Texans travel around the region in the course of their daily lives. They commute from home to work or school. They make trips to retail stores, business offices, libraries, public buildings or hospitals. They may visit a church, synagogue or mosque. They take part in events at arenas and stadiums or go to parks and open spaces to enjoy sports, recreation and fitness activities.



Since travel is so important to North Texans' daily lives, the ability to move from place to place – mobility – is an essential part of a livable, sustainable and successful region. Many efforts to provide mobility over the past 50 years have focused on building more and larger roads for automobile travel and this mode of travel will continue to be an important part of the region's mobility in the future. But the region, and the nation as a whole, should not continue putting all its mobility 'eggs' in this single 'basket'. Instead, the region's preferred future is based on a Guiding Principle that stresses a variety of efficient mobility options. These

options are intended to meet North Texans' travel needs, gain the greatest benefit from investments in mobility and make the region more sustainable. They build on – and further – recent transportation investment priorities.

Climate Resilience

International research has led some (but not all) scientists to conclude that increasing levels of carbon (and other greenhouse gases) in the atmosphere contribute to global climate change. Publications by the Urban Land Institute and others show that the transportation and building sectors are key contributors to greenhouse gas emission and must be a major focus of strategies to reduce a region's 'carbon footprint' and to make communities more resilient in their responses to changes in the climate. Local action on climate change is already underway in North Texas cities. As of early 2008, over 60% of the people in the North Texas region lived in cities whose mayors had signed the U.S. Conference of Mayors Climate Protection Agreement, committing them to strive to meet or beat the Kyoto Protocol targets in their own communities; urge state and federal governments to meet or beat these targets; and urge Congress to pass bipartisan greenhouse gas emission legislation.

In December 2009, the Administrator of the U.S. Environmental Protection Agency (EPA) found that greenhouse gas concentrations threaten the public health and welfare of current and future generations (endangerment) and that emissions of these gases from new motor vehicles and motor vehicle engines contribute to the greenhouse gas pollution (cause or contribute). These findings were based on technical analysis and public comment, and will be the basis for regulations under the Clean Air Act.

The *North Texas 2050* preferred future should help reduce the carbon footprint that would have resulted from 'business as usual' because it is comparable to the four alternative scenarios studied in 2009, which



reduced carbon dioxide emissions 7 to 10% below the 2030 projection. These policy recommendations reduce vehicle miles traveled and lower energy consumption in building construction and operation, so they help the region grow in a way that is environmentally responsible.

Education

North Texas 2050 has been created so the people who will live in North Texas for decades to come will enjoy better opportunities, choices and quality of life than those that seem likely under current trends. This vision of a better future includes support for innovative people. It stresses that all North Texans should have access to the resources and opportunities that lead to long-term success. This concept is emphasized in the Education Guiding Principle: provide opportunities for all North Texans to have access to the schools, people and technology they need for success in learning throughout their lives. Investment in educational institutions, at all levels, is essential to provide this access.

Currently in North Texas, the state and the nation, we have a tremendous achievement gap that we must close if we are to continue to be an educated, democratic society and if we are to successfully compete at the state, national, and international levels. These policy recommendations provide a framework for action to narrow this achievement gap.

Health

Health is more than the absence of illness or the quality of medical care. Health includes issues of aging, air and water quality, economics and environmental concerns. People are healthiest when they live in nurturing environments, have living wage jobs, access to good educational opportunities, are safe and are involved in the life of their community – in other words, when they live in healthy communities. *North Texas 2050* goes beyond the traditional focus on ‘sick care’ and

advocates the creation of a living environment that promotes health.

The policy recommendations include results of the work of the Health Research Team (HRT) convened for Vision North Texas – a group of local, regional and state representatives of organizations involved in all aspects of health.

Region-wide Policy Recommendations

These recommendations apply throughout the entire North Texas region and relate to issues that are best addressed by action region-wide.

Regional Ecosystem

1. The North Central Texas Council of Governments (NCTCOG) should lead an effort to involve cities, towns and counties in development and utilization of a watershed-based Regional Ecosystem Framework for the development of future infrastructure plans including Mobility Plans, water/wastewater plans, open space or trail system plans, the use of natural assets as ‘green infrastructure’ and similar ecosystem-related initiatives.
2. Cities, towns and counties should:
 - a. Adopt integrated Storm Water Management (iSWM) or similar strategies to address water quality needs and impending state and federal regulations.
 - b. Adopt Floodplain Management ordinances that address needs beyond basic administration of the National Flood Insurance Program and include management of dynamic waters resources that changes over time.
 - c. Participate in basin or watershed-wide efforts for “Greenprinting” to assist in the implementation of comprehensive and strategic plans outlining the preservation, maintenance and/or acquisition of important natural

resource areas.

- d. Participate in regional water planning efforts so these plans support this preferred future and incorporate the NT2050 Guiding Principles.



3. Cities and towns should:
 - a. Incorporate Environmentally Sensitive Area Plan components in their Comprehensive Plans.
 - b. Investigate the use of watershed-based planning and zoning strategies.
- c. Adopt tree management/preservation ordinances and sound forest management practices to help manage a healthy population of trees, thus providing the clean air, clean water and energy benefits of trees into the future.
4. NCTCOG, with other partners, should develop an urban forest vision and management plan for the region.
5. Local governments should pursue a Section 404 permit for Regional and General Conditions to maximize the protection of important water resources while ensuring flexibility to address low, medium and high value water resources.
6. NCTCOG should set regional policy to assist the state in identifying entities that are formally designated to provide wastewater collection/treatment services for the region
7. NCTCOG, with other partners, should explore the use of Transfers/Purchases of Development Rights (TDR) systems at the regional level and for communities within the region. TDR involves the exchange of zoning or other land use control

privileges from areas with low population needs, such as farmland, to areas of high population needs, such as downtowns, urban cores and mixed use centers. These Transfers/Purchases allow for the preservation of open spaces and historic landmarks in less developed areas, while giving urban areas a chance to expand and experience continued growth.

8. NCTCOG and regional communities should investigate the use of impact fee strategies to compensate for the impacts on drainage, groundwater recharge and other natural infrastructure functions due to greenfield development.
9. NCTCOG should facilitate discussions of:
 - a. The potential expansion of County authority for land use planning and subdivision regulation in rapidly growing non-incorporated parts of the region, including planning that supports continuing agricultural uses.
 - b. Improving the annexation abilities of local governments, especially within rapidly growing counties.
10. Regional entities in existing water resource partnerships with the U.S. Army Corps of Engineers should continue and expand these initiatives.
11. Local governments, property owners and developers should include measures for clean air quality in revitalization, redevelopment and new development projects, and should encourage compact development patterns to improve air quality.

Community Character and Form

12. Regional stakeholders should help North Texas achieve its preferred future by making their own policy and investment decisions in ways that are compatible with the recommendations

of *North Texas 2050*, including its Vision Statement, Guiding Principles and Preferred Future (physical development pattern and investment framework).

- a. Cities, towns and counties should adopt NT2050-compatible comprehensive plans, zoning and other policies and regulations.
 - b. Infrastructure providers should adopt NT2050-compatible capital improvement programs and should fund, construct, operate and maintain facilities accordingly.
 - c. Property owners and developers should design and construct NT2050-compatible projects, whether these are new developments, renovations of existing buildings or revitalizations of previously-developed areas.
 - d. Neighborhood, development, civic and other non-profit organizations should provide public support for NT2050-compatible projects and initiatives, and should educate residents about the benefits of this preferred future.
13. The *North Texas 2050* Action Team should establish a set of indicators to measure how actual development compares to the *North Texas 2050* Preferred Future, should determine existing benchmark levels and should report on these indicators at least every five years, and should advocate additional actions that may be needed to achieve the *North Texas 2050* Preferred Future.
- a. North Texas should encourage the use of new technologies to achieve these objectives, as these are developed over time.
14. A North Texas Sustainability Center should be established, through the collaboration of regional stakeholders, which will provide information, training and other assistance to individuals

and organizations in North Texas who seek to achieve the *North Texas 2050* Preferred Future through sustainable development and operation of their own buildings and properties.

15. The *North Texas 2050* Action Team should work with the regional representatives of federal agencies to implement federal sustainability programs in North Texas and to align investments by all federal agencies to support the region's sustainability and the recommendations of *North Texas 2050*.



Economy

16. The North Texas Commission, in collaboration with the region's economic development departments and corporations and the region's chambers of commerce, should:
 - a. Develop, fund, adopt and implement a coordinated branding program to market the region nationally and globally.
 - b. Play a leadership role in the educational efforts that implement *North Texas 2050*.
 - c. Recognize the diverse roles the region's distinctive communities play in the region's economic future, and consider agreements to reduce the negative regional impacts of competition for businesses among North Texas communities.
17. The North Texas Commission should initiate an updated assessment of existing and potential new targeted industries for North Texas that identifies target industries for the current and future economic vitality of the region as a whole and for specific *North Texas 2050* policy areas. This assessment should

be conducted in collaboration with the region's economic development departments and corporations and the region's chambers of commerce.

Housing

18. The North Texas Housing Coalition (NTHC) should create a *North Texas 2050* Housing Vision to provide more focused direction for implementing *North Texas 2050* in the area of housing. The NTHC should produce a package of recommendations for consideration by North Texas counties, cities and towns, housing organizations, neighborhood associations, developers, real estate councils, builders associations, and property owners. These recommendations should provide practical steps (including education programs, criteria for funding by HUD and TDHCA, incentives and/or changes in land use and development practices) that improve the region's ability to offer housing that meets the demands of the future market in terms of housing availability, sustainability and value.
19. The NTHC and the North Central Texas Council of Governments should work together to coordinate *North Texas 2050* implementation for housing with action on other issues including environment, transportation and overall economic impact. Implementation should provide affordable, energy-efficient and location-efficient housing choices for people of all demographics (ages, incomes, races, and ethnicities) and should make the combined cost of housing and transportation more affordable to North Texans.
20. The NTHC should establish a set of targets for five critical housing indicators. These targets should establish specific goals to be achieved by key years (2020, 2030 and 2050) for the North Texas region as a whole. The NTHC should monitor progress

toward these goals as part of *North Texas 2050* implementation. Indicators and potential targets are:

- a. Housing Development Intensity to meet an overall regional target measured in persons per acre of developed land.
 - b. Housing Variety – in terms of the range of housing styles, densities and diversity available to regional consumers.
 - c. Housing-Transportation Affordability for people at all income levels. Affordability indicators include the share of a household's income spent on housing (no more than 30%) and the share spent on housing and transportation combined (no more than 48%).
 - d. Alignment of Supply and Demand – how well the region's supply of housing meets the demands of this region's mix of households.
 - e. Housing Neighborhood Condition – the physical condition of the region's homes and neighborhoods.
21. Housing developers and service providers (private, public and non-profit) should collaborate with local governments, civic and environmental organizations and property owners to implement housing initiatives in conjunction with initiatives that achieve other aspects of *North Texas 2050*.



Mobility

22. The Regional Transportation Council should develop and adopt a "Mobility Plan" for the region that supports this preferred future and incorporates the *North Texas 2050* Guiding Principles.

23. The entities that plan, fund, build, operate and maintain mobility systems should:
 - a. Provide systems that enable North Texans to choose the way they wish to travel. North Texans should have multiple modes of travel available to them so they can decide whether to walk, ride a bike, take a bus, trolley or rail vehicle, carpool, drive a car or truck, or use some other mode of travel.
 - b. Support statewide and local alternative funding mechanisms, including appropriate reliance on public-private partnerships in reinvestment areas.
 - c. Consider the life-cycle costs of mobility projects (construction, operation, maintenance and rehabilitation) when making investment decisions.
 - d. Emphasize effectiveness in moving people when they make their investment decisions. The cost-effectiveness of investments should consider the cost per person-trip, rather than the costs per vehicle-trip.
 - e. Use criteria for the allocation of transportation funding that consider social, environmental and economic impacts (related to employment and real property investment) as well as transportation criteria.
 - f. Provide systems that support and enhance the character of the areas around them, whether that context is a dense urban center, a natural open space or a residential neighborhood.
 - g. Provide systems that help people choose modes that are efficient and environmentally-friendly. These choices should improve the region's air quality, reduce the region's carbon footprint and minimize the impacts of transportation on the

region's natural assets.

- h. Provide 'complete streets' in public rights-of-way serving neighborhood, community or sub regional travel needs.
- i. Invest to encourage travel by bike or on foot (instead of by car) in areas with a high percentage of short trips.



24. North Texans should choose modes of travel that are healthy and environmentally friendly and promote efficient use of limited transportation resources.
25. North Texans should support initiatives to provide sufficient funding to build, operate and maintain this mobility system. Funding sources could include fees, tolls, taxes or other revenue sources.

Climate Resilience

26. The *North Texas 2050* Action Team should convene working sessions to prepare a set of North Texas indicators to measure the region's environmental (or carbon) footprint and monitor its change over time.
27. The *North Texas 2050* Action Team should convene stakeholders to develop strategies for evolving regional strength in energy production to include alternative energy markets.
28. The *North Texas 2050* Action Team should convene stakeholders to develop a detailed package of recommendations for action to reduce North Texas' environmental carbon footprint and to enable this region to adapt effectively to the impacts of climate change.

29. Universities in North Texas should pursue initiatives to study changes in the North Texas climate and strategies to reduce the region's environmental carbon footprint.
30. The North Texas Sustainability Forum should provide recommended action packages to cities, towns and counties so they can mitigate and adapt to impacts of climate change.
31. Civic, environmental and other non-profit organizations in the region should design, fund and implement educational programs to inform North Texas residents and businesses about choices that will reduce the region's environmental carbon footprint.

Education

32. A broad coalition of North Texas education leaders should be formed, with the involvement of the private and public sectors and of institutions that provide education and training from pre-kindergarten to formal education (K-12 and college/university) and through lifelong learning. The region's five existing P-K16 Councils should form the core of this coalition.
33. The North Texas Education Coalition (NTEC) should create a *North Texas 2050* Education Vision to provide more focused direction for implementing *North Texas 2050* in the area of education. This Education Vision should include standards for college and workforce readiness for North Texas students.
34. The leaders of North Texas cities, towns, civic organizations and businesses should use these standards as targets for regional accomplishment and as indicators of *North Texas 2050* progress.
35. Educational institutions at all levels (P-K Lifetime) should recruit, retain, and reward teachers, faculty and administrators. The NTEC should lead efforts to develop an effective approach to these issues and should help implement this approach.

36. The NTEC should lead region-wide collaborations across all educational levels in order to be successful in the above endeavors.
37. The NTEC should advocate programs and initiatives, such as creation of a Tier One-status university, that makes North Texas a global leader in teaching innovation, research and development and training people who become leaders in innovative business and civic enterprises.



38. The *North Texas 2050* Action Team should implement programs that educate all North Texans about sustainability and actions needed to achieve the *North Texas 2050* Vision.

Health

39. The Health Research Team (HRT) should produce a package of 'healthy community' recommendations for consideration by North Texas counties, cities and towns. These recommendations should provide practical steps (including education programs, employee wellness initiatives, incentives and/or changes in land use and development practices) that improve residents' access to affordable, nutritious foods, physical activity and wellness services.
40. North Texas counties, cities and towns should create a regional network of healthy community action plans to implement these recommendations.
41. Farmers markets, local growers, community garden sponsors,

grocery stores, North Texas business and economic development organizations should collaborate to create a set of initiatives to support the economic vitality of businesses that provide locally-grown food to North Texans.

42. The Health Research Team, NCTCOG and other relevant organizations should collaborate with local businesses to encourage access to primary health care via convenient transportation to facilities and/or using other means for communication between physicians and patients.
43. The North Central Texas Council of Governments should use its regional planning initiatives to support creation of a regional trail network and other regional systems that support healthy lifestyles.
44. Hospital and health care systems should contribute support to incentives and investments that provide North Texans with access to healthy, affordable foods and physical activity.
45. Civic, environmental and neighborhood organizations should create and support community gardens throughout the region.
46. The Health Research Team and the North Texas Education Coalition should develop strategies that increase youth involvement in growing, preparing and marketing nutritious food.
47. Independent school districts and communities should implement the Active Transport to and from school initiative to promote walking or biking to and from school.

Coordination of Investments

48. The *North Texas 2050* Action Team should work with regional partners to align public, private, academic and civic investments

to achieve the recommendations of *North Texas 2050*.

49. The *North Texas 2050* Action Team should conduct outreach and engage regional partners to develop a coordinated 'playbook' for action in the next 3 to 5 years to implement *North Texas 2050*.



Natural Areas Policy Recommendations

These recommendations are appropriate for the parts of North Texas described as 'Natural Areas' in the region's preferred physical development pattern.

1. The North Central Texas Council of Governments should develop and maintain mapped information that identifies important natural assets and areas within the region, and should contribute this knowledge to regional efforts that provide an economic basis to retain or enhance these assets and areas.
2. Property owners, developers, local governments and the Texas Parks and Wildlife Department should retain, preserve and enhance identified regional natural assets through the use of their resources for planning, design, construction and operation. Development in 'Natural Areas' should be designed so it takes advantage of the unique features of nearby natural assets.

The *North Texas 2050* should develop model ordinances, guidelines and incentives for development in or adjacent to natural assets that provide financial support for retaining and enhancing these assets and areas.

3. Local governments along the Trinity River should continue initiatives that enhance and restore the river that support

compatible development along its banks, and that result in infrastructure retrofits that improve water quality in the Trinity.

4. Universities, property owners, environmental organizations and other interested stakeholders should conduct research and establish systems to enable North Texas natural assets (such as forests and grasslands) to be included in carbon sequestration programs or other environmental initiatives.
5. Environmental and educational organizations (including Audubon Texas, River Legacy Foundation and others) should provide opportunities for all North Texans to learn about the region's ecosystems and natural assets, participate in research about their role in the region, contribute to their preservation and include them in the experiences of daily life.
6. Property owners, developers, local governments and land conservancies should collaborate to acquire land and improve trails and facilities in Natural Areas that are part of the region's healthy lifestyle systems.
7. Communities that include Natural Areas should work with county and state agencies to set up a system to identify effective and appropriate areas and technology for on-site wastewater-treatment in less urban areas of the region.

Rural Areas Policy Recommendations

These recommendations are appropriate for the parts of North Texas described as 'Rural Areas' in the region's preferred physical development pattern.

1. Property owners, developers and local governments should use their resources for planning, design, construction and operation to continue rural activities and land uses in 'Rural Areas' of North Texas.

2. The *North Texas 2050* Action Team should convene regional stakeholders to develop an implementation strategy to support the continuation of rural activities in these 'Rural Areas'.
3. Local governments, in partnership with the Texas Department of Agriculture's Rural Economic Development Funding Program, should develop and implement a strategy that supports North Texas businesses based in agriculture, renewable energy production and the management of natural assets.
4. Agricultural organizations, landowners and land conservancies should collaborate on economic initiatives that link the economic sustainability of the region's agriculture with healthy communities, eco-tourism and development for outdoor recreation.
5. Cities, in coordination with NCTCOG and local conservation and preservation organizations, should categorize and manage streams in this area of the region in a manner that maintains their natural values and functions while the community has the space and density characteristics to do so. New and revised plats should not include platting to center line of creeks.
6. NCTCOG, in collaboration with cities, should work with county and state agencies to coordinate the development of regional guidelines to identify effective and appropriate areas and technology for on-site wastewater-treatment in less urban areas of the region.
7. Agricultural organizations, landowners and land conservancies should support the restoration, protection and connection between natural and urban areas by preserving the region's working green landscapes of croplands and forests.
8. School districts in rural areas should collaborate with other

North Texas educational providers to make education and learning opportunities accessible to residents of these areas.

9. School districts, economic development organizations and civic organizations should provide education, training and research to support a workforce capable of filling ‘clean/green jobs’ related to local agriculture, alternative energy production and other renewable resource businesses.



10. Local governments and land conservancies should collaborate with property owners and developers in the development and maintenance of walking, hiking, jogging and biking trails in the region’s natural areas.

Separate Community Areas

These recommendations are appropriate for the parts of North Texas described as ‘Separate Community Areas’ in the region’s preferred physical development pattern.

1. Property owners, developers and local governments should use their resources for planning, design, construction and operation to enhance the distinctive character of Separate Community Areas in North Texas.
2. The cities, towns, historic and downtown associations in Separate Community Areas should convene a working group to identify technical assistance, funding or other resources needed so they can achieve their role in the *North Texas 2050 Preferred Future*. Participants should determine how (or whether) this working group should continue as an on-going partnership or coalition.
3. NCTCOG, design organizations and the development community should provide needed assistance and resources to the cities, towns, historic and downtown associations in Separate

Community Areas.

4. Cities and towns in Separate Community Areas should use their decisions and investments to achieve their role in the *North Texas 2050 Preferred Future*:
 - a. Planning, zoning, subdivision, infrastructure investment, incentives and other tools should be used to maintain or create compact, walkable mixed use areas in central locations within these communities.
 - b. A compact style of development should be promoted that encourage a better balance of development over time.
 - c. Parking requirements should be reassessed for actual economics and impacts to the physical environment. Strategies using a maximum limit for parking should replace the traditional minimum limits.
 - d. Downtown enhancement or revitalization initiatives and historic preservation efforts should be encouraged to retain and build upon communities’ unique character and heritage and to make more sustainable use of these existing assets.
5. Cities, towns, counties and NCTCOG should identify areas for rural or natural uses that will buffer Separate Community Areas from one another and from other urban development, and should consider such ‘community buffers’ in preparing regional plans for natural assets and systems.
6. Property owners, cities and towns in Separate Community Areas should use natural features as a ‘green infrastructure’ to meet community needs:
 - a. Where possible, streams that have been converted into

artificial drainage ways should be returned to their more natural condition while still meeting the community's drainage needs.

- b. Land use planning should include vegetated stream and lake buffers to maximize the benefit of these natural functions to the surrounding areas. When possible, residential and commercial subdivisions should not be platted with lots extending to the center line of creek. This will result in more buffered stream area to accommodate the dynamic nature of watershed and stream conditions.
 - c. Vegetated stream and lake buffer areas should be identified and managed to maximize their multipurpose benefits like water quality, flood management, trails, recreation, etc.
7. NCTCOG should coordinate the development of regional guidelines to identify effective and appropriate areas and technology for onsite wastewater treatment in less urban areas of the region.
 8. The North Texas Commission, the region's economic development departments and corporations, and the region's chambers of commerce should collaborate to create a suggested package of economic development incentives/tools that support appropriate investment in Separate Community Areas of the region, and should work together to seek legislative approval to make these incentives/tools available to property owners, businesses and local governments in these parts of the North Texas region.
 9. Private, public and non-profit housing developers and service providers should provide a mix of housing options in these separate communities that contributes to the regional targets for development intensity, variety, affordability, alignment of supply

and demand, and housing/neighborhood condition.

10. Property owners, developers, local governments and civic/neighborhood organizations should implement programs that provide resources to keep existing neighborhoods (and the housing in them) vital and desirable.
11. School districts (ISD and college level) in Separate Community Areas should collaborate with other North Texas educational providers to make education and learning opportunities accessible to residents of these areas.
12. School districts (ISD and college level) in Separate Community Areas should identify educational specializations for which they have particular expertise or resources and should establish focused programs in these areas that attract students or form the basis for distance-based learning programs provided from these areas.
13. Cities, towns and local business organizations should incorporate healthy community recommendations in initiatives that support vital downtowns and town centers.
14. The cities, towns, historic and downtown associations in Separate Community Areas should collaborate with regional organizations to identify, fund and implement programs to market the unique characteristics of these communities as part of initiatives to market this region to the nation and the world.



Outer Tier Areas Policy Recommendations

These recommendations are appropriate for the parts of North Texas described as 'Outer Tier Areas' in the region's preferred physical development pattern.

1. Cities and towns that contain Outer Tier Areas should use their decisions and investments to achieve their role in the *North Texas 2050 Preferred Future*:
 - a. Planning, zoning, subdivision, infrastructure investment, incentives and other tools should be used to designate compact, walkable mixed use areas in central locations within these communities. These mixed use areas may reflect existing downtowns or centers, or may indicate appropriate places to create new centers.
 - b. A compact pattern of growth, emphasizing infill and brownfield developments, should be promoted that encourages a better balance of development over time.
 - c. Buildings, sites and neighborhoods should incorporate sustainable design standards (such as those reflected in the LEED certification system) and people-oriented design concepts (such as the principles of New Urbanism).
 - d. Design and land use standards and guidelines should facilitate the design of buildings and sites that reduce energy requirements and use of local systems to generate energy from alternative sources and distribute it for use locally.
 - e. Single family neighborhoods and other places dominated by a single land use should be designed to maximize non-automobile trips and to encourage walking, cycling and other healthy activities. Planning, zoning, subdivision, infrastructure investment, incentives and other tools should be used to support these objectives.
 - f. Parking requirements should be reassessed for actual economics and impacts to the physical environment. Strategies using a maximum limit for parking should replace the traditional minimum limits.
2. Cities, towns, counties and property owners should work together to prepare general plans for natural areas, urban forests, development and infrastructure on a watershed-by-watershed basis in Outer Tier Areas of the region.
3. Property owners, cities and towns in Outer Tier Areas should use natural features as a 'green infrastructure' to meet community needs:
 - a. Where possible, streams that have been converted into artificial drainage ways should be returned to their more natural condition while still meeting the community's drainage needs.
 - b. Land use planning should include vegetated stream and lake buffers to maximize the benefit of these natural functions to the surrounding areas. When possible, residential and commercial subdivisions should not be platted with lots extending to the center line of creek. This will result in more buffered stream area to accommodate the dynamic nature of watershed and stream conditions.
 - c. Vegetated stream and lake buffer areas should be identified and managed to maximize their multipurpose benefits like water quality, flood management, recreation, etc.
 - d. The urban forest should be conserved and managed to provide benefits, such as energy reduction, to the homes and businesses in the Outer Tier Areas.
4. The North Texas Commission, the region's economic development departments and corporations, and the region's



chambers of commerce should collaborate to create a suggested package of economic development incentives/tools that support appropriate investment in Outer Tier Areas of the region, and should work together to seek legislative approval to make these incentives/tools available to property owners, businesses and local governments in these parts of the North Texas region.

5. Cities, property owners and developers should encourage redevelopment of Outer Tier Area brownfield sites through the use of economic development incentives and other tools.
6. Cities, towns, counties, improvement districts and other entities that build or operate public facilities and systems should maximize the return on investment to taxpayers, customers and bond-holders over the life of the facilities.
 - a. Existing capital infrastructure should be maintained and managed to serve the people and businesses anticipated in existing services areas over time.
 - b. Renovation or rehabilitation of infrastructure should be designed to support the *North Texas 2050* Preferred Future.
 - c. Investments in facility expansions or extensions should be compared to or exceed existing systems in cost-effectiveness per household (or acres served).
 - d. Facility expansions and extensions should be staged or phased based on the most effective return on public and private investment, and considering social, environmental and economic impacts.
 - e. Cost- and resource-effectiveness should be based on life cycle costs – the costs to build, operate and maintain infrastructure through the year 2050 – to serve people and businesses

reasonably expected to use the infrastructure through 2050.

7. Private, public and non-profit housing developers and service providers should provide a mix of housing options in Outer Tier Areas that contributes to the regional targets for development intensity, variety, affordability, alignment of supply and demand, and housing/neighborhood condition.
8. Cities and towns should review and update land use plans, housing initiatives, incentives and regulations to encourage new housing that is affordable, energy-efficient, location-efficient and that makes more choices available to meet the market demands of the region's future households.
9. School districts (ISD and college level) should use the principles of 'green design' when constructing new buildings and campuses. Districts are encouraged to use design comparable to LEED Silver certification (or higher) in all new construction.
10. School districts in Outer Tier Areas should share resources (of expertise, facilities and funding) with those in Inner Tier Areas to make the most efficient and effective use of community investments in education.
11. Cities and towns should review and update land use plans and regulations to provide convenient access to community gardens, farmers markets, full scale grocery stores and places for physical activity for residents in neighborhoods throughout North Texas.



Inner Tier Areas Policy Recommendations

These recommendations are appropriate for the parts of North Texas

described as ‘Inner Tier Areas’ in the region’s preferred physical development pattern.

1. Cities and towns that contain Inner Tier Areas should use their decisions and investments to achieve their role in the *North Texas 2050 Preferred Future*:
 - a. Planning, zoning, subdivision, infrastructure investment, incentives and other tools should be used to designate compact, walkable mixed use areas in central locations within these communities. These mixed use areas may reflect existing downtowns or centers, or may indicate appropriate places to create new centers.
 - b. A compact pattern of growth, emphasizing infill and brownfield developments, should be promoted that encourages a better balance of development over time.
 - c. Downtown enhancement or revitalization initiatives and historic preservation efforts should be encouraged to retain the unique character and heritage of neighborhoods and communities and to make more sustainable use of these existing assets.
 - d. Design and land use standards and guidelines should facilitate the use of local systems to generate energy from alternative sources and distribute it for use locally.
 - e. Single family neighborhoods and other places dominated by a single land use should be designed to maximize non-automobile trips and to encourage walking and other healthy activities. Planning, zoning, subdivision, infrastructure investment, incentives and other tools should be used to support these objectives.
 - f. Parking requirements should be reassessed for actual economics and impacts to the physical environment. Strategies using a maximum limit for parking should replace the traditional minimum limits.
2. Cities, towns, counties and property owners should work together to prepare general plans for natural areas, development and infrastructure on a watershed-by-watershed basis in Inner Tier Areas of the region.
3. Property owners, cities and towns in Inner Tier Areas should use natural features as a ‘green infrastructure’ to meet community needs:
 - a. Where possible, streams that have been converted into artificial drainage ways should be returned to their more natural condition while still meeting the community’s drainage needs.
 - b. Land use planning should include vegetated stream and lake buffers to maximize the benefit of these natural functions to the surrounding areas. When possible, residential and commercial subdivisions should not be platted with lots extending to the center line of creek. This will result in more buffered stream area to accommodate the dynamic nature of watershed and stream conditions.
 - c. Vegetated stream and lake buffer areas should be identified and managed to maximize their multipurpose benefits like water quality, flood management, recreation, etc.
4. The urban forest should be conserved and managed to provide benefits, such as energy reduction, to the homes and businesses in the Inner Tier Areas. Inner Tier Areas should receive regional

priority in urban forest investment in order to reduce the ‘urban heat island effect’ in the most developed parts of the region and the impacts of this effect on the people of these communities.

5. The North Texas Commission, the region’s economic development departments and corporations, and the region’s chambers of commerce should collaborate to create a suggested package of economic development incentives/tools that support appropriate investment in Inner Tier Areas of the region, and should work together to seek legislative approval to make these incentives/tools available to property owners, businesses and local governments in these parts of the North Texas region.
6. Cities, property owners and developers should use planning, zoning, economic development incentives and other tools to encourage infill, redevelopment and revitalization in Inner Tier Areas locations including:
 - a. Brownfields
 - b. Commercial corridors, centers or properties that have exceeded their useful lives or abilities to meet market demands
 - c. Underutilized non-residential properties
7. Cities, towns, counties, improvement districts and other entities that build or operate public facilities and systems should maximize the return on investment to taxpayers, customers and bond-holders over the life of the facilities.
 - a. Existing capital infrastructure should be maintained and managed to serve the people and businesses anticipated in existing services areas through the year 2050.

- b. Renovation or rehabilitation of infrastructure should be designed to support the *North Texas 2050* Preferred Future.
- c. Cost- and resource-effectiveness should be based on life cycle costs – the costs to build, operate and maintain infrastructure through the year 2050 – to serve people and businesses reasonably expected to use the infrastructure through 2050.



8. Private, public and non-profit housing developers and service providers should provide a mix of housing options in Inner Tier Areas that contributes to the regional targets for development intensity, variety, affordability, alignment of supply and demand, and housing/neighborhood condition.
9. Cities and towns should review and update land use plans, housing initiatives, incentives and regulations to encourage new housing that is affordable, energy-efficient, location-efficient and that makes more choices available to meet the market demands of the region’s future households.
10. Property owners, developers, local governments and civic/ neighborhood organizations should implement initiatives that provide resources to keep existing neighborhoods (and the housing in them) vital and desirable.
11. Cities and towns should review and update land use plans, housing programs, incentives and regulations to encourage the inclusion of housing in initiatives that redevelop or reuse existing structures and vacant/underutilized properties. These efforts should place special emphasis on housing that is appropriate for people who live in or near these properties (for example, residents

of single family neighborhoods seeking to downsize, neighborhood seniors needing assistance or families with limited ability to pay increased housing and transportation costs).

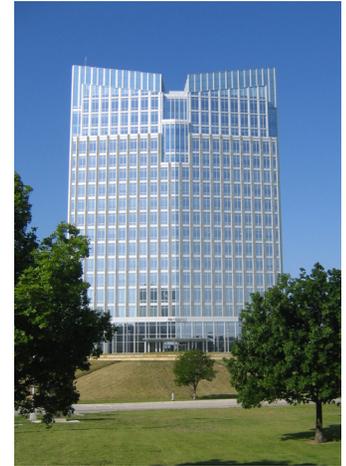
12. The North Texas education coalition should recommend changes to institutional and financial structures that will improve Inner Tier Area public schools so families with children can reasonably choose to live in these areas.
13. School districts (ISD and college level) should evaluate ways to reuse existing buildings in Inner Tier Areas to bring educational opportunities to the people who already live and work in these areas.
14. School districts (ISD and college level) should use the principles of 'green design' when constructing or renovating buildings and campuses. Districts are encouraged to use design comparable to LEED Silver certification (or higher) in all new construction.
15. Cities and towns should review and update land use plans and regulations to enable vacant and underutilized properties to be used as community gardens and farmers markets.
16. Property owners, developers and local governments should ensure that revitalization, reuse and redevelopment projects include places where future residents can be physically active. Other wellness facilities and programs should be encouraged as well.
17. Cities and towns should review and update land use plans and regulations to provide access to community gardens, farmers markets, full scale grocery stores and places for

physical activity. In general, these resources should be available to most residents within approximately 15 minutes of travel.

Employment Centers Policy Recommendations

These recommendations are appropriate for Employment Centers in North Texas.

1. Cities and towns that contain Employment Centers should use their decisions and investments to achieve the centers' role in the *North Texas 2050* Preferred Future:
 - a. Planning, zoning, subdivision, infrastructure investment, incentives and other tools should be used to continue these area's role in the regional economy.
 - b. Buildings, sites and centers should incorporate sustainable design standards (such as those reflected in the LEED certification system) and people-oriented design concepts (such as the principles of New Urbanism).
2. Cities, towns, counties, NCTCOG and regional organizations should develop and implement a strategy to support the continuing vitality of existing major regional employment centers.
3. The North Texas Commission, the region's economic development departments and corporations, and the region's chambers of commerce should collaborate to create a suggested package of incentives/tools that support investment in the region's Employment Centers.



4. Private, public and non-profit housing providers should invest in location-efficient, appropriate types of housing for people who work in these employment areas. Location-efficient housing enables this workforce to reduce their household costs for housing and transportation while also reducing vehicle trips and related environmental impacts on the region.
5. Major employers based in the region's employment centers should provide education and job training at locations in these centers.
6. Property owners and major employers based in the region's employment centers should offer multiple mobility choices for trips to, from and within the employment centers. Existing and new employment centers should be served by transit as well as roadways. Property owners and major employers should collaborate with NCTCOG and local transit authorities and municipalities to design, prioritize, and seek incentives and funding for these mobility choices.
7. Property owners and major employers based in the region's employment centers should locate and manage parking so lots and garages can be shared by multiple uses and so people will be encouraged to park once when visiting multiple destinations.
8. Major employers based in the region's employment centers should emphasize healthy lifestyles and a greater well being for people who work or do business in these employment areas by providing wellness programs, access to walking/jogging trails and affordable nutritious foods.

Mixed Use Centers Policy Recommendations

These recommendations are appropriate for Mixed Use Centers in North Texas.

1. Cities and towns that contain Mixed Use Centers should use their decisions and investments to achieve their role in the *North Texas 2050 Preferred Future*:
 - a. Planning, zoning, subdivision, infrastructure investment, incentives and other tools should be used to support compact, walkable mixed use areas. Minimum development intensities should be established for these centers.
 - b. Buildings, sites and centers should incorporate sustainable design standards (such as those reflected in the LEED certification system) and people-oriented design concepts (such as the principles of New Urbanism).
2. The North Texas Implementation Team, in collaboration with local governments and property owners, should develop model ordinances, guidelines and incentives for regional economic support to encourage development of regional and urban/ metropolitan mixed use centers.
3. The region's economic development departments and corporations should develop model ordinances, guidelines and incentives for regional economic support of community and neighborhood/TOD mixed use centers.
4. Private and public entities developing projects in mixed use centers should include housing for a mix of income levels in their projects.



5. Community colleges, universities and other educational providers should offer courses, online education and other learning opportunities at places in mixed use centers where these programs can be included in students' daily lives and where the institutions can be integral parts of their communities.
6. Educational institutions in mixed use centers should partner with other organizations to provide convenient nearby child care and similar resources for the people who work or study at these institutions.
7. Property owners in mixed use centers should offer multiple mobility choices for trips to and within the mixed use centers.
8. Property owners in mixed use centers should locate and manage parking so lots and garages can be shared by multiple uses and so people will be encouraged to park once when visiting multiple destinations.
9. Developers and communities should ensure that new and existing mixed use centers retain or enhance the unique character and heritage of the centers and their surrounding communities.
10. Public, private and non-profit organizations should provide the transit facilities and services to take people the 'last mile' from a destination to the transit stations found at the core of some Mixed Use Centers.
11. The public health departments and Health Research Team should collaborate with urban planners and developers to design North Texas mixed use centers that include trails and green space around businesses, schools and residential areas, as well as grocery stores with affordable healthy foods for all residents and access to wellness and primary care centers.

Action Package



A vision for the future does not affect change unless there are actions taken to make it a reality. The previous chapter, “A Vision for North Texas”, describes the preferred future expressed by the region’s stakeholders and recommends policies that support this vision. If this vision is to be realized, the many regional stakeholders who make decisions about investments and programs must act in ways that help achieve the vision. This chapter, the “Action Package”, is a toolbox which provides the set of tools stakeholders can use to make the Vision a reality.

Contents of the Action Package

The Action Package consists of resources for implementation such as model ordinances, best practices, incentives, research results, maps and diagrams, as well as many other items. These tools are organized into six groups:

Incentives

Incentives make it easier for a decision-maker to choose to take the action that supports the vision. They may improve the economics of this choice or make it more likely that approvals and resources will be provided. A tax abatement is one example; another is fast-tracking of a project’s development review and approval process.

Best Practices

These examples of projects or programs give decision-makers a better understanding of how to do something they haven’t done before. They allow each person or organization to learn from the experiences of others and reduce the need to ‘reinvent the wheel’. A set of development ‘best practice’ case studies were developed for Vision North Texas by the Urban Land Institute and the University of Texas at Arlington. They are available online and provide an illustration of this sort of action tool.

Model Ordinances & Templates

Models and templates allow a decision-maker to implement a new action tool quickly because they provide a standard approach the decision-maker can simply customize. The iSWM manual for cities’ action on storm water management is an example of this action tool group.

Technical Assistance

It is often difficult to change operations because an organization may not have the expertise or resources to put a new program in place. Technical assistance from another organization may make action more feasible. The Urban Land Institute’s Technical Advisory Panel

(TAP) services illustrate this action tool group.

Benchmarks & Indicators

It's hard to tell if progress is being made if there is no way to measure or monitor activities over time. Benchmarks measure conditions at the beginning of a program and provide a basis for comparison. Relative benchmarks provide a set of comparable cities or organizations and measure progress against the conditions in those places. Indicators are the factors that are measured in setting benchmarks. For example, vehicle miles traveled (VMT) and VMT per person are indicators used to measure the amount of auto travel in a community. The benchmark could be VMT in the region in the year 2000. Relative benchmarks could be the VMT/person for the largest 50 U.S. metropolitan regions.

New Institutions/Entities

Changes to the region's institutional structure might be necessary to produce results that are better than 'business as usual'. One example is a research collaborative that would engage the region's colleges and universities in coordinated research on issues important to achieve the *North Texas 2050* Vision. Tools that require legislation, such as new economic development tools, are also included in this group.

Regional Coordination & Collaboration

The success of Vision North Texas is one illustration of the benefits to be realized through regional coordination. Continuing such collaboration -- among jurisdictions, across areas of expertise, and among diverse stakeholders -- will help implement these recommendations.

Communication

Education has been among the primary activities of Vision North

Texas. Communication will be necessary to share this vision with all North Texans and to educate decision-makers about the choices that lead to a future that is 'better than business as usual'.

Potential Action Tools

In the course of Vision North Texas work, over 200 potential action tools have been identified. The most important action tools are discussed in detail below. All these potential action tools are listed in Appendix 2, which also provides more information about the potential action tools. It indicates where each tool is most relevant (in the five policy areas, Employment and Mixed Use Centers) and how each tool relates to the components of the investment framework.

This toolbox contains local and regional examples of tools, such as ordinances and best practices, which can be tailored to meet the unique needs of individual communities. Topics addressed by these tools include: preservation of natural resources, meeting housing needs, conserving water resources, enhancing urban forests in our communities, promoting transit-oriented and mixed-use development, creating pedestrian-friendly neighborhoods, establishing public-private partnerships, and many more helpful tools to assist communities through the various stages of development.

Priority Action Tools

Action is essential to move away from a 'business as usual' future. But it is not realistic to expect that a list of over 200 action items can all be carried out soon or simultaneously. From that large list of potential action tools, Vision North Texas leaders have recommended a smaller number that are most important to begin immediately. These top priority action tools are listed below. They propose a 'top 20' -- those that should receive the greatest amount of attention and action in 2010 -- and the 'next 10' -- additions to the priority list that focus on

individual issues or innovative research. Together, the ‘top 20’ and the ‘next 10’ create an agenda for action in North Texas in 2010.

Top 20

Structure for North Texas 2050 Implementation

1. **Create an action team for North Texas 2050.** The Vision North Texas Management Committee should determine the most effective structure for a group that will continue these collaborations, monitor progress and lead efforts where appropriate. This team might be a continuing private-public-academic partnership, a new non-profit organization or some other structure.
2. **Secure funding for North Texas 2050 implementation.** Some recommendations of *North Texas 2050* can be carried out by aligning existing programs and resources to achieve this vision. But without an adequate commitment of resources, organizations will find it challenging to revamp programs, educate leadership and staff, change communications approaches and take the other steps to realign efforts. New initiatives and projects will require additional resources. An important focus during 2010 must be on securing resource commitments to begin implementing *North Texas 2050* in the next few years.
3. **Engage state and federal agencies.** Federal agencies are embarking on unprecedented efforts to support metropolitan regions and integrate programs across agencies. This effort must be carried out at the regional level, in North Texas. It should be focused on alignment of state and federal programs and resources to help achieve this preferred future for North Texas.
4. **Define targets to use in measuring progress.** When Vision North Texas examined alternative futures in 2009, an extensive set of indicators was used to compare four alternatives to the ‘business as usual’ future. These indicators should be reviewed

and updated so they can be used to measure actual progress in implementing *North Texas 2050*. Benchmarks should be defined for each indicator, to establish a baseline for existing North Texas conditions. Targets for 2015, 2020, 2030 and 2050 should be developed through discussion among North Texas leaders and review of the goals set by comparable regions.

Alignment of Existing Regional Plans and Policies

5. **Achieve the North Texas 2050 preferred future through this year’s update of the regional Mobility Plan.** In 2010, the Regional Transportation Council is updating the plan that guides the region’s investments in a wide range of transportation facilities and programs. This update of the Mobility Plan should help achieve the *North Texas 2050* preferred future and should implement the recommendations of *North Texas 2050*.
6. **Achieve the North Texas 2050 preferred future through this year’s updates of Regional Water Plans.** In 2010, the long-range plans for water are also being updated. The plans for Regions C, D and G should help achieve the *North Texas 2050* preferred future and should implement the recommendations of *North Texas 2050*.
7. **Achieve the North Texas 2050 preferred future through this year’s update of the region’s Trinity Common Vision.** This year will be the 20th anniversary of the initial region-wide plan for the Trinity River and the natural areas that surround it. An update of the Trinity Common Vision should align this regional plan with *North Texas 2050*, achieving this preferred future and implementing recommendations regarding natural assets, open spaces, trails, urban forests, community gardens and other topics.

Creation or Expansion of Specific Regional Coalitions

8. **Create a North Texas Municipal Sustainability Forum.** This forum should provide a way for local cities and counties to share information and reach agreement on shared strategies to achieve the *North Texas 2050* preferred future and make the region’s

communities more sustainable.

9. **Expand the region's economic development collaborations.** The North Texas Commission should convene economic interests in the region and expand existing collaborations, so this region can compete successfully with regions worldwide.
10. **Form a Healthy Communities Municipal Coalition.** This coalition would bring together local municipalities, public health organizations and health/wellness interests. It would develop the programs to carry out *North Texas 2050*'s health recommendations at both the regional and the community level. The Health Research Team should take the lead on convening this coalition.
11. **Include housing initiatives with regional sustainability efforts.** The North Texas Housing Coalition has a track record of regional collaboration on housing issues. It has been an active partner in creating *North Texas 2050*. It should take the lead on implementing recommendations related to housing, and should play an active role in the partnership that integrates action to achieve the preferred future.
12. **Bring together existing education councils to create a forum for regional education visioning and action.** Education is an essential part of many *North Texas 2050* recommendations. There are councils for educators in individual counties, however there is not a regional forum for this dialogue. These councils should join together to create a vision for education at all ages that will support the *North Texas 2050* preferred future. The University of Texas at Arlington should convene this forum.

Refinement of the Preferred Future

13. **Refine the preferred physical development pattern through**

stakeholder discussions. This document describes a set of policy areas and centers that together create a depiction of a preferred way to accommodate North Texas' expected growth. The *North Texas 2050* Action Team should meet with stakeholders to discuss and refine the recommendations found in this document. Meetings should be held with cities, counties, development community organizations and similar groups.

14. **Complete the Regional Ecosystem Framework.** This framework creates the refined vision of natural areas and their role in the region's future. It is an important next step in refining the region's preferred future.
15. **Begin region-wide action for the urban forest.** The urban forest brings together elements of the natural environment with the form of urban development and the use of energy and other resources. Individual cities are working on research and planning for their parts of the urban forest, but a regional vision is needed to bring these together at the scale of the entire region. A vision for the urban forest should be created and, depending on available funding, an inventory should be started.
16. **Establish phasing priorities for public investments in outer tier areas.** Many areas identified as the outer tier are undeveloped today. As the analysis in this report shows, only 25% of this area will be developed by the year 2050 if growth is accommodated at intensities similar to those that exist in the region today. In order to make the most effective use of limited public infrastructure funds, these investments should be coordinated to create sustainable communities in the outer tier. The *North Texas 2050* Action Team should lead an effort to develop the phasing approaches that will maximize the region's return on these public infrastructure investments.

17. **Secure funding for needed mobility investments.** New resources are essential to fund the full range of mobility investments needed for North Texas – the sidewalks and trails, bike routes, transit modes and roadways that combine to offer the mobility choices that residents and businesses want. Regional leaders must work with state and federal representatives to create appropriate funding sources and secure needed resources. Without this funding, the preferred physical development pattern may not be feasible.
18. **Focus on integrated action in Mixed Use Centers.** These areas are important parts of the future region stakeholders want. Their success requires coordinated capital investment by private and public stakeholders that can both meet market demands now and sustain their appeal for decades to come. Coordinated packages of economic incentives, design guidelines and center management or programming strategies will help all scales of mixed use centers succeed. These packages should be developed at the regional level so individual communities and property owners can benefit from the region's best thinking and recommendations on the sustainable creation of Mixed Use Centers.
19. **Communications about North Texas 2050.** Though many North Texans have participated in Vision North Texas, there are still thousands who have not yet been engaged. A communications plan that uses a wide mix of traditional and interactive approaches must be developed, funded and initiated.
20. **Release a progress report at the 2011 Regional Summit.** The region's stakeholders and decision-makers should convene in early 2011 to review progress in implementing *North Texas 2050* and to decide on priorities for following years.

Next 10

21. **Prepare model codes for North Texas communities.** Creating and sustaining the compact, walkable communities that North Texans desire will require changes in development regulations for some cities within the region. Model regulations that apply the concepts of form-based codes, green design and New Urbanism to North Texas conditions should be prepared and shared online.
22. **Raise venture capital funding for sustainability research and businesses.** Innovation requires the support of initial investors. Through the Texas Sustainability Institute, North Texas should begin to raise venture capital that will support businesses of the future that can locate and grow here.
23. **Begin work on new tools to implement regional natural asset initiatives.** The role of natural assets in the region's preferred future will require the use of new analytical tools and regional collaborations. Concepts such as the regional transfer of development rights, use of a regional conservancy to operate and manage conservation easements region-wide and incentives for production of food close to the region all involve dialogue and research. These activities should begin this year.
24. **Define entities and service areas for urban-scale wastewater service provision.** Efficient expansion of development within the outer tier areas will be supported by clearer criteria for the provision of the infrastructure for urban densities of development. NCTCOG should develop regional policies that support these practices and thus create subdivisions and communities that are sustainable (environmentally and financially) over the long term.
25. **Engage financial decision-makers to remove barriers to sustainable investment.** Financial institutions are not always familiar with

the economics of mixed use, compact development. Some aspects of sustainable development have lower life-cycle costs but require higher initial investments. The leaders of the North Texas financial community should work with the *North Texas 2050* Action Team to identify and remove barriers to funding sustainable growth in this region.

26. **Initiate a new regional marketing effort.** The economic development stakeholders who participated in Vision North Texas agreed that the region needs to update and re-launch efforts to market the entire North Texas region to businesses and investors around the globe. This marketing effort should begin this year.
27. **Continue (and expand if possible) the Sustainable Development funding programs for planning and infrastructure.** NCTCOG has been successful in supporting sustainable development projects through this funding program in past years. It should continue this important program, and the criteria for future rounds of funding should be reviewed to align them with the *North Texas 2050* recommendations.
28. **Begin efforts to support locally-grown food and local agriculture in North Texas.** Support of local agriculture and provision of locally-grown food to North Texans, have not been a focus of activity in past years. However, the work of Vision North Texas researchers and other national organizations demonstrates the importance of these efforts in terms of the region's physical development pattern and the health of its residents and communities. Initial discussions of action in this area should occur in 2010.
29. **Develop North Texas sustainability recognition programs.** Two types of recognition programs have been suggested by Vision North Texas stakeholders – a program to recognize development

proposals that meet specific sustainability criteria and a program to offer certification to public officials (elected or appointed) who have completed training programs focused on sustainable design. The *North Texas 2050* Action Team should evaluate these ideas and seek to find a neutral organization (possibly the Urban Land Institute North Texas District Council) willing to carry them out.

30. **Determine North Texas industry targets for the economy of the future.** Businesses of the future are likely to be clean, green and innovative. The region's economic organizations should initiate efforts this year to update past regional economic studies to define industry targets for the future. This first step will begin efforts to ensure that this region is globally competitive as a business location for decades to come, and that the *North Texas 2050* preferred future will help direct and focus regional economic development activity.

Action Tools Online

The Vision North Texas website (www.visionnorthtexas.org) contains detailed information about some of the action tools. The action tool summary sheets answer questions such as:

- * How does this tool work?
- * How important is this tool to achieving the vision?
- * What are the costs and benefits, and who will they affect?
- * What are the biggest potential stumbling blocks to the use of this tool, and how can they be addressed?
- * Who would be responsible for using this tool?
- * How would it be funded?
- * What are the next steps to put this tool in place?
- * What examples of this tool are available in North Texas or elsewhere?

Online tool summaries may be updated and new summaries may be added to the website in the future. In addition, Vision North Texas has the benefit of 'toolkits' developed by national organizations and regional planning efforts in other regions. The Vision North Texas website contains links to those toolkits so stakeholders in this region can benefit from the experience in other communities.

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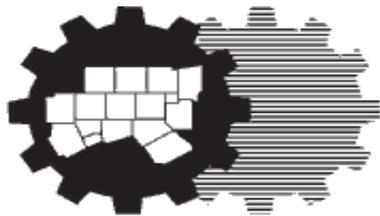
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Appendix 2: List of Potential Action Tools

Potential Action Tools

In the course of Vision North Texas work, over 200 potential action tools have been identified. The most important action tools are discussed previously. Below is a more detailed listing of the potential action tools.

Incentives

- * Alternative Financing for Transportation, Option I
- * Appr Value Limitation and Tax Credit
- * Asst to support decentralized power generation
- * Brownfield Program
- * Carbon credits for ranching
- * Carbon Sequestration Credits
- * Community Dev Block Grants
- * Change local zoning code to provide additional housing choices
- * Conservation Easements
- * Controlled-access facilities
- * Decrease dev fees in areas targeted for revitalization or infill
- * Designations that give targeted areas stronger incentives and inducements
- * Developer up-front funding on 'multi-generational' projects
- * Development Incentives
- * Differential Assessment Programs
- * Disincentivize Greenfield Development
- * Employer assisted housing
- * Enterprise Zones
- * Farmland and Sensitive Habitat, Preservation Credits and Incentives
- * Fast-tracking of projects that meet

- criteria for sustainability
- * Financial incentives for infill
- * First Time Homeowners Program
- * Foreign Trade Zones
- * Freeport Tax Exemptions
- * Funding for Universities Conducting Training
- * Green Space Conservation and Brownfield Revitalization
- * High Efficiency Particle Air - Vacuum lending program
- * Housing Choice Voucher Program
- * Housing Rehabilitation Program
- * Immigration & Investment Program
- * Impact Fees & Infrastructure Funding
- * Incentivize Brownfield Development
- * Increase Impact Fees for the Removal of Natural Assets
- * Industrial Development Bonds
- * Linked Road-Rail Funding
- * Neighborhood improvement grants
- * Neighborhood Matching Grants
- * Purchase of Development Rights (PDR)
- * Residency Waiver for In-State Tuition Rates
- * Rural Logistics Center
- * Sales Tax for Economic Development
- * Shared facility initiatives

- * Tax Abatement
- * Tax Abatement
- * Texas Enterprise Fund
- * TIF District
- * Transit Use Incentives

Best Practices

- * Capital Improvements Plan
- * Complete Streets
- * Farmers Market Programs
- * Green campus design
- * Harvest Rainwater
- * Integrated Storm Water Management
- * Location- and energy-efficient housing choice
- * Management of 'green' or cool roofs
- * Park-and-Ride
- * Pervious paving materials
- * PolicyLink's Affordable Housing Tools
- * Purple pipe (water reuse) initiatives
- * Redev for affordable/public housing
- * Residential and Commercial Water Conservation
- * Restoration and enhancement of selected artificial drainage ways
- * Sect 404 Permits for the Protection of High-Quality Watersheds

Model Ordinances/Templates

- * Active Transport to and from School
- * Agricultural Zoning Designations
- * Bicycle Pedestrian Access
- * Compact Development
- * Creating Diverse Communities
- * Density, Height and Parking Codes
- * Discourage Platting to Center of Streams
- * Drought Contingency Plans
- * Empty-nester' housing initiatives
- * Environmentally Sensitive Area Plans
- * Estab of vegetated stream and lake buffers
- * Floodplain and stream management
- * Floodplain Protection Ordinance
- * Form-Based Codes
- * Green Development Code
- * Tree Preservation & Climate Change Mitigation
- * Implementation of Water-Efficient Practices by Governments Entities
- * Inner Tier Area neighborhoods design initiative
- * Inspection of rental houses on routine basis
- * Min Parking Req as Opposed to Max
- * Mixed use 'operational' manuals
- * Mixed use centers design initiative
- * Mixed use code
- * Model Ordinances for Emergency and Public Safety Response
- * Natural Area uses and activities
- * New landscape designs/parameters
- * Open Space Master Plan
- * Outer Tier Area neighborhoods design
- * Parks & Trails Element as Part of City Comprehensive Plans

- * Best practices for shuttles and other transp systems within mixed use centers
- * Prohibit Platting to Center of Streams
- * Proper Planning
- * Proper usage of underutilized space
- * Rural Area uses and activities
- * Sensitive Area Zoning
- * Separate Communities design initiatives
- * Shopping Cart Retrieval Program
- * Sustainable development ordinances and building codes
- * Sustainable Neighborhood Plans
- * Sustainable 'starter community' initiatives
- * Tree Preservation Ordinances
- * Urban Heat Island reduction strategies
- * Water Recycling/Reuse Techniques
- * Water supply lake watersheds development guidelines
- * Water-efficient Landscape Requirements

Technical Assistance

- * Drought scenario evaluations
- * Green MLS
- * Maintain/enhance groundwater aquifers
- * Neighborhood Rev Mobile Data Access
- * Stream Classification and Management

Benchmarks & Indicators

- * College and workforce readiness
- * Demographic and market research
- * Economic models to measure greenhouse gas emission
- * Establish & use NT livability benchmark measures
- * Five-year performance targets
- * Greenprinting
- * Indicators for value of natural resources

- * Maximum Gallons per Day per Capita Standards for Water Consumption/Use
- * North Texas Sustainability Index
- * Rating of Best Suburbs
- * Redefine housing affordability
- * Regional carbon footprint target
- * Regional economic benchmarking
- * Update regional greenhouse gas assessment
- * Use of Predictive Models and Ambient Monitoring Programs
- * Value & density analysis
- * Wetland/U.S. Waters Regional Mapping

New Institution/Entities

- * Alternative Financing for Transportation, Option II
- * Appropriate/Inappropriate Areas for Onsite Wastewater System
- * Bike Zone Investments
- * Building Equitable Communities Initiative
- * Cleantech/green job training
- * Close the gap achievement initiatives
- * Comm Housing Dev Org Program
- * County Land Use Authority Enabling Legislation
- * Creating Dev & Job Creations Programs
- * Economic programs for locally-grown food
- * Education opportunities
- * Educational collaboratives
- * Educational financing
- * Enhanced regional governance
- * Flexible education provision
- * Free Home Maintenance Training classes
- * Graffiti Busters Program
- * HOA Awareness Program

- * Tools for control of land uses in ETJ & unincorporated areas
 - * Innovative learning centers
 - * Leadership class initiatives
 - * Legislation for annexation in urban regions
 - * Neighborhood services collaboration
 - * Neighborhood stabilization from foreclosures
 - * New Healthcare institutions for better care
 - * North Texas Sustainability Center
 - * NSD Weatherization Program
 - * Online systems for sharing information and best practices
 - * Partnering with nonprofit organizations
 - * Partnership with TDHCA
 - * Passenger Rail
 - * Promotion of historic assets
 - * Public Land Banking for Conservation Efforts
 - * Recruitment/retention initiatives
 - * Regional economic development entity
 - * Regional economic marketing
 - * Regional Grading Ordinance and Permitting
 - * Regional open space district
 - * Regional or Statewide Outdoor Recreation Plan
 - * Regional revenue sharing
 - * Regional urban growth boundary
 - * Regional Water & Wastewater Systems
 - * Regional Water Quality Protection Program
 - * Remove barriers that hamper economic vitality
 - * Revamp Water Pricing Structure
 - * Skills Development Fund
 - * State Legislation to mandate City and County Comprehensive Plans
 - * Storefront education
 - * Street Maintenance Sales Tax
 - * Strengthen Eminent Domain Powers to help with the Establishment of Conservation Easements
 - * Structure for redevelopment area economic development corporation
 - * Sustainability research collaborative
 - * Sustainability venture capital
 - * Sustainable Development Funding Program - Infrastructure
 - * Sustainable Development Funding Program - Planning
 - * Sustainable economic incentives
 - * Target industry reassessment
 - * Transportation Investment Act
 - * Transportation Management Associations
 - * US Department of Housing & Urban Development (HUD) Grant Funds
 - * Value Capture
 - * Value Pricing
 - * Wastewater Management Designation Recommendations
 - * Water Quality Protection Program
 - * Regional Collaboration & Coordination
 - * Adaptation policies
 - * Alternative energy priority areas
 - * Annual report on progress toward preferred future
 - * Cities to Expand/Establish New Community Water/Wastewater Systems
 - * Clean/Green prosperity initiative
 - * Coordinate and leverage federal investments in NT
 - * Education Vision 2050
 - * Explore opportunities for regional efforts to acquire and manage open space
 - * Focus regional infrastructure funding to encourage development consistent with the scenario(s)
 - * Healthy communities local municipalities network
 - * Housing Vision 2050
 - * Implementation of the Regional Ecosystem Framework
 - * Implementation org or structure for VNT
 - * Inter Agency Partner - Office of Livability
 - * Limits to the areas served by urban-scale water and wastewater systems
 - * Mitigation for removal of natural assets
 - * Mobility Plan Updates
 - * N Texas Municipal Sustainability Forum
 - * Require Water Quality Plan Updates
 - * Requirement that more water and associated corridors meet State and Regional water quality standards
 - * Transportation Investment Boundary
 - * Travel Demand Management
 - * Tree Canopy Surveying/Mapping
 - * Vision for the Regional Urban Forest
 - * Watershed-Based Zoning/Planning
- Communication**
- * NT2050 Communicator Program
 - * NT2050 Training 'credential'
 - * Outreach strategy
 - * Youth volunteer organization initiatives

Appendix 3: Glossary

Annexation – the act or process of adding land to a governmental unit, usually an incorporated place, by an ordinance, a court order, or other legal action. (A Planners Dictionary)

Arterial - is a moderate or high-capacity road which is immediately below a highway level of service. (Webster's Dictionary)

Baby Boomer - is a term which portrays the age group born during the middle part of the 20th Century. (Wikipedia)

Brownfield – abandoned, idled, or under used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination. (A Planners Dictionary)

Carbon (or 'environmental') Footprint - the total set of greenhouse gas emissions caused by an organization, event or product. (Wikipedia)

Complete Streets – Complete streets are designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists and transit riders of all ages and abilities must be able to safely move along and across a complete street. (www.completestreets.org)

Comprehensive Plan – the adopted official statement of a legislative body of a local government that sets forth (in words, maps, illustrations, and/or tables) goals, policies, and guidelines intended to direct the present and future physical, social, and economic development that occurs within its planning jurisdiction. (A Planners Dictionary)

First Ring Suburbs - are the older, more populous communities of a metropolitan area with histories that significantly predate those of their suburban or exurban counterparts. (Wikipedia)

Floodplain – the land area susceptible to inundation by water as a result of flood. (A Planners Dictionary)

Greenfield Development – development on undeveloped parcels not surrounded by existing development, or on large parcels surrounding partially developed areas or undeveloped areas. (A Planners Dictionary)

Impact Fee - a fee charged by local governments to developers as a total or partial reimbursement for the cost of providing additional facilities or services needed as a result of new developments. (A Planners Dictionary)

Infrastructure – facilities and services needed to sustain industry, residential, commercial, and all other land-use activities, including water, sewer lines, and other utilities, streets, roads, communications, and public facilities such as fire stations, parks, schools, etc. (A Planners Dictionary)

Leadership in Energy and Environmental Design (LEED) - Green Building Rating System, developed by the U.S. Green Building Council (USGBC), provides standards for the environmentally sustainable design, construction and operation of buildings and neighborhoods. (Wikipedia)

Kyoto Protocol - is a protocol to the United Nations Framework Convention on Climate Change (UNFCCC or FCCC), aimed at addressing climate change. (Wikipedia)

Metropolitan Statistical Area – a county with a central city or adjoining central cities totaling 50,000 or more in population, and the surrounding suburbs or counties that are strongly linked economically and socially. (A Planners Dictionary)

Mixed Use – a development of a tract of land or building or structure with two or more different uses such as but not limited to residential, office, retail, public, or entertainment, in a compact form. (A Planners Dictionary)

NCTCOG – North Central Texas Council of Governments

New Urbanism – The process of reintegrating the components of modern life – housing, workplace, shopping, and recreation – into compact, pedestrian-friendly, mixed-use neighborhoods linked by transit and set in a large regional open space framework. (A Planners Dictionary)

NTC – North Texas Commission

NTHC – North Texas Housing Coalition

Public Private Partnership - describes a government service or private business venture which is funded and operated through a partnership of government and one or more private sector companies. (Wikipedia)

Sustainable - In ecology the word describes how biological systems remain diverse and productive over time. (Wikipedia)

Sustainable Development – development which meets the needs of the present without compromising the ability of future generations to meet their own needs. (U.N. Brundtland Report)

Sunbelt - is a region of the United States generally considered to stretch across the South and Southwest (the geographic southern United States). (Wikipedia)

Tax Abatement – the full or partial exemption from ad valorem taxes of certain real and/or personal property in a reinvestment zone designated for economic development purposes. (A Planners Dictionary)

Transit-Oriented Development (TOD) – moderate and high-density housing concentrated in mixed-use developments located in close proximity to transit stations or stops that encourages the use of public transportation. (A Planners Dictionary)

ULI – Urban Land Institute

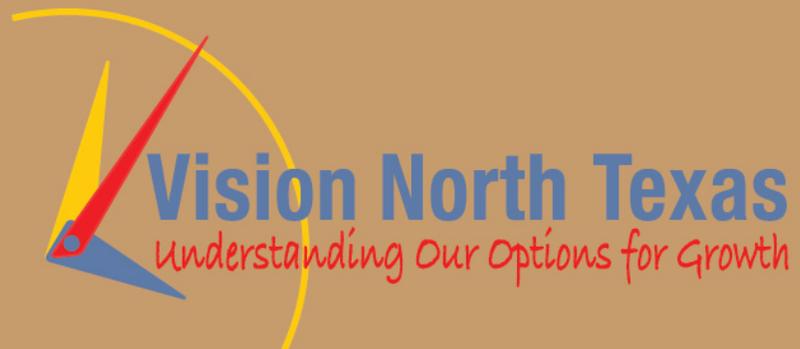
ULINT – Urban Land Institute North Texas District Council

Urban Forest - is a forest or a collection of trees that grow within a city, town or a suburb. (Wikipedia)

Urban Heat Island - is a metropolitan area which is significantly warmer than its surrounding rural areas. (Wikipedia)

UTA – the University of Texas at Arlington

Watershed – the total area above a given point on a watercourse that contributes water to its flow; the entire region drained by a waterway or watercourse that drains into a lake or reservoir. (A Planners Dictionary)



LANCASTER CITY COUNCIL
Work Session Agenda Communication
April 21, 2014

Item 2

Receive an update and presentation on the proposal for funding of infrastructure by Dallas County for the proposed sale of water to the City of Wilmer.

This request supports the City Council 2013-2014 Policy Agenda.

**Goal: Financially Sound City Government
Sound Infrastructure**

Background

At the October 21, 2013 City Council work session, staff presented an overview of a proposal to provide water to the City of Wilmer. At the December 9, 2013 City Council work session, staff presented an overview of the wholesale cost of service study with a recommendation for a rate to charge the City of Wilmer to provide water. At the January 13, 2014 City Council work session, staff presented an overview of the contract terms and Council directed the City Attorney to draft a contract based upon the terms discussed. At the February 10, 2014 regular meeting the City Council considered a resolution authorizing the City Manager to enter into an agreement by and between the City of Lancaster and the City of Wilmer for the sale of wholesale treated water.

The agreement was approved by the City of Wilmer City Council on April 3, 2014. On Tuesday, April 15, 2014, the Commissioners Court unanimously approved \$10,000,000 of MCIP Funding for the Inland Port Area Water Project.

Considerations

The proposed project includes the design and construction of a 16-inch water line along Pleasant Run Road (take point) from the intersection of Cornell Road and Pleasant Run to the intersection of Pinto Road and Pleasant Run (delivery point). The proposal will include new sanitary sewer, as well as infrastructure improvements for Pleasant Run Road. It should be of note that the City of Lancaster is part of the Trinity River Authority – Ten Mile Creek Regional Wastewater System. The City of Wilmer is part of the Dallas Water Utilities Wastewater System. It appears that there may still be some challenges related to sewer with one property owner that has a bifurcation of wastewater treatment systems.

The County has indicated that this project would serve 2,200 acres of land within the two jurisdictions, with 45% in the City of Lancaster and 55% in the City of Wilmer.

- **Operational** – Dallas County has approached the City of Lancaster and is proposing to fund the construction of the waterline from the City of Lancaster’s take point to the City of Wilmer’s delivery, as outlined in Route #2, see attachment. The County would be responsible for arranging, directing, and overseeing the design and construction of pipeline. Upon completion and acceptance, the City of Lancaster will be responsible for perpetual maintenance. Staff has reviewed the mechanics of the funding agreement and clarified points of concerns.
- **Legal** – The City Attorney has reviewed the funding agreement.
- **Financial** – Dallas County’s Major Capital Improvement Program (MCIP) policy allows the allocation of funds for infrastructure associated with economic development. The estimated project cost is approximately \$10 million to design and build. The County is providing up-front funding for the project to the City.

Both the Cities of Lancaster and Wilmer will be responsible for 50% of the total estimated cost of the water transmission pipeline project cost in the amount of \$5,000,000. The City’s share of the project is 21.5%. Reimbursement would be provided over twenty years from the creation of a Tax Increment Financing District that would consist of the City of Lancaster’s portion of the project service area. The district would be created by December 2014 and would become operational in January 2018. The City would be responsible for 33% of the increment generated by this district for either 20 years or up to a maximum contribution of \$2.15 million, whichever comes first. The County has committed that if at the end of twenty years, the total amount of increment generated and contributed does not reach 21.5% of the project’s total costs, then the City’s reimbursement obligation will be considered to have been satisfied.

- **Public Information** – This item is being considered at a regular work session of the City Council noticed in accordance with the Texas Open Meetings Act.

Attachments

- Dallas County Capital Improvement Program Funding Agreement

Submitted by:
Rona Stringfellow, Assistant City Manager

**DALLAS COUNTY CAPITAL IMPROVEMENT
PROGRAM FUNDING AGREEMENT**

The City of Lancaster Texas, hereinafter called “City”, and the County of Dallas, Texas, hereinafter called “County”, desire to enter into a Funding Agreement, hereinafter called “FA”, in order to contract for the implementation of the Major Capital Improvement Project based on the Southern Dallas County Infrastructure Assessment (SDCIA) study that was conducted in October 2007 in conjunction with North Central Council of Governments to promote economic development in the Southern part of Dallas County which identified specified projects including Inland Port Waterline, MCIP 50102 and MCIP 31402 the Pleasant Run Road Waterline Improvement and Infrastructure Design.

Witnesseth

WHEREAS, the County has requested that it be designated as the Lead Agency for the Project and will provide the Project Manager; and

WHEREAS, the Project is located within the City of Wilmer and the City of Lancaster; and

WHEREAS, the County shall enter into separate agreements with the City of Wilmer; and

WHEREAS, Chapter 791 of the Texas Government Code and Texas Transportation Code Section 251 provides authorization for local governments to contract with each other for the performance of governmental functions and services, and joint funding of road or street projects.

WHEREAS, Chapter 562 of the Texas Local Government Code provides an authorization for local governments to contract with each other for water or sewer projects.

NOW THEREFORE THIS FUNDING AGREEMENT is made by and entered into by the City and the County for the mutual consideration stated herein.

Article I.

Project Funding Agreement

This FA is between the County and the City to establish a preliminary proposed budget for the Project which will facilitate the movement of public transportation to benefit both the City and County. This FA is to specifically identify the Project as well as any changes in the rights and responsibilities of each of the parties as set forth in the Master Agreement which is hereby incorporated herein as if written word for word and any additions thereto. All terms of the Master Agreement remain in full force and effect except as modified herein. In the event of any conflict between the Master Agreement and this FA, this FA shall control.

Article II

Incorporated Documents

This FA incorporates, as if fully reproduced herein word for word and number for number, the following items: Master Agreement authorized by County Commissioners Court Order 2011-861 dated May 10, 2011, and additions thereto as incorporated herein.

Article III
Term of Agreement

This FA becomes effective when signed by the last party whose signature makes the respective agreement fully executed. This Agreement shall remain in effect until:

1. Incorporated into the Project Specific Agreement; or
2. Terminated upon the terms and conditions as set forth in the Master Agreement, Article IV Section A, Termination.

Article IV
Project Description

This FA is entered into by the parties to develop a water transmission pipeline within the Cities of Wilmer, Texas and Lancaster, Texas. The “Project”, as that term is used herein, is defined as the design, the right of way, construction and reconstruction of the water transmission pipeline from the intersection of Pleasant Run Road and Cornell Road in the city of Lancaster, going east along Pleasant Run Road and terminates in the city of Wilmer. This Project also includes sewer line design.

The final design will be submitted to the City for approval, prior to proceeding with the final design and any right of way acquisition. The City shall review and comment on all construction drawings and documents within thirty (30) days. If the County has not received comments within thirty (30) days, the County will assume the City has reviewed the plans, had no comments and the Project may proceed.

Additional funds under MCIP 31403 may become available for road way construction at a later date. Dallas County is currently working with other entities to secure funds for the roadway construction that is shown in Attachment “A” - Pleasant Run Road Infrastructure Summary; attached hereto and incorporated herein.

Article V
Fiscal Funding

Notwithstanding anything to the contrary herein, this FA is expressly contingent upon the availability of County funding for each item and obligation contained herein. City shall have no right of action against the County of Dallas as regards this FA, specifically including any funding by County of the Project in the event that the County is unable to fulfill its obligations under this FA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this FA or failure of any funding party to budget or authorize funding for this FA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the County, at its sole discretion, may provide funds from a separate source or terminate this FA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Notwithstanding anything to the contrary herein, this FA is expressly contingent upon the availability of City funding for each item and obligation contained herein. County shall have no right of action against the City as regards this FA, specifically including any funding by City of the Project in the event that the City is unable to fulfill its obligations under this FA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this FA or failure of any funding party to budget or authorize funding for this FA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the City, at its sole

discretion, may provide funds from a separate source or terminate this FA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Article VI **Agreements**

- I. County and City Responsibilities:
1. County will be the Lead Agency for the Project.
 2. City and County have mutually agreed that the Project limits **within the City of Lancaster are along the Pleasant Run Road going east starting at Cornell Road and terminating at Pinto Road within the City.**
 3. County and City shall execute the necessary agreements for the completion of the Project and incorporated herein by this FA.
- II. City Responsibilities:
1. City shall provide documentation of City commitment to meet the Project funding.
 2. City shall provide funding, if necessary, for the Project in excess of the amount of County participation.
 3. City will attend all Project task force meetings and public meetings.
 4. City will review comments in a timely manner.
 5. City will review and provide any comments on the final design.
 6. City shall be responsible for maintaining the water transmission pipeline within its city after the project is complete.
- III. County Responsibilities:
1. County shall use the total funding committed by City and County solely for the purpose of eligible Projects Costs.
 2. County shall provide a final accounting of Project Costs once the Project is completed and accepted by the City. The accounting shall have sufficient detail for the Auditor to verify Project Costs and authorized any final amounts due for reimbursement to County.

Article VII **Funding**

- I. Funding
- County and City mutually agrees to proportionately fund the Direct Project and Program cost as follows:
1. Notwithstanding any provision in the Master Agreement, this FA, any amendment thereto, or any other agreement between the parties regarding this Project, the total Project cost is estimated at Ten Million Dollars and no cents (\$10,000,000.00); excluding Right of Way. The County's total obligation to this Project is to provide funding in the amount not to exceed Ten Million Dollars and no cents (\$10,000,000.00), including County in-house delivery costs of the Project. The County's Ten Million Dollar obligation will be split 50/50 with funding from MCIP 196 (Transportation) and MCIP 196 (Facilities).
 2. The County in-house Project delivery costs may include, but are not limited to, preliminary scoping and research, special services, site inspection and preliminary utility coordination.

3. The city of Wilmer and the city of Lancaster both agree to accumulatively reimburse Dallas County for fifty percent (50%) of total estimated cost of the water transmission pipeline Project costs in the amount of Five Million Dollars and no cents (\$5,000,000.00). The city of Lancaster will provide Twenty-One and One-half percent (21.5%) of the Project's total costs of the water transmission line, in an amount not to exceed Two Million One Hundred Fifty Thousand Dollars (2,150,000.00). The city of Wilmer will provide Twenty-Eight and One Half Percent (28.5%) of the Project's total costs of the water transmission line in an amount not to exceed Two Million, Eight Hundred Fifty Thousand Dollars (2,850,000.00).

4. The city of Lancaster agrees to reimburse the County for its share of the Project costs related to the water transmission pipeline through the utilization of tax increment financing over a twenty year period. The City must pay the County first from any proceeds. More specifically, the City agrees to:
 - (a) Create a tax increment finance district with the boundaries shown in Attachment "B" "Proposed Lancaster Water Project TIF District, attached hereto and incorporated herein no later than December 312014.
 - (b) Begin contributing, no later than the tax year starting January 1, 2018, the first **Thirty-Three Percent (33%)** of the increment generated within the district towards the City's share of reimbursement. To facilitate this reimbursement, the County Planning and Development Department will invoice the city of Lancaster each year no later than April 1 after the end of the tax year and the city of Lancaster will then submit a payment for this invoice within sixty (60) days.
 - (c) Continue contributing this generated increment for a period not to exceed twenty years or until the City's total increment contribution reaches an amount equivalent to 21.5% of the Project's total costs (which shall not exceed \$2,150,000), whichever occurs first. It is understood that if, at the end of twenty years, the total amount of increment generated and contributed does not reach 21.5% of the Project's total costs, then the City's reimbursement obligation will nevertheless be considered to have been satisfied as long as the City has paid the County first from any proceeds.

5. If total Project costs of the water transmission pipeline exceed **Ten-Million Dollars (\$10,000,000)**, Lancaster and Wilmer agree to amend the Project's scope to remain within the current estimated **not to exceed amount**.

Article VIII

Miscellaneous

- I. No Third Party Beneficiaries, The terms and provisions of this FA are for the benefit of the parties hereto and not for the benefit of any third party. It is the express intention of City and County that any entity other than City or County receiving services or benefits under this FA shall be deemed an incidental beneficiary only. This FA is intended only to set forth the contractual right and responsibilities of the parties hereto.

- II. Applicable Law. This FA is and shall be expressly subject to the Sovereign Immunity of County and Governmental Immunity of City, Title 5 of the Texas Civil Practice and Remedies Code, as amended, and all applicable Federal and State Law. This FA shall be governed by and construed in accordance with the laws and case decisions of the State of Texas. Exclusive venue for any legal action regarding this FA filed by either City or County shall be in Dallas County, Texas.

III. Notice. Any notice provided for in this Agreement to be given by either party to the other, shall be required to be in writing and shall be deemed given when personally delivered, or two (2) business days after being deposited in the United States Mail, postage prepaid, certified, returned receipt requested, or registered addressed as follows:

To County: County of Dallas
Ms. Alberta L. Blair, P.E.
Director of Public Works
Dallas County Administration Building
411 Elm Street, Fourth Floor
Dallas County, Texas 75202-3389

To City: City of Lancaster, Texas
Director of Public Works
125 North Dallas Avenue, Suite 101
Lancaster, Texas 75134

Either party may change its address for notice by giving the other party notice thereof.

- IV. Assignment. This FA may not be assigned or transferred by either party without the prior written consent of the other party.
- V. Binding Agreement; Parties Bound. This FA has been duly executed and delivered by both parties and constitutes a legal, valid and binding obligation of the parties, their successors and permitted assigns.
- VI. Amendment. This FA may not be amended except in a written instrument specifically referring to this FA and signed by the parties hereto.
- VII. Number and Gender. Words of any gender used in this FA shall be held and construed to include any other gender and words in the singular shall include the plural and vice versa, unless the Context Clearly Requires Otherwise.
- VIII. Counterparts. This FA may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- IX. Severability. If one or more of the provisions in this FA shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not cause this FA to be invalid, illegal or unenforceable, but this FA shall be construed as if such provision had never been contained herein, and shall not affect the remaining provisions of this FA, which shall remain in full force and effect.
- X. Entire Agreement. This FA embodies the complete agreement of the parties, supersedes all oral or written previous and contemporary agreements between the parties and relating to matters in the FA.
- XI. Contingent. This Agreement is expressly subject to and contingent upon formal approval by the Dallas County Commissioners Court and by resolution of the City Council. This Agreement is also contingent upon the Agreement between Dallas County and the City of Wilmer. If that agreement terminate, this agreement may terminate as well.

The City of _____, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Dated the ____ day of _____, 20__ .

The County of Dallas, State of Texas, has executed this agreement pursuant to Commissioners Court Order Number _____ and passed on the ____ day of _____, 20__.

County of Dallas

City of Lancaster, Texas

Clay Lewis Jenkins, County Judge

By: _____
Title: _____

Date

Date

Approved as to Form:
Craig Watkins
District Attorney

Attest:

Teresa Guerra Snelson
Chief, Civil Division

By: _____
Sherri Turner
Assistant District Attorney

City Secretary/ Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

Attachment “A”

Pleasant Run Road Infrastructure - Summary

If additional funds become available for roadway construction in conjunction with the waterline project, Pleasant Run Road will be widened to a 4-lane divided thoroughfare extending 3.1 miles long from Lancaster Hutchins (city of Lancaster) to Miller Ferry Road (city of Wilmer).

- Install a waterline with a pump station and ground storage tank.
- Install storm and sanitary sewer lines with a lift station for the sanitary line.
- Construct bridge over Cotton Creek near Miller Ferry Road.
- Preliminary Right of Way (ROW) estimate is approximately \$4,000,000.
- Preliminary Construction estimate for Paving & Drainage: \$15,335,000
- Preliminary Construction estimate for Waterline: \$7,302,000.
- Preliminary Construction estimate for Wastewater: \$3,163,000.
- Project will be divided into 3 Segments along Pleasant Run Rd:
 - Segment 1: Lancaster Hutchins Rd to Pinto Rd.
 - Segment 2: Pinto Rd to Cornell Rd.
 - Segment 3: Cornell Rd to Millers Ferry Rd.

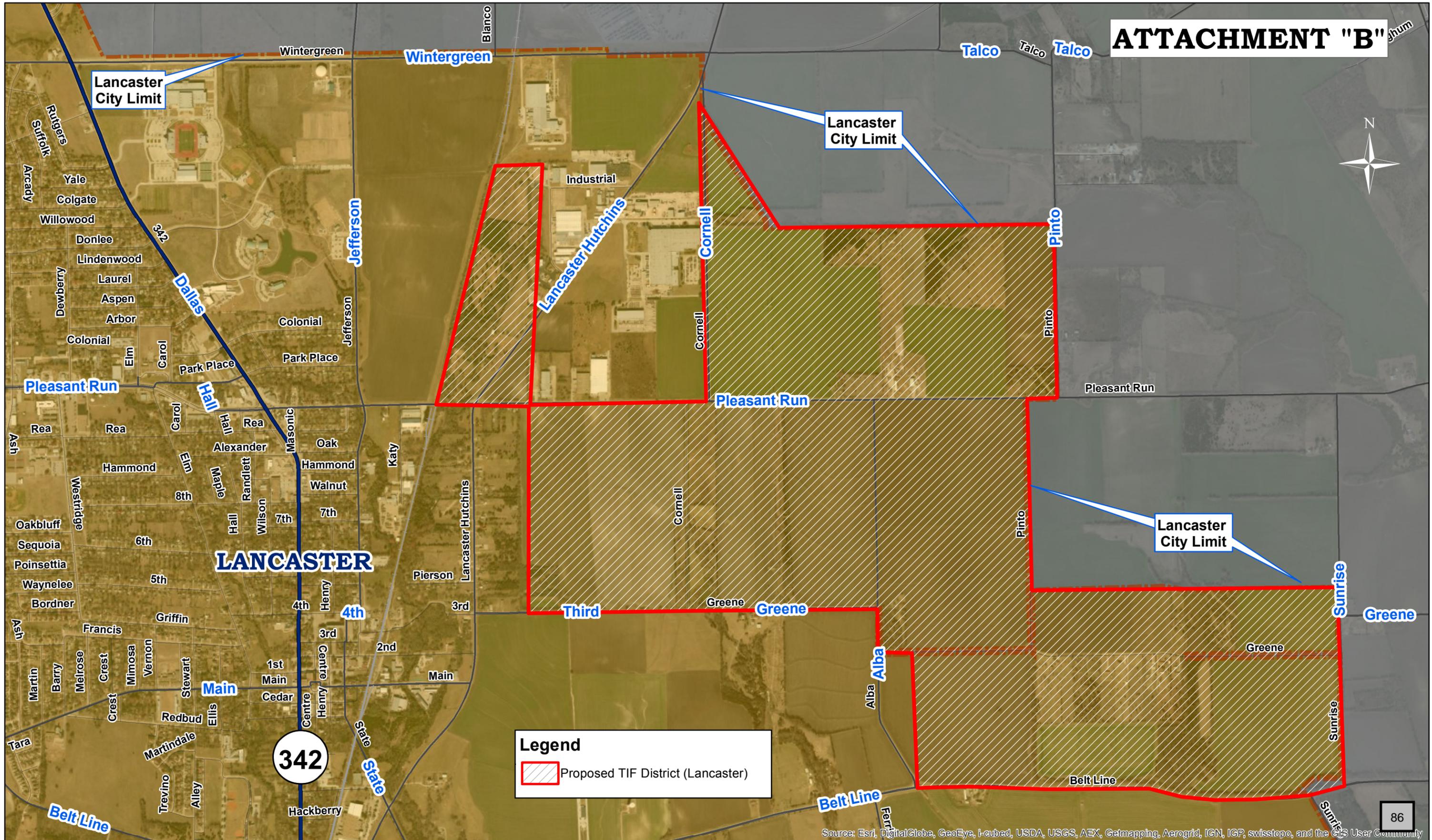
The segments were based on city limits, ease of ROW acquisition and proposed limits of waterline transmission line.

- Begin survey & design by April, 2014
- End design/review/approval/ready for bid by January, 2015
- Begin construction by February, 2015; utility relocation and install waterline and sanitary lines
- Begin roadway construction by September, 2015
- Complete all construction October, 2016.

Project Stage	Probable Project Cost
Right of Way (Donation)	\$4,000,000
Paving & Drainage	\$15,335,000
Waterline	7,302,000
Wastewater	\$3,163,000
Engineering Services	\$900,000
Total	\$30,700,000

PROPOSED LANCASTER WATER PROJECT TIF DISTRICT

ATTACHMENT "B"



Legend

 Proposed TIF District (Lancaster)

LANCASTER CITY COUNCIL

Work Session Agenda Communication

April 21, 2014

Item 3

Receive a presentation regarding the 2013 Racial Profiling Analysis Annual Report.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Healthy, Safe & Vibrant Neighborhoods

Background

Effective September 1, 2001, the Texas Legislature enacted the Texas Racial Profiling Law (S.B. No. 1074). The Texas Code of Criminal Procedure requires that law enforcement agencies collect information relating to traffic stops in which a citation is issued and arrests resulting from those traffic stops. The Texas Code of Criminal Procedure further requires that law enforcement agencies compile and analyze this information and submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency.

Attached is the 2013 Lancaster Police Department Racial Profiling Analysis as prepared by representative experts from the University of North Texas. A printed copy will also be available at the work session. The Police Department had no sustained racial profiling complaints in 2013.

Beginning January 2011, the Texas Commission on Law Enforcement Standards and Education (TCOLE) posts a copy of each police department's racial profiling report on its website.

To further ensure transparency, the Lancaster Police Department will be adding information to the city website.

Considerations

- **Operational** - The Lancaster Police Department has adopted a detailed, written policy on racial profiling and currently collects the required information on racial profiling as required by State Law. The Lancaster Police Department contracted with the University of North Texas for the examination of contact data. We have also had our policy and report reviewed and will be making additional modifications to our report and policies for enhanced transparency and information available to the public. The amended report will be presented to City Council at a future meeting.

- **Legal** - The Texas Code of Criminal Procedure requires that the Lancaster Police Department 2013 Racial Profiling Analysis Report be submitted to the City of Lancaster governing body.
- **Financial** - There are no financial requirements.
- **Public Information** - This item will be placed on a regular meeting agenda of the Lancaster City Council which will be noticed and posted in accordance with the Texas Open Meetings Act.

Options/Alternatives

There is no action required by the City Council at this time.

Submitted by:

Cheryl Wilson, Chief of Police

LANCASTER POLICE DEPARTMENT

2013

RACIAL PROFILING ANALYSIS



PREPARED BY:

Eric J. Fritsch, Ph.D.
Chad R. Trulson, Ph.D.

Executive Summary

Article 2.132 (7) of the Texas Code of Criminal Procedure requires the annual reporting to the local governing body of data collected on the race or ethnicity of individuals stopped and issued citations or arrested for traffic violations and whether or not those individuals were searched. Since the law provides no clear instruction to a governing body on how to review such data, the Lancaster Police Department requested this analysis and review to assist the City Council in reviewing the data.

The analysis of material and data from the Lancaster Police Department revealed the following:

- **A COMPREHENSIVE REVIEW OF THE LANCASTER POLICE DEPARTMENT’S RACIAL PROFILING POLICY SHOWS THAT THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.**
- **A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.**
- **A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS.**
- **ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.**
- **THE ANALYSIS OF STATISTICAL INFORMATION FROM LANCASTER POLICE DEPARTMENT REVEALS THAT THERE ARE NO METHODOLOGICALLY CONCLUSIVE INDICATIONS OF SYSTEMIC RACIAL PROFILING BY THE DEPARTMENT.**
- **THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE PROHIBITION OF RACIAL PROFILING.**
- **THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE REPORTING OF INFORMATION TO TCOLE.**

Introduction

This report details an analysis of the Lancaster Police Department's policies, training, and statistical information on racial profiling for the year 2013. This report has been prepared to specifically comply with Article 2.132 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of racial profiling data. Specifically, the analysis will address Articles 2.131 – 2.135 of the CCP and make a determination of the level of compliance with those articles by the Lancaster Police Department in 2013. The full copies of the applicable laws and regulations pertaining to this report are contained in Appendix A.

This report is divided into six analytical sections: Lancaster Police Department's policy on racial profiling; Lancaster Police Department's training and education on racial profiling; Lancaster Police Department's complaint process and public education on racial profiling; analysis of statistical data on racial profiling; an analysis of Lancaster Police Department's compliance with applicable laws on racial profiling; and a final section which includes new data reporting requirements to TCOLE as required beginning in 2011.

For the purposes of this report and analysis, the following definition of racial profiling is used: racial profiling means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas CCP Article 3.05).

Lancaster Police Department Policy on Racial Profiling

A review of Lancaster Police Department's "Biased Based Profiling" policy 2.01.1 revealed that the department has adopted policies in compliance with Article 2.132 of the Texas CCP. There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are clearly covered in Lancaster's racial profiling policy. Lancaster Police Department policies provide clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling may be disciplined up to and including termination. The policies also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race, ethnicity, or national origin. Appendix B lists the applicable statute and corresponding Lancaster Police Department regulation.

A COMPREHENSIVE REVIEW OF LANCASTER POLICE DEPARTMENT'S RACIAL PROFILING POLICY SHOWS THAT THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.

Lancaster Police Department Training and Education on Racial Profiling

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas peace officers. Documentation provided by Lancaster Police Department reveals that racial profiling training and certification is current for all officers in 2013. Racial profiling training is specifically covered in Lancaster's Racial Profiling Policy Part IV.

A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.

Lancaster Police Department Complaint Process and Public Education on Racial Profiling

Article 2.132 §(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. Lancaster Police Department's Racial Profiling Policy Part V and VI cover this requirement.

A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS.

Lancaster Police Department Statistical Data on Racial Profiling

Article 2.132(b) 6 requires that law enforcement agencies collect statistical information on traffic citations and detentions with specific information on the race of the person cited. In addition, information concerning searches of persons and whether or not the search was based on consent is also to be collected. Lancaster Police Department submitted statistical information on all citations in 2013 and accompanying information on the race of the person cited. Accompanying this data was the relevant information on searches.

ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.

Analysis of the Data

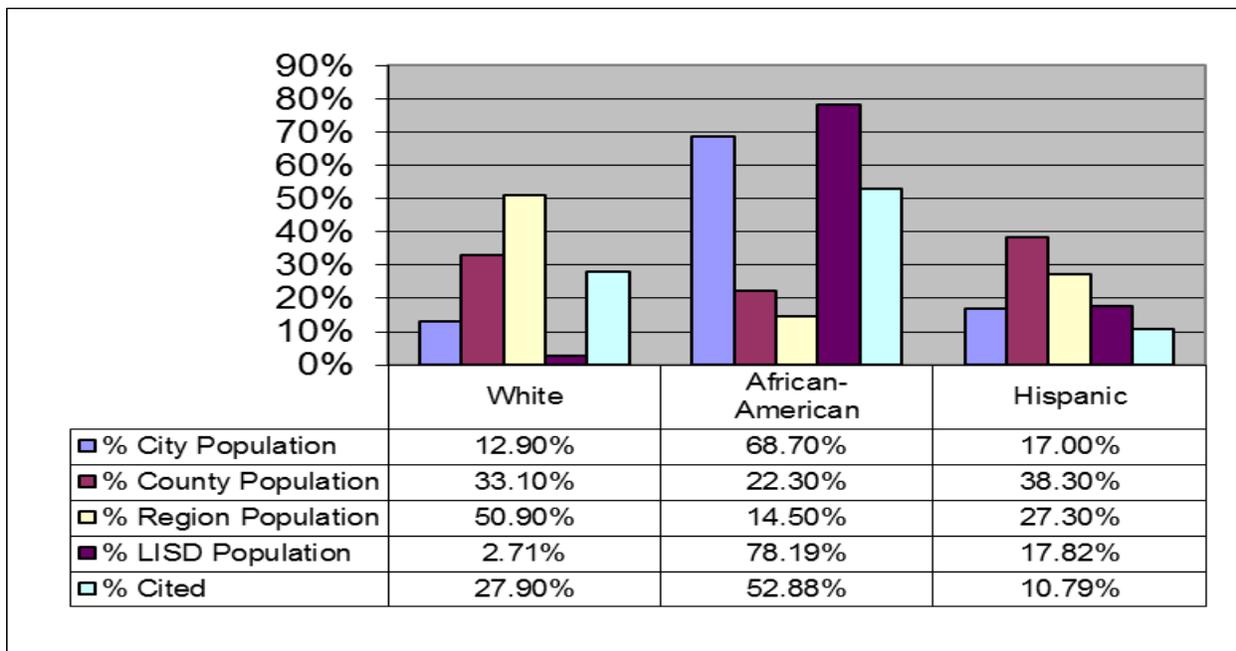
The first chart depicts the percentages of the number of motor vehicle stops that resulted in a citation or arrest by racial group.¹ White drivers constituted 27.90 percent of all drivers cited, whereas Whites constituted 12.90 percent of the city population, 33.10 percent of the county population, and 50.90 percent of the region population.² The chart shows that White drivers are cited at a rate that is higher than the percentage of Whites in the city, but lower than the county and regional population. White drivers were cited at a significantly higher rate than the percentage of White students in the Lancaster Independent School District (2.71 percent).³ African-American drivers constituted 52.88 percent of all drivers cited, whereas African-

¹ The total number of motor vehicle stops that resulted in an action (citation, arrest, or both) in 2013 equaled 4,849 and this number is utilized for calculations in this report. See the TCOLE forms at the end of this report.

²City, County, and Regional population figures are derived from the 2010 Census of the U.S. Census Bureau. "Regional" population figures are defined as the 16 county North Central Texas Council of Governments Region and is comprised of the following counties: Collin, Dallas, Denton, Ellis, Erath, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, and Wise.

³ Data on the racial make-up of LISD were obtained from the Lancaster ISD 2013 State of Schools Report: <http://www.lancasterisd.org/ourpages/auto/2012/10/15/49615586/2013%20Lancaster%20ISD%20State%20of%20Schools%20Report.pdf>

Americans constituted 68.70 percent of the city population, 22.30 percent of the county population, and 14.50 percent of the region population. African-American drivers were cited at a rate that is lower than the percentage of African-Americans found in the city population. African-American citation rates were higher than the percentage of African-Americans in both the county and regional populations. However, African-Americans were cited at a rate that is lower than the percentage of African-American students in the LISD population (78.19 percent). Hispanic drivers constituted 10.79 percent of all drivers cited whereas Hispanics constituted 17 percent of the city population, 38.30 percent of the county population, and 27.30 percent of the regional population. Hispanic drivers were cited at a rate that is lower than the percentage of Hispanics in the city, county, regional, and LISD population.



As the chart shows, easy determinations regarding whether or not Lancaster police officers have “racially profiled” a given motorist are impossible given the nature of the data that has been collected and presented for this report. The law dictates that police agencies compile aggregate-level data regarding the *rates* at which agencies *collectively* stop motorists in terms of their race/ethnicity. These aggregated data are to be subsequently analyzed in order to determine whether or not *individual* officers are “racially profiling” motorists.

This methodological error, commonly referred to as the “ecological fallacy,” defines the dangers involved in making assertions about individual officer decisions based on the examination of aggregate incident level data. In short, one cannot “prove” that an *individual* officer has “racially profiled” any *individual* motorist based on the rate at which a department stops any given *group* of motorists.

Additional interpretation problems remain in regards to the specific measurement of “racial profiling” as defined by Texas state code. For example, officers are currently forced to make subjective determinations regarding an individual's race based on his or her personal observations because the Texas Department of Public Safety does not provide an objectively-based determination of an individual's race/ethnicity on the Texas driver's license. The absence

of any verifiable race/ethnicity data on the driver's license is especially troubling given the racial diversity within the city of Lancaster and the North Texas region as a whole, and the large numbers of citizens who are of Hispanic and/or mixed racial descent. The validity of any racial/ethnic disparities discovered in the aggregate level data becomes threatened in direct proportion to the number of subjective "guesses" officers are forced to make when trying to determine an individual's racial/ethnic background.⁴

In addition, the data collected for the current report does not allow for an analysis that separates (or disaggregates) the discretionary decisions of officers to stop a motorist from those that are largely non-discretionary. For example, non-discretionary stops of motorists based on the discovery of outstanding warrants should not be analyzed in terms of whether or not "profiling" has occurred simply because the officer who has stopped a motorist as a result of the discovery of an outstanding warrant does not *independently* make the decision to stop, but rather, is required to stop that individual regardless of any determination of race. An officer cannot be determined to be "racially profiling" when organizational rules and state codes compel them to stop regardless of an individual's race/ethnicity. Straightforward aggregate comparisons of stop rates ignore these realities, and fail to distinguish between discretionary and non-discretionary law enforcement actions. In the future, this validity issue could be lessened by the collection of data indicating the initial reason for the traffic stop, whether it be an observed traffic violation, other criminal activity, the existence of an outstanding warrant, or some other reason.

Finally, there has been considerable debate as to what the most appropriate population "base-rate" is in determining whether or not racial/ethnic disparities exist. As the current analysis shows in regards to the use of city, county, and regional population base-rates, the outcome of analyses designed to determine whether or not disparities exist is obviously dependent on which base-rate is used. In addition, population growth and the changing demographic character of the North Texas region and particularly the city of Lancaster has exacerbated problems associated with determining appropriate base-rates because measures derived exclusively from the U.S. Census can become quickly outdated since they are compiled only once per decade. For example, Lancaster has experienced a rate of growth of more than 40 percent since the 2000 Census. In years following the 2000 Census, it was unclear as to how this growth impacted the overall demographic character of the city. However, the 2010 Census has revealed that Lancaster has not only experienced large-scale growth over the course of the last several years, but has also become much more diverse as indicated by the demographic statistics presented in this report. Related, the determination of valid stop base-rates becomes multiplied if analyses fail to distinguish between residents and non-residents who are stopped, because the existence of significant proportions of non-resident stops will lead to invalid conclusions if racial/ethnic comparisons are made exclusively to resident population figures.

In short, the methodological problems outlined above point to the limited utility of using aggregate level comparisons of the rates at which different racial/ethnic groups are cited in order to determine whether or not racial profiling exists within a given jurisdiction.

The table below reports the summaries for the total number of persons cited and searched subsequent to being stopped by the Lancaster Police Department for traffic offenses. In addition,

⁴ In 2013, the race of the motorist was reported as "known" prior to the stop in 332 or roughly 7% of instances where a stopped motorist received a citation/arrest/both.

the table shows the number of stopped individuals who granted consent to search and those stopped drivers who were arrested at the conclusion of the stop. The chart shows that roughly 24 percent of all drivers searched were White (109/462 total searches), roughly 8 percent (39) were Hispanic, and 67 percent (310) were African-American. It is clear that the vast majority of the total number of drivers cited (including White, African-American, and Hispanic groups) were not searched, as roughly 90 percent of all drivers who were cited were not searched (462/4,849).

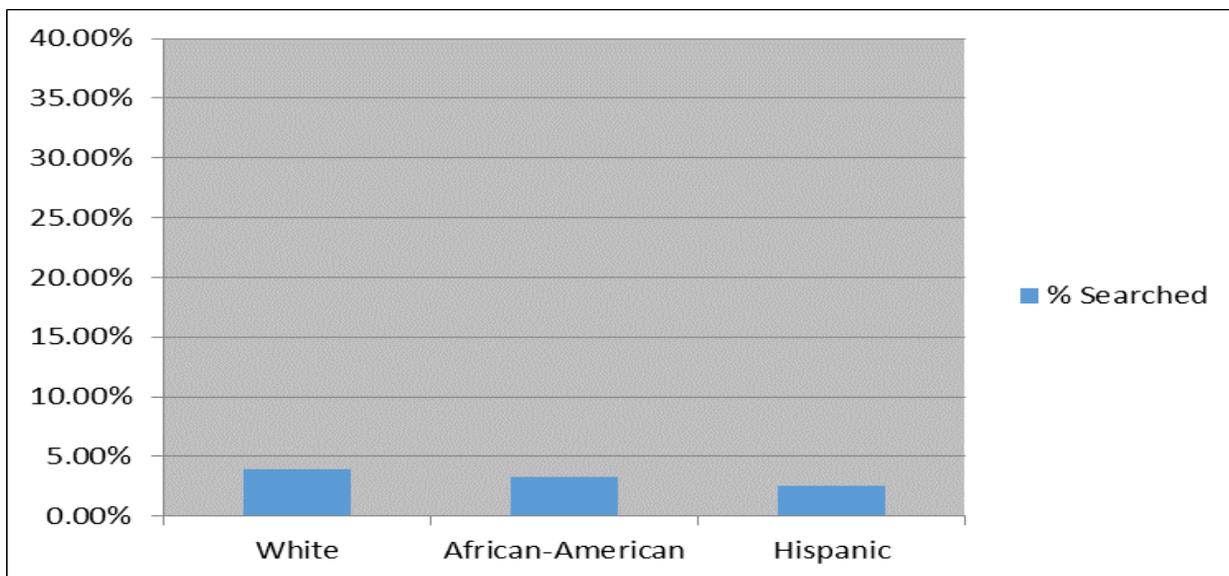
Action	White	Asian	Hispanic	African-American	Other	Total
Citations	1,353	68	523	2,564	341	4,849
Searches	109	3	39	310	1	462
Consent Searches	53	0	13	85	0	151
Arrests	100	3	36	298	0	437

Note: Searches include vehicle and driver searches only.

It should be noted that aggregate level comparisons regarding the rates at which drivers are searched by police are subject to some of the same methodological issues as those outlined above regarding analyses of aggregate level stop rates. Of particular concern is the absence of any analyses that separates discretionary searches from non-discretionary searches. For example, searches that are conducted incident to an arrest or as part of a vehicle tow inventory should not be included in analyses designed to examine whether or not racial profiling has occurred because these types of searches are non-discretionary in that the officer is compelled by law or departmental guidelines to conduct the search irrespective of the race of the stopped driver.

Less than 4 percent of the total number of citations resulted in a consensual search (151/4,849). So too, approximately 9 percent of drivers cited were subject to an arrest. Of those arrested, roughly 23 percent (100/437 total arrests) were White, roughly 70 percent (298) were African-American, and roughly 8 percent (36) were Hispanic. Additional data regarding the reason for the arrest are necessary in order to further examine whether or not these data reflect individual officer decisions to arrest or non-discretionary actions based primarily on legal and/or organizational requirements (e.g., the existence of outstanding arrest warrants or on view criminal activity).

The bar chart below presents the percentage of drivers that were searched by consent within each racial category. The chart indicates that drivers who were cited were rarely searched via consent across the racial categories. For example, roughly 4 percent of all White drivers who were cited were also consent searched, roughly 3 percent of all African-American drivers who were cited were consent searched, and approximately 2 percent of all Hispanic drivers who were cited were consent searched.



Analysis of Racial Profiling Compliance by Lancaster Police Department

The foregoing analysis shows that the Lancaster Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, officer training and educational programs, a formalized complaint process, and the collection of data in compliance with the law. Finally, internal records indicate that the department had no complaints in reference to racial profiling for the year 2013.

In addition to providing summary reports and analysis of the data collected by the Lancaster Police Department in 2013, this report also included an extensive presentation of some of the limitations involved in the level of data collection currently required by law and the methodological problems associated with analyzing such data for the Lancaster Police Department as well as police agencies across Texas. The Lancaster Police Department should continue its educational and training efforts within the department on racial profiling. Finally, the department should conduct periodic evaluations to assess patterns of officer decision-making on traffic stops. The final section of this report includes newly required TCOLE reporting information by Texas law enforcement organizations.

LPD TCOLE Reporting Forms



Partial Exemption Racial Profiling Reporting
(Tier 1)

Department Name Lancaster Police Department
Agency Number TX 0571700
Chief Administrator Name Cheryl Wilson
Reporting Name Cheryl Wilson
Contact Number 972-218-2710
E-mail Address CWilson@Lancaster-tx.com

Certification to Report 2.132 (Tier 1) – Partial Exemption

Policy Requirements (2.132(b) CCP):

Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - (A) the Commission on Law Enforcement Officer Standards and Education; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

These policies are in effect

Cheryl Wilson 1/6/2014
Chief Administrator Date



**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Video and Audio Equipment Exemption

Partial Exemption Claimed by (2.135(a) CCP):



all cars regularly used for motor vehicle stops are equipped with video camera and transmitter-activated equipment and each motor stop is recorded and the recording of the stop is retained for at least 90 days after the stop.

OR



In accordance with 2.135(a)(2) the agency has requested and not received funds to install the recording equipment

I claim this exemption

Cheryl Wilson 1/6/2014
Chief Administrator Date

PARTIAL EXEMPTION RACIAL PROFILING REPORTING (TIER 1)

INSTRUCTIONS: Please fill out all boxes. If zero, use 0.

1. Total on lines 4, 11, 14, and 17 must be equal
2. Total on line 20 must equal line 15

AGENCY NAME: Lancaster Police Department

Number of motor vehicle stops (mark only 1 category per vehicle stop):

1. 4,087 Citation only
2. 437 Arrest only
3. 325 Both

4. 4,849 (Total of 1-3)

Race or Ethnicity (mark only 1 category per vehicle stop):

5. 2,564 African
6. 68 Asian
7. 1,353 Caucasian
8. 523 Hispanic
9. 1 Middle Eastern
10. 27 Native American
"313 unknown"

11. 4,849 (Total of 5-10, must be the same as #4)

Race or Ethnicity known prior to stop?

12. 332 Yes
13. 4,517 No

14. 4,849 (Total of 12-13, must be the same as #4 and #11)

Search conducted?

15. 462 Yes
16. 4,387 No

17. 4,849 (Total of 15-16, must be the same as #4, #11, and #14 above)

Was search consented?

18. 151 Yes
19. 311No

20. 462 (Total, must equal #15)



**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Option to submit required data by utilizing agency report

You must submit your report in PDF format

Electronic Submission of data required by 2.132(b)(6) CCP

(6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

This report meets the above requirements

Cheryl Wilson 1/6/2014
Chief Administrator Date

Send entire documents electronically to this website

www.tcleose.state.tx.us

Appendix A

Racial Profiling Statutes and Laws

Art. 3.05. RACIAL PROFILING.

In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 2, eff. Sept. 1, 2001.

Art. 2.131. RACIAL PROFILING PROHIBITED.

A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
 - (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
 - (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
 - (4) provide public education relating to the agency's complaint process;
 - (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
 - (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
 - (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - (A) the Commission on Law Enforcement Officer Standards and Education; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.
- (c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.
- (d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle

stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2011, 81st Leg., R.S., Ch. 1172, Sec. 25, eff. September 1, 2011.

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.

(a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

- (2) the initial reason for the stop;
- (3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
- (4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
- (5) the reason for the search, including whether:
 - (A) any contraband or other evidence was in plain view;
 - (B) any probable cause or reasonable suspicion existed to perform the search; or
 - (C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
- (6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
- (7) the street address or approximate location of the stop; and
- (8) whether the officer issued a written warning or a citation as a result of the stop.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2011, 81st Leg., R.S., Ch. 1172, Sec. 26, eff. September 1, 2011.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

- (1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).
- (2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the

previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2011, 81st Leg., R.S., Ch. [1172](#), Sec. 27, eff. September 1, 2011.

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT.

(a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2011, 81st Leg., R.S., Ch. 1172, Sec. 28, eff. September 1, 2011.

Art. 2.136. LIABILITY.

A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.138. RULES.

The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.1385. CIVIL PENALTY.

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

Added by Acts 2011, 81st Leg., R.S., Ch. 1172, Sec. 29, eff. September 1, 2011.

Appendix B

Racial Profiling Laws and Corresponding Department Policies

Texas CCP Article	LANCASTER POLICE DEPARTMENT Racial Profiling Policy
2.132(b)1	Section 1
2.132(b)2	Section 1-2
2.132(b)3	Section 4
2.132(b)4	Section 4B
2.132(b)5	Section 4E
2.132(b)6	Section 4G
2.132(b)7	Section 4G(3)

Appendix C

Lancaster Police Department Racial Profiling Policy

LANCASTER, POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Effective Date</i> April 4, 2014		<i>Amended Date</i> April 4, 2014		<i>Directive</i> 2.01.1	
<i>Subject</i> Biased Based Policing and Racial Profiling					
<i>Reference</i> Code of Criminal Procedure 2.131 – 2.135					
<i>Distribution</i> All Personnel City Manager City Attorney		<i>TPCA Best Practices Recognition Program Reference</i> 2.01.1 Biased Based Profiling		<i>Review Date</i> <i>Pages</i> 6	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to reaffirm the Lancaster Police Department's commitment to unbiased policing in all of its encounters between officers and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictate of departmental policy and the law.

SECTION 2 POLICY

- A. It is the policy of the department to protect the constitutional rights of all persons. Allegations of racial profiling or discriminatory practices, real or perceived, are detrimental to the relationship between police and the communities they protect and serve because they strike at the basic foundation of public trust. This trust is essential to effective community-based policing. Racial profiling is considered misuse of valuable police resources; such improper methods violate the civil rights of members of the public and may lead to increased exposure to liability for the officer and the department. This department does not endorse, train, teach, support, or condone any type of bias, stereotyping, or racial profiling by its officers. While recognizing that most officers perform their duties in a professional, ethical, and impartial manner, this department is committed to identifying and eliminating any instances of racial profiling.
- B. It is the policy of this department to:
 - 1. Provide all people within this community fair and impartial police services consistent with constitutional and statutory mandates;
 - 2. Assure the highest standard of integrity and ethics among all our members;
 - 3. Respect the diversity and the lawful cultural practices of all people;
 - 4. Take positive steps to identify, prevent, and eliminate any instances of racial profiling by our members; and
 - 5. Continue our commitment to community based policing and problem solving, including vigorous, lawful and nondiscriminatory traffic enforcement that promotes public safety and strengthens public trust, confidence, and awareness.

LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Directive</i> 2.01.1	<i>Subject</i> Biased Based Policing and Racial Profiling
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- C. It is the policy of this department to police in a proactive manner and to aggressively investigate suspected violations of law. Officers shall actively enforce local, state and federal laws in a responsible and professional manner without regard to race, gender, ethnicity, or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers, or pedestrians.

- D. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. The department will honor the right of all persons to be treated equally and to be free from unreasonable searches and seizures.

SECTION 3 DEFINITIONS

Racial Profiling is defined as a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance, or other citizen contacts.

Examples of racial profiling include, but are not limited to, the following:

- a. Citing a driver because of the cited driver's race, ethnicity, or national origin, or

- b. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle.

- c. Detaining an individual based upon the determination that a person of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place.

Gender Profiling is defined as a law enforcement-initiated action based on an individual's gender rather than on the individual's behavior or involvement in criminal activity.

Race or Ethnicity is defined as a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.

Pedestrian Stop is defined as an interaction between a peace officer and an individual traveling on foot who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

Motor Vehicle Stop is defined as a vehicle stop whereas a peace officer stops a motor vehicle for an alleged violation of law or ordinance regulating traffic.

Probable Cause is defined as more than bare suspicion; it exists when the facts and circumstances within the officer's knowledge and of which they have reasonably trustworthy information are sufficient in themselves to warrant a person of reasonable caution to believe that an offense has been or is being committed.

Reasonable Suspicion is defined as specific, articulable facts leading a reasonable police officer to believe a crime might be occurring. Reasonable suspicion is less than probable cause, but more than a mere hunch. Reasonable grounds for suspicion depend on the circumstances in each case. There must be an objective basis for that suspicion based on facts, information, and/or intelligence.

Search is an examination or exploration of an individual's house, premises, vehicle or person to discover stolen property, contraband or other items that may be evidence of a crime.

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Search incident to arrest is a full search of an arrested person and of the vicinity around him or her. The search is conducted for officer safety and to prevent the destruction of evidence.

Consent search is a search permitted by a person with apparent authority to allow the search. To be valid, consent must be voluntary and intelligent, based on a totality of circumstances. Voluntary means that the consent was not forced or coerced. Intelligent means the person giving consent must know what he or she is doing.

Frisk is defined as a limited search or patting down of a suspect's outer clothing for the purpose of officer safety. A frisk must be based on reasonable suspicion that the suspect is armed with a deadly weapon, and that if he is not searched and disarmed, harm will come to the officer or another person. A limited search or frisk of an automobile after a valid stop is permissible if the officer has reasonable suspicion the suspect is dangerous and might gain immediate control of a weapon. The search is limited to the areas in which a weapon may be placed or hidden.

Inventory is an administrative process by which items of property in an impounded vehicle are listed and secured. An inventory is not a search and should not be used as a substitute for a search. The specific objectives of an inventory are to protect the property of the defendant, to protect the police against any claim of lost property, and to protect police personnel and others from any dangerous instruments.

Contraband means property of any nature, including real, personal, tangible or intangible, that is used or intended to be used in an offense. Property used to facilitate or intended to be used to facilitate the commission of a felony or proceeds gained from the commission of a felony.

SECTION 4 PROCEDURES

A. COMPLAINTS

1. Any person may file a complaint with the department if they believe they have been stopped or searched on the basis of their race, ethnicity, national origin, or gender. No person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.
2. A complaint from a citizen regarding racial profiling may be made to any police department supervisor or, if available, to the Office of Professional Responsibility. All complaints received shall be forwarded in writing through the chain of command to the office of the Chief of Police.
3. In addition to the written complaint, the supervisor receiving the complaint shall obtain the digital video and/or audio from the officer's contact with the complainant. The supervisor shall label the digital audio/video, indicating the unit number and date and time the audio/video was pulled. The audio/video will be forwarded through the chain of command to the office of the Chief of Police. All audio/video of incidents alleging racial or gender profiling shall be retained with the investigative file. A copy shall be supplied to the officer within five days of the date of the complaint. The Office of Professional Responsibility shall supply the copy to the officer prior to taking any statements from the officer.

B. PUBLIC EDUCATION AND AWARENESS

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Directive
2.01.1

Subject
Biased Based Policing and Racial Profiling

The Lancaster Police Department shall provide education to the public concerning the complaint process. Written information regarding how a citizen may file a complaint or issue a commendation for an officer shall be made available to the public at a variety of locations, including public meetings, City Hall and the Police Department. This information shall also be available on the department's Internet site. The information will be available in both English and Spanish.

C. RACIAL PROFILING TRAINING

1. Officers are responsible to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.
2. All officers shall complete the TCOLE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Occupation Code, or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. At the discretion of the Chief of Police, additional diversity and sensitivity training may be required for officers with sustained racial profiling or other discrimination complaints filed against them.
3. The Chief of Police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on racial profiling.
4. Supervisors shall conduct periodic roll call training regarding racial profiling issues, including implementation and enforcement of this policy. All sworn personnel will attend Racial Profiling training at least once every twenty-four months.

D. INTERNAL MONITORING

1. Random Reviews:

The sergeant or lieutenant assigned to the Office of Professional Responsibility shall conduct weekly reviews of the police vehicle digital recordings. The review shall be comprised of two dayshift and two nightshift videos and each video should be from a different officer's vehicle. The purpose of this random review is to:

- a. Assess performance and safety practices;
- b. Ensure compliance with departmental policy;
- c. Ensure proper use of DMVR Equipment; and,
- d. Identify appropriate training video.

Supervisors shall review video files randomly each month, ensuring that each officer is reviewed at least twice during the calendar year. Each shift commander shall be responsible for ensuring the video reviews are conducted and documented and verify that the racial profiling section of MOBLAN was completed for the contact. A report containing the dates each officer was reviewed and the supervisor that conducted each review shall be prepared and submitted to the Office of Professional Responsibility, who shall maintain a log of the reviews.

2. Reviews shall occur whenever:
 - a. An officer is involved in a pursuit;
 - b. An officer is involved in a use of force incident recorded by the system;
 - c. A complaint is lodged against an officer; or,

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- d. A supervisor articulates a reason to suspect an officer is involved in activity contrary to the mandates of the General Orders.

E. CORRECTIVE ACTION

1. Failure to report any observed or known violations of this policy by any police department employee shall result in corrective action being taken against the employee.
2. Officers found in violation of this policy or who have a sustained racial profiling complaint shall be subject to corrective action which may include, diversity, sensitivity, or other appropriate training, counseling, a written reprimand, suspension from duty with or without pay, indefinite suspension, or other appropriate action as determined by the Chief of Police.

F. MANDATED DMVR OPERATION

Unless the delivery of emergency police services would be prevented, an Officer's personal safety would be jeopardized, or police strategy is being discussed, Officers will ensure:

1. DMVR Equipment is always fully activated either manually or automatically:
 - a. On all motor vehicle stops;
 - b. On every call for service, whether dispatched or self-initiated, prior to making citizen contact;
 - c. On all pedestrian stops;
 - d. During any prisoner transport with the in-car video camera positioned toward the prisoner;
 - e. During any interviews, interrogations and other investigative activities where use is practical; and,
 - f. Any time the officer or supervisor believes the use of the equipment would be beneficial.
2. Officers should note in offense, arrest and related reports when video/audio recordings were made.
3. Officers must carefully consider when to cease recording an event and be prepared to justify the action in the event that an incident occurs while DMVR equipment is not recording.
 - a. The intentional stopping of recording during incidents where the use of the DMVR equipment is required by this order may be cause for disciplinary action. Obstructing, shielding, or any act of interfering with the DMVR equipment is not permitted.
 - b. Officers will not cease recording of an event, situation, or other circumstances solely at the demand of anyone other than a supervisor. Officers will inform those who ask that video/audio recording equipment are in use.

G. CITATION DATA COLLECTION AND REPORTING

1. Each officer shall be required to collect information relating to all motor vehicle, pedestrian and bicyclist stops by documenting the required information in the racial profiling section (F12) of MOBLAN.
2. The officer will complete all of the fields in the MOBLAN racial profiling section that pertain to the citizen contact.

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3. By March of each year, the department shall submit a written report to the City Council that includes the information gathered from the motor vehicle stops in the preceding calendar year. The report will include: (1) The number of motor vehicle stops, (2) The number of types of race or ethnicity of the person(s) who were stopped, (3) The number of motor vehicle stops that the race and ethnicity was known prior to stop, (4) The number of stops in which a search was conducted and (4) The number of searches that consent was received prior to search.

H. SCOPE OF RESPONSIBILITY

1. All members of the department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.

LANCASTER CITY COUNCIL
Work Session Agenda Communication
April 21, 2014

Item 4

Receive a Presentation regarding the City of Lancaster Water Conservation, Drought Contingency and Water Emergency Response Plan.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Sound Infrastructure

Background

In 2009 the City Council approved Article 13.100, 13.106 to provide for the adoption of a Water Conservation/Drought Contingency and Water Emergency Response Plan. TCEQ requires this plan be updated every five (5) years.

On December 12, 2011, City Council authorized implementation of Stage 2 of the City of Lancaster's Water Conservation and Drought Contingency and Water Emergency Response Plan at the formal request of the City of Dallas, Dallas Water Utilities (DWU). Stage 2 targets a goal of five percent reduction in water consumption.

On February 10, 2012, the City received official notification from the City of Dallas, that they had extended their initial drought contingency Stage by 120 days through June 8, 2012 and were requesting that the City of Lancaster extend their like initiated drought stage for the same period. On February 27, 2012 the City of Lancaster extended the Water Conservation and Drought Contingency and Water Emergency Response Plan for 120 days through June 8, 2012 as did the City of Dallas and as is required by contract.

On June 25, 2013 City Council approved a resolution to extend the drought contingency Stage 2 until May 2014.

Staff has been in attendance at the regional meetings to discuss future drought plans as lake levels continue to remain low. DWU has requested member cities to remain at a twice weekly watering stage.

Considerations

This is a request to consider remaining in Stage 2 of the Water Conservation and Drought Contingency and Water Emergency Response Plan. Staff will provide a brief update on the drought contingency plan and a timeline to update the plan.

- **Operational** – The Water Operations Division oversees the implementation of the water conservation plan and drought contingency plan in partnership with Dallas Water Utilities. Staff will continue to closely monitor the drought situation and update City Council as appropriate. In addition, staff spoke with other Best Southwest municipalities and determined that the City of Cedar Hill and Desoto are remaining in Stage 2 and the City of Duncanville has not adopted a plan.
- **Legal** – The City Attorney will prepare a resolution, to remain in Stage 2 until such time that the City completes the update.
- **Financial** – There is no additional cost for continuous implementation of Stage 2. Utilization of less water potentially reduces our expenses and revenues.
- **Public Information** – The item will be formally considered at a regular meeting of the City Council posted in accordance with the Texas Open Meetings Act.

Options/Alternatives

1. City Council may approve this resolution.
2. City Council may deny this resolution and direct staff.

Recommendation

Staff recommends the City remain in Stage 2 of the Drought Contingency Plan.

Submitted by:

Jim Brewer, Public Works Director
Andrew Waits, Water & Wastewater Superintendent

LANCASTER CITY COUNCIL

Work Session Agenda Communication

April 21, 2014

Item 5

Receive a presentation from Councilmember Mejia, District 3 regarding allowable building materials within the Lancaster Development Code.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Quality Development

Background

As prescribed in the City Council Rules and Procedures as amended July 2013, Section 1 D. City Council Agenda Process, Councilmember Marco Mejia, District 3 requested an item be included on the agenda for the purpose of making a presentation to Council regarding allowable building materials for residential and commercial construction within the Lancaster Development Code. The item was not discussed as previously scheduled at the March 17, 2014 work session.

Attachments

- *Section 14.503 District Development Standards and Section 14.504 Commercial Districts – Lancaster Development Code*
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Submitted by:

Opal Mauldin Robertson, City Manager

District Development Standards

District	Old District Name	Maximum Density	Dwellings per Lot	Minimum Sq. Ft./Dwelling ¹²	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Max. Building Height
A-O	A-O	1 Unit /5 acres	1 Unit ¹	NA	40 ft.	25 ft.	10% of lot width, not to exceed 50 ft. ^{2,3,5}	35 ft.
SF-E	SF-ED	1 Unit /acre	1 Unit ¹	2,100 s.f.	30 ft.	10 ft. ^{2,3,5}	10 ft. ^{2,3,5}	35 ft. and 2.5 stories ⁴
SF-4	SF-1A	4 Units/acre	1 Unit ¹	2,100 s.f.	30 ft.	10 ft. ^{2,3,5}	10 ft. ^{2,3,5}	35 ft. and 2.5 stories ⁴
SF-5	SF-1	5 Units/acre	1 Unit ¹	1,750 s.f.	30 ft.	10 ft. ^{2,3,5}	10 ft. ^{2,3,5}	35 ft. and 2.5 stories ⁴
SF-6	SF-2 / SF-3	6 Units/acre	1 Unit	1,750 s.f.	30 ft.	10 ft. ^{2,3,5}	5 ft. ^{2,3,5}	35 ft. and 2.5 stories ⁴
ZL-7	SF-ZL	7 Units/acre	1 Unit	1,750 s.f.	30 ft.	10 ft. ^{2,3,5}	10 ft. ^{2,3,5}	35 ft. and 2.5 stories ⁴
2F-6	2F-1	6 Units/acre	2 Units	1,200 s.f. / 1,000 s.f. ⁷	30 ft.	10 ft. ^{2,3,5}	7 ft. ^{2,3,5}	35 ft. and 2.5 stories ⁴
TH-16	SF-A	16 Units/acre	1 Unit	1,500 s.f.	25 ft.	10 ft. ^{2,3,5}	0 or 10 ft. ^{2,3,5}	35 ft. and 2.5 stories ⁴
MH	MH-1	6 Units/acre	NA	1,350 s.f.	30 ft./15 ft. ⁸	10 ft. ^{2,3,5}	5 ft. ^{2,3,5}	35 ft. and 2.5 stories ⁴
MF-16	MF	16 Units/acre	NA	800 s.f. plus 100 s.f./BR	30 ft.	10 ft. ³	10 ft. ³	35 ft. and 2.5 stories ⁴
NS	NS	0.5:1 FAR			25 ft.	0 ft./20 ft. ⁹	0 or 10 ft. ¹⁰	35 ft. and 2 stories
R	R	NA			25 ft.	0 ft./20 ft. ⁹	0 or 10 ft. ¹⁰	35 ft. and 2.5 stories
CH	CH / CT / CTH	1:1 FAR			25 ft.	0 ft./20 ft. ⁹	0 ft. or 20 ft. ¹⁰	140 ft./60 ft. ¹¹
CS	C	1:1 FAR			25 ft.	0 ft./20 ft. ⁹	0 ft. or 30 ft. ¹⁰	35 ft. and 2.5 stories
TC	NA	[Place Holder]						
ORT	NA	1:1 FAR			25 ft.	0 ft./20 ft. ⁹	0 ft. or 20 ft. ¹⁰	35 ft.
LI	LI	1:1 FAR			25 ft.	0 ft./20 ft. ⁹	0 ft. or 20 ft. ¹⁰	35 ft.
MI	MI	1:1 FAR			25 ft.	0 ft./20 ft. ⁹	0 ft. or 20 ft. ¹⁰	35 ft.
TND	NA	NA						

Notes:

1. Guest Quarters/Secondary Living Units are allowed but must meet the standards for such units in Article IV Permissible Uses.
2. For Residential Portable and Accessory Buildings Setback, see *Sub-Section 3.1 General Residential Standards*
3. Side yard setback adjacent to a side street must equal at least 85% of the minimum required front yard setback; 100% for MF and other non-residential uses.
4. Accessory buildings such as garages without guest quarters/secondary living unit, shall be a maximum of 20 feet in height, 15 ft. in MH
5. Garages/Carports must be setback a minimum of 20 feet from side or rear property lines that they face.
6. Corner lots should be a minimum of 10 % larger than the average internal lots
7. 1,200 s.f. for a 2-bedroom unit, 1,000 s.f. for a 1-bedroom unit.
8. 30 ft. setback from a public roadway; 15 ft. from a private road
9. If rear wall contains windows or doors, then there shall be a 20 ft. setback from residentially zoned property.
10. If sideyard is adjacent to a residentially zoned property, then a 10 ft. sideyard shall be required; 20 ft. in CH; 30 ft. in CS
11. 140 ft. in height, but shall not exceed 60 ft. in height within 100 ft. of a property zoned as MF, 2F or SF.
12. The minimum Dwelling size is modified for a certain percentage of units by the requirement for Empty Nester type homes

Sec. 14.502 Agriculture-Open Space District

(a) Agriculture (A-O) District

- (1) Purpose. The Agricultural District is a reserved area in which the future growth of the City might occur. It is the intent of this district that agricultural land be held in that use for as long as is practical and reasonable to promote orderly growth. This zoning is suitable for areas where development is premature because of a lack of utilities, capacity, or service, or where the ultimate land use has not been determined.

The zone is also to be used:

- A. To protect those areas that are unsuitable for development because of physical problems or potential health or safety hazards such as flooding. The use of the land would be permanently restricted to low intensity agricultural uses until such time as the property is proven to be suitable for development and is rezoned.
 - B. To provide a permanent greenbelt to preserve natural areas or open space buffer around uses that might otherwise be objectionable or pose environmental or health hazards.
 - C. No uses should be allowed that would be detrimental to urban land uses.
- (2) Permitted Uses. In general, farming and ranching-related activities and accessory uses, including the owner's single family dwelling on 5 acres or more provided that it can be served by septic and water provided on site, shall be allowed. However, no building or land may be used, unless in accordance with the use tables and requirements in *Article 14.400 Permissible Uses*.

Sec. 14.503 Residential Districts

(a) General Residential District Standards – All residential districts.

(1) Residential Unit Diversity

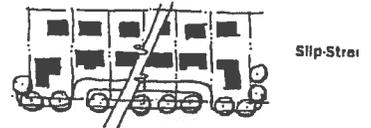
- A. Requirement for Single Family Districts. In order to ensure a diversity of housing types for young couples, empty-nesters and retirees, a portion of the total number of lots and units in certain Single Family zoning districts shall meet the standards for Empty-Nester Units.
 - 1. In residential subdivisions in SF-4, SF-5 and SF-6 zoning districts, developments of 20 or more acres in size which are being developed to within 20% of the maximum allowable density, shall contain a minimum of 20 percent Empty-nester Units.
 - 2. Such units shall fall under the district's overall density cap.
- B. Empty-Nester Units may include single family lots or two-story townhouses and are characterized as
 - 1. Single family living units which are 1,000 to 1,400 s.f. in size; Townhouses must be at least 1,200 s.f. with no maximum size. An SUP shall be required for units down to 850 s.f.
 - 2. Lots which are between 30 and 50 feet wide; Townhouses must be a minimum of 20 feet in width.

3. All such lots shall be within 300 feet of publicly accessible open space of at least 4,000 s.f. which has a minimum dimension of 50 feet. Single family or Townhouse lots must face or side onto this open space.
4. Notwithstanding the above, Empty-Nester units may also include homes designed and built to appear like a traditional large home, but which may include up to four living units meeting the size limitations above.

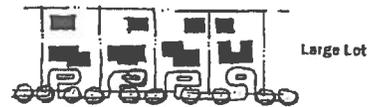
(2) Residential Facing Streets. Newly created residential subdivisions shall face or side homes on to streets and open space. Such subdivisions shall not be designed or laid out in a manner that will result in placing the rear of homes next to roadways. This may be achieved on major roadways by utilizing large lots (capable of including additional parking and on-site maneuvering), eyebrows, slip streets or courts. *Facing Homes on to Major Streets.*)



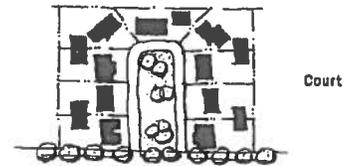
Eyebrow



Slip Street



Large Lot



Court

Exterior Wall Materials

1. All buildings of 300 s.f. or more and over nine feet (9) tall shall have exterior walls constructed of at least eighty percent (80%) standard masonry construction, excluding windows and doors, unless the wall is on a porch, patio, courtyard, or breezeway, in which event, the wall may be of non-masonry construction. Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement. Buildings with less than 80% shall require approval of the Planning and Zoning Commission.
2. Buildings less than 300 s.f. and under 9 feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface, but must be screened from a public street or open space.
3. Exceptions to these requirements, including buildings for farm animals, may be permitted on a case by case basis by the Planning and Zoning Commission upon submission and approval of elevation drawings of the subject structure, and material samples.
4. Barns used for agricultural or farm animal purposes in AO districts are excluded from this masonry requirement.

(3) Residential Garages and Carports.

A. Garages. In single family or duplex districts, parking garages must be located off an alley; or if accessed from the front street, must be located at least 20 feet behind closest corner of the front building façade for front entry garages, unless it is a "J-Swing" garage where the garage door is perpendicular to the street. "J-Swing" garages may only be permitted on lots which are 60 or more feet in width.

- B. Carports. In single family or duplex districts, carports must be located at least 20 feet behind the front building façade and be architecturally integrated with the main residential structure.
- C. Porte-cocheres. Porte-cocheres may be permitted provided that they are architecturally integrated with the primary structure.
- D. Height. The garage or carport, attached or unattached, may not exceed the height of the main structure.

(b) Neighborhood Infill Standards

- (1) Intent. The intent of Infill Standards is to preserve the community's special neighborhood areas and to—
 - A. Ensure compatible development on vacant lots and redevelopment of parcels, with the existing fabric of the neighborhood.
 - B. Preserve and enhance the neighborhood's unique character, and preserve property values.
- (2) Applicability. These standards apply to neighborhoods which were subdivided into individual residential lots of 20,000 s.f. or less, prior to 1960.
- (3) Standards.
 - A. Setbacks. The setback from the front and side property lines shall be in the order of the average setbacks of other developed properties on the same block face. In no case shall the setback exceed or be less than any other property on the block face.
 - B. Parking. On-site parking and the location of the residential garage shall conform to the predominant location in relationship to the site and primary building, as other sites on the block face.
 - C. Roof style and pitch. The roof style and pitch shall conform to the typical roofs in the block face.
 - D. Exterior Building Materials. Building materials shall reflect the materials in common use along the block face. However, Hardie Plank or a similar cementitious-fiber board plank in terms of warranty and finish may be used in place of wood siding. Such siding shall be similar in width and scale to the predominant siding on the block face.
 - E. Amenities. Front porches, windows on the street, and chimneys may also be required, where they are common in the block face or neighborhood.
 - F. Exceptions the following projects are exempt from the requirements of this sub-section:
 - 1. Any property that is being rebuilt within the original footprint and to within 10% of the same building area with the same exterior configuration and materials, and
 - 2. Any property located in a Neighborhood Preservation Overlay or Historic District.
- (4) Determination of Conformity.
 - A. The Director shall determine whether the proposed infill development meets the standards of this sub-section; or at his/her discretion, may refer such determination to the Commission.

- C. This zone allows medium density developments, and should be located where additional requirements for streets, water and fire protection, wastewater, drainage, and adequate open spaces are met. MF-16 uses should not run traffic through single-family neighborhoods, and should be located close to arterial or collectors capable of carrying the additional traffic.
 - D. Multi-Family developments are not necessarily a buffer between single-family and commercial uses, and should be property buffered from pollution and/or environmental hazards.
- (2) Permitted Uses. In general, duplex and apartment dwellings together with public, denominational and private schools, and public parks essential to create basic neighborhood units, may be allowed. However, no building or land may be used, unless in accordance with the use tables and requirements in *Article 14.400 Permissible Uses*.
- (3) Special Standards.
- A. Refuse Facilities. Every dwelling unit shall be located within two hundred fifty (250) feet of a refuse facility; measured along the designed pedestrian and vehicular travel way.
 - B. Open Space. Each lot of parcel of land, which is used for multifamily residents, shall provide open space on the same lot or parcel of land. Such open space shall be landscaped and improved for use by residents in engaging in recreation or social activity:
 - 1. Efficiency apartments and one-bedroom apartment units shall provide a minimum of 500 s.f. of usable open space per unit. For each additional bedroom over one (1), an addition 300 s.f. shall be provided.
 - 2. In meeting this requirement, a credit of 3 s.f. may be applied for each square foot utilized for swimming pools and adjacent decks, patios or lounge areas within 10 feet of a pool; developed or equipped children's play areas; and usable portions of recreational buildings. At the time of Site Plan approval, the Planning and Zoning Commission and /or City Council may allow a credit not to exceed 10% of the total required usable open space for adjacent and immediately accessible public parks or open space. The combined credit for areas calculated at a 3:1 basis and for public parks shall not exceed 50% of the total usable open space for an individual lot or parcel.
 - 3. At the time of Site Plan approval, the Planning and Zoning Commission and/or City Council may give full or partial credit for open areas that exceed a 4:1 slope, it is determined that such areas are environmentally significant and that their preservation would enhance the development.
 - C. Other Standards. No building or land may be used, unless in accordance with the development standards in this *Article 14.500 General* and *Article 14.500 Residential Districts* of this ordinance.

Sec. 14.504 Commercial Districts

(a) General Commercial District Standards

- (1) Mixed Use. Retail properties comprised of a total of 10 acres or more and zoned NS or R, may include residential loft units with a minimum of 800 s.f. in size and 2-story townhouses which are a minimum 1,200 s.f. in size, provided that they are integrated with the retail development and included on the approved Site Plan for the development. Such residential use may comprise up to 50% of the total amount of development on the site.

(2) Construction Materials.

- A. Exterior Walls. Each exterior wall shall consist of 100% masonry materials as defined in *Article 14.1300 Definitions - Masonry*, excluding doors and windows, on walls which are visible from a public street or open space.

All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the Building Official) shall be limited to 50% of the buildings exterior finishes where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first 8 feet above grade on a façade visible from a street or public area.

Exceptions to this requirement may be permitted on a case by case basis by the Planning and Zoning Commission or City Council upon submission and approval of elevation drawings of the subject structure, and material samples.

(3) Maximum Building Height.

- A. All Districts. The height limit for all structures shall be as established in the Districts governing the property on which the structures are located, and the exceptions to height setback standards below.
- B. Building Height and Setback Exceptions for Commercial Districts.

Exceptions. The following features may be constructed 12 feet higher than the maximum height requirement of the zoning district in which the structure is located:

1. Chimneys, church spires, elevator shafts, and similar appendages not intended as places of occupancy or storage.
2. Flag poles and similar devices.
3. Heating and air conditioning equipment, solar collectors and similar equipment, fixtures, and devices.

Provided that they are:

1. Not more than one-third of the total roof area; and
2. Set back from the edge of the roof a minimum distance of two feet for every foot by which such features extend above the roof surface of the building to which they are attached.

(4) Building Articulation.

- A. Requirements. Facades shall meet the following minimum standards for articulation:
1. Horizontal Articulation. No building wall shall extend for a distance equal to 3 times the wall's height without having an off-set of 25% of the wall's height, and

Sec. 14.505 Industrial Districts

(a) General Industrial District Standards.

- (1) Construction Materials. Exterior Walls - Each exterior wall shall consist of 100% masonry materials as defined in *Article 14.1300 Definitions - Masonry*, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20% stone.

All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the Building Official) shall be limited to 50% of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first 8 feet above grade on a façade visible from a street or public area.

Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a case by case basis by the Planning and Zoning Commission or City Council upon submission and approval of elevation drawings of the subject structure, and material samples.

- (2) Maximum Building Height.

A. All Districts. The height limit for all structures shall be as established in the Districts governing the property on which the structures are located, and the exceptions to height setback standards below.

B. Building Height and Setback Exceptions for Industrial Districts.

Exceptions. The following features may be constructed 12 feet higher than the maximum height requirement of the zoning district in which the structure is located:

1. Chimneys, church spires, elevator shafts, and similar appendages not intended as places of occupancy or storage.
2. Flag poles and similar devices.
3. Heating and air conditioning equipment, solar collectors and similar equipment, fixtures, and devices.

Provided that they are:

1. Not more than one-third of the total roof area; and
2. Set back from the edge of the roof a minimum distance of two feet for every foot by which such features extend above the roof surface of the building to which they are attached.

- (3) Building Articulation.

A. Requirements. Facades which face streets shall meet the following minimum standards for articulation:

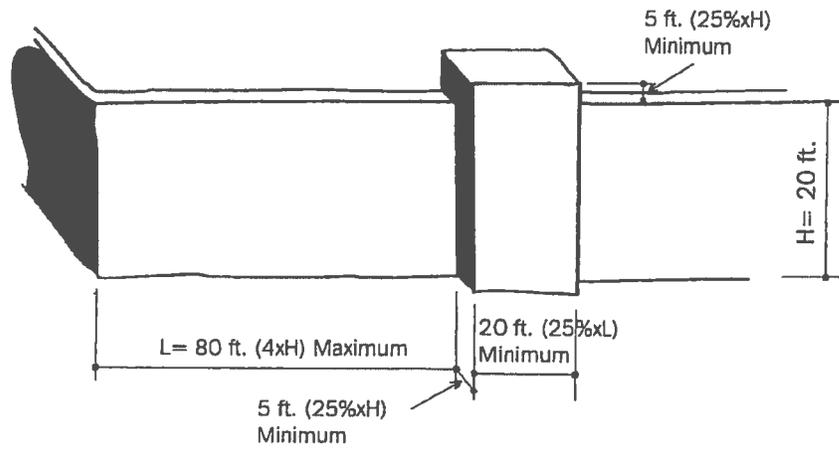
1. Horizontal Articulation. No building wall shall extend for a distance equal to 4 times the wall's height without having an off-set of 25% of the wall's height,

- C. No building or land may be used, unless in accordance with the development standards in this *Section 1 General* and *Section 4.1 Commercial District Standards* of this Article.
- (f) Commercial Service (CS) District.
- (1) Purpose.
 - A. The Commercial Service District is established to provide adequate space and site diversification for commercial establishments may involve uses that would be objectionable in the other commercial districts or adjacent to residential districts. Included in this district are commercial uses that involve large volumes of truck traffic, outside operations and storage of materials and equipment, either for sale or as part of the business, excessive noise from heavy service operations, or any other possibly adverse influences.
 - B. This district is commercial in nature, but has some aspects that are similar to industrial uses. The noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful to residential areas require adequate buffering from residential areas, and the traffic from such uses should not pass through residential areas at all, if possible. These areas should not be located in close proximity to residential areas of any type.
 - C. Areas should not be zoned to this use unless they are located on or close to arterials capable of carrying commercial and truck traffic. They should be located close to major truck routes. Internal streets in such developments should be sized and strengthened to accommodate truck traffic. Fire protection should be adequate for large warehouse type operations, and the water, wastewater, and drainage systems should have enough existing capacity to support such development.
 - (2) Permitted Uses. In general, commercial uses that may involve large volumes of truck traffic, outside operations and storage of materials and equipment may be allowed. However, no building or land may be used, unless in accordance with the use tables and requirements in *Article 14.400 Permissible Uses*.
 - (3) Special Standards.
 - A. Outside Storage.
 - 1. All outside storage shall be placed behind the front façade of the main structure. This does not apply to uses that allow incidental display, in which case only the amount of goods necessary for display purposes shall be exempt from this requirement.
 - 2. All outside storage shall be screened from streets and public areas.
 - B. No building or land may be used, unless in accordance with the development standards in this *Section 1 General* and *Section 4.1 Commercial District Standards* of this Article.

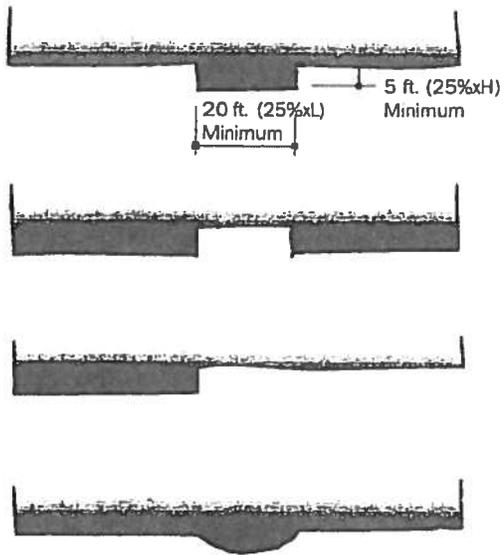
and that new plane shall extend for a distance equal to at least 20% of the maximum length of the first plane.

2. **Vertical Articulation**. No horizontal wall shall extend for a distance greater than 4 times the height of the wall without changing height by a minimum of 25% of the wall's height.

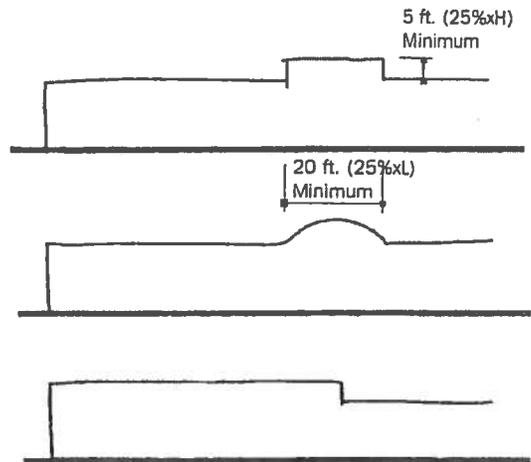
FIGURE 1 INDUSTRIAL BUILDING ARTICULATION EXAMPLE



Possible PLANS of Buildings



Possible ELEVATIONS of Buildings



LANCASTER CITY COUNCIL
Work Session Agenda Communication
April 21, 2014

Item 6

Receive a presentation from James Hardie Industries regarding fiber cement siding products.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Quality Development

Background

As prescribed in the City Council Rules and Procedures as amended July 2013, Section 1 D. City Council Agenda Process, Councilmember Carol Strain-Burk, District 1 requested an item be included on the agenda for the purpose of receiving a presentation from James Hardie Industries regarding fiber cement siding products for residential and commercial construction.

Submitted by:
Opal Mauldin Robertson, City Manager

LANCASTER CITY COUNCIL
Work Session Agenda Communication
April 21, 2014

Item 7

Receive a presentation regarding a proposed Rental Registration Program.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Healthy, Safe and Vibrant Community

Background

At the March 17, 2014 Work Session City Council received a presentation regarding a proposed Rental Registration Program. Council requested staff to explore possible funding and implementation of the program.

Council will receive a presentation with the updated information on the rental registration program.

Submitted by:

Opal Mauldin Robertson, City Manager
Rona Stringfellow, Assistant City Manager

Discuss the City of Lancaster Public Improvement District Policy.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Civic Engagement

Background

A Public Improvement District (PID) is a defined geographical area established to provide specific improvements and maintenance within the area financed by an assessment levied on each property within the area. Assessments are based on the appraised values of real property within the area and/or the cost of improvement(s). The City is authorized to create PIDs under Chapter 372 of the Texas Local Government Code.

The City Council stated objective to “support Lancaster neighborhoods in the creation of Public Improvement Districts (PIDs) throughout the city to strengthen and connect neighborhoods” has been realized with the implementation of 8 existing PIDs in the City.

City Council requested staff to establish a committee to develop a Policy to provide uniformity to the manner in which each PID operated. The committee held several meetings to provide input and feedback regarding a Policy. Staff researched best practices and existing operations to create the proposed policy.

Considerations

- **Operational** – There are self-managed and agency managed PIDs within the Community. The policy addresses the following areas which are applicable to all PIDs within the City of Lancaster.
 - Establishment and Operations
 - Maintenance and Improvements
 - Advisory Board Elections
 - Advisory Board Responsibilities
 - Advisory Board Training
 - Expense/Invoice Process and Monthly Reporting
 - Expansion
 - City Staff Responsibilities

- **Legal** – The proposed policy has been reviewed and approved by the City Attorney.
- **Financial** – The City does not assess an administrative fee to the Public Improvement Districts. Revenues are received from the County annually and are maintained in separate designated funds for each PID. Expenses/Invoices are processed in accordance with this proposed policy.
- **Public Information** – This item is being discussed at a work session of the City Council noticed in accordance with the Texas Open Meetings Act.

Attachments

- PID Policy
 - PID Brochure
-

Submitted by:

Opal Mauldin Robertson, City Manager

Rona Stringfellow, Assistant City Manager

CITY OF LANCASTER PUBLIC IMPROVEMENT DISTRICT POLICY

PURPOSE

A Public Improvement District (PID) is a tax assessment area established to provide for the maintenance and enhancement of public improvements and services in the area. Assessments are generally based on the appraised values of real property within the area and/or the cost of improvement(s). A PID can encompass and serve both residential and commercial property. Cities are authorized to create PID's under Chapter 372 of the Texas Local Government Code.

The City of Lancaster recognizes that PID's are valuable tools which neighborhoods use to enhance the maintenance of public property beyond the level normally provided by the City. It is the intent of the city to allow direct management control of PID operations by bodies consisting of PID property owners. However, PID bodies serve advisory functions, and all final decisions are made by the governing body of the PID, the City Council. Section 372.002 of the Texas Local Government Code, Exercise of Powers, states that "Powers granted under this subchapter may be exercised by a municipality or county in which the governing body of the municipality or county initiates or receives a petition requesting the establishment of a public improvement district. A petition must comply with the requirements of Section 372.005."

PID ESTABLISHMENT

The City Council must approve all petitions requesting establishment of public improvement districts. Land included in the PID must be contiguous.

A PID may be created at any time; however, to be assessed in October following PID creation, the required number of petition signatures must be turned in to the City by July 1st. Establishment shall be in accordance with Chapter 372 of Texas Local Government Code.

The key indicator that distinguishes an existing neighborhood or business district from a new development is whether the majority of lot ownership is held by the developer or by the residents. All PID's must comply with the details of the approved resolution that established the PID. Public Improvement Districts are prohibited from enforcing Homeowners Association Deed Restrictions. PID's are likewise prohibited from expenditures of public monies advertising or promoting a developer's sales.

Advisory Board Membership

PID Board members will comply with all laws, policies, and procedures set by:

- Chapter 372 of the Texas Local Government Code.
- The City of Lancaster
- The City of Lancaster Code of Ordinances
- The Texas Open Meetings Act
- The City of Lancaster Public Improvement District Policy
- The Bylaws of the Public Improvement District

If any Advisory Board member intentionally violates any of these laws, policies, or procedures, the City may remove the member from the Advisory Board and appoint a replacement.

Existing Neighborhood or Existing Business District

Individuals interested in establishing a PID should determine the support of their community and present a petition including a conceptual plan of improvements to the City Manager's Office which includes at least:

- Proposed district boundaries
- Estimated costs associated with the improvements and maintenance
- The general nature of the proposed improvements or maintenance program
- Consideration of future replacement of capital improvements, i.e. fences
- Classes of property which will be subject to or exempt from assessment and the proposed method of assessment
- A core committee of interested individuals (names, addresses and phone numbers) willing to serve as the initial PID Advisory Board
- That the persons signing the petition request or concur with the establishment of the PID

The City Manager's Office will coordinate with any neighborhood or organized group interested in establishing a PID.

After initial review, the city will determine whether sufficient support and documentation has been provided. If accepted, the city will then prepare the final application packet.

The final application packet must include an assessment plan apportioning the cost of the improvement plan to be assessed:

- An estimated assessment rate is applied to the expected appraised value of property to sufficiently fund a budget. The budget should provide adequate funds for the following:
 - Annual routine maintenance of improvements
 - Reserves to fund long term major maintenance and replacement of improvements
 - Associated out-of-pocket administrative costs
- The Advisory Board will recommend specific improvements, oversee the annual service plan and long-term plans, and manage related contracts and services.
- A Petition - The petition is sufficient if signed by:
 - Owners of taxable real property representing more than 50% of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and
 - Record owners of real property liable for assessment under the proposal who:
- Constitute more than 50% of all record owners of property that is liable for assessment under the proposal; or
- Own taxable real property that constitutes more than 50% of the area of all taxable real property that is liable for assessment under the proposal.

Maintenance and Improvements

PID assessments may only be used to serve, maintain or improve public property and may not be used to benefit or enhance private property. Listed below are services and improvements which Lancaster PID's may provide or maintain. Other improvements allowed by the statute will be reviewed and considered individually by the city.

- Landscaping and irrigation
- Right-of-way, median, and other open space maintenance, such as residential detention ponds
- Perimeter fencing
- Entry features
- Fountains
- Distinctive lighting
- Distinctive signs
- Art or decorations
- Sidewalks
- Parks
- Special supplemental services for improvement and promotion of the district including public safety, security, business recruitment, development, recreation, and cultural enhancement
- Payment of necessary expenses incurred in the establishment, administration, and operation of the district

Listed below are services and improvements which Lancaster PID's may not provide or maintain:

- Construction, improvement, or maintenance of privately owned facilities or land including that owned by a Home Owners' Association (HOA)
- Purely social activities
- Travel expenses
- Advertisement or promotion intended to sell property or newly constructed private property within PID area

PID ADVISORY BOARD ELECTIONS

After receiving a petition that complies with this policy and Texas Local Government Code, section 372.005, the Lancaster City Council will appoint an Advisory Body with the responsibility of developing and recommending an improvement plan to the City Council.

- Council will appoint an Advisory Board according to the nomination plan developed by the PID residents in their initial petition.
- New Advisory Board members shall be nominated annually, either by themselves or another property owner within the PID.
- Selection and ratification by City Council will be moved to September of each year, with members taking their seats on October 1 – the start of a new fiscal year.
- Board Composition – Each PID must have at least three (3) members, but not more than seven (7), and shall satisfy the requirements of Section 372.008 (b) Local Government.
- Board Terms – members will serve staggered 1 year terms¹. Odd numbered seats will be elected in odd numbered years and even numbered seats will be elected in even years.

¹ Specified seats will serve an initial two year term when a new PID is established.

- Currently established PID's will begin staggering seats in the current year by selecting three of its members to hold their seats for an additional year.
- Board Election – Board elections must occur annually. Please see this policy for specific board election procedures that must be followed by all established PID's.
- All Election meetings must be published publically (ex: neighborhood signs, city's website, etc.).

Board Responsibilities and Planning

The Advisory Board will hold work session from time to time to discuss maintenance and improvement projects. Work sessions will be open to the public. Notification to the community of the time, place, and topics to be considered will be provided via the city website and area signage. Work sessions are not to be considered public meetings or hearings and general comments from persons not serving on the Advisory Board are not solicited.

Meetings

Each PID is required to hold one homeowner meeting each year that is open to the public comment. The annual meeting will finalize projects for the five year service plan, district tax assessment rates, and the upcoming budget. The PID will provide notice of the meeting to all PID property owners. The advisory board may schedule other meetings as required and will notify the City of Lancaster of their time and location at least 72 hours in advance. The City will assist in publication of notice and posted agenda regarding such meetings. The PID advisory board will request the meetings be posted on the City website; in addition to this, the PID advisory board may advertise the meetings. The public is permitted and encouraged to speak at the annual meeting. The Board will provide forms to record the names and addresses of persons speaking and to record support for or opposition to the Advisory Board's plans. Minutes of the public meeting with such comments will be attached to the approved proposal sent to the city council. Final recommendations regarding the five year plan and tax rate are the responsibility of the Advisory Board.

Operations

Improvements and maintenance authorized by PIDs are supplemental to the general operations of the city and shall be paid entirely from district assessments.

Contracts

The PID advisory board shall pursue annual contracts for maintenance, repair, and construction services where possible.

Contracts will be negotiated by the PID advisory board.
Contracts will be approved by the PID advisory board

The PID advisory board must ensure that its contractors provide appropriate liability and other insurance.

Insurance

The PID advisory boards will acquire general liability, automobile liability, and errors and omissions insurance, such coverage to be paid for from PID assessments. Property insurance for valuable assets is optional and to be paid for from PID assessments.

The PID advisory board should consult its insurance advisor /agent on the appropriate levels of insurance. PIDs may obtain insurance through the Texas Municipal League (TML) at government rates or purchase it from a private carrier. If PIDs decide to pursue insurance coverage via the Texas Municipal League, it must do so independently of the City of Lancaster. The City of Lancaster will not allow umbrella coverage under its TML policy for any PIDs.

Security - If any PID hires additional security, the security service must provide proof of adequate insurance, or the PID may hire off-duty police officers. If any PID hires additional security, the Police Department will be notified prior to engaging the security service.

New Development

All new residential developments shall have either a PID or an HOA (or both). State law requires notification to homebuyers before purchasing the property acknowledging that they will pay PID assessments with their property taxes. Developers interested in establishing a PID should present a petition including a conceptual plan of improvements to the city Planning Director before construction begins. The PID petition must be submitted for City Council approval before the final plat is filed. The plan must include at least:

- Proposed district boundaries
- Estimated costs associated with the improvements and maintenance
- The general nature of the proposed improvements or maintenance program
- Consideration of future replacement of capital improvements, i.e. fences
- Classes of property which will be subject to or exempt from assessment and the proposed method of assessment
- The proposed apportionment of costs between the PID and the municipality as a whole (the transfer)
- How the PID will be managed
- An advisory board to develop and recommend an improvement plan to the governing body of the municipality at least half of whose members shall be resident of the development.
- That the persons signing the petition request or concur with the establishment of the PID
- A plan for turning the PID over to the residents when the developer has finished the residential development. The plan should include an approximate date for giving control to the residents and the specific triggers for giving control to an advisory body, such as 50% of development. The developer will be responsible for: scheduling a meeting with residents; informing the residents of the purpose, date, time, and location of the meeting; attending this meeting with the residents; explaining how the PID works; helping residents

to nominate an advisory body; and turning over to the new advisory body a detailed accounting of prior expenditures.

A city task force consisting of representatives from the following departments will review the initial submittal: Planning, City Attorney, Finance, and Parks and Recreation. The City Manager's Office will take the lead in the review process and will handle administrative tasks.

If the developer intends an HOA for early phases of development, to be phased out and replaced by PID structures later, the plan must propose detailed benchmarks for the transition timeline, occupancy rates, and property /ownership transfers.

After initial review, the city task force will determine whether sufficient support and documentation has been provided. If accepted, the PID committee will then prepare the final application packet in a format provided by the city. If city reviewers find that sufficient information available, the applicants must be provided a detailed critique allowing amendments and corrections to the application to be made in a timely fashion.

The final application packet must include an assessment plan apportioning the cost of the improvement plan to be assessed; including:

- If applicable, a description of the division of PID and HOA responsibilities and the relationship between PID fees and HOA dues.
- An estimated assessment rate to be applied to the expected appraised value of property in order to sufficiently fund a budget. The budget should provide adequate funds for the following:
 - Annual routine maintenance of improvements
 - Reserves to fund long term major maintenance and replacement of improvements
 - Associated city out-of-pocket administrative costs
- Description of procedures for the nomination of an Advisory Body. The Advisory Body will recommend specific improvements, oversee the annual budget and long-term plans, and manage related contracts and services.
- A petition. The petition must be signed by the landowners and approved by the city council before construction begins. The petition is sufficient if signed by:
 - Owners of taxable real property representing more than 50% of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and
 - Record owners of real property liable for assessment under the proposal who:
 - Constitute more than 50% of all record owners of property that is liable for assessment under the proposal; or
 - Own taxable real property that constitutes more than 50% of the area of all taxable real property that is liable for assessment under the proposal.
- Other documentation requested by the city.

PID ADVISORY BOARD RESPONSIBILITIES

- **Management** - Management of a PID is the responsibility of the PID advisory board. If the district fails to appoint an advisory board but wishes to continue the PID assessments and

maintenance, the city will maintain the district through a contract with a property management company with all expenses to be paid from PID assessments.

- **Bylaws** - Each PID must adopt bylaws. Specifically, the board may recommend:
 - The number of members, with a minimum of 3 and a maximum of 7 composition must comply with 372.008 Local Government Code
 - The number of regular meetings, with a minimum of one (1) per year.

The City staff will assist in the developing, and review each PID's bylaws before they are adopted. The City Council must vote to approve the bylaws to give them force. The PID advisory boards may amend the bylaws as necessary, and all amendments must be approved by the City Council.

PID Relationship to City after PID is created

- **Training** - The City will hold an annual training after the election of new PID officers. The training will be designed to educate new and existing PID officers of the laws, policies, and practices that govern PID's in the City of Lancaster.
- **Budgeting** - The City will give a crash course in PID budgeting at the annual training and again prior to budget development.
- **Fees and permits** – PID's are required to pay the same fees and obtain the same permits as would be required of any person or persons of the city. PID's will pay for water utilities through the interdepartmental billing system.

PID's must pay for:

- Meter fees
- Tap fees
- Collection cost for the PID assessment

Assessment Rate Increase

If a PID requests an assessment rate increase following annual review of its service plan, the PID must hold at least one additional homeowner meeting within the month before the assessment hearing to announce the increase, provide budget information, and answer questions. The PID may hold additional homeowner meetings as needed. No PID is allowed to increase its assessment rate more than 25% in one year budget year.

PID Relationship to City after PID is created

- **Fees and Permits - Developers forming PID's** for new developments are required to pay any fees and obtain the permits which may be necessary for the development, including but not limited to:
 - Meter fees
 - Tap fees (if the work is done by the city)
 - Security deposits
 - Impact fees
 - Inspection fees
 - Permits as required
 - Other City fees as required

- **Monthly Invoice/Expense Submission and Reimbursement Process** - All PIDs will be required to submit invoices monthly to the city for review and reimbursement and/or payment through PID accounts for annual service plan expenditures. Should expenses exceed the funds allocated within the annual service plan, the PID shall adhere to the City of Lancaster Budget Adjustment Process to obtain Council approval for changes.

Expansion of a PID

- Expansion of an established PID requires that a written petition of the owners of the property to be added to the PID be submitted to the established PID advisory body, which shall form the petition to City Council for consideration. For an expansion, there is no minimum number of parcels, and land annexed into the PID must be contiguous to the existing PID. The City Council will not unilaterally take action without first conducting a fiscal impact analysis and obtaining PID boards' input. If the subject property is contiguous to an existing PID and neither area has outstanding debt, it will be annexed into the existing PID after consideration and approval by the City Council.

The petition shall include:

- Formal request to be annexed into PID including petition of owner of property to be added to PIDs (meeting Section 372.005 of state statute) if more than a single owner.
- Fully completed exhibit which contains the name of each parcel owner, the parcel legal description (subdivision name, lot, block, etc.) and the tax account number for each parcel.
- Description of property including boundaries, name of subdivision or property, boundary map, and site plan.
- Description and scaled site plan of proposed improvements including landscape plan, landscape irrigation plan, signage, etc.

If the expansion is a new development, the petition shall include:

- Letter of commitment that developer/property owner shall maintain improvements for a period of two years after annexation into improvement district.
- Commitment that developer/property owner shall pay any costs associated with annexation.

- **Fees and Permits - New developments joining existing PID's** are required to pay any necessary fees and permits, including but not limited to:
 - Meter fees
 - Tap fees (if the work is done by the City)
 - Security deposits
 - Impact fees
 - Inspection fees
 - Permits as required
 - Other City fees as required

PID STAKEHOLDER GROUPS AND RESPONSIBILITIES

PID stakeholder groups include

- City Council
- City staff

- PID advisory boards
- PID property owners
- PID contractors (only during initial construction and development phases; of less than 50% owner occupancy)

City Council Responsibilities

PID boards serve advisory functions, and all final decisions are made by the governing body of the PID. The City Council approves the annual 5-year service plan, and assessment rate and roll.

City and City Staff Responsibilities

- **Collections** - Dallas County will collect current and delinquent PID assessments. Current collection costs will be reimbursed from PID assessments. In the case of a PID dissolution, PID assessments will continue until any and all debt obligations of the PID are paid in full.
- **Public Notices** - The city will coordinate annual PID roll review and distribution of public notices and communications for the annual public hearing to adopt the assessment roll and assessment rate, and service plan and to appoint the advisory board.
- **Expenditures** - The city will review PID expenditures and process payments.
- **Reporting** - The city will account for each PID's assets, revenues, and expenses separately and reports will be provided to the PID advisory boards regularly. PID records are open to the public.
- **Contracts** - The PID advisory board shall pursue annual contracts for maintenance, repair, and construction services where possible.
 - The PID advisory board will negotiate contracts.
 - Contracts will be approved by the PID advisory board

The PID advisory board must ensure that its contractors provide appropriate liability and other insurance. Day-to-day responsibilities may be provided by contract management paid for from PID assessments.

- **Support** - The city will provide support to the PID boards as needed and will orient new PID advisory board members to the role and responsibilities of the PID as needed, and during the annual PID Officer training.

PID Policy Updates

- The PID Policy Committee will consider any proposed revisions to the PID policy.
- PID advisory boards will then be notified of the proposed revisions.
- The PID Policy Committee will consider advisory boards' comments.
- The City Council will conduct a hearing to approve the policy.

- The Policy Committee will establish “a review and revision process” that considers and, if necessary, updates this policy at least once annually.

CITY LIABILITY

The PIDs and PID advisory board, performing the tasks of the PID that are authorized or mandated by the City, are authorized by the City to perform those tasks, and to the extent possible, are afforded the appropriate rights and protections of other City volunteers if they act strictly in accordance with city policies and procedures. PID advisory board members must obtain the advice of experts.

A PID proposing to install any sign or structure in a median must have City Council approval **before any costs are incurred**, and the following must be agreed to by the PID as a condition of approval by City Council:

- The PID will assume responsibility for third party liability for any and all claims or suits for damage to any persons or property, including that property purchased, installed, operated, and maintained by the PID, arising out of or in connection with, directly or indirectly, the construction, maintenance, occupancy, use, existence or location of said uses granted hereunder, whether or not caused, in whole or in part, by alleged negligence of officers, agents, servants employees, contractors, subcontractors, licensees, or invitees of the PID. The PID maintains rights, at the option of the PID, to repair, replace, or to remove, any property installed, operated, and maintained by the PID. The PID will assume responsibility for any and all claims or suits for personal injury, including death, to any and all persons, of whatsoever kind or character, arising out of or in connection with, directly or indirectly, the construction, maintenance, occupancy, use, existence or location of said uses granted hereunder, whether or not caused, in whole or in part, by alleged negligence of officers, agents, servants employees, contractors, subcontractors, licensees or invitees of the PID. The PID will assume responsibility for any and all injury or property damage arising out of or in connection with any and all acts or omissions of the PID, its officers, agents, servants, employees, contractors, subcontractors, licensees, invitees, or trespassers.

I have read and understand this policy.

Signature

Date

4. The City Council will hold a public hearing on the advisability of establishing the district.

5. The City Council may authorize the improvement district by adopting a resolution in accordance with its findings as to the advisability of the district.

How Long does the Resolution process take?

In general, the establishment process can take from three months to one year depending upon the timing of the submittals for review, the thoroughness of the information, and the cooperation of the petitioners.

How does a PID function after establishment?

The PID advisory board is responsible for the preparation of a 5 year service plan that is presented to the city. The service plan must also define the annual indebtedness and the projected costs for improvements. This service plan shall be reviewed and updated annually for the purpose of determining the annual budget for improvements.

The yearly assessments are based on the annual budget. The City Council must hold a public hearing each year prior to the adoption of the service plan, the assessment rate, and approval of the assessment roll.



The PID Advisory Board is then directly responsible for managing the improvements outlined in their petition. The board can hire contractors, maintenance personnel or purchase materials necessary to develop and /or maintain their improvements. The level of quality of the improvements rests with the PID Board and is managed based on the assessment rate adopted annually.

What are Public Improvement Districts doing?

Currently approved PID's are performing landscape improvements and maintenance functions along rights-a-way, landscape irrigation service, maintenance of common property decorative fencing, sign maintenance, funding decorative street lighting, and park and playground maintenance service within their defined areas.

Other Questions?

Please contact the City of Lancaster at (972) 218-1300 or email communityrelations@lancaster-tx.com for additional information.



City of Lancaster
211 N. Henry St.
Lancaster, TX 75146
www.lancaster-tx.com
972-218-1300

Public

Improvement

District



What is a Public Improvement District (PID) and how can it be of assistance to residential communities and developers?

What is a Public Improvement District?

A PID is a defined geographical area established to provide specific types of improvements or maintenance within the area which are financed by assessment against the property owners within the area.

Chapter 372 of the Texas Local Government Code authorizes the creation of PIDs by cities.

What Improvements can be provided in a Public Improvement District (PID)?

A PID may include:

- Landscaping and irrigation;
- erecting foundation, distinctive lighting, and signs;
- constructing or improving perimeter fencing;
- constructing or improving side walks;
- acquiring and installing pieces of art or decorations;
- acquiring, constructing, or improving entry features;
- establishing or improving parks; (Owned and maintained by the PID/ HOA)
- acquiring, by purchase or otherwise, Real property in connection with an authorized improvement;
- using special supplemental services for improving and promoting the district, including service relating to advertising, promotion, public safety, security, development, recreation, and cultural enhancement; and
- paying expenses incurred in establishing, administering, and operating the district. (e.g. insurance, management)

What is the benefit of a Public Improvement District?

A PID allows for improvements and a higher degree of maintenance within the PID area which presumable enhances the property values.

With the establishment of an advisory body, the property owners within the PID have control over the types of improvements, level of maintenance, and amount of assessments to be levied against the property owners.

Assessments are collected by the city's tax collecting agent and are deposited into a specific PID fund. Revenue collection is simple since a homeowner's association does not have to perform fee collection. This ensures a dependable revenue source for the PID. In most instances, mortgage companies pay PID assessments at the same time that ad valorem taxes are paid, as the assessment is included on the tax statement.

What are the steps required to establish a Public Improvement District?

Any property owner group, developer, homeowner's association, etc., can initiate the PID establishment process. A petition for the establishment of a PID must be submitted to the city and include the following:

- the general nature of the proposed improvement;
- the estimated cost of the improvement;
- the boundaries of assessable property;
- the property assessment cost
- whether the management of the district is to be by the management company, or a partnership between the community and the private sector;
- that the persons signing the petition request or concur with the establishment of the district ; and

- that an advisory body (PID Board) be established to develop and recommend an improvement plan to the City Council

The petition must be signed by:

- owners of taxable real property representing more than 50% of the appraised property within the proposed PID; and
- more than 50% of the property owners

City staff is available to assist with this process for existing homeowners association.

What happens next?

Homeowners Association authorized Board of Directors submits documentation requesting assistance with PID establishment.

1. Homeowners Association authorized Board of Directors submits documentation requesting assistance with PID establishment.

2. The petition is submitted to the City Secretary for filing. The city staff will review the petition to determine compliance with the state statutes.

3. The municipality may appoint an advisory body with the responsibility for developing and recommending a district improvement plan to the City Council. The composition of the advisory body should include record owners of real property within the district who are liable for assessments under the proposal. This is usually the Homeowners Association Board of Directors.