

Date: September 8, 2021

To: City Council

From: M. Nathan Barbera, Chair, Planning & Zoning Commission
Doug Shockey, Chair, Comprehensive Plan Review Committee

Via: Mark Israelson, ICMA-CM, City Manager
Dan Sefko, FAICP, Freese and Nichols, Inc.
Christina Day, AICP, Director of Planning
Michael Bell, AICP, Comprehensive Planning Manager

Subject: Comprehensive Plan Review Progress

The purpose of this memo is to update the City Council regarding the status of the Comprehensive Plan Review process, as requested at the August 23, 2021 meeting.

Background

In November 2019, the City Council appointed a 16-member, ad hoc, advisory Comprehensive Plan Review Committee (CPRC) by resolution (attached) to diagnose and recommend necessary changes to the city's Comprehensive Plan (Plan). The resolution stated a specific intent that "all policies are reached by broad acceptance, such that a supportive three-quarters vote of the members present for the Committee and a supportive simple majority vote of the members present for the Planning & Zoning Commission (P&Z) is required on each policy before it moves forward as a recommendation to City Council."

The resolution established that "the Committee will act as a community sounding board for the Plan and provide input and feedback on policy recommendations from the Planning & Zoning Commission. The Committee will also act as advisors and ambassadors of the planning process." This language and shared process is necessary due to the City's code of ordinances which establishes that Planning & Zoning commission has "the power and it shall be its duty to make and recommend for adoption a master plan".

For efficiency, the process was to focus in four topic areas where the City Council saw the greatest need for review based on community feedback: land use, transportation, density, and growth management.

Status

To date, the plan has achieved unanimous agreement on 99% of its content (see attached Completion Graphic). For several months, the two bodies have gone back and forth regarding the inclusion of and/or wording of actions within a single policy area – Redevelopment and Growth Management – as follows:

- April 27, 2021: The CPRC passes a complete plan out of committee by a vote of 15-0.

- May 3 and June 7, 2021: P&Z discusses the complete plan. This is their initial consideration and review of the land use maps, dashboards, executive summary, glossary, and new policies from the CPRC that are part of the document. A legal question is asked that requires executive session at a future meeting.
- June 21, 2021: A joint executive session is conducted. P&Z conducts its regular meeting and passes the plan with single word changes recommended in three locations (Guiding Principle 2.4, Land Use Action 1, and website context for Regional Transportation Corridors Policy) and more significant changes recommended for two action statements: Redevelopment and Growth Management (RGM) Actions 1 and 5. Votes are 8-0 on all items.
- July 6, 2021: CPRC meets and approves the three, single-word changes recommended by P&Z. The CPRC recommends retaining RGM5, with clarifying language, accepts the removal of the supermajority requirement in RGM1 and replaces it with finding language, also adding a new ordinance requirement as RGM2. All votes are 15-0.
- July 19, 2021: P&Z accepts RGM1 as proposed (including language requiring findings), but has concerns with the language in RGM2 requiring an ordinance, striking the language. P&Z also proposes changes to the mixed use development standards in RGM5 stating concerns over hindering opportunity if good proposals are deterred by policy that does not support the market, too much change compared to current standards, and confusion over some wording. Votes were 7-0 on RGM1 changes, but 5-2 on RGM5 changes.
- August 19, 2021: CPRC wants to keep RGM2, but makes changes to the language, primarily including a policy option (e.g. adopt an ordinance and/or policy) and striking language about a record of accountability for officials. CPRC also modifies RGM5/6 based, in part, on remarks made by the chair and vice-chairs of P&Z. Accepting recommended language requested by P&Z in (b), in addition to prior language inserted by the CPRC, with some clarifications, citing the content's importance to the Committee. Votes were 12-3 on both Actions from the CPRC.
- September 7, 2021: P&Z agreed with CPRC on the language for RGM 5/6. However, RGM 2 was still a point of contention, and P&Z thought that it was unnecessary for two reasons: there is language in RGM1 requiring findings and the content is not appropriate in a comprehensive plan context (an plan is not a legislative document and should not direct City Council to adopt a procedural ordinance, it is not a legislative document). As a compromise, P&Z recommended removing the language from the plan and having it considered independently via a memo to City Council as a recommendation from P&Z and CPRC in support of the plan. Votes were 8-0 on both Actions from the P&Z.(See attachment for detailed language on RGM2.)

Next Steps

Step 1: Reaching Consensus – Unknown timeframe

A number of options are open at this time. There is inability for the CPRC and P&Z to reach compromise on how to address the content of one action statement out of the entire plan (RGM2); however both groups feel strongly about the need to support their position. The original purpose of the CPRC process was to seek a unified plan that the community could support. Moving forward without a resolution would undermine this purpose.

There are likely to be alternative means of achieving the desired outcomes for both groups, which do not require substantial time investments for the Committees. A key to achieving success is the ability for both bodies to express their specific concerns related to the impasse. With this information:

1. City Council could provide direction to move forward with either the CPRC or P&Z recommendation for RGM2.
2. City Council could provide direction on one or more alternatives to meet the objectives of RGM2, such as, but not limited to the following:
 - a) Adopt RGM2 language as a policy immediately, effective upon adoption of the new Comprehensive Plan, to demonstrate City Council's commitment to the findings process independent of the Comprehensive Plan document. RGM2 could then be removed from the plan, since the action would be in effect.
 - b) Add a statement to RGM1 "The identification of specific findings are required supporting the approval of zoning petitions that do not conform to the mix of uses, density, and building heights as described in the Dashboards, to provide greater transparency for the public." This is the content of RGM2 excluding the portion "recommend that City Council adopt a policy and/or ordinance".
 - c) Requesting alternatives to RGM2 to meet the needs of the specific issues of each party. This could be undertaken by the City Council, plan consultant, city staff, and/or a third-party mediator specialized in city planning.
 - d) Appointing a small subcommittee to work jointly on a mutual solution, with members of P&Z and CPRC working together on alternatives to present back to each group. City Council liaisons could also participate.

In considering alternatives it may be helpful to note that CPRC members have greater flexibility as an ad hoc committee, and could vote on alternatives in a non-traditional manner to conserve time, if that is an issue.

Step 2: Public outreach and town hall meeting on Draft Plan – 5 weeks (3 weeks preparation and 2 weeks outreach, depending on vendor availability).

Once a Draft Plan has received the necessary 75% approval by the CPRC and at least 50% approval by P&Z, it will be presented for public feedback, as planned. The public has been anticipating this step throughout the planning process, through referrals and information in meetings and online. A town hall will be scheduled, aided by a survey and extensive public outreach. The plan website has been active for some time now, allowing interested individuals to pre-view the plan in its current state.

Step 3: Consider Results, Any Changes from Public Feedback, and Final Joint Plan Approval – 6 weeks (timeline depends on content of feedback and any desired changes)

Following the public outreach phase, the CPRC and P&Z will meet together to hear a summary of the public comments and finalize official recommendations on a Joint Plan.

Step 4: City Council Consideration – 3 weeks

The Joint Plan will be forwarded to City Council in accordance with the public hearing process required by state law and city ordinance. The timeframe includes preparation of agendas, packets, and related workload.

Public Outreach Details

After the Draft Plan has received the necessary approvals from the Committee and P&Z, it will be published online for public review and comment. Due to COVID-19 related challenges, typical in-person outreach meetings are not scheduled. An online survey will be posted on the Draft Plan website for approximately two weeks and a City of Plano Telephone Town Hall on the Draft Plan will be conducted within that same two-week time frame. Advertising for the survey and town hall will be published through the typical City of Plano social media platforms, including Facebook, Twitter, and Nextdoor. Planning staff is also working with the Parks & Recreation Department to advertise the survey using yard signs strategically placed in city parks and facilities, with the Libraries departments to place posters at city facilities, and with the Neighborhood Services Department to promote the survey at BEST Break virtual neighborhood meetings. Postcards with a link to the draft plan website and survey will also be mailed to all Plano residential addresses. The advertising budget is expected to be \$23,000 for the outreach efforts, based on current quotes for goods and services.

Budget

Of the \$1,100,000 budget for consultant services, \$752,640 (71%) has been billed through July 2021. Based on costs to date, remaining funding would allow the process to extend through the end of the year. This is sufficient funding to finalize the planning process, but only if a timely resolution to the one (or two) outstanding actions can be accomplished.

Attachments: Resolution 2019-11-2(R)
Table of Action Progression for RGM2
Completion Graphic

RESOLUTION NO. 2019-11-2(R)

A Resolution of the City of Plano, Texas, providing for the creation of an ad hoc, advisory Comprehensive Plan Review Committee to guide the city in the planning process for the reconciliation of the community regarding the Comprehensive Plan; establish voting standards for the Committee and Planning & Zoning Commission related to this Comprehensive Plan Review process; and providing an effective date.

WHEREAS, the City Council wishes to appoint an ad hoc, advisory committee called the Comprehensive Plan Review Committee (the “Committee”) to guide the city in the planning process for the reconciliation of the community regarding the Comprehensive Plan (the “Plan”) during the current Plan review process; and

WHEREAS, the City Council will appoint sixteen members to serve on the committee, with each council member and the mayor appointing two members; and

WHEREAS, the City Council will appoint a chair for the Committee at a future meeting; and

WHEREAS, the Committee liaison will be a qualified consultant in city planning, who will work to facilitate the Comprehensive Plan Review Committee process in collaboration with city staff. The consultant and staff will report regularly to the City Council and interact with the Planning & Zoning Commission (the “P&Z”) on related issues; and

WHEREAS, the Committee will act as a community sounding board for the Plan and provide input and feedback on policy recommendations from the Planning & Zoning Commission. The Committee will also act as advisors and ambassadors of the planning process; and

WHEREAS, it is the intent that all policies are reached by broad acceptance, such that a supportive three-quarters vote of the members present for the Committee and a supportive simple majority vote of the members present for the Planning & Zoning Commission is required on each policy before it moves forward as a recommendation to City Council; and

WHEREAS, the work of the Committee is complex and knowledge is cumulative, regular attendance and continuity of Committee members is critical to the effective performance of each member; and

WHEREAS, the Committee and this Resolution will sunset at the conclusion of the associated planning process, as determined by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The City Council hereby forms an ad hoc committee of sixteen residents of the City of Plano called the Comprehensive Plan Review Committee to guide the city during the current Plan review and amendment process, such members to be

RESOLUTION NO. 2019-11-2(R)

appointed by the City Council, with each council member and the mayor appointing two members and the chair to be appointed by the City Council.

Section II. Any member of the Committee may be removed with or without cause by the appointing council member. Committee meeting attendance will be reported to the City Council. After the first meeting date of the Committee, if a Committee member is no longer willing to serve, or is removed, that Committee member shall not be replaced.

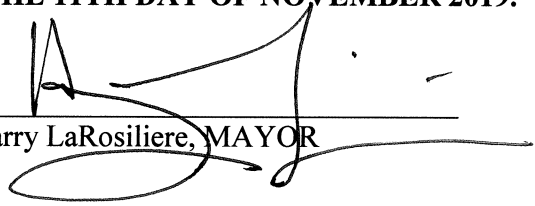
Section III. The Committee members shall act as a community sounding board for the Plan and provide input and feedback on policy recommendations from the Planning & Zoning Commission. The Committee will also act as advisors to and ambassadors of the planning process.

Section IV. All policies of the Plan must be supported by a vote of three-quarters of the members present of the Committee and a simple majority of the members present for the Planning & Zoning Commission before the policy moves forward as a recommendation to the City Council.

Section V. The Committee and this Resolution will sunset at the conclusion of the planning process associated with this Resolution, as determined by the City Council.

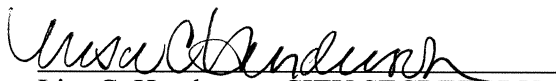
Section VI. This Resolution is effective upon adoption.

DULY PASSED AND APPROVED THE 11TH DAY OF NOVEMBER 2019.



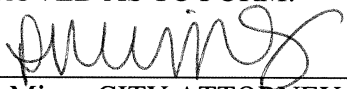
Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY

CPRC AND P&Z EDITS RELATED TO ORIGINAL ACTION RGM1
Changes indicated from one meeting to the next except where otherwise noted.

CPRC – April 27	P&Z – June 21	CPRC – July 6	P&Z – July 19	CPRC – August 17	P&Z – September 7
RGM1 Review zoning change requests for consistency with the Future Land Use Map and Dashboards. Requests that do not conform to the mix of uses, density, and building heights as described in the Dashboards are disfavored. Develop zoning regulations that allow occasional proposals that do not strictly conform to these criteria, yet are found consistent with the Guiding Principles of the Comprehensive Plan and substantially beneficial to the immediate neighbors, surrounding community, and general public interest, to be approved with a supermajority vote by City Council.	RGM1 Review zoning change requests for consistency with the Future Land Use Map and Dashboards. Requests that do not conform to the mix of uses, density, and building heights as described in the Dashboards are disfavored. Develop zoning regulations that allow <u>Allow</u> occasional proposals that do not strictly conform to these criteria, yet are found consistent with the Guiding Principles of the Comprehensive Plan and substantially beneficial to the immediate neighbors, surrounding community, and general public interest, to be approved with a supermajority vote by City Council.	RGM1 Review zoning change requests for consistency with the Future Land Use Map and Dashboards. Requests that do not conform to the mix of uses, density, and building heights as described in the Dashboards are disfavored. Allow occasional <u>Occasionally allow</u> proposals that do not strictly conform to these criteria, yet are found consistent with the Guiding Principles of the Comprehensive Plan and substantially beneficial to the immediate neighbors, surrounding community, and general public interest, to be approved with a vote by City Council. <u>Such approval would be carefully deliberated and justified by findings after gathering and considering substantial community input.</u>	RGM1 <i>Approved as recommended by CPRC.</i>	RGM1 <i>Approved July 6/July 19.</i>	RGM1 <i>Approved July 6/July 19.</i>
		<u>RGM2 Recommend that City Council adopt an ordinance to require that P&Z and City Council make specific findings when approving zoning petitions that do not conform to the mix of uses, density, and building heights as described in the Dashboards, to create a record of accountability for elected and appointed officials and provide greater transparency for the public.</u>	RGM2 Recommend that City Council adopt an ordinance to require that P&Z and City Council make specific findings when approving zoning petitions that do not conform to the mix of uses, density, and building heights as described in the Dashboards, to create a record of accountability for elected and appointed officials and provide greater transparency for the public.	<u>RGM2) Recommend that City Council adopt an ordinance and/or policy to require that P&Z and City Council make specific findings when approving requiring the identification of specific findings supporting the approval of zoning petitions that do not conform to the mix of uses, density, and building heights as described in the Dashboards, to create a record of accountability for elected and appointed officials and provide greater transparency for the public.</u>	RGM2) Recommend that City Council adopt an ordinance and/or policy requiring the identification of specific findings supporting the approval of zoning petitions that do not conform to the mix of uses, density, and building heights as described in the Dashboards, to provide greater transparency for the public. [move to independent recommendation outside the plan]

Key: new language, ~~deleted language~~, recommended insertion from a previous draft, ~~recommended deletion from a previous draft from the same body~~, keep language but move elsewhere

Draft Comprehensive Plan Status

Attachment to Comprehensive Plan Update

Vision and Guiding Principles



Vision Statement



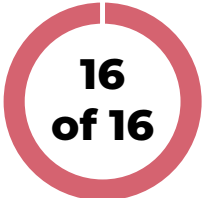
Guiding Principle 1



Guiding Principle 2



Guiding Principle 3



Plan Elements

Glossary



Plan Policies



LU



CD



RTC¹



UL



TOD



RGM



RS



BOM



PT



TDM



PE



NC



RRSC



SHN



PG



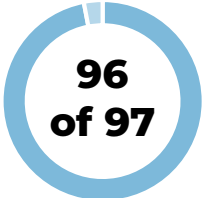
RT



CNC



RE



Plan Actions

Executive Summary



Plan Maps



Future Land Use Map



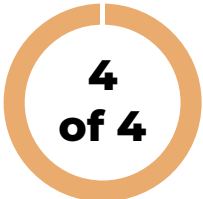
Thoroughfare Plan Map



Bicycle Transportation Plan Map



Growth & Change Map²



Plan Maps

1. minor text edit to RTC Website Context
2. Growth & Change Map recommended for removal

Future Land Use Map Dashboards



N



NC



CC



SA



UA



EM



DT



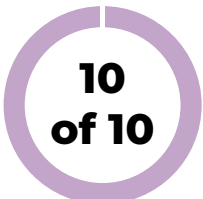
EX



SN



OS



FLU Dashboards

