

City of Wichita Falls

Downtown Zoning

Diagnostic Report

September 17, 2018



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Introduction

The City of Wichita Falls has recognized the need for updates to the regulatory codes and development processes to address issues identified in the greater downtown area. The desire to implement Vision 20/20, the recently completed Downtown Small Area Study, and frustration with the lack of development in downtown have led to assessing current codes and processes. To achieve the vision of a vibrant downtown district and to implement some of the recommendations of the adopted plans, some changes to the regulatory environment must occur.

This diagnostic reviews zoning categories located in the downtown area and supplemental development regulations including parking, landscaping, and signage. The development review process was also reviewed to identify any gaps in the process or elements that can be streamlined to increase investment in downtown. For each issue that is identified, a possible resolution is presented to provide guidance for the City to make policy decisions for downtown.

This diagnostic focuses on the greater downtown area, which is generally bounded by the Wichita River to the north; Interstate Highway 44 to the west; Kell Boulevard to the south; and the Railroad to the east. Within the greater downtown area, there is a variety of uses ranging from industrial warehousing in the southeastern portion; single family residential and commercial in the southwestern portion; recreational facilities and a trail to the north along the Wichita River; and a mix of commercial and retail in the central part of downtown. Existing zoning in the downtown area consists of four zoning districts, which will be the primary focus of this zoning diagnostic: General Commercial, Central Business District, River Development District, and Light Industrial.



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Zoning

1. Realign base zoning districts in the greater downtown area

Issue

The downtown area is currently broken into four zoning districts: General Commercial, Central Business District, River Development District, and Light Industrial. Each zoning district determines what uses are permitted in that district and what type of development regulations apply, such as minimum lot size, minimum setback, and maximum height. The following sections discuss the issues identified with the alignment of the base zoning districts.

ZONING AT MAJOR CORRIDORS

Major entry corridors from the north and south along Scott Avenue are designated as Light Industrial. Entering downtown from the west along 6th and 7th Street, the designation is currently River Development District and General Commercial respectively. None of these designations accurately represents the type of developments that are desired within these entry corridors.

ZONING DISTRICT AND USES NEED TO MATCH VISION

There is also a conflict between existing land uses, desired land uses, and the base zoning designations. Light Industrial zoning stretches from the southeast to the northeast corner of downtown along the railroad (outlined in red in Figure 1). Light industrial uses currently exist in those areas; however, the desired vision is to be an entertainment district, which is not consistent with most of the Light Industrial zoning.

ADDRESS RESIDENTIAL USES IN GENERAL COMMERCIAL

The southwest portion of the downtown area is currently zoned as General Commercial. However, the primary use in that area consists of single family homes (highlighted in yellow hashing in Figure 2). Although residential uses are currently permitted in the General Commercial zoning district, the intent of the district is to promote commercial uses. If this area is to remain residential, the zoning should be changed to another more appropriate zoning district for residential development like Single Family Residential or Residential Mixed Use zoning to reflect the actual uses.

Resolution

EXAMINE APPROPRIATENESS OF BASE ZONING DISTRICTS

Examine the location of the Light Industrial, River Development District, and General Commercial zoning designations within the downtown area. Determine if the zoning is appropriate for the location and is consistent with the existing or desired uses for the area.

Figure 1: Light Industrial Zoning in Downtown



Figure 2: Residential Use in General Commercial Zoning



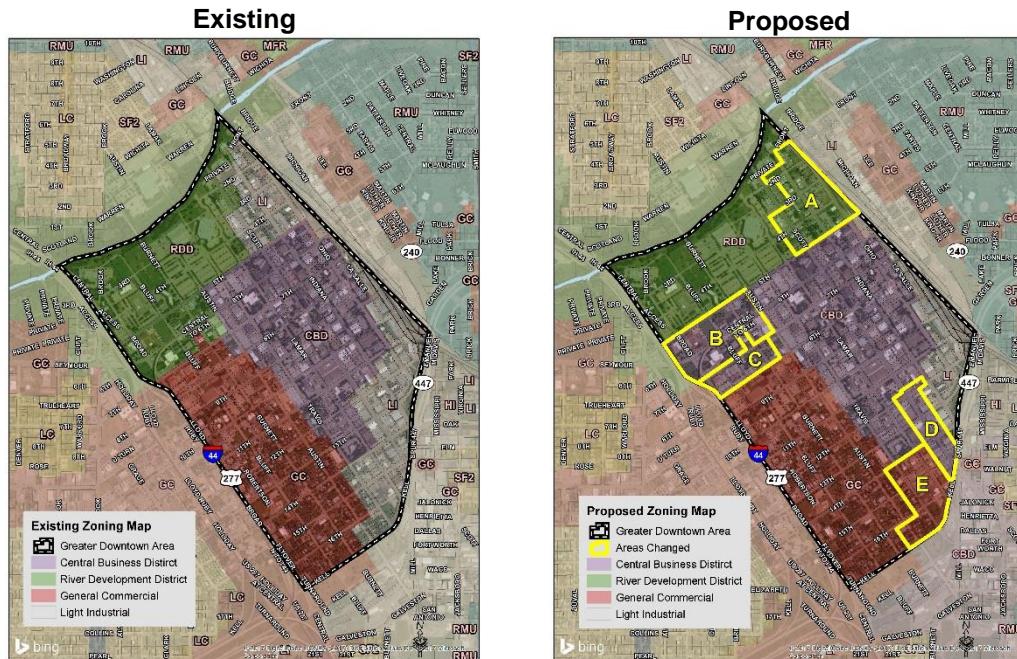
1. Rezone major corridors along 6th Street, 7th Street, and Scott Avenue to a more appropriate zoning district that promotes high quality development and is more consistent with downtown development.
2. Evaluate the appropriateness of the existing Light Industrial zoning district on the east side of downtown in Figure 1. Consider if a Light Industrial zoning district is needed or appropriate in the greater downtown area. Consider rezoning the northern portion of the Light Industrial zoning district to River Development District and the most southern portion along Scott Avenue to General Commercial or Central Business District.
3. Consider the option of rezoning the residential area highlighted in yellow hashing in Figure 2 to Residential Mixed Use to ensure the area remains as a residential neighborhood. Since Single Family is currently permitted by-right within the General Commercial zoning district, rezoning this area is not required, but should be considered.

REALIGN ZONING DISTRICTS IN GREATER DOWNTOWN AREA

Based on the assessment in the previous section, conduct a City-initiated zoning change to realign the zoning districts in downtown to be more representative of the existing and desired uses for the area. After a review of the existing uses, desired uses, and current alignment of zoning, the following zoning realignment, shown in Figure 3, is recommended for the downtown area to achieve the desired outcome. The zoning in the downtown area should be realigned as follows:

- A. Rezone existing Light Industrial zoning in the northeast portion of downtown from Light Industrial to River Development District.
- B. Rezone property located north and south of 6th Street from IH-44 east to downtown from River Development District to Central Business District.
- C. Rezone property generally located south of 7th Street from IH-44 east to downtown from General Commercial to Central Business District.
- D. Rezone property located east and west of Scott Avenue from Downtown south to Kell Boulevard from Light Industrial to Central Business District.
- E. Rezone existing Light Industrial zoned property located between the existing General Commercial zoning district and mid-block between Lamar Street and Scott Avenue to General Commercial.

Figure 3: Proposed Zoning Realignment: Existing and Proposed



2. Update the Central Business District to match the vision for downtown

Issue

The development regulations for the Central Business District already include requirements that establish a dense and walkable downtown. However, additional special regulations are needed to further define the downtown character. Since this district will serve as the foundation to the overlay district in Recommendation 3 on page 8, it is important the Central Business District regulations are updated to match intended vision.

Resolution

Amend the existing Central Business District zoning district to match the vision for downtown. Special regulations regarding permitted uses, façade design, signage standards, and parking should be added to the district as requirements for all developments.

PERMITTED USES

Develop a list of appropriate permitted uses for the proposed overlay district. Permitted uses should include uses related to retail, restaurants, offices, and personal services. Restricted uses should be those that include outdoor storage, auto-related businesses, and industrial. The list of permitted uses for the overlay should build upon the permitted uses in this district. The following is a suggested list of permitted uses for Central Business District. This list is not an all-inclusive list of uses that can be permitted, but represents the type of uses that should be permitted. When the regulations of the Central Business District zoning district are finalized, uses may be added or removed.

Permitted Uses:

- Art galleries
- Assembly halls
- Bars/clubs
- Bus station
- Civic facilities (city, county, federal gov't)
- Club
- Concert halls
- Convenience stores
- Dance halls
- Dormitories
- Farmers market
- Hotels
- Indoor sports/entertainment venues
- Libraries
- Movie theatres
- Multi-family (upper stories only)
- Museums
- Offices
- Outdoor food court
- Parking facilities
- Parking garage facilities
- Patios
- Personal services (banks, dry cleaning, etc.)
- Post offices
- Professional offices/services (attorneys, dentists, etc.)
- Radio/television stations
- Religious assembly
- Restaurants/cafes
- Retail/commercial uses (clothing, groceries, etc.)
- Schools

Restricted Uses:

- Adult entertainment and sexually-oriented commercial establishments
- Animal boarding
- Animal hospital
- Auto-related uses
- Bail bonds
- Boat sales and service
- Bowling alley
- Car wash
- Casinos/gaming
- Coin-operated amusement machines establishment
- Community residential centers
- Contractor's yards
- Fireworks/explosives production
- Flea markets
- Foundries
- Halfway houses
- Indoor/outdoor kennels
- Light industrial uses
- Manufacturing uses
- Manufactured homes
- Pawn shops
- Pay-day loan/cash lending
- Recreational vehicle parks
- Self-storage facilities/mini-warehouse
- Shooting/gun range
- Shopping centers
- Slaughter house/meat packaging-processing centers
- Trucking facilities
- Uses with outdoor storage
- Vaping stores
- Warehousing facilities

DESIGN GUIDELINES

The development pattern for the downtown area is different from that in other parts of the City. The dense development pattern of the downtown area inherently has smaller setbacks and lot sizes than typical suburban development.

1. To preserve the existing character of the buildings in downtown, develop a set of architectural design requirements for building facades in the Central Business District. Design standards for commercial development ensure quality development.
2. Develop an Architectural Design Guide to assist developers in understanding the requirements. The Guide will determine specific architectural elements to include in façade design such as expression, articulation, fenestration, and transparency. The Guide will also determine permitted materials to be used on building facades.

Figure 4: Example Design Guideline Figure



The example shown in Figure 4 identifies elements of expression required for building façade design. The drawing shows a structure broken into three parts vertically: base, middle/upper façade, and top. This requirement breaks up the facade of the building and makes the building more welcoming, by scaling it to the pedestrian by including elements such as windows and wainscoting. The Frisco Downtown Architectural Design Standards were developed specifically for the downtown district and serve as a good model for other downtowns seeking to implement a similar manual. The full manual can be viewed and downloaded [here](#).

SIGN STANDARDS

The current sign ordinance does not allow flexibility to identify specific sign types within the existing sign designations. Update sign designations and definitions to better align the type of signs as opposed to the sign's use. This will better clarify how signs are designated and which type of sign is permitted in downtown. After updating the sign designations and definitions, update the schedule of permitted signs for the Central Business District to permit or restrict the following sign types.

Permitted Sign Types:

- Awning signs
- Banners
- Changeable electronic message signs
- Hanging sign
- Monument signs
- Signs for multifamily developments
- Temporary signs
- Wall signs
- Window signs

Prohibited Sign Types:

- Flashing signs
- Inflatable signs
- Multi-tenant signs
- Off-premise signs
- Pole signs
- Portable signs
- Signs on vehicles

PARKING REGULATIONS

The dense conditions of the downtown area make it difficult to provide off-street parking or promote beautification because minimum parking spaces nor parking lot trees are required. The development of special parking regulations for the Central Business District based on an analysis of the parking needs through a downtown parking study as recommended in Recommendation 5 on page 13. Special parking regulations should include a minimum parking requirement for residential uses of 1.5 spaces per unit. This will ensure available parking for residential uses without taking up valuable on-street parking spaces for commercial uses.

Adopt special beautification regulations for parking within the downtown area to require a decorative fence, wall, or planter box at the frontage of parking lots. This will add another opportunity to beautify the downtown area and screen parking areas in a decorative way. Any decoration along the frontage would be required to meet sightline requirements.

3. Develop an overlay district for the downtown area

Issue

The downtown area is currently divided into four zoning districts: General Commercial, Central Business District, River Development District, and Light Industrial. This arrangement of zoning districts creates distinctly different sectors of the downtown district. Additionally, the uses permitted in these base zoning districts vary greatly. Many of them are not conducive to the development of a vibrant downtown core. A single overlay district should help unify the area by introducing common themes and concepts.

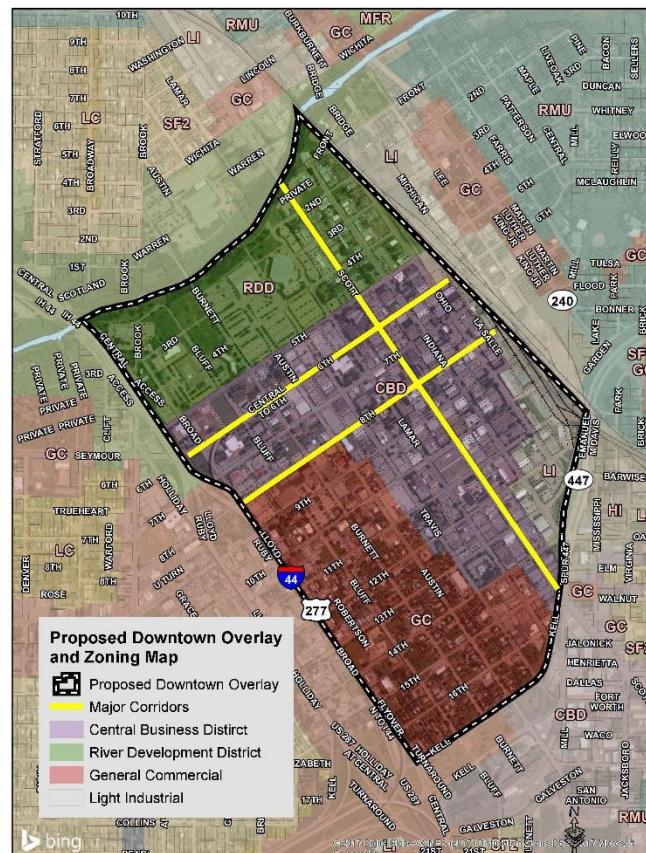
Resolution

Establish a new overlay district for the downtown area that identifies permitted uses, design guidelines, major corridors, parking regulations, and sign standards. Collecting all of these features into a single zoning overlay district will guide development to achieve the vision for the downtown core. Zoning overlay districts are an additional layer of zoning on top of the existing base zoning district(s) with additional requirements for properties within the overlay. The regulations within the overlay district supersede the base zoning district, meaning if there is a conflict, the regulations of the overlay will apply. This will allow for additional desired uses or requirements to be permitted and undesired uses to be prohibited. The following sections provide more detail about each element of the proposed overlay district.

BOUNDARIES

The overlay district will encompass the downtown area bounded by the Wichita River to the north; Broad Street to the east, Kell Boulevard to the south; and the railroad to the west. The proposed overlay is intended to complement the Central Business District. Certain uses and building patterns are appropriate in the Central Business District, which has a denser building pattern, are not appropriate for the greater downtown area, which has lower density development. The proposed boundary of the overlay district is depicted in Figure 5.

Figure 5: Downtown Overlay Boundary



Permit. These uses have been identified because they are existing in the district or appropriate uses that are not permitted in the Central Business District.

The following uses should be permitted with a Conditional Use Permit (CUP):

- Single family
- Single family – attached (townhomes)
- Duplex
- Self-storage facilities/mini-warehouse

DESIGN GUIDELINES

To preserve the character of the existing neighborhood, special residential development regulations should be developed to require front porches for all single family and duplex structures constructed in the downtown area. This requirement can be incorporated into the proposed overlay district. Boundaries restricting the construction of single family homes to the southwest portion of downtown may also be considered.

MAJOR CORRIDORS

Designate Major Corridors within the overlay district where there is significantly more traffic and high visibility. Along these corridors, there should be enhanced façade design regulations to ensure visitors understand they have arrived in downtown. The Major Corridors are recommended to be the entirety of Scott Avenue, 6th Street, and 8th Street within the overlay. (see Figure 5)

For buildings that are directly adjacent to the right-of-way designated as Major Corridors, the façade design requirements mandated by the proposed Architectural Design Standards Manual will be in effect. Consider incorporating elements of the streetscape design proposed by Freese and Nichols, Inc. for Phase 1 and 2 in downtown along these corridors. Gateway signage can also be located at the entry point of each of these corridors to downtown.

PARKING REGULATIONS

Parking requirements will be determined as required by Section 6200 of the zoning code and the same beautification requirements proposed in the Central Business District will also apply in the Overlay District. Section 6210.10 of the zoning code should also be amended to allow more flexibility in the overlay district. Revise the existing ordinance to permit required parking to be located within 600 feet of the use, instead of 300 feet. (See Figure 6)

Figure 6: Current Parking Regulation

Section 6210.10

Off-site parking shall be located within 300 feet of the use which it serves, measured as the shortest practical walking distance from the nearest off-site parking space to the nearest entrance to the building or use which it serves.

Alternative compliance opportunities are intended to provide flexibility to meet the parking requirement, reduce parking demand, and encourage development. Incorporate alternative compliance opportunities under special circumstances within the Downtown Overlay District. Two recommended options are: a joint use permit and an administrative parking reduction. A joint use permit permits two uses to utilize the same parking area. This type of permit is typically most beneficial when two businesses are active during different parts of the day or complement each other. Requirements should be put in place to only permit joint use parking permits when certain criteria are met. An administrative parking reduction allows the Community

Development Director, or other designated official, to administratively permit a reduction to the minimum parking requirement without going through a board review process. This option could only be requested in the Downtown Overlay District and typically is only approved when certain criteria are met.

SIGN STANDARDS

Same regulations as Central Business District.

4. Revise regulations for the existing River Development District

Issue

Per the zoning ordinance, "the purpose of [the] RDD River Development District is to provide a facility for recreation and leisure and to enhance tourism. The district shall incorporate uses that will upgrade the river environment into a permanent recreational and commercial facility." At this time, the existing district does not effectively support a zoning district that highlights the Wichita River and promotes the recreation and eco-tourism along the river.

Resolution

Revise the regulations of the base zoning district to better meet the needs of a thriving river district. The following sections provide more detail about the elements that should be revised.

PERMITTED USES

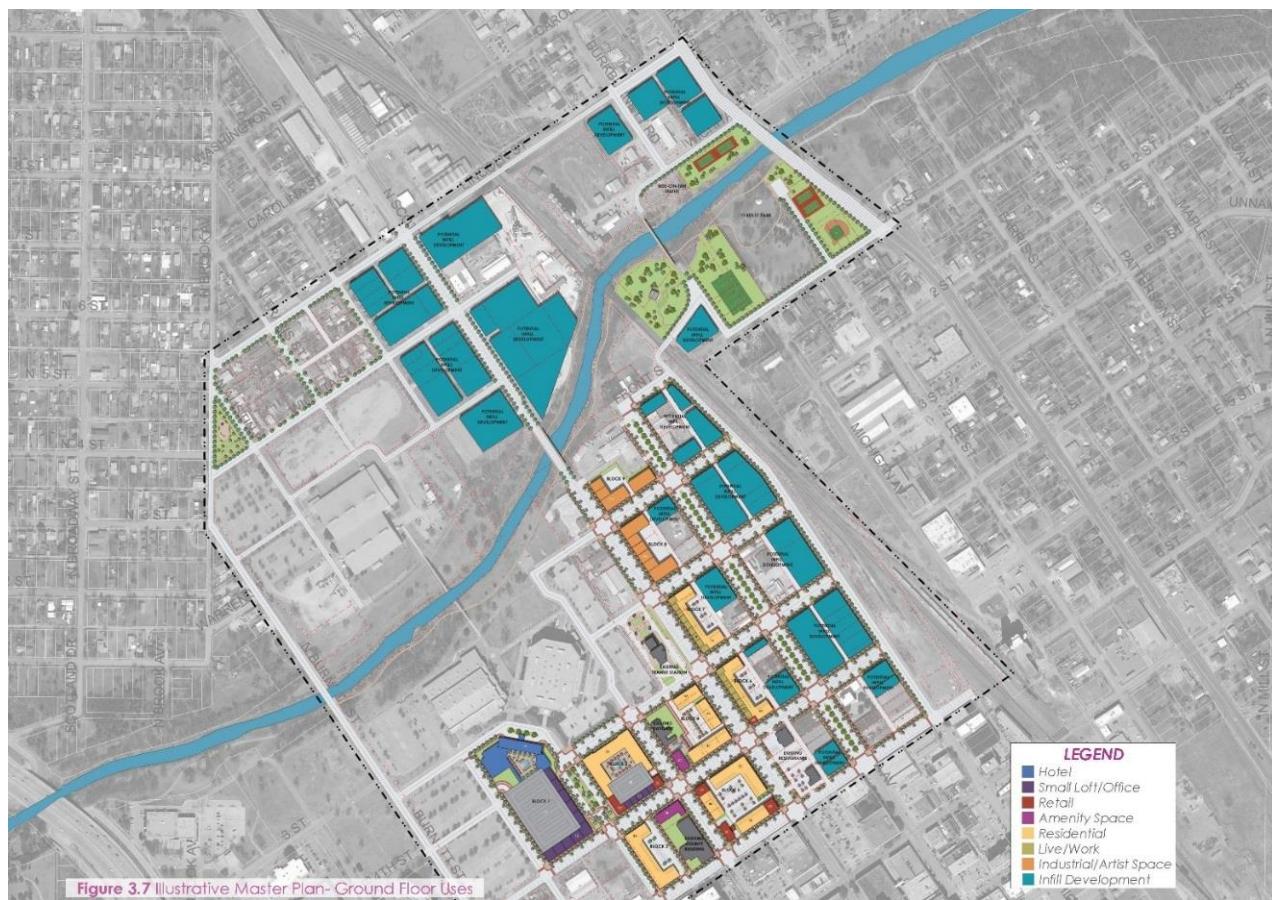
The permitted uses in the River Development District currently include duplexes and single family homes. These uses, while desirable in other areas of the City, do not provide or assist in providing an entertainment and recreation district. With the current regulations, a single family home could potentially be located on a lot located by the river in the downtown area, removing prime property that could be utilized for a riverfront restaurant or hotel. As an alternative, single family and duplexes could be permitted by Conditional Use Permit. Multi-family or multi-family in a mixed use development would contribute to sustained activity in the district.

CONCEPT PLAN

The River Development District should include a concept plan to help direct development and illustrate the intended design. The concept plan should show the projected buildup and include the location for river sightlines, green spaces, and river amenities. The following examples represent how a concept plan can look.

Example 1: Concept Plan Showing Desired Development



Example 2: Wichita Falls Small Area Study Concept Plan

5. Resolve parking issues in the downtown area

Issue

Parking in the downtown area can be difficult or unpredictable due to inconsistent identification of parking areas. Visitors are unsure of what parking is available because it is unclear which lots are available for public parking. This causes a misconception that there is a lack of available parking and deters visitors from the downtown area.

Resolution

To resolve this issue, there is a multistep process to find a solution to create a better parking experience in the downtown area.

CONDUCT DOWNTOWN PARKING STUDY

A parking study analyzes the existing parking conditions of downtown area and makes recommendations for steps to ensure there is enough parking to meet the demands of the district. By conducting this study, the City will have a better idea of the parking needs and how to address them. Recommendations of the study may include number of additional parking spaces needed, location for potential parking garages, potential properties to acquire, and how to implement strategies to establish public parking lots.

Examples of downtown parking studies include:

- [The Downtown Austin Parking Strategy](#) (2017) – Austin, TX
- [A Comprehensive Parking Study of Downtown Little Rock](#) (2015) – Little Rock, AK



REVISE TOWING REGULATIONS

Revise the existing towing ordinance to limit when or where vehicles may be towed from private parking lots. Prohibit the towing of vehicles unless clear signage is posted, or the lot is clearly barricaded from the roadway. These measures can help visitors understand where parking is available and that they may be towed. The following regulations should be included in the revised ordinance:

- Prohibit private property tows on weekends
- A gate must be installed barring the lot from vehicular access to permit towing

Additionally, the City should conduct an audit of existing towing signs in the downtown area to ensure signage has accurate information and meets current state regulations. The City should also develop a plan for continued enforcement in the future.



IMPLEMENT TIME LIMIT FOR ON-STREET PARKING

A time limit should be implemented for on-street parking in the Central Business District in concert with the other strategies to establish public parking lots. This will help to encourage patronage in downtown by creating more parking availability on the street. Additionally, this will encourage developers to provide off-street parking lots and employees of downtown businesses to park in off-street lots during the day instead of utilizing on-street spaces. Metering for on-street parking is suggested to have a 2-hour limit during the weekdays with free parking after 5pm and on weekends.

IMPLEMENT PUBLIC-PRIVATE PARKING ARRANGEMENTS

A downtown parking strategy is a comprehensive method to establish how much parking is needed and where it should be located. Based on the results of the proposed parking study, work with private property owners to establish parking agreements to permit public parking on private property. Incentives such as tax rebates or funding parking lot improvements can be exchanged for allowing public use of the lot. All public parking lots should include clear, standard signage to reduce confusion. Adequate lighting should also be included to enhance safety in the parking lot.

6. Adopt the International Property Maintenance Code in greater downtown area

Issue

The poor conditions of street trees, sidewalks, and dilapidated structures are due largely to lack of maintenance by property owners. There are existing ordinances within the code that place the responsibility of maintenance on the property owner. Although sidewalks are considered part of the right-of-way, it is a common practice of cities to require property owners to be responsible for maintenance. Currently, the Code of Ordinances does not include a section requiring basic maintenance of buildings and property, such as chipping paint and roof damage. The following text is for the existing Code of Ordinances:

Figure 7: Sections of City's Current Code of Ordinance Referencing Property Maintenance

Section 22-603.1 Standards for repair, vacation or demolition

If the dangerous building or structure can reasonably be repaired so that it will no longer exist in violation of this article, it shall be ordered repaired

Section 94-130. - Liability of property owner for defective sidewalks.

The abutting property owner or person enjoying the use of any property abutting on a sidewalk or curb that has become defective and resulted in causing damage or injury due to such defective condition, shall be primarily liable in damages for any loss or damage sustained as a result of such defective condition.

Section 6840. - Maintenance requirements.

- A. After complying with the requirements of this regulation, the owners and each successive owners of the property shall maintain the required landscaping vegetation, landscaped areas and irrigation systems in good and operating condition, and shall otherwise maintain the property so as to comply with any other requirement of this regulation.

Resolution

Adopt the International Property Maintenance Code (IPMC) in downtown to accompany the other International Code Council (ICC) codes. This code will give the City authorization to require property owners to maintain their property in a suitable manner. By adopting this ordinance, the City will be able to require compliance with basic property maintenance standards, which will help to prevent buildings from becoming dilapidated and a danger to the community in the future.

In the case of sidewalk maintenance, maintaining responsibility on the part of the property owner should remain in place; however, there are opportunities for assistance in funding public maintenance through the establishment of a Public Improvement District or PID. PIDs provide a means to fund construction or maintenance of public improvements such as sidewalks, roads, and underground infrastructure systems located within the PID boundary. Improvements are financed by assessments against the properties located within the district. This option should be further explored for implementation in the Central Business District.

The following are selected excerpts from Chapter 3 of the 2015 International Property Maintenance Code (IPMC) to show how the code would require the property owner to resolve minor façade issues to ultimately prevent further issues. The regulations of the IPMC would be applicable to existing vacant properties in disrepair.

Figure 8: Excerpts from Chapter 3 of the International Property Maintenance Code (IPMC)

Section 302.1 requires the property owner to maintain the property in a clean, and safe condition. This is a general requirement that would require the properties in downtown be clean and free of trash.

302.1 Sanitation.

Exterior property and premises shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition.

Section 302.9 prohibits the defacement of private property and requires the property owner to restore the façade. In cases where graffiti defaces a property, the property owner would be required to clean the surface and maintain the look of downtown.

302.9 Defacement of property.

No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

Section 304.1 requires the property owner to maintain the exterior of the structure and this includes that small dings and broken glass would have to be repaired.

304.1 General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;

Section 304.7 requires the roof to be maintained in a working condition free of leaks.

304.7 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

The 2015 IPMC can be found at: <https://codes.iccsafe.org/public/document/toc/551/>

If these regulations were adopted, a structure in downtown would not be able to reach the point of being considered a “dangerous building” because the City would have the authority to require the property owner to make repairs to windows, clean walls and maintain exterior walls. These are considered minor issues that would later lead to foundation and roof issues if not addressed early on.

Staff should also consider alternative regulatory approaches to property maintenance alongside or to supplement the IMPC. Approaches such as a Standard of Care ordinance and Vacant Building Registration should be studied as viable options for implementation in addition to the IMPC.

7. Require bike parking for developments in downtown

Issue

Bike parking facilities are not currently addressed in the zoning ordinance. Bike parking helps to promote cycling, encourage healthy living, and reduce strain on vehicle parking.

Resolution

Require bike parking for developments in the greater downtown area to help encourage bike use. This will potentially help reduce need for parking and promote a healthier lifestyle. Examples of bicycle parking ordinances are provided below. The example ordinance from the City of Buda also provides for alternative compliance opportunities, which allows for the number of required vehicle parking spaces to be reduced based on the amount of bicycle parking that is provided.

Figure 9: Example Bike Parking Regulations

City of Buda UDC – Section 2.09.03.G

G. Bicycle Parking

- Off-street parking and facilities for bicycles shall be provided for each land use as follows:

Table 16. Bike Parking Requirements

Use	Minimum Number of Bike Parking Spaces
Residential (1-4 units)	0
Residential (5+ units)	2, plus 1 per 10 living units
Retail	2, plus 1 per 5,000 sqft, maximum 7
Office	2, plus 1 per 5,000 sqft, maximum 7
Park	2, plus 1 per acre of land, maximum 15
Public (other than a park)	2, plus 1 per 5,000 sqft, maximum 7
Industrial	2, plus 1 per 10,000 sqft, maximum 7
Agriculture/Open Space	0

- Bicycle parking facilities shall be racks or lockers anchored to prevent movement or theft. Each space designated for bicycle parking shall be designed to accommodate at least the minimum number of bicycles identified by **Table 16**. Bicycle parking facilities shall, at minimum, be a bike rack with the ability for a user to lock one wheel and the frame to the rack, with the user providing the lock and chain.

- Access to the use being served by the parking facility shall be at least as convenient for users of bicycle parking as the most convenient automobile parking and as close as possible to the desired entrances without interfering with pedestrian or vehicular traffic.

H. Alternative Compliance Option

A request for the following Alternative Compliance options may be submitted and acted upon in accordance with **2.11.01. Alternative Compliance**:

- Allow more than ten (10) percent more parking spaces if the additional spaces are of a permeable material as determined by the Director of Planning.
- Reduction in the number of required parking spaces by up to thirty (30) percent if the use is served by public parking or sufficient bicycle/pedestrian access.
- Reduction in the number of required parking spaces according to a Best Practices Parking Ratio.
 - An Applicant shall fully cite the sources used to derive the Applicant-submitted parking ratio, possible resources include parking standards materials from the Institute of Transportation Engineers (ITE) or the American Planning Association (APA).
 - The Director of Planning shall review the Applicant-submitted parking ratio to make a recommendation regarding best planning practices for a use.

Figure 21. Example of a Bike Rack



City of Arlington UDC – Section 5.4.11

5.4.11. BICYCLE PARKING

Bicycle parking shall be designed and located in accordance with the Arlington Hike and Bike System Master Plan, and provided as follows.

A. In the DB district, and DNO and EDO overlay districts:

- For all non-residential and mixed-use developments, the number of bicycle parking spaces required shall be five percent of the number of required automobile parking spaces.
- For multi-family developments, one bicycle parking space shall be provided for every 10 required automobile parking spaces.

B. In all other zoning districts:

Land Use	Number of Spaces
Multifamily dwelling	10% of all automobile spaces
Hotel, full service Hotel, limited service Residence hotel	1 per 30 rooms
Public or private school	1 per 10 students
University, college, or seminary	10% of all automobile spaces
Government administration and civic buildings	1 per 10,000 sf of building area, with a minimum of 2 spaces
Commercial and retail w/off-street parking	5% of all automobile spaces with a minimum of 2 spaces
Commercial and retail w/on-street parking	1 per 5,000 sf of building area with a minimum of 2 spaces
Industrial	5% of all automobile spaces with a minimum of 2 spaces
Parks and open space	10% of all automobile spaces

C. In all zoning districts, bicycle racks shall be located according the following.

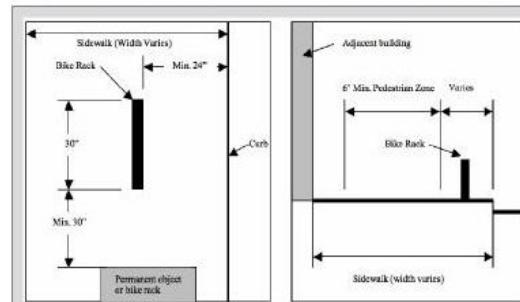


Figure 5.12 Location of bicycle racks.

8. Amend outdoor dining ordinance to reflect streetscape recommendations

Issue

The recently adopted Outdoor Dining Ordinance, Ord. 34-2015, aims to encourage outdoor dining and street cafes in the Central Business District. The ordinance provides clear regulations to promote the installation of quality outdoor dining spaces that activate the street without having a negative effect on the streetscape. The existing ordinance is thorough, however, some of the regulations do not reflect the existing landscape and do not allow for flexibility in design. The following sections of the ordinance should be considered for amendments.



SECTION 46-251 - DEFINITIONS

Per the definition of “Downtown”, the boundaries of this ordinance are bounded by the boundaries of the Central Business District. This ordinance is located in Chapter 46 of the Code of Ordinances as opposed to the Zoning Code in Appendix B where the regulations of this ordinance would be equally appropriate. Based on the alignment of these regulations with the Central Business District zoning district, this ordinance should be considered for relocation to the Central Business District zoning district.

Figure 10: Section 46-25 - Definitions

Section 46-251

Downtown: Areas zoned Central Business District (CBD). Areas outside, but in close proximity to the Central Business District (CBD) may be considered by the Director of Community Development or designee.

SECTION 46-253 – MINIMUM REQUIREMENTS FOR OUTDOOR DINING

Section 46-253.a requires a minimum of 5-feet be maintained for pedestrian access clearance between the face of the outdoor seating enclosure and back of curb. The existing streetscape includes a variety of widths and obstacles such as steps, tree wells, potted plants, trashcans, and signage. If the pedestrian clearance is exclusively permitted between the outdoor dining enclosure and the back of curb there may not be enough room for all users to adequately and safely navigate the sidewalk.



Figure 11: Section 46-253.a

Section 46-253.a

A minimum pedestrian access clearance of 5-feet shall be maintained between the face of the outdoor seating enclosure and back of curb (See Figure A).

SECTION 46-254 - FENCING

Section 46-254.a requires for a metal fence be located around designated dining areas. In some cases, a fence is useful for dividing the sidewalk between the café space and the pedestrian space. In other cases, if there are only a few tables and chairs a fence may not be needed. Additionally, fluidity between the pedestrian area and the seating area is a method to activate the street.

Figure 12: Section 46-254.a



Section 46-254.a

A minimum 36-inch, maximum 48-inch, tall weather resistant wrought iron, aluminum or metal fence is required around the designated dining area and anchored to the sidewalk as shown in Figure A.

Resolution

Amend Ord. 34-2015 to reflect the existing sidewalk design and provide options for the location of outdoor dining areas. The following amendments are recommended:

RELOCATE REGULATIONS

Consider relocating the Outdoor Dining Ordinance to be incorporated as part of the Central Business District zoning district.

SECTION 46-253.A

Amend Section 46-253.A to require a minimum pedestrian access clearance of continuous 5-feet shall be maintained between the back of the outdoor seating enclosure and back of curb (see Figure 13 for example) or the face of the building and the outdoor seating enclosure (see Figure 14 for example) for the entire length of the seating enclosure. This will allow for flexibility in locating the outdoor seating should there be an impediment such as a tree well making it difficult for pedestrians to navigate around the outdoor seating area.

SECTION 46-254.A

Amend Section 46-254.A by removing the requirement to have a fence around outdoor dining areas. This will allow for more opportunities for the

engagement between pedestrians and diners. Fencing should be permitted as an accessory element of the outdoor dining area and the minimum standards for fencing should remain. Consider establishing special criteria for requiring fencing in certain cases.



Figure 13: Example of Outdoor Dining Located Next to Building

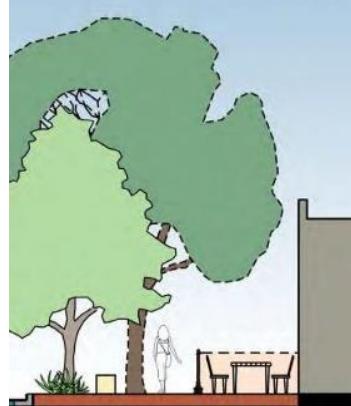
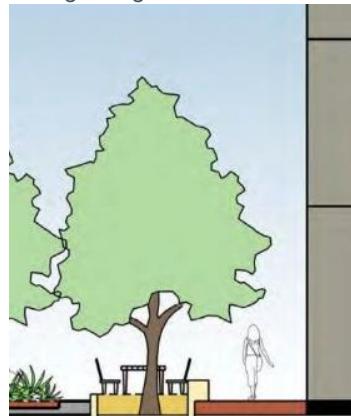


Figure 14: Example of Outdoor Dining Along Street



Development Process

9. Incorporate a schedule of the development process in the Project Development Guide

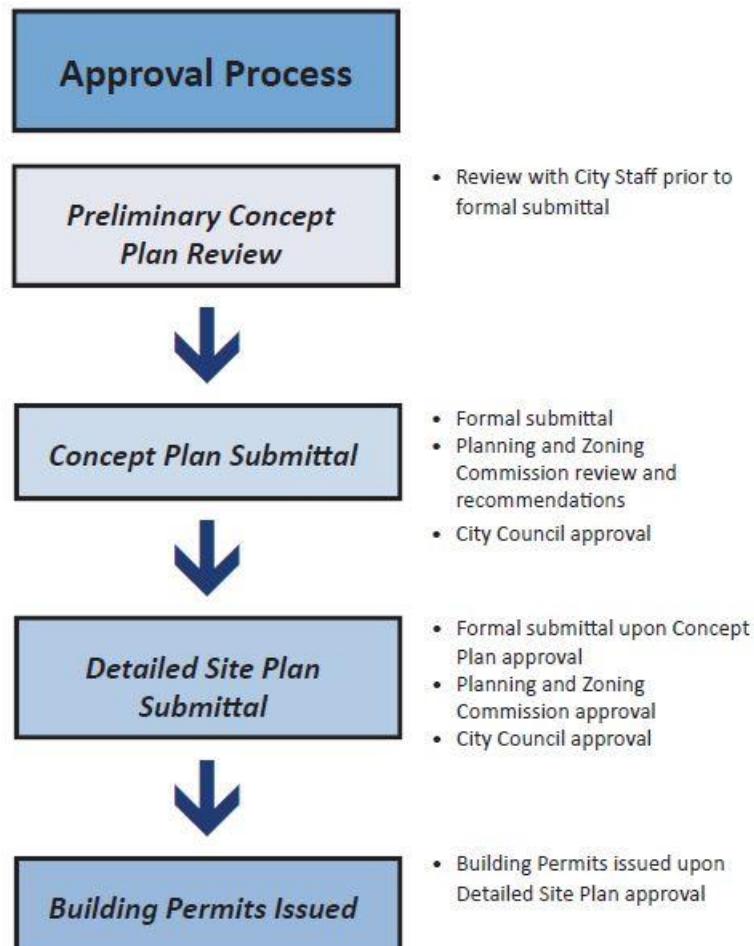
Issue

The Project Development Guide is a tool for developers to better understand the development process and requirements. The guide does not currently include a schedule for each step in the development process, which can cause confusion and uncertainty.

Resolution

Incorporate a schedule for the development process into the existing Project Development Guide. Consider a graphic representation for the schedule to assist with understanding. Figure 15 is an example of how a development process flow chart may look and be organized.

Figure 15: Example Development Process Flowchart



10. Educate the public about development assistance

Issue

Large, national developers are typically more familiar with the development process and understand what role the Community Development Department plays in the development process. Local property owners and developers are not as knowledgeable about the development process and the available resources. By not communicating with the Community Development Department prior to starting a project or taking advantage of the pre-development meeting, local developers and property owners run into problems and waste money.

Resolution

Develop and implement a public education campaign to educate the public about the City's development process and the resources available to assist them. As part of the campaign prominently place information on the City's website, at City Hall, and in the City newsletter. Hold an educational meeting to actively reach out to new developers to educate them about the resources available.

In addition to educating the public, amend the development process to require a pre-development meeting for all new developments and redevelopments in downtown. This will help to ensure the developer and/or property owner understands the development process, allow the City to build better relationships with developers and property owners, and generally save time and money for both the City and the developer.

11. Direct code enforcement efforts in downtown

Issue

Visible maintenance issues have been identified as a persistent problem in the downtown area. Existing codes require maintenance of private property by the property owner; however, these codes must be consistently enforced. Although the existing Code Enforcement Department is adequately staffed to serve the Wichita Falls, additional efforts are needed to systematically improve the conditions of the downtown district.

Resolution

Implement focused code enforcement efforts in the downtown area. Consider the option of reallocating existing resources and dedicating a code enforcement officer to the downtown district. By dedicating an officer specifically to the downtown district, the officer has better knowledge of the area to spot and resolve issues quickly. The officer will also have the opportunity to work with the business owners and property owners to prevent potential maintenance issues before they become a larger, more dangerous issue.

Economic Development

12. Implement incentive programs

Issue

Financial incentives are a useful tool to help drive development in downtown. There is a variety of federal and state programs available to the City to utilize. Some programs are currently implemented in the City, such as Tax Increment Financing (TIF) and Downtown Development Grants.

Resolution

Reference the Downtown Development Incentive Options assessment conducted by the Department of Community Development Department in 2010 to identify additional funding tools that could be implemented in the downtown district. Many of the tools are already in place, and the implementation of the tools should be reviewed for improvements.

13. Capitalize on downtown improvement grants

Issue

City adopted fire code, building code, and other codes are required for life-safety. They are derived from codes established by the International Code Council (ICC) and enforced by the Fire Marshal and Building Official. In some cases, the cost of retrofitting an older building to meet current codes can be costlier than building new structures. Fire codes have been identified during the diagnostic process as a requirement making it difficult to invest in downtown development due to renovation costs.

Resolution

Fire suppression requirements as dictated by the International Fire Code (IFC) and International Building Code (IBC) are required to protect the people using a building and the surrounding area from fire-related catastrophes. The type of fire suppression that is required is based on the type of use, type of building, occupancy, and a number of other factors that are predetermined in the IFC and IBC. While these code requirements cannot be removed, there are several solutions that should be implemented. The following text details some important elements.

UTILIZE DOWNTOWN IMPROVEMENT GRANT TO OFFSET RENOVATION COSTS

To continue protecting the life-safety of the public, an attractive option is to assist developers with the cost of fire suppression through the use of grant funding. Currently, the 4B Downtown Improvement Grant is utilized to offset renovation costs in the downtowns area. A review of multiple cities shows that this is a common practice in downtowns of similar size.

Figure 16: 2015 International Fire Code

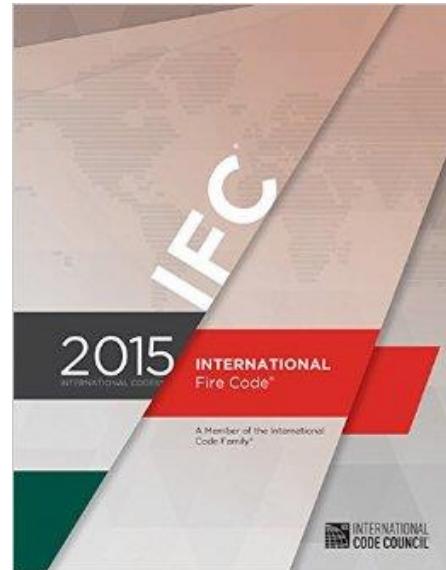
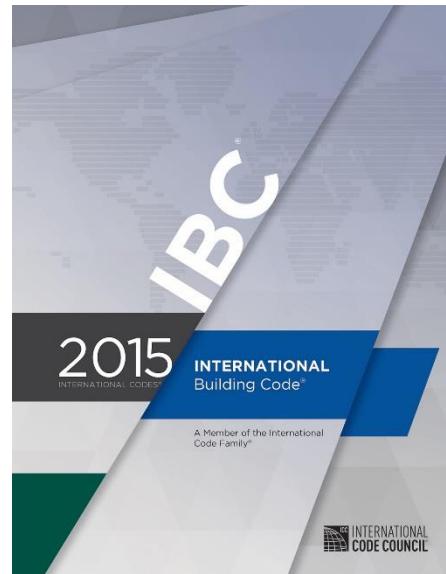


Figure 17: 2015 International Building Code



The City of San Marcos has implemented the Business Improvement Growth (BIG) Program, which provides technical and financial assistance to developers for building improvement including life-safety systems. The City of Bryan also implemented a Life-Safety Grant Program to assist developers with development costs and encourage investment in downtown.

- [BIG Program](#) – San Marcos, TX
- [Life-Safety Grant Program](#) – Bryan, TX

CONSIDER ALTERNATIVE METHODS OF FIRE SUPPRESSION

The IFC and IBC allow for the Fire Marshal and Building Official, respectively, to approve alternative methods of fire suppression instead of the prescribed method dictated by the code. In order to have an alternative method approved, an applicant must show evidence that the alternative method is sufficient to provide adequate fire suppression. This provides an option for applicants who cannot or have difficulty installing the prescribed method of fire suppression. Although this is allowed by the code, all final decisions are at the discretion of the Fire Marshal and Building Official to ensure life-safety is maintained. As a caution, potential alternative methods may not result in a cheaper solution. Section 104.9 of the IFC and Section 104.11 of the IBC allow for this alternative. Section 104.9 of the IFC is shown below.

Figure 18: Section 104.9 of the 2015 International Fire Code (IFC)

[A] 104.9 Alternative materials, design and methods of construction and equipment.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the *fire code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, *fire resistance*, durability and safety. Where the alternative material, design or method of construction is not approved, the *fire code official* shall respond in writing, stating the reasons why the alternative was not approved.

[A] 104.9.1 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

[A] 104.9.2 Tests.

Where there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *fire code official* shall have the authority to require tests as evidence of compliance to be made without expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *fire code official* shall approve the testing procedures. Tests shall be performed by an *approved* agency. Reports of such tests shall be retained by the *fire code official* for the period required for retention of public records.

The 2015 International Fire Code can be viewed at: <https://codes.iccsafe.org/public/document/IFC2015>

The 2015 International Building Code can be viewed at: <https://codes.iccsafe.org/public/document/IBC2015>

Alternative Compliance Best Practices

When considering alternative fire suppression methods, there are a number of characteristics to consider. The Village of Tinley Park in Illinois, published a report in 2013 describing best practices for considering alternative fire suppression methods. Within the report, it identifies items to consider and contents that should be included in a feasibility study. It also offers a sample checklist to assist with the evaluation of feasibility studies. This report can be used to fashion a potential checklist for reviews of alternative method applications. This report can be viewed [here](#).



COORDINATE PUBLIC IMPROVEMENTS EFFORTS WITH PROPERTY OWNERS

Part of the high cost of fire suppression installation comes from the cost of tapping into public water supplies and the construction in the right-of-way. One way to reduce the cost and make properties ready for occupancy is to conduct public improvement in the right-of-way and install risers for the properties. As public improvements to the right-of-way are scheduled for the downtown area, coordinate with property owners to conduct improvements to the property at that time. Additionally, the City can include line items in the Capital Improvements Plan specifically to improve roadways, sidewalks, and install risers at the same time. Instead of fronting the entire cost of the risers, the City can complete the installation and enter into an agreement with the property owners to repay the cost over time. The following cities implemented similar methods in the downtown area. The City of Enid, Oklahoma implemented the Downtown Sprinkler Tap and Riser Grant Program in which the City pays the property owner up to \$25,000 for the installation of the tap and riser, if they qualify. The City of Grapevine implemented a very successful sprinkler project where the City coordinated with property owners to install sprinkler systems in the historic downtown.

- [Downtown Sprinkler Tap and Riser Grant Program](#) – Enid, OK
- [Grapevine Sprinkler Project](#) – Grapevine, TX

COORDINATE WITH TEXAS HISTORICAL COMMISSION (THC)

The Texas Historical Commission has collected information regarding how fire suppression requirements impact the redevelopment of downtowns. They are currently working on conducting research and collecting information on this topic to create a readily available resource for cities to use. At this time, the resource is not ready. It is recommended the City stay up-to-date on the progress of this resource and utilize the strategies recommended when it becomes available. The planner for the Texas Historical Commission was contacted as part of the research for this diagnostic and can be contacted for more information about this topic as it becomes available in the future. Contact information for the planner for the Texas Historical Commission is provided to the right.

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Planner for THC

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14. Create a position for a Development Coordinator

Issue

Issues have been raised about how to find a solution for dangerous buildings or structures in the downtown area. Currently, placing liens on properties to gain compliance from property owners is the method utilized by the City. Although liens are placed on the property, in some cases, the City is unable to gain compliance from property owners to demolish or repair the structures. This issue has caused uninhabited buildings in downtown to remain vacant and dissuade development from the downtown area. When the City takes an aggressive approach to remedy dilapidated buildings to the point of condemnation, the property owners' response is to demolish the building. The resulting vacant property is more difficult to redevelop and may remain vacant for many years in the future, which is currently the issue in downtown. A common belief is that it costs more to rehab a building than to build new; however, when the property is located in a downtown district, it can be easier to renovate an existing structure.

Resolution

Although the initial consideration to resolve this issue is to create an aggressive ordinance to gain compliance from property owners beyond placing liens on the property, the best approach is to work with property owners. The method that is most effective is to create a position for a Development Coordinator dedicated to working with property owners. This position will help to create a business-oriented, developer friendly environment in Wichita Falls by providing a valuable resource for navigating the development process.

This role will be responsible for building relationships with property owners and developers to understand their needs and help them through the development process. The Development Coordinator should have knowledge about the City's development process, applications requirements, redevelopment strategies, potential funding sources, and how to obtain them for property owners and developers. This person should also understand the real estate market to help get tenants into vacant units. The proposed position would be valuable in assisting downtown property owners and would have a positive impact on development across the City.

Identifying a professional that has the expertise and time to work with property owners is key to activating buildings and is the best approach to redevelop properties. For example, having someone who can explain the process for obtaining historic tax credits can help begin the process of applying for credits and can move a redevelopment forward. Knowledge of TIF funding and advocating for when it is needed for a particular building can help to direct TIF funding for that project.



Implementation

The purpose of the Priority Recommendation Implementation Table is to assist City leadership to understand the impact and potential cost of each recommendation made in this diagnostic. This will facilitate assessing the feasibility of each recommendation and assist in planning the implementation process. The impact rating of each recommendation is representative of the level of impact the recommendation will have on the revitalization of downtown in terms of High, Medium, and Low. Descriptions for these ratings are as follows:

- **High** – High impact recommendations cause a significant change on the design, land use, and organization of downtown resulting in overall revitalization. These recommendations may be difficult to implement due to cost, or level of effort required.
- **Medium** – Medium impact recommendations have an impact on the revitalization of downtown, but less than high impact recommendations. These recommendations can be implemented at any time and may prove less difficult to implement than high impact recommendations.
- **Low** – Low impact recommendations have the least amount of impact on the revitalization of downtown, however, should still be implemented to support revitalization efforts. Generally, these recommendations tend to be the most cost-effective and easiest to implement.

An estimation of the potential cost of implementation is shown for each recommendation. The recommendations are also prioritized for implementation by which recommendation will make the largest impact on the revitalization of downtown area. This order is not based on which recommendations are easiest to implement, or cost-effectiveness.

Table 1: Priority Recommendation Implementation Table

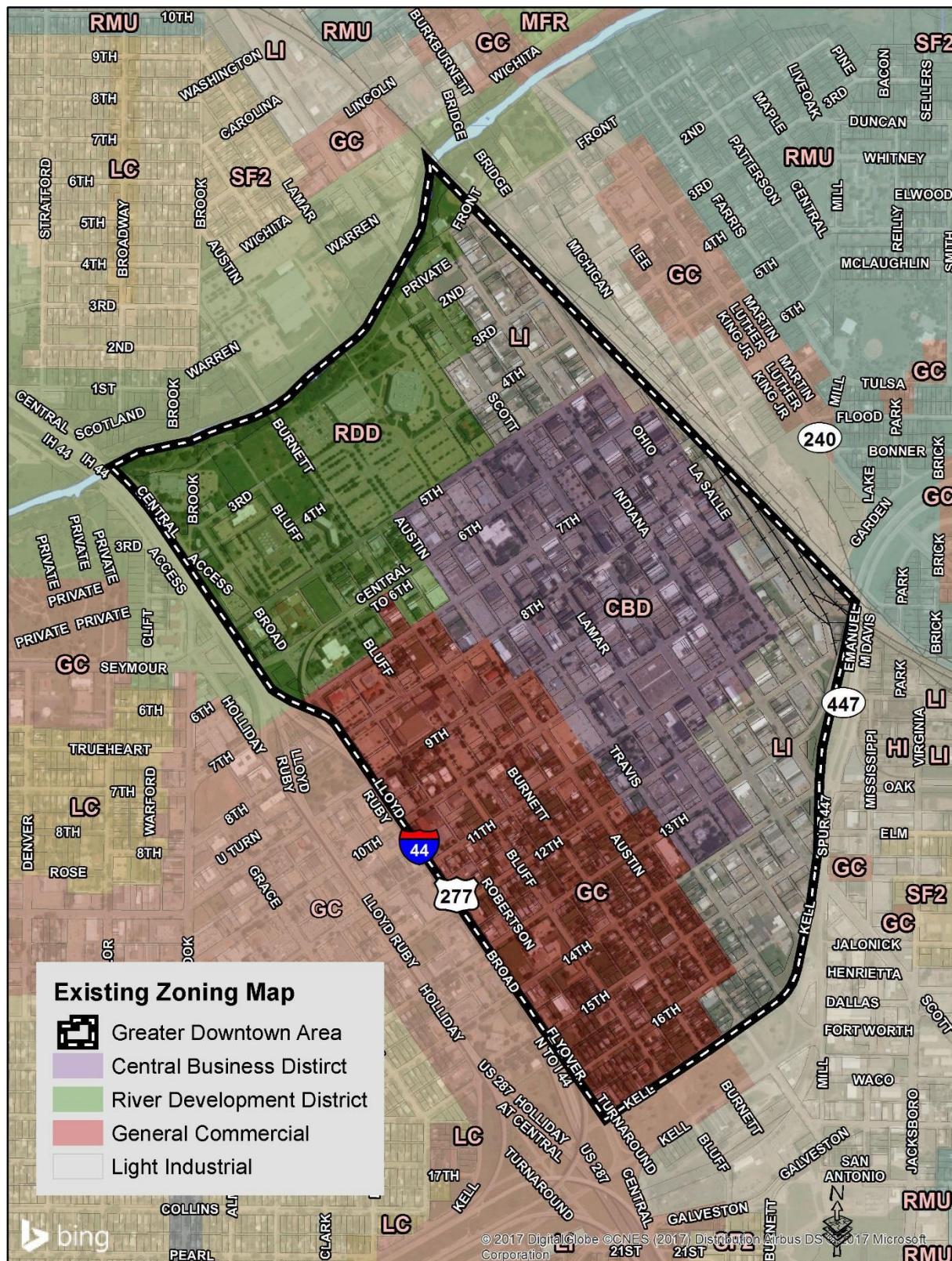
Priority	Recommendation	Impact	Estimated Cost
1	1. Realign base zoning districts in the greater downtown area	High	Staff Time
2	2. Update the Central Business District to match the vision for downtown	High	Staff Time/ \$50,000 for consulting
3	3. Develop an overlay district for the downtown area	High	Staff Time/ \$50,000 for consulting
4	6. Adopt the International Property Maintenance Code in greater downtown area	High	Staff Time
5	11. Direct code enforcement efforts in downtown	Medium	Reallocation of Staff Time
6	12. Implement incentive programs	Medium	Existing Program/Funds
7	13. Capitalize on downtown improvement grants	Medium	Existing Program/Funds
8	14. Create a position for a Downtown Development Coordinator	Medium	\$50,000 - \$75,000 per year for position
9	4. Revise regulations for the existing River Development District	Low	Staff Time
10	5. Resolve parking issues in the downtown area	Low	\$50,000 - \$75,000 for initial parking study
11	7. Require bike parking for developments in downtown	Low	Staff Time
12	9. Incorporate a schedule of the development process in the Project Development Guide	Low	Staff Time
13	10. Educate the public about development assistance	Low	Staff Time
14	8. Amend outdoor dining ordinance to reflect streetscape recommendations	Low	Staff Time

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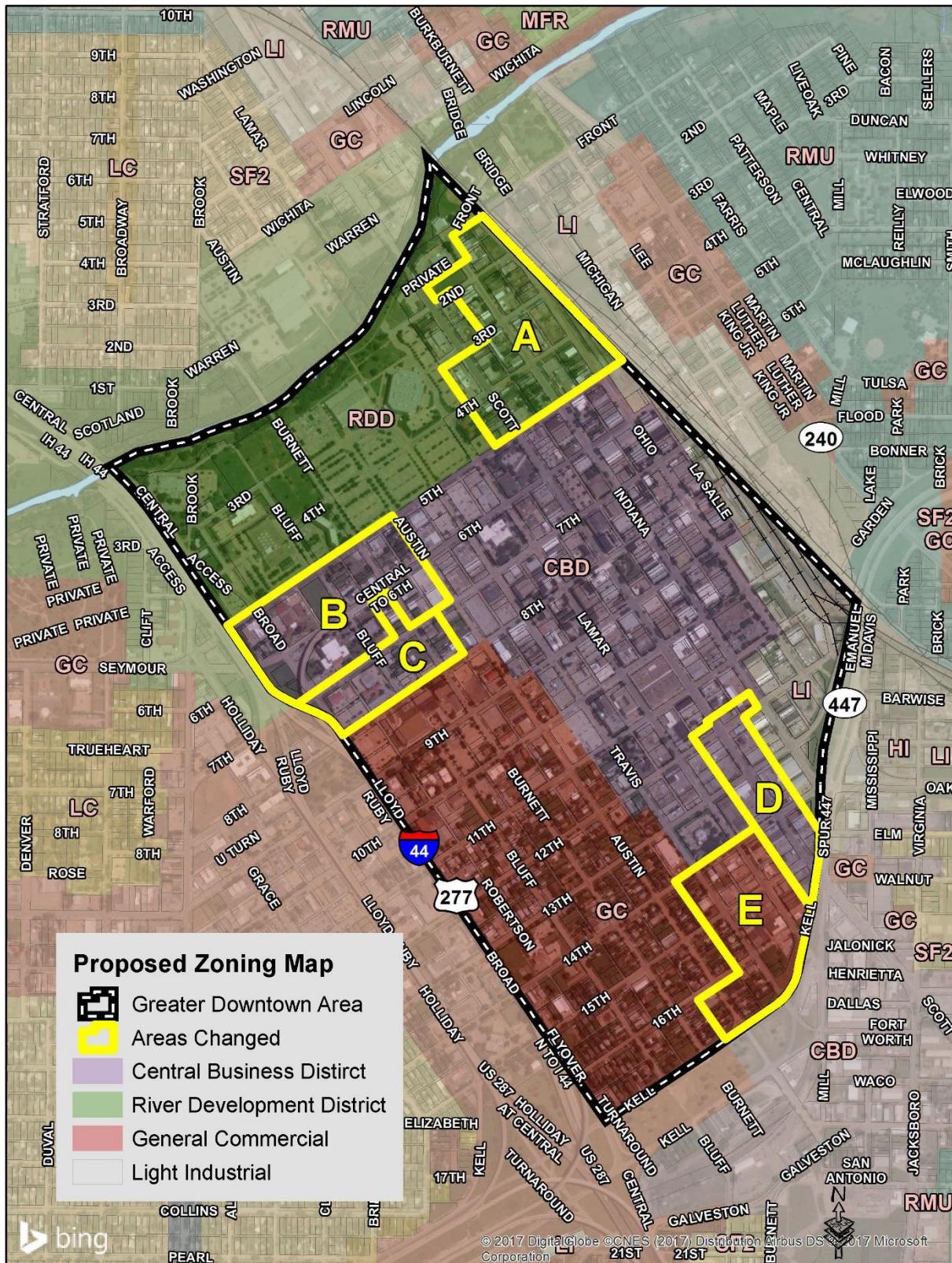
Appendix

This appendix is an additional resource for information provided in the diagnostic. Full page maps of the zoning recommendations and internet sources for documents referenced as examples are provided on the following pages.

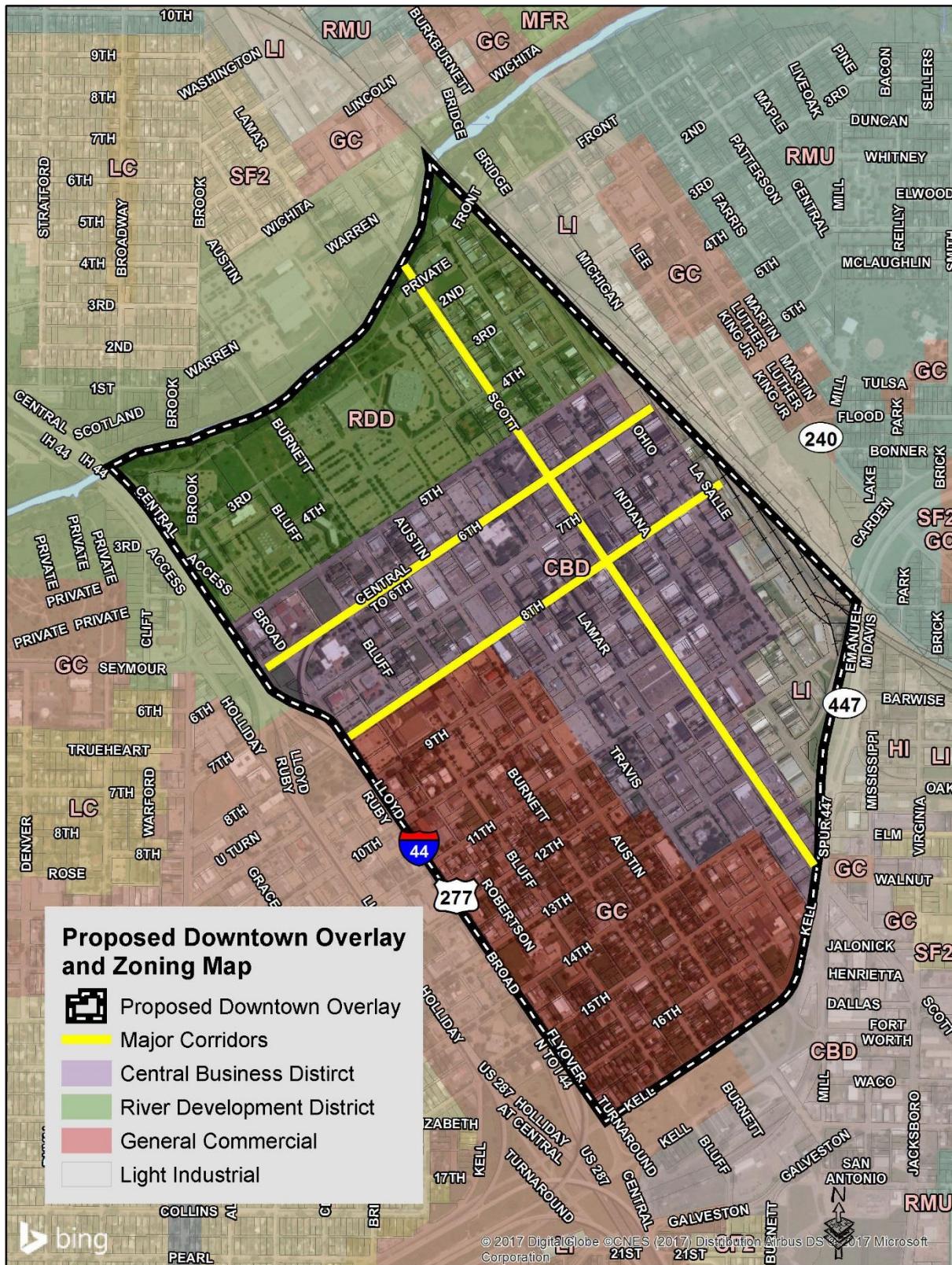
1. Existing Zoning Alignment



2. Proposed Zoning Realignment



3. Proposed Overlay Zoning District



4. Frisco Downtown Architectural Design Standards (2002) – Frisco, TX

For full document, see <https://www.friscotexas.gov/DocumentCenter/View/12097>

5. Downtown Austin Parking Strategy (2017) – Austin, TX

For full document, see

<http://www.downtonaustin.com/sites/default/files/DowntownAustinParkingStrategy.pdf>

6. Downtown Little Rock Parking Study (2015) – Little Rock, AK

For full document, see http://ualr.edu/publicaffairs/files/2016/06/LR-Convention-Visitors-Bureau-Capstone-Project_Fall-2015.pdf

7. Alternative Fire Protection Best Practices Report (2013) – Village of Tinley Park, IL

For full document, see <http://www.tinleypark.org/DocumentCenter/View/2172>

8. Downtown Sprinkler Tap and Riser Grant Program – Enid, OK

For full document, see

http://www.mainstreetenid.org/uploads/1/1/4/3/11439492/application_for_sprinkler_tap_fillable_form.pdf

9. City of Grapevine Sprinkler Project

For full article, see <https://texashistory.unt.edu/ark:/67531/metaph541995/m1/6/>