Special Edition Update
Developers Focus Group Meeting
July 30, 2019

Process Improvement... an Ongoing Practice!
Directors Update

- **House Bill 2439**
  Relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction or renovation of residential or commercial buildings

- **House Bill 3167**
  Relating to county and municipal approval procedure for land development applications
  - Unified Development Code (UDC) Amendments
  - Design Criteria Manual (DCM) Update
Timeline

06/05/19 - P&Z Work Session Briefing on upcoming legislation
06/11/19 - CC Executive Session Briefing on upcoming legislation
06/14/19 - Governor signs HB 2439 and HB 3167, with an effective date of 09/01/19
06/20/19 - Special Edition: Developer’s Focus Group Meeting
06/20/19 - Eco Dev Meeting at Arlington Chamber of Commerce
07/02/19 - City of Denton Roundtable Luncheon
07/11/19 - City of Arlington Roundtable Breakfast with adjacent cities (Mansfield, Grand Prairie, Kennedale)
07/16/19 - City of Arlington Roundtable Breakfast with other cities in the metroplex (Fort Worth, Irving, Garland, Plano, Cedar Hill)
07/22/19 - Land Use Attorney Meeting hosted by TML in Austin
07/26/19 - Expecting White Paper
07/30/19 - Special Edition: Developer’s Focus Group Meeting – discuss process changes
08/06/19 - CC Work Session
08/15/19 - Quarterly Developer’s Focus Group Meeting – discuss UDC and DCM changes
08/20/19 - CC Work Session (if needed)
08/21/19 - CC Work Session – DCM Update
09/04/19 - P&Z Work Session - UDC Amendments
09/04/19 - P&Z Public Hearing - UDC Amendments
HB 2439
(effective Sept 1, 2019)

Prohibits cities from mandating specific building materials

SUMMARY
Proposed UDC changes, complying with HB2439:

- Remove ‘Prohibited Materials’ list for both Exterior Finishes and Roofing (except in all adopted special districts – DNO, DB, EDO, LCMUO, and VG)
- Change ‘Approved Materials’ list to ‘Preferred Materials’ list (except in all adopted special districts – DNO, DB, EDO, LCMUO, and VG)
- Existing standards related to fences, retaining walls, and accessory structures remain
- Additions or renovations to existing buildings shall continue to have the language of “…shall match the character of the existing building.”
- Add more landscaping requirements for all buildings (which may be waived in lieu of using preferred materials, through the use of an Alternative Equivalent Compliance AEC process, which is already included in the current UDC)

PROCESS CHANGES:
- Require Development Plan approval for all mixed-use developments
HB 3167
(effective Sept 1, 2019)

Expands the existing 30-day shot clock on plats to all “plans” as well.

Adds a 15-day shot clock to review and act on the applicant response received after the plat has been disapproved.

Amends Chapter 212 of the Texas Local Govt Code, which is related to subdivision of land (plats)

SUMMARY

- Only affects plats and “plans” (i.e. site plan & public improvement plans that go with the plat).
- If someone wants to build on an existing platted lot, the Site Plan/Building Permit is not subject to this law.

Proposed UDC changes, complying with HB 3167:

- Final Plats will now require P&Z approval
- Site Plan & Public Improvement Plans will be a part of Final Plat application.
- Combination Plats will no longer be allowed... it will be processed only as Preliminary and Final Plats.

PROCESS CHANGES:

- Plat Applications will have a strict timeline and calendar that the applicants and staff will need to follow.
Plat Process

- **Intake Calendar (two cycles every month)**
  - Set date for PLAT Pre-Application Meetings
  - Set date for Application Submittals
  - Set date for Completeness Check – if complete application, the 30-day shot clock begins that day & staff review starts.
  - One week prior to the P&Z meeting date, a tentative plat agenda along with the staff report (with recommendations) & comments are published on the website.
  - The applicant has an opportunity to prepare a letter requesting P&Z Commission to grant a 30-day extension, and submit to staff before the meeting or at the public hearing.
Plat Process

STEP 1:

- **PLAT Pre-Application Meeting**
  - Different from a pre-submittal meeting
  - Applicant will need to email specific documents/plans while requesting for Plat Pre-Application Meeting.
  - Before the start of the meeting, the applicant is required to pay the pre-application meeting fee.
  - At the end of the meeting, staff will be able to provide a ‘Required Documents Checklist’ for the plat application and provide the next few submittal deadlines for the application.
Plat Process

**STEP 2:**

- **Application Submittal (5 weeks prior to P&Z mtg)**
  
  - Submit all documents checked in the Document Checklist provided by staff at the Plat Pre-Application Meeting, including the meeting notes.
  
  - Until all processes are ironed out, we plan to **allow only in-person submittals** (no courier or online submittals)
  
  - The plat application and fee (for a Final Plat, there will be an **additional fee for SP & PI review**) will be entered into the system, and move on to the completeness check step.
Completeness Check (2 business days)

- Staff will review the application packet to see if all required plans/documents are submitted.
- If there are missing items, staff will notify the applicant before the end of the completeness check review time that the application is incomplete, and can process the refund of the fee.
- If complete application, the 30-calendar-day shot clock begins and it will be placed on the P&Z agenda.
Staff Review – Comments – P&Z Staff Report

- Staff will review the application materials, including TIA, Flood Study, Drainage Analysis, lot and street configuration per the UDC and DCM.
- Prepare a Comments Letter, as well as Staff Report
- Prepare P&Z packet.
P&Z action

After review of each plat application, staff will prepare the P&Z packet which will consist of comments and staff report recommending one of the following actions:

- Approval;
- Approval with conditions; (only used when minor corrections needed on the face of the plat)
- Disapproval; or
- 30-day extension, as requested by applicant

The disapproval will be attached with the staff comment letter, pointing out the deficiencies with specific citations from codes.
If disapproved at P&Z for the first time

- Staff provides applicants a calendar for the Response Submittal dates.
- When the response is submitted, the item is placed on the P&Z agenda, complying with the 15-day shot clock.
If the plat is still denied at P&Z after the applicant response:

- The applicant does not have another chance with the same application.
- The applicant will need to submit a new Application.
- The new application will follow the same intake calendar as a first-time application.
Plat Process

1. PLAT
Pre-Application Meeting

2. Application
Submittal

3. Completeness
Check

4. Staff Comments
In Plat Agenda

5. P&Z Action

1. Approve
2. Approve with Conditions
3. Approve 30-day Extension
4. Disapproved

6. Applicant Response

7. New Application

P&Z Action

Staff Comments
in Plat Agenda

15-day Shot Clock

30-day Shot Clock
## Plat Activity Calendar (DRAFT)
- for the remainder of Year 2019

### P&Z Plat Activity Schedule 2019

<table>
<thead>
<tr>
<th>P&amp;Z Meeting</th>
<th>Last Date for Request Pre-Application Meetings</th>
<th>Last Date for Submittal (Monday–Friday)</th>
<th>Completeness Review Dates (Mandatory)</th>
<th>30-Day Shot Clock Begins</th>
<th>211.0093 Written Response Filing</th>
<th>15-Day Shot Clock Begins</th>
<th>Friday - Comments to Managers Review</th>
<th>Monday - Staff Review (ALL)</th>
<th>Tuesday 5 PM - P&amp;Z Packet Due to April Aguayo for (PEAK - ALL)</th>
<th>Wednesday Final PEAK Approval - Comments to Applicants/Post Plat Agenda by 5 PM</th>
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<tbody>
<tr>
<td>10/16</td>
<td>8/23</td>
<td>8/26 morning OR/8/29</td>
<td>9/5-13</td>
<td>9/16</td>
<td>Notification if Incomplete</td>
<td>9/16</td>
<td>10/4</td>
<td>10/7</td>
<td>10/8</td>
<td>10/9</td>
</tr>
<tr>
<td>5/22/2020</td>
<td>11/27</td>
<td>12/2 morning OR/12/5</td>
<td>12/15-20</td>
<td>12/23-26</td>
<td>Notification if Incomplete</td>
<td>12/23</td>
<td>1/7</td>
<td>1/10</td>
<td>1/13</td>
<td>1/14</td>
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**Note:** Minor Plats & Amended Plats will not go to P&Z, but will have a Completeness Review and be subject to 30-day Shot Clock for administrative approval/denial.
Work in Progress

- **Documents/forms to be created**
  - Plat Pre-application Meeting Request form
  - Required Documents Checklist for Plats
  - Process Flowchart
  - Intake Calendar

- **Update website with all this information**

- **Educate development community & engineering firms of the new process**

- **UDC Amendments to reflect the changes**
Resource Needed

1. 1 new FTE - Senior Planner (supervised by Planning Manager)
2. 1 new FTE - Project Engineer (supervised by Eng. Opr. Manager)
3. 1 new PT - Engineering Intern (20 hrs/week) to help out with EOD desk

- Until these new resources are hired and trained, we will need to rely on existing staff, which means:
  - REVIEW GOAL TIMES for other projects will need to be modified (customers will experience delays in their projects such as Re-zoning cases, Commercial Site Plans, Public Improvement Plans, and other permits)
  - We may not be able to provide services such as Pre-submittal Meetings, P&Z Bus Tours, etc.
New Fees

1. **Staff Consultation Fee (Plats)** = $200 per meeting
   - Pre-Application Meeting

2. **Final Plat Fee** = additional $1,000 for engineering review
   (since PI is a part of this application)
Design Criteria Manual
Design Criteria Manual (DCM) Updates

- **Reformat/Reorganized & Clarification**
  - No longer organized by type of development; organized by type of improvements (departments)
  - Needed to clarify our interpretation of certain items in the current DCM

- **Comply with Regulatory Changes**
  - FEMA
  - TCEQ
  - Texas Legislative Changes
DCM Updates (contd.)

- Match Current Policies & Ordinances
  - Current practices are different from current manual. Cannot continue to enforce practices without changing manual because of new Texas laws
  - Operational changes require updates to design standards (this includes Streetlight requirements)
  - Address challenges that have been created due to lack of certain criteria
  - Move some items from guidance documents into the actual DCM
DCM Updates (contd.)

- **Removal of Checklists & Appendices**
  - New dedicated web page for DCM & related documents
  - Update checklists and templates

- **List of Changes & draft of DCM**
  - Available on Public Works website
    https://www.arlingtontx.gov/city_hall/departments/public_works_transporation

- **Next Steps:**
  - August 6 – Council Committee Meeting
  - August 15 – DFG Quarterly Meeting
  - August 20 – Council Work Session
Questions?