



CITY OF KYLE

Community Development Department



May 9, 2017

To: Planning & Zoning Commission
From: Howard J. Koontz, Director of Planning & Community Development
Re: Mid-Term update to the Kyle Comprehensive Plan

Following a process that began in August 2015, including a series of work sessions between the Planning Commission and staff, a public input meeting of Kyle residents, and a joint work session with the Mayor & City Council, the final edits of the mid-term update to the Kyle Comprehensive Plan have now been compiled for one last review and comment.

These attached edits are believed to be very close to the chronicle of edits and updates from all interested parties up to this point, and should be very close to the language that is inserted into the Character Area section of Kyle's existing Plan. These latest sections also contain the edits made at the Public Hearing before the Planning Commission on April 11 and April 25th.

In addition to the edited text of the land use district narratives, this updated Comprehensive Plan document contains newly revised representations to the most recent Future Land Use map. The map edits are presented primarily for two reasons: 1. To compensate for the large-scale annexation action undertaken by the city in the spring of 2016. Newly created extraterritorial jurisdiction was assigned the landscape/district designation of that to which it was adjacent, for continuity. 2. The presence of prior agreements between private landowners and the city in the form of development agreements has been acknowledged by reference in both the narrative text, and the future land use map itself. Areas entitled to development processes, procedures, and standards that have been monumented in development agreements between the city and the private sector land owner/operator have been referenced on the maps in the districts/landscapes in which they're located, and in the charts of land use recommendations at the end of each relevant district description as well.

The process as spelled out by the city's charter will be a series of three (3) Public Hearings: two of which have already taken place on April 11 and April 25, 2017; the deliberation period from the second Public Hearing was extended to tonight's meeting (May 9th), which has the added effect of moving the third Public Hearing in front of the Mayor & City Council to May 16th, which will serve as the final meeting where the edits will be deliberated and adopted in front the city council.

Page 7 – Update the section on the Transportation Master Plan; delete second paragraph of the section entitled *Transportation Master Plan* (“Major Recommendations of the...”), and replace with:

“In 2016 Kyle ratified another updated Transportation Master Plan, entitled *Kyle Connected: Transportation Master Plan 2040*. The plan came to be again by following its own public process and analysis, yet this plan does take into consideration the recent growth pressures placed on the city and some of the relevant conclusions made in the 2010 Comprehensive Plan. By reference, that document is adopted as an integral part of the transportation solution proposed by the policies of this Comprehensive Plan.”

Page 7/8 – Update the section on *Parks, Trails, and Open Space Master Plan*; add new third paragraph to read:

“The product of that proposed 2016 update is the *Kyle Parks and Recreation Master Plan* by Halff Associates, formally adopted on December 6, 2016, by the City Council. The study is envisioned to guide the city’s strategic parks and recreation goals for the next 10 years. The plan evaluates the current parks and recreation capacity of the city, incorporates public input to determine the city’s greatest needs for the next 10 years, and presents a series of goals and visioning exercises to achieve those needs over the next decade.”

Page 8 – Update the section on *Economic Development Strategic Plan*; add a final paragraph that reads:

“In September of 2015, the City of Kyle adopted a newly updated strategic plan for economic development, titled *City of Kyle Economic Development Strategic Plan: Setting the Stage for Development Success* by The Natelson Dale Group, Inc. It is planned to be the guiding document for economic development until at least 2025. It features newly updated data on strategies and action plans, demographic and workforce characteristics, market and gap analyses, and appendices for strategic goals moving forward.”

Page 124 – [between ‘Application’ and ‘Corridor Condition’] “**Exceptions.** During land entitlement and development procedures of properties both adjacent to existing city limits and in the

extraterritorial jurisdiction in general, occasionally (a) land owner(s) will enter into what's termed a Chapter 212 Development Agreement, or more commonly a 'Development Agreement.' As described by the Texas Municipal League, 'Subchapter G of Chapter 212 of the Texas Local Government Code, which was enacted in 2003, allows any city (other than the City of Houston) to enter into a written contract with an owner of land in the city's extraterritorial jurisdiction to: (1) guarantee the land's immunity from annexation for a period of up to fifteen years; (2) extend certain aspects of the city's land use and environmental authority over the land; (3) authorize enforcement of land use regulations other than those that apply within the city; (4) provide for infrastructure for the land; and (5) provide for the annexation of the land as a whole or in parts and to provide for the terms of annexation, if annexation is agreed to by the parties.'

"Kyle has entered into multiple 212 agreements with a variety of land owners, some of which exist in the city limits, some outside of it, and some straddle the boundary. These properties are entitled to development processes and procedures that are monumented and preserved outside the bounds of traditional code language, and instead spelled out in these specific civil contracts, administered and enforced by both the land owner(s) and the city, jointly. Because the properties are activated at a separate standard, they are not to be considered for zoning entitlements in the traditional manner as other, non-entitled property. They receive the rights and privileges that the previously agreed upon development agreement affords them. For that reason, the properties located on the revised Future Land Use map, designated as 'Development Agreement', can be assumed to have the rights and privileges of land already assigned appropriate zoning. However, those rights and privileges are assumed to exist only in the boundaries of the designated property, and not necessarily extending to the entire region at large. The extension of the rights and privileges is allowable, on a case-by-case basis as determined by recommendation of the Planning Commission and ratification by the Mayor & City Council."

Page 165 to 181 – Parks Plan Section: Reference the *Kyle Parks and Recreation Master Plan* by Halff Associates, adopted December 6, 2016, instead of the existing narrative.

Page 193 to 209 – Transportation Plan Update section: Reference the *Kyle Connected: Transportation Master Plan 2040* by Lockwood, Andrews & Newnam, Inc., instead of the existing text.

Page 261 to 269 – Economic Development Strategy: Reference the *City of Kyle Economic Development Strategic Plan: Setting the Stage for Development Success* by The Natelson Dale Group, Inc., instead of the outdated text from this document.