

Memo

To: City Commission
From: Toby Dougherty, City Manager
Date: 7-14-16
Re: July 21, 2016 Work Session

Please find the attached agenda and supporting documentation for the July 21, 2016 Work Session.

Item 2 – Adoption of Unified Development Code (UDC)

The Hays Area Planning Commission recommended adoption of the draft Unified Development Code at its May 16th regular meeting. At that time, City staff prepared a copy of the draft regulations and gave them to you for review. Brett Keast of Kendig Keast Collaborative will be at the work session on July 21st to present the draft regulations to the City Commission. The regulations are quite comprehensive and are the product of 24 months of work involving many people. The regulations are substantially modified from the first draft that was presented over a year ago. City staff has been very happy with the process to date, especially the engagement and involvement of the various stakeholder groups. City staff feels the draft UDC represents the needs of the community and stakeholders and protects the long-term interest of the community at large.

The City Commission may or may not choose to adopt the regulations at the July 28th regular meeting. City staff does recommend approval of the regulations, but we want the Commission to be comfortable before moving to a regular meeting.

Item 3 – 2017 Budget Discussion

Budget Workbooks were distributed at the July 7th Work Session, and a detailed presentation was given at the July 14th regular meeting. City staff requests that the Commission continue discussion of the 2017 Budget, most specifically if there are changes the Commission would like to see. Staff needs to be aware of that. Also, staff would like City Commission input on allocations for outside agencies including Quality of Life and Economic Development as some of these entities are asking for an increase in funding for 2017. City staff will be prepared to answer any questions about the 2017 Budget in more detail at the work session.

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**CITY OF HAYS
CITY COMMISSION WORK SESSION
THURSDAY, JULY 21, 2016 – 6:30 P.M.
AGENDA**

1. **ITEM FOR REVIEW: [July 7, 2016 Work Session Notes \(PAGE 1\)](#)**
DEPARTMENT HEAD RESPONSIBLE: Kim Rupp, Director of Finance
2. **ITEM FOR REVIEW: [Adoption of Unified Development Code \(PAGE 5\)](#)**
PERSONS RESPONSIBLE: Greg Sund, Director of Public Works
Brett Keast, Kendig Keast Collaborative
3. **ITEM FOR REVIEW: 2017 Budget Discussion**
PERSON RESPONSIBLE: Toby Dougherty, City Manager
4. **OTHER ITEMS FOR DISCUSSION**
5. **EXECUTIVE SESSION (IF REQUIRED)**
6. **ADJOURNMENT**

ANY PERSON WITH A DISABILITY NEEDING SPECIAL ACCOMMODATIONS TO ATTEND THIS MEETING SHOULD CONTACT THE CITY MANAGER'S OFFICE 48 HOURS PRIOR TO THE SCHEDULED MEETING TIME. EVERY ATTEMPT WILL BE MADE TO ACCOMMODATE ANY REQUESTS FOR ASSISTANCE.

City of Hays
City Commission
Work Session Notes
Thursday, July 7, 2016 – 6:30 p.m.

Present: Eber Phelps, Shaun Musil, James Meier, Henry Schwaller IV, Lance Jones, John Bird, Toby Dougherty and Kim Rupp

June 16, 2016 Work Session Notes

There were no corrections or additions to the minutes of the work session held on June 16, 2016; the minutes stand approved as presented.

Downtown Pavilion Project

On May 5, 2016, the City Commission heard a presentation by the Downtown Hays Development Corporation (DHDC) in conjunction with a group of Fort Hays State University students led by Kris Munsch regarding a potential pavilion in Downtown Hays.

The Commissioners discussed the possibility of pursuing a lease with Union Pacific Railroad to allow DHDC to construct a pavilion and restrooms in downtown Hays.

Sara Bloom, DHDC Executive Director, thanked the Commission for considering this project. DHDC provided a list of items they would like the City of Hays to either provide financially or through in-kind labor if this project were approved.

Commissioner Musil asked what options are available to finance this project.

City Manager Toby Dougherty provided several options, but recommended using Convention and Visitor Bureau Transient Guest Tax dollars which can be used to promote the community and provide amenities for visitors while they are in town.

It was the consensus of the Commission that this item be moved forward to the July 14, 2016 Commission meeting for possible action.

Pavement Condition Assessment – Award of Contract

In 2011, an automated pavement condition assessment was conducted by Infrastructure Management Services (IMS). That assessment has been the basis for street maintenance activities over the last five years.

The Commissioners discussed the merits of such a study, which involves automated data collection using high-resolution digital cameras, GPS receivers and computers on board a company van that would travel the city's streets. The technology evaluates 39 different pavement stresses, such as cracking and potholes.

John Braun, Assistant Director of Public Works, stated proposals for automated data collection services regarding the pavement condition of streets throughout the City, and the development of a five year repair and maintenance program were received from two firms:

- MDS Technologies, Inc. (Park Ridge, IL) \$25,950
- Infrastructure Management Services (Tempe, AZ) \$35,500

City Manager Toby Dougherty stated automated data collection provides a scientific report of the city's road conditions and can help the city identify areas where preventative maintenance can save significant funds in the future.

Commissioner Jones stated he is skeptical of spending \$26,000 on something you may be able to tell by driving down the road. He asked for the report from the 2011 assessment to review.

Commissioner Schwaller stated he initially was critical of the study, but now sees its value.

At the July 14, 2016 Commission meeting, Commissioners will be asked to consider authorizing the City Manager to enter into an agreement with MDS Technologies, Inc. in the amount of \$25,950 to be funded out of Special Highway.

Other Items for Discussion

City Manager Toby Dougherty stated that the City's budget for 2017 will be presented to the Commission at the July 28, 2016 Commission meeting. The

proposed budget is a balanced budget with the mill levy remaining at 25 mills. It includes no additional employees and continues to fund reserves.

Commissioner Schwaller requested a report on incidents that occurred during the July 4th holiday weekend.

Chairperson Phelps welcomed back Assistant City Manager, Jacob Wood, from military training and thanked him for his service.

The work session was adjourned at 7:09 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk

Commission Work Session Agenda

Memo

From: Jesse Rohr, PIE Superintendent

Work Session: July 21, 2016

Subject: Adoption of Unified Development Code (UDC)

Person(s) Responsible: Toby Dougherty, City Manager
Greg Sund, Director of Public Works

Summary

The rewrite of the zoning and subdivision regulations, now known as the Unified Development Code (UDC), has been ongoing since June of 2014. The project has been challenging and thought-provoking but was overall very productive. This project benefited greatly from input from staff, developers, realtors, contractors, engineers, the consultant, and other various community interest groups. As a result of this input, many edits were made to the original draft resulting in a final product that is much different from the draft first produced at the onset of the project. With the changes made since receiving the draft from Kendig Keast, it is truly a Hays document. The proposed UDC better reflects the needs of the City today than do the current zoning and subdivision regulations. On May 16, 2016, following a public hearing, the Planning Commission approved a motion recommending approval of the UDC to the City Commission. Staff also recommends approval of the UDC as submitted.

Background

The UDC project has been ongoing since June, 2014. This equates to 24+ months of work thus far that has gone into rewriting this set of regulations. For the project, information and input was gathered from staff, developers, realtors, contractors, engineers, the consultant, and other various community interest groups. The changes necessary to move from the existing Zoning and Subdivision Regulations to a Unified Development Code resulted in a larger project than could have been accomplished through a mere update of the existing regulations performed at staff level.

Discussion

The current City of Hays Zoning and Subdivision Regulations are first generation and suburban in nature. Zoning and Subdivision Regulations of this vintage provided little flexibility and resulted in undesirable outcomes despite their best intentions. Rewriting the Zoning and Subdivision Regulations was the top recommendation of the adopted 2012 Comprehensive Plan as well as the recent EPA Sustainable Communities investigation. Many sections of the current Zoning and Subdivision Regulations are in conflict with the stated goals and desired outcomes of the Comprehensive Plan as well as current policy and practice.

GOALS OF THE UDC:

- First and foremost, to align the code with the goals and policy direction of the Comprehensive Plan.
- To use urban services and infrastructure efficiently - Promote fiscal responsibility
- Encourage reinvestment in existing neighborhoods
- Improve predictability, efficiency and ease of development procedures and processes
- To encourage “human-scaled” design in major activity centers.
- To encourage and facilitate mixed land uses.
- To create housing opportunities and choices.
- To preserve and protect the character and viability of existing neighborhoods.
- To keep the city connected and provide transportation options.
- To preserve open space in vital natural areas.
- To ensure the City of Hays remains a strong economic presence into the future.

SIGNIFICANT CHANGES FROM CURRENT CODE:

- Simplifies and reduces the number of zoning districts from 21 to 12
- Inclusion of 490+ necessary definitions (current regulations contain 110 definitions)
- Inclusion of flood management and stormwater ordinances
- Reducing the requirement of Board of Zoning Appeals (BZA) action in several instances to reduce construction and development time frames
- Inclusion of graphs, tables, illustrations and diagrams for ease of use
- Reduced setbacks in most instances for many structures, including accessory structures
- Reduction in some parking requirements/options for bike parking in lieu of vehicle spaces
- Provision for various modes of transportation, including pedestrian and bicycle
- Provision for live/work units and accessory dwelling units
- Regulatory enhancements for mixed use developments

OUTCOMES:

- More Predictability and Certainty
- Streamlined Approvals
- Increased Flexibility
- Fewer Zoning Districts
- Expanded and Consolidated List of Land Uses
- Limited and Special Use Standards
- New Neighborhood Types
- Optional Lot Averaging
- New Neighborhood Conservation District
- Reduced Parking Requirements

- Street and Sidewalk Standards
- Improved Signage Guidelines
- Incorporation of Flood and Stormwater Regulations

On May 16, 2016, the Planning Commission conducted a public hearing and approved a motion recommending approval of the UDC to the City Commission.

Overall the UDC will be a document with approved and streamlined processes, will provide easier access to the regulations and less need for interpretation of regulations, all packaged in a much more user friendly web-based format.

Accompanying the UDC will be a revised zoning map which will include the new zoning districts in the UDC. The map will be reviewed and brought forward to the City Commission for adoption as well.

Legal Consideration

There are no known legal obstacles to proceeding as recommended by City staff. It is important that through the adoption process existing regulations relating to floods and stormwater management not be repealed and replaced by the provisions relating thereto in the UDC. Rather, the existing references to the flood and stormwater regulations in current city code should simply be changed to reference the UDC. It is also recommended that adoption of the ordinance incorporating the UDC occur simultaneously with adoption of the official map of the zoning regulations.

Financial Consideration

None noted.

Options

The City Commission has the following options:

- Approve the UDC as submitted to be effective upon adoption of a new Zoning Map
- Request further changes or considerations to the UDC
- Provide staff further direction

Recommendation

Staff, as well as the Planning Commission, recommends approving this UDC as submitted effective upon adoption of a new Zoning Map.

Action Requested

Approve the ordinance adopting the UDC as presented and as recommended by the Planning Commission.

Supporting Documentation

None (Ordinance to be drafted by City Attorney pending the outcome of the Work Session)