

Meeting of the BEEDC Board of Directors June 13, 2024, 5:30 p.m. 144 Wilcox Drive Eddy, Texas 76524 Council Chambers

Please mute your phones and computers to avoid any interference during the meeting

1. Call to Order – Darrin Weaver, President

- a) Greetings
- b) Invocation
- c) Pledge of Allegiance
- d) Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.
- e) Roll Call

2. Citizen Presentations

The Board of Directors welcomes public comments at this point on items <u>not</u> specifically listed on the agenda. Speakers must sign up before the meeting begins. Speakers are limited to five (5) minutes each. The Board of Directors cannot respond to matters not listed on the agenda until a future meeting.

3. Approval of Minutes

Discuss, consider, and possibly take action to approve the minutes from the Feburary 15, 2024 Inaugural Meeting of the Bruceville-Eddy Economic Development Corporation.

4. Secretary's Report - Kent Manton, City Administrator

5. Officer Change Election

At the request of Director Colton Smith, Directors to discuss, consider, and possibly take action to elect a new Treasurer of the Bruceville-Eddy Economic Development Corporation for the remainer of the year.

6. Lorena EDC Tour – Lessons Learned

Directors to discuss, consider, and possibly taken action on the May 2024 tour of the Lorena EDC; discussion on ideas and lessons learned from the experience.

7. Comprehensive Plan Review

Directors to discuss, consider, and possibly taken action desired revisions to the City of Bruceville-Eddy 2011 comprehensive plan; discuss strategies and ideas that will shape the future of Bruceville-Eddy as we begin to experience growth.

8. Program/Project Discussion

Directors to discuss, consider, and possibly taken action on the establishment of a general program; provide initial input to Council appointed Budget Committee for use of estimate sales tax proceeds for upcoming FY 2024-2025 budget year; discuss strategies and ideas that will create/retain primary jobs.



9. Director Appointment Process

Directors to discuss, consider, and possibly take action on the process for appointing members to the BEEDC; discuss expiring terms and reappointments as well as the creation of application for future volunteers.

10. Process for Coordination with City Council

Directors to discuss, consider, and possibly take action on the process for regular coordination with City Council on review of development activities that impact primary job creation, reporting, communication, and goal setting.

6.

11. Adjournment

For the safety of citizens, board members, and staff, upon adjourning of the BEEDC meeting, citizens/visitors are asked to exit the building through the front entrance to City Hall immediately. Any bags, backpacks, purses, etc., that are being brought into the meeting room are subject to security screening. Anyone (citizens, visitors) attending a board meeting will be subjected to a metal detector screening before entering the meeting room.

All items on the agenda are for discussion and/or action. The Board of Directors reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

The city is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Administrator at least 48 hours in advance. Please contact the City Administrator at (254) 859-5700 or fax at (254) 859-5779 for information or assistance.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Bruceville-Eddy Economic Development Corporation is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the official notice case, at City Hall in the City of Bruceville-Eddy, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the 10th day of June, 2024 at 2:00 pm, and remained so posted, continuously, for at least 72 hours proceeding the scheduled time of said Meeting.

Kent Manton, BEEDC Secretary City of Bruceville-Eddy, Texas





Economic Development Corporation Inaugural Meeting

Meeting of the BEEDC Board of Directors February 15, 2024, 3:00 p.m. 144 Wilcox Drive Eddy, Texas 76524 Minutes

1. Call to Order by Kent Manton, Director, at 3:00 pm

Members Present: Patsy Duty, Anthony Duty, Darrin Weaver, James Tolbert, Colton Smith, and Kent Manton.

Member absent: W C Whorton

Staff Present: Pam Combs-City Secretary

2. Board of Directors Oath of Office

Mayor Linda Owens will jointly administer the Oath of Office to the recently appointed Board of Directors of the Bruceville-Eddy Economic Development Corporation to their inaugural terms. **City Secretary Pam Combs administered the Oath of Office to all members present.**

3. Required Training, Roles and Responsibilities, and Mandatory Submissions

Directors to discuss and consider a presentation on training requirements for board members, various roles and responsibilities of the Directors in general, including those roles and responsibilities specific to elected officers, and state mandated reporting and submission requirements.

City Administrator and Director Kent Manton provided an overview of the required training and roles and responsbilities for Directors. Directors held a brief discussion on these topics.

4. Election of Officers

Directors to discuss, consider, and possibly take action to elect Officers, consisting of the President, Vice-President, Treasurer, and Secretary, of the Board of Directors for a one (1) year term; appointment of any assistants as may be needed.

Motion made by Patsy Duty for Darrin Weaver to be President, 2nd by James Tolbert, yeas 6, nay 0, absent 1, motion passes.

Motion made by Darrin Weaver for James Tolbert to be Vice President, 2nd by Patsy Duty, yeas 6, nay 0, absent 1, motion passes.

Motion made by Darrin Weaver for Patsy Duty to be Treasurer and Esther Moreno to be Assistant Treasurer, 2nd by James Tolbert, yeas 6, nay 0, absent 1, motion passes.

Motion made by James Tolbert for Kent Manton to be Secretary and Pam Combs to be Assistant Secretary, 2nd by Darryl Weaver, yeas 6, nay 0, absent 1, motion passes.

5. Adoption of Bylaws



Directors to discuss, consider, and possibly take action to adopt the City Council approved bylaws of the Bruceville-Eddy EDC.

Motion made by James Tolbert to adopt the City Council approved bylaws of the Bruceville-Eddy EDC. 2nd by Darrin Weaver, yeas 6, nay 0, absent 1, motion passes.

6. Citizen Presentations

The Board of Directors welcomes public comments at this point on items <u>not</u> specifically listed on the agenda. Speakers must sign up before the meeting begins. Speakers are limited to five (5) minutes each. The Board of Directors cannot respond to matters not listed on the agenda until a future meeting. **None**

7. Program/Project Discussion

Directors to discuss, consider, and possibly taken action on the establishment of a general program for the use of the associated EDC sales and use tax funds; initial conversation on proposed projects eligible for Type B EDC Corporations.

City Administrator and Secretary Kent Manton provided an overview of development activity in the area along with the City's plans to address the infrastructure needs for these projects. A general discussion on the development of a program and/or project ensued. No action taken.

8. Selection of Meeting Dates and Tours

Directors to discuss, consider, and possibly take action to select dates and times for both regular quarterly meetings as well as the annual meeting; proposal to 'tour' other local EDC meetings for the purpose of networking and gaining a better understanding of EDC meeting processes.

Motion made by Darrin Weaver to have meeting every 2nd Wednesday of the quarter at 5:30 pm., 2nd by James Tolbert, yeas 6, nay 0, absent 1, motion passes.

9. Adjournment

Motion made by James Tolbert to adjourned the meeting at 4.23 pm, 2nd by Colton Smith, yeas 6, nay 0, absent 1, motion passes.

Darrin Weaver, President

Date

Kent Manton, Secretary

Date

Bruceville-Eddy

Comprehensive Plan

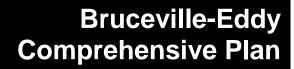






A Small Town Community with a Big Vision!

School of Urban and Public Affairs Institute of Urban Studies University of Texas at Arlington May 2011





ACKNOWLEDGEMENTS

The University of Texas at Arlington's City and Regional Planning Program students would like to thank the Bruceville-Eddy City Council, City Administrator, Regional and County partners, and especially the residents who attended visioning sessions and presentations to support and participate in the planning process to develop the City's first comprehensive plan!

Bruceville-Eddy City Council

Rick Eaton, Mayor Frank Holt, Council Member Lucy Posey, Council Member Connally Bass, Council Member Allan Trigg, Council Member Mr. Wilcox, Council Member

Bruceville-Eddy City Administrators

Koni Billings, Bruceville-Eddy City Administrator

Prepared by:

 Masters of City and Regional Planning Program School of Urban and Public Affairs University of Texas at Arlington Advisor, Dr. Barbara Becker, Dean of the School of Urban and Public Affairs

With Assistance From:

- McLennan County
- Heart of Texas Council of Governments (HOTCOG)
- Texas Department of Transportation Waco Division



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CHAPTER ONE INTRODUCTION

INTRODUCTION

Vision

Bruceville-Eddy is a community committed to promoting cultural, social, economic and recreational opportunities while maintaining our small town, rural flavor.

Mission

- Encourage each member of the community to participate and support decisions regarding planning for the growth and development of IH 35 expansion, sewer systems, safety of our citizens and zoning regulations.
- Foster business development by proactively attracting businesses and industries that will work in a cooperative partnership with the town.
- Integrate resources that will include green technology.
- Attract businesses that link community spirit and involvement with our schools and future leaders: This would include city youth centers, a newspaper, citizen/council quarterly planning meetings and educational programs for community outreach.
- Make available training for city council members.
- Implement grant services from federal and state programs.
- Develop a citizens' advisory committee to address volunteer programs implemented by a BE citizen core.
- Establish a solid waste development committee.
- Establish a community board to set forth guidelines for future businesses e.g. BEBA (Bruceville-Eddy Business Association).
- Encourage open dialog with librarians, teachers, administrators and citizens to preserve the history of our community.

Purpose

A comprehensive plan serves as a guide for the city to build its desired vision for the future as shaped by the citizens and community leaders. The Bruceville-Eddy Comprehensive Plan takes into account the current conditions in the city, future growth, and seeks to achieve a balance between preserving the rural small town character prized by the community, and moving forward to capitalize fully on the opportunities for growth and development that exist. Since 2008, communities along the I-35 corridor have been preparing for inevitable changes resulting from the expansion of I-35. These changes include business and residential relocations as well as potential gains and losses of economic development opportunities. As a result, Bruceville-Eddy viewed the road expansion as an opportunity to develop a master plan that would move their community into the future. This plan outlines the "future" Bruceville-Eddy envisions for itself, which features an expanded road network, a new and vibrant downtown, the establishment of a farmers market, and the development of a new park, and the relocation and enhancement of the existing senior center. These features will be concentrated in the new downtown Bruceville-Eddy, which will be established along FM107/SH7 (the existing downtown Eddy).

This plan is broken down into five interrelated content sections for implementation; Land Use, Transportation, Economic Development, Housing, and Open Space. The Land Use section refers to general categories of land use such as commercial, residential and open space in regards to their uses and locations within the city. The Transportation Section connects land uses and people, and will be important to expand as Bruceville-Eddy grows. The Economic Development Section looks at key corridors of I-35 and HWY 107/7 to provide for through-traffic and commercial development designed to serve the needs of residents. The Housing Section provides guidance on how to maintain the current residential character of the town while allowing for new residents to join the community. The Open Space Section looks at ways to maintain the rural character of the city, while providing and improving recreational activities for citizens.

This document is a tool providing the steps to achieve desired community goals and should aid in making land use and policy decisions. This document should be revisited periodically to ensure that it continues to reflect the community and its vision for the future.

History

Bruceville-Eddy has a tradition of collaboration with surrounding towns and a history benefitting from railroad and highway improvement. These elements continue to shape the future of Bruceville-Eddy as it partners with the Texas Department of Transportation (TXDOT) to provide a sewer system, improve the water system, and create a new image along I-35.

The shared histories of Bruceville and Eddy began with transportation. Both towns began as stops on the Missouri, Kansas and Texas railroad in 1882. The railroad was responsible for the growth in Bruceville and in Eddy and as an integral part of the area's beginning. Bruceville was named in honor of Lucien N. Bruce who donated land for the rail stop. Eddy was named for Everett B. Eddy, the Division Superintendent of the railroad.

From the 1880's through the 1920's, the towns prospered thanks to the Katy Railroad. Populations peaked at 500 in Bruceville in the early 1930's and 1940's and at 700 in Eddy in the 1890's. Eddy, in the 1890's, was home to two hotels, a bank, three general stores, two churches, a gristmill and a school district. Bruceville, in the 1900's had a bank, a lumber yard and hardware store, two general stores, a grocery, a hotel, two churches and a school. However the First World War, drought, and The Great Depression devastated the two towns' economies. Population declined along with business. The banks and stores closed as the population shrunk to 350 in Eddy in the mid-forties and 250 in Bruceville by 1949.

The population and economic activity remained low until new developments in transportation and the interstate highway system came through in the 1950's and 1960's. The highway connected the cities (especially Eddy) to the county and larger cities of Waco to the north and Temple to the south. Population began to grow in Bruceville, although Eddy continued to decline. To adapt to the changing times, the two cities incorporated in 1974. Since incorporating, the city has experienced renewed growth. The 2010 census shows a population of 1,475, one of the highest in the two towns' combined histories.

Currently, Bruceville-Eddy is a small, tight-knit, residential community in a strategic location. The widening of I-35 increases access to Bruceville-Eddy from the Cities of Waco and Temple. This puts Bruceville-Eddy in the position to be a quiet, residential area with a reasonable commute to Waco and Temple. The town seeks to capitalize on its location at the crossroads of I-35 and 107 balancing anticipated growth and the prized small-town character.

Demographics

The current population of Bruceville-Eddy is just under 1,475. This is comparable to cities in the area such as Lorena, but this indicates some dependence on the regional centers for retail and employment needs (Table 1-1). Waco and Temple serve as employment centers and places for higher-order goods that can't be found in Bruceville-Eddy.

City	Current Population			
Bruceville-Eddy	1,475			
Lorena	1,691			
Temple	69,183			
Waco	124,805			

Table 1	-1 Current	Population
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Source: McLennan County Metropolitan Planning Organization

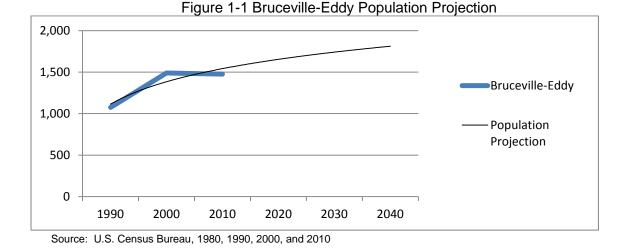
Population Growth

In examining future population growth; a regional approach is needed. McLennan County, like much of Texas, is experiencing high rates of growth. The McLennan County Metropolitan Planning Organization (MPO) expects the county to grow by 23% from 2005 to 2035. Much of this growth will occur in unincorporated area and suburban cities surrounding Waco and Temple (Table 1-2). As growth moves north from Temple and south from Waco, it will bring population growth to Bruceville-Eddy.

	2005	2035	Change	Percent	Percent of
			-	Change	Metropolitan Growth
Waco	117,213	132,397	15,184	13%	29%
Suburban Cities	55,224	65,422	10,198	18%	19.5%
Rural Cities*	11,716	13,099	1,383	12%	2.6%
Unincorporated Areas	40,515	66,069	25,554	63%	48.8%
McLennan County	224,668	276,987	52,319	23%	100%
*This include Bruceville					

Source: McLennan County Metropolitan Planning Organization

If Bruceville-Eddy grows at the 12% rate projected for the rural communities by McLennan County MPO it will reach a population of 1,652 by 2035 (Figure 1-1). Projections based on census data put Bruceville-Eddy at a population of about 1,800 by 2040 (on par with the McLennan County estimates). However, all of these projections assume a continuation of current conditions. Any improvements to roads, infrastructure, or services could greatly increase Bruceville-Eddy's population growth.



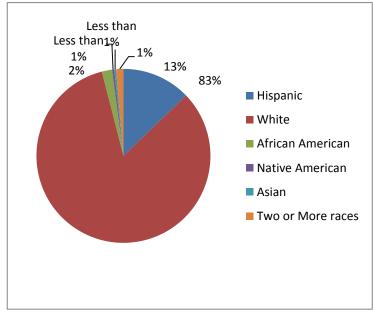
While growth, both residential and commercial, is desired, it must be managed in a way that maintains the current character of the community. This plan contains many tools and techniques for Bruceville-Eddy to achieve this desired type of growth. The City has a substantial amount of control over how it grows through its actions to improve infrastructure, zoning and subdivision regulations, and community maintenance programs.

Population Characteristics

Bruceville-Eddy is predominantly white at 83% of the total population. The largest minority group is Hispanic at 13%, which mirrors population in McLennan County and shows the state and nationwide trend of growing Hispanic populations (Figure 1-2). Bruceville-Eddy is becoming a more diverse city as it grows, so this will be important to consider for planning purposes.

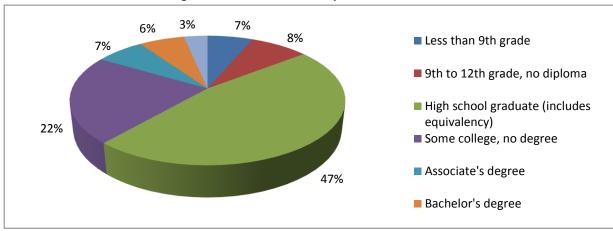
Only 15% the population have less than a high school diploma. Bruceville-Eddy's Independent School District is an asset to the community because it provides an

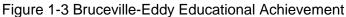
Figure 1-2 Bruceville-Eddy Population by Race



Source: U.S. Census 2010

elementary, intermediate, junior high and high school that are the pride of the town. Bruceville-Eddy 11th graders perform higher then state averages in TAKS English Language Arts, Social Studies, Mathematics and Sciences Tests. An additional 27.7% of students are enrolled in career and technical education programs (Source: Texas Education Agency Academic Indicator System). These students are prepared for college or for joining the workforce.

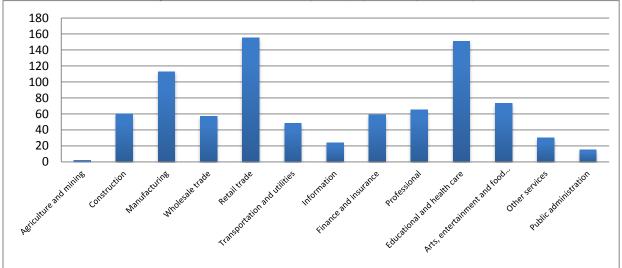


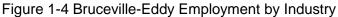


Source: U.S. Census Bureau 2000

This emphasis on education will provide Bruceville-Eddy with an educated labor force for its future growth and development. Several industries are represented in the Bruceville-Eddy workforce. This diversity is economically beneficial and provides a buffer should one industry fail. The largest concentrations of employment are in the retail, manufacturing, education and health care industries. Considering the rural character of Bruceville-Eddy, surprisingly few residents are employed in the agricultural and mining industries.

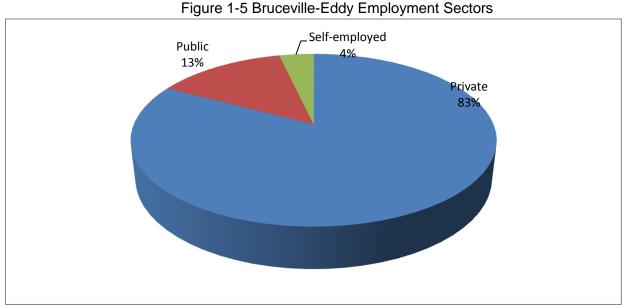
Residents' employment is split almost evenly between industries. 54% work in management, professional occupations, sales, and office occupations, 32% work in construction, manufacturing, transportation and repair occupations (Figure 1-4). Another 14% work in service occupations. This reflects a variety of skills amongst residents. It also reflects different needs and income levels of residents. This diversity is accounted for in this plan, particularly in regards to ensuring quality housing at multiple price points.





Source: U.S. Census Bureau 2000

Eighty three percent of the work force is in the private sector, and 13% work in the public sector (Figure 1-5). This is relatively large percentage of public employees for a small community, but includes teachers, police, and Water Department employees (Figure 1-6).



Source: U.S. Census Bureau 2000

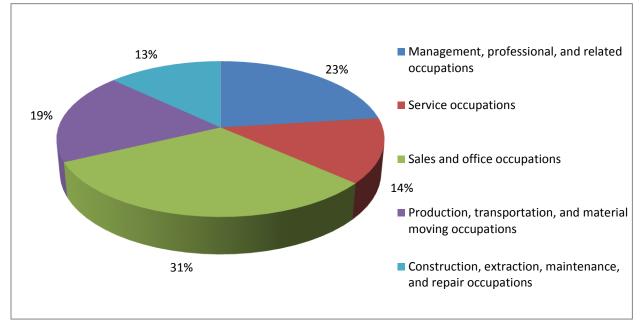


Figure 1-6 Bruceville-Eddy Occupations

Source: U.S. Census 2000

Methodology

The Bruceville-Eddy Comprehensive Plan was developed during the spring of 2011 by the University of Texas at Arlington School of Urban and Public Affairs Project Planning Studio. While the time-frame for this project was short, two community visioning session were held with 60-70 people attending to share community views.

The first community meeting was held on February 10th, 2011. At this meeting, the background research on existing conditions in the town was provided to all in attendance (Figures 1-7, 1-8 and

Figure 1-7 Visioning Session One



Source: Monique Coleman

1-9). Community members then broke into small groups to locate community features on maps, and then performed Strengths, Weakness, Opportunities, and Threats Analysis (SWOT), and visual referencing of streets and buildings. SWOT analysis results can be found in Table 8-1 in the Appendix A.

Figure 1-8 Visioning Session One SWOT Exercise



Source: Monique Coleman

Figure 1-9 Visioning Session One SWOT Exercise



Source: Monique Coleman

The second community meeting was held on March 10th, 2011. Participants were asked about their preferences on several main issues: commercial development geared to I-35, developments geared to providing services for residents, development of a town center, neighborhood design, housing, and roads. The attendees responded during the meeting and were also given surveys to fill out and bring back. In total, 16 surveys completed the main findings and can be found in Table 8-2 in Appendix B.

Background research included demographics research, mapping of the area, and windshield surveys. The 2010 census data was made available just before the completion of this plan and was used to find baseline demographic information about the community.



CHAPTER TWO LAND USE

LAND USE

Introduction

Land Use is the heart of this comprehensive plan. Bruceville-Eddy seeks to achieve a pattern of land use that will allow continue economic and population growth while maintaining a small town atmosphere (Figure 2-1). These two seemingly contradictory goals can be achieved through smart land use and regulations.

Figure 2-1 Home in Bruceville-Eddy



Source: Danny Brandt

Water and Sewer Planning

The provision of adequate public services is a goal of every municipality. Bruceville-Eddy current manages its own water company and is in the process of updating much of that infrastructure. Bruceville-Eddy plans to begin providing sewer service by linking with an existing system to the north in the next few years. This is an important service that will allow for increase in growth, protect the environment, and be an amenity to residents.

It is important to carefully plan sewer systems, not only for functionality and environmental reason but, to ensure the desired pattern of development. Sewer is one of the most needed and costly prerequisites for development; however, it is not uncommon for utility planning to be separate from land use planning. This can result in unwanted development where open space was desired if a sewer line is present or no development where it is needed if sewer is absent. Bruceville-Eddy needs to be thoughtful in the planning of its sewer systems so that the sewer infrastructure supports development goals in the comprehensive plan (Figure 2-2).

Main sewer and water lines should be provided for areas being considered for development in the next ten years as these improvements are expensive and time consuming. Bruceville-Eddy is planning for new development to the south and southeast within that timeframe and should provide water and sewer services to that area.

Three priorities emerge in providing sewer facilities:

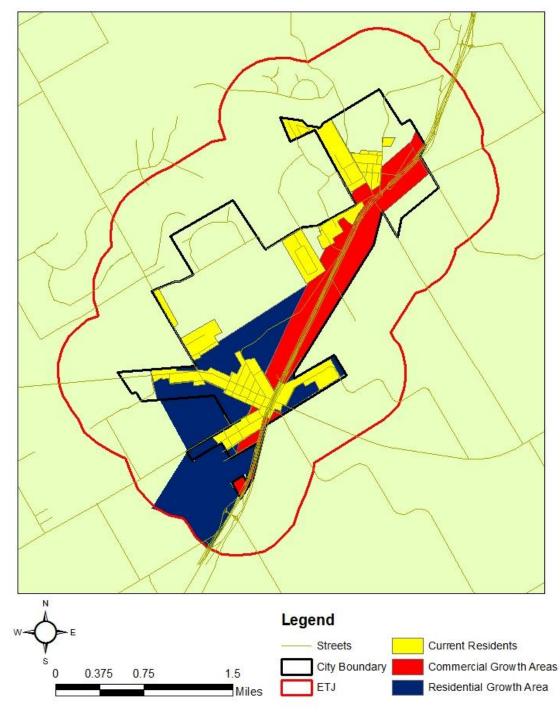
- (1) Provide services to existing residents and tax payers.
- (2) Provide sewer to accommodate economic growth along I-35 and HWY 107/7.
- (3) Provide sewer where residential development is desired.

Funding for utility improvements should be actively pursued by Bruceville-Eddy. The Texas Water Development Board provides grant funding for regional water and waste planning. This grant is competitive and requires working with surrounding political subdivisions to plan for regional water and wastewater programs and infrastructure. The Texas Department of Agriculture provides Infrastructure development funds as part of its

Rural Economic Development Program. Grants are evaluated based on community need, jobs, and economic impact. For this grant the infrastructure improvement should support an expanding or new business. Downtown Revitalization Improvement Program grant funds from the Texas department of Agriculture can be obtained for water and sewer facilities and lines within the designated downtown area of Bruceville-Eddy (Appendix E). All three of these grants could be used to help plan and implement new sewer and water lines.

Impact fees charged to developers should be used to offset cost of system improvements needed due to their development (Appendix E) Impact fees can be defined as charges a developer pays that cover the cost of pressures they place on public utilities including water, sewer, and roads. These fees cover the cost of hooking into the local water or sewer lines, extending them to the development, and a portion of any off-site improvements that may be needed, such as sewer lift stations. Impact fees for public facilities can help development pay for itself. An impact fee must be roughly proportional to the cost the city will incur because of the development. Figure 2-2 Sewer Priority Area Map

Sewer Priority Areas Bruceville-Eddy



Source: Michele Berry

Buffers

Commercial Buffer

Concerns arise in the compatibility of land uses, particularly separating the residential from the noise, traffic and light of the highway and its commercial areas. The town residents' preferences show support for combinations of vegetation and fencing to separate incompatible uses (e.g. to separate highway businesses' noise from residential areas) (Figure 2-3). A buffer between Highway Commercial development and residential or park land can be required through zoning and landscaping regulations.

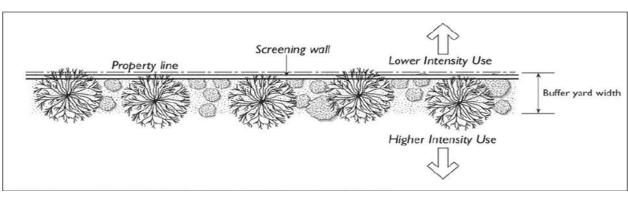


Figure 2-3 Commercial Buffers with Wall and Landscaping

Source: Columbus Ohio Planning Dept

Town Buffer

Another concern raised by citizens was as development continues from the north and south, Bruceville-Eddy would blend into a long chain of strip businesses. To prevent this (and also make it clear when travelers are in Bruceville-Eddy) two strategies can be used-- signage and open space buffers on the city edge.

Preserving areas of open space around the city boundary also can control development patterns (Figure 2-3). This will promote the rural atmosphere prized by residents, support economic development in designated areas, and lessen the cost of municipal services. As the city expands, it should consider preserving open space adjacent to the developed areas to prevent unwanted developments and maintain the rural atmosphere.



Open space North of FM/107

Source: Danny Brandt

There was concern by residents that higher density commercial along I-35 would create noise and light pollution. It is imperative that zoning ordinances require some form of buffering between the frontage road businesses and the land use behind them (Figure 2-5).

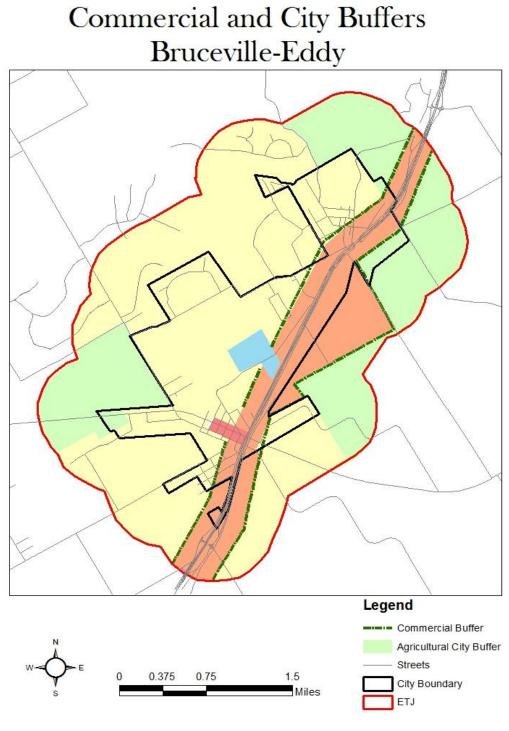


Figure 2-5 Bruceville-Eddy City Buffers Map

Source: Michele Berry

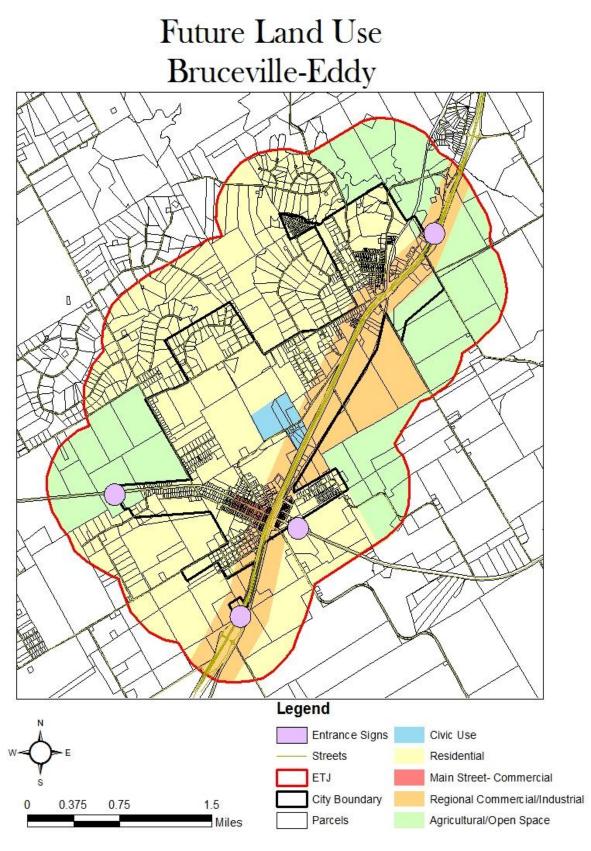
Signage Recommendations

The City of Bruceville-Eddy can anticipate new "way-finding" signage along I-35 as a result of the expansion. These signs will help promote and announce Bruceville-Eddy's existence to passersby. Long-term goals for signage should include signs at the north and south boundaries of the community, a monument sign at the I-35/SH7 junction, which will lead to the city's new "downtown area" and most importantly, pedestrian safety signage along SH7 as the new downtown Bruceville-Eddy area develops (Figure 2-5).

City administrators should request needed signage along SH7 from the Texas Department of Transportation. As an alternative, the city can hire a sign vendor to develop and install less conventional way-finding signs. See Appendix C for detailed signage recommendations from the Manual of Uniform Traffic Control Devices (MUTCD).

Future Land Uses

Bruceville-Eddy's future land use will consist of civic, residential, highway commercial, community commercial and agricultural uses (Figure 2-6). Civic uses are those lands owned and operated by the city or related governmental agency, such as city hall and the schools. This land is centrally located for easy access for all residents. Residential land uses are those owned and occupied for housing. This is the majority of land in Bruceville-Eddy and will continue to be the largest land use to maintain the residential small town feel. Highway commercial uses are designated for use that is either commercial or industrial and is oriented to travelers on I-35. This land follows either side of I-35. Community commercial land use is meant to serve the needs of residents. This land use is located in the downtown area of Bruceville-Eddy along 3rd Street. Agricultural land use serves to preserve open space and agricultural industry within the city limits. Having this land use around the city borders will contribute to a rural and small town community atmosphere.



Source: Michele Berry



CHAPTER THREE

TRANSPORTATION

TRANSPORTATION

Introduction

The City of Bruceville-Eddy desires growth and development that brings more vitality to their community while maintaining the rural small town atmosphere that they have grown to appreciate. The expansion of the I-35 corridor has presented opportunities for Bruceville-Eddy to install infrastructure to support future growth, relocate businesses to SH 7/FM 107, and develop commercial businesses along the I-35 corridor to draw in travelers.

This section discusses new road opportunities, future and existing access points from I-35, local road types, regional transportation roads and services, and an expanded road network to improve north-south connectivity within Bruceville-Eddy.

Funding Opportunities

To fund local road development and expansion, City administrators should prioritize road network expansion plans and consider the following funding options (Appendix E):

- Purchase right-of-way according to priority,
- Utilize impact fees collected from development along FM107/SH7,
- Conduct an assessment of abutting vacant properties to the existing road being expanded, or
- Pursue pass-through financing for SH7 expansion needs.

"Pass-through financing is a tool the state created to stretch already limited tax highway dollars and to allow local communities to fund upfront costs for constructing a state highway project. The state then reimburses a portion of the project cost to the community over time by paying a fee for each vehicle that drives on the new highway. Projects must be on the state highway system to be eligible to be developed under this program." (Texas Department of Transportation http://www.txdot.gov/business/governments/pass_finance.htm

New access routes to the Bruceville-Eddy School Complex

New access routes to the Bruceville-Eddy school complex are needed to mitigate traffic concerns that would result from the proposed new Eagle Drive Overpass. The widening of I-35 will connect a one-way double lane frontage road to Eagle Drive. In an effort to divert school related traffic from a potential congestion area that could be inevitable if commercial development begins along I-35; we propose an alternate route to Bruceville-Eddy HS and Elementary. This collector road (Figure 3-1) would divert school related traffic from Eagle Drive, connect both northbound and southbound traffic to the school compound, and reduce commuter travel time.

Existing and Future Access from I-35

From the northern to the southern end of the community, Bruceville-Eddy has four major access points that filter traffic from the I-35 corridor both east and west into the community (See Figure 3-1). The four access points are:

- Union Pacific Railroad (UPRR) Overpass. This is an existing overpass that will be replaced with another overpass as a result of the I-35 corridor expansion. There will be a retaining wall mural facing the frontage road turnarounds.
- **Eagle Drive Overpass.** This is a new overpass location that will be installed during the I-35 corridor expansion. This location will not have a retaining wall.
- **SH 7 Underpass.** This is an existing underpass location that will be replaced with another underpass as a result of the I-35 corridor expansion.
- Old Blevins Road Overpass. This is an existing overpass that will be replaced with another overpass. This location will not have a retaining wall.

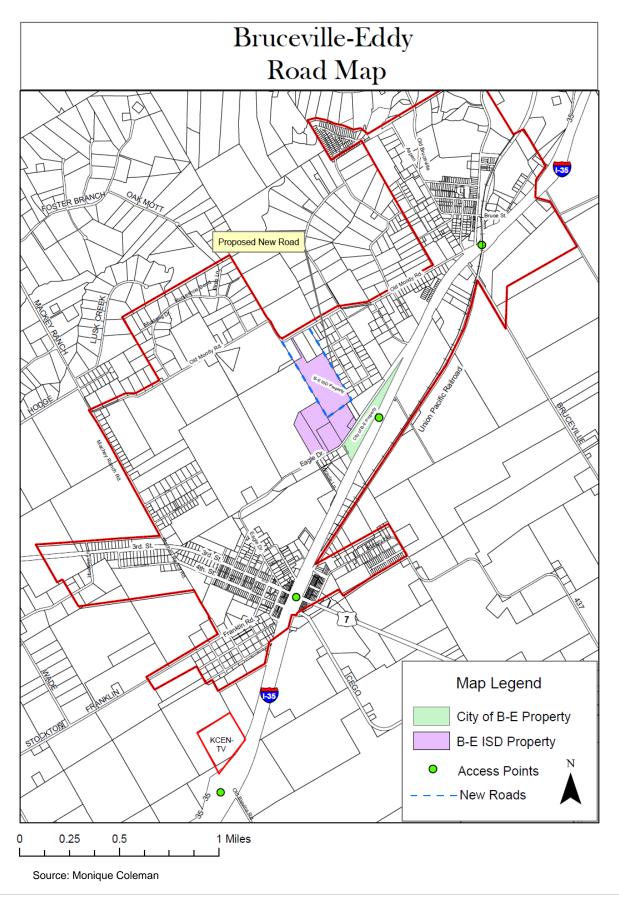


Figure 3-2 Local Road

Bruceville-Eddy Local Road Types

Bruceville-Eddy has a basic roadway system primarily made of local roads. Unfortunately, there are only a few collector roads, an arterial road, and one major freeway that tie the community together. Identified below are descriptions and examples of these types of roads. The improvement, maintenance, and development of the Bruceville-Eddy's road system will become increasingly important to the city's ongoing growth and vitality.

Local Roads and Streets

Local roads and streets serve shorter local trips. Their primary function is to provide access to abutting land uses. Traffic volume is generally low. Figures 3-2 and 3-3 are examples of local roads in Bruceville-Eddy.

Sidewalks

Figure 3-3 features one of the few subdivisions in Bruceville-Eddy with a sidewalk. Residents expressed in both visioning sessions the desire to have more sidewalks. As the community grows, city administrators should request if not require developers to construct sidewalks with all future developments.

Collector Roads

Collector roads link local streets with the arterial street system. They "collect" traffic in local areas to serve locally as through

facilities and also to directly serve abutting land uses. Collector roads in Bruceville-Eddy include roads such as Old Moody, Old Blevins/CR 451, Eagle Drive, Franklin Road, Mackey Ranch Road, and Hungry Hill Road/CR 437 (Figure 3-4). These roads are identified in Figure 3-1 the Bruceville-Eddy Roadway Map. Additionally, Figure 3-7 the Connectivity Map proposes the expansion of local roads to connect to these collector roads.

Arterials

Arterials are principal networks for through -traffic flow. An example of an arterial in Bruceville-Eddy is SH7/FM107. Upon the development of the new Bruceville-Eddy downtown area, SH7 (also 3rd Street) will become a vital thoroughfare in the community.

Freeways

Freeways are visually complex roadways and have high traffic volumes. Interstate Highway 35 is a freeway and regional connector for Bruceville-Eddy and will remain the lifeblood of the Bruceville-Eddy.



Source: Danny Brandt

Figure 3-3 Sidewalk/Local Road



Source: Danny Brandt

Figure 3-4 Collector Road



Source: Danny Brandt

Figure 3-5 State Highway 7



Source: Danny Brandt

Figure 3-6 Interstate Highway 35



Source: Danny Brandt

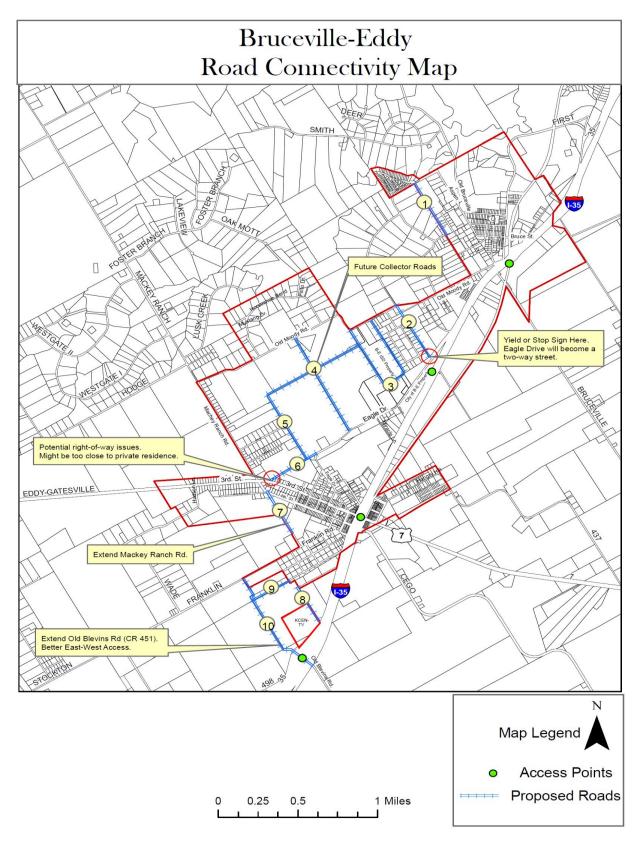
Future North-South Connectivity for Bruceville-Eddy

As Bruceville-Eddy grows, it will become increasing important for the city to plan a road network to allow growth and development. Currently Old Moody Rd. and Mackey Ranch Rd. are the two main roads that connect the community. As such, this plan proposes ten possibilities for consideration for the City of Bruceville-Eddy. Since this plan proposes preliminary recommendations, it will be important for city administrators and residents to gain community buy-in and promote these ideas as opportunities to:

- o Improve connectivity and circulation in the community; and
- Establish opportunities for development.

Figure 3-7, on the next page, displays numbered road proposals. Below is a brief explanation for each proposed road (all pending on the acquisition of land for right-of-way):

- 1. Extend Christopher Rd. north to Lake Shore Drive.
- 2. Establish a road northeast of Soules Cir., which will connect to Old Moody Rd. to the north, and Eagle Dr. to the south. If this road is established, a yield or stop sign will be necessary at Eagle Drive. Eagle Drive will become a two-way street following the I-35 expansion and new overpass construction at Eagle Dr.
- 3. Develop a road on the north or south side of B-E ISD property. This road should be a priority in an effort to mitigate school related traffic congestion and safety concerns caused by the I-35 corridor expansion and Eagle Drive overpass construction.
- 4. Develop two collector roads (one connecting Old Moody Rd. and Eagle Dr. and the other connecting the B-E ISD complex to road #5 on the connectivity map (see next page).
- 5. Develop a road to connect the neighborhood to the southwest to the northern part of the city.
- 6. Extend Eagle Dr. southwest. However, this road expansion might not be feasible due to the close proximity of private residential property on the corner of 3rd St.
- Extend Mackey Ranch Rd. Mackey Ranch Rd. southeast bound becomes 4th Street and it extends northwest of Franklin Rd. This road could be reconfigured and opened for better circulation.
- 8. Develop a road north of the TV station.
- 9. Extend existing road to allow for development.
- 10. Extend Old Blevins Rd. (CR 451) northwest to Franklin Rd. This will allow better eastwest access in the community and it will open up an additional route to the future downtown Bruceville-Eddy.



Source: Monique Coleman

Regional Transportation Roads and Services

The City of Bruceville-Eddy is nestled between two major regional hubs, Waco and Temple, Texas. Bruceville-Eddy's centralized location between Waco and Temple makes the community ideal for people who love small towns but have a desire to be a short distance from a bustling metropolitan area. As such, residents of Bruceville-Eddy have access to various types of transportation, including airports, highways, and railways. Specified below in Table 3-1 are the types of services that are accessible to Bruceville-Eddy residents.

Table 3-1 Bruceville-Eddy Regional Transportation Roads and Services

Airports

	Type of Service	Distance from Bruceville-Eddy
Waco Regional Airport	Commercial	23 miles
TSTC Airport	Industrial	24 miles
McGregor Executive Airport	Executive	19 miles

Highways

	Type of Service	Distance from Bruceville-Eddy
Interstate 35	N to S	<1
US Hwy 84	SW to NE	18 miles
Loop 340	Loop	13 miles
TX Hwy 6	NW to SE	15 miles
US Hwy 77	N to S	11 miles

Railways

	Type of Service	Distance from Bruceville-Eddy
Union Pacific Waco Taylor Sub	Class 1	<1
BNSF (McGregor, TX)	Class 1	7 miles
Amtrak (McGregor, TX)	Passenger	19 miles

Source: City of Bruceville-Eddy

I-35 Expansion

"Bruceville-Eddy is a small city that is comprised of two smaller communities, Bruceville and Eddy. Both communities are primarily developed on the west side of IH 35 with well-defined neighborhoods and residential communities.

Eddy's commercial center is located in the vicinity of FM 107. The Texas Department of Transportation expansion plans will minimize conflicts with downtown Eddy as the expansion approaches the SH7/FM107 intersection from the south.

Relocations

Six residences would be relocated within this community, south of FM 107. Nine commercial buildings, including:

- two vacant establishments,
- a natural gas transfer station,
- a Family Dollar Store, and
- two gas stations would be displaced in this area.

A total of 16 residences would be displaced in the community of Bruceville, with ten of these occurring on the east side of IH 35 and six residential relocations on the west side. Access to the southbound frontage road from Bruce Street would be altered slightly. A new connecting road would be constructed approximately 730 feet north of the point where it currently connects to the frontage road, and that existing junction would be removed. This would result in only minor changes in access, but would be a safer facility for motorists in the area.

A total of 19 commercial properties will be displaced within greater Bruceville-Eddy. At least three of the displaced businesses are currently vacant. Large tracts of undeveloped land are adjacent to the west side of IH 35 between CR 498 and FM 107 and along the east side of IH 35 between Eddy and Bruceville." (*Source: TX-DOT Environmental Assessment*)

Highway Commercial Development

The citizens also expressed a desire to take advantage of passing traffic on Interstate 35 by allowing for commercial businesses and light industrial uses along the frontage roads. This flexible zoning will allow for the valuable strip of land along I-35 to remain in high-occupancy to keep a healthy flow of tax dollars for Bruceville-Eddy collected by these businesses.

Chain store companies such as McDonald's will lobby to move into the I-35 section of Bruceville-Eddy, so the town should encourage companies to adapt to its Texas Rustic design guidelines. This will ensure that Bruceville-Eddy keeps a distinct look when compared to its neighbors along the highways.



Source: www.activerain.com

Figure 3-8 Rudy's, a "distinct" Texas eatery



CHAPTER FOUR

ECONOMIC DEVELOPMENT

Economic Development

Introduction: Downtown Strategy

The forms and identities taken by downtown areas across North America vary as much as the people who walk their streets. Often defined by the term "Central Business District," a downtown functions as cross-roads for commerce where citizens can conduct business, shop, find entertainment, congregate, and relax. Bruceville-Eddy's downtown should serve as a destination for its residents. Furthermore, this downtown should project the community's identity to visitors.

Results from Visioning Session Two show the residents' preferences for the center of local commerce should be located at the crossroads of Interstate Highway 35 and Farm to Market 107 / West 3rd Street.

Design Standards

New structures built in the downtown area shall be designed to be compatible with the desired character of the town and must be appropriately scaled to any existing structures or nearby development. The citizen's survey revealed a preference for what was termed as "Texas Rustic" style architecture. "Texas Rustic" is typical of 19th century prairie style commercial structures and Neo-Renaissance structures erected in the 1920's.

Any new structures built on the north side of 3rd Street should be properly scaled in relation to their distance from the road and the road's width. Awnings covering the sidewalk in front of the structure should be encouraged.

The effect that a building's height in relation its distance from the other side of the street has on an aesthetic can vary. Structures that are too tall can create a cavernous feel and impede sunshine, and if structures are too short, then the road can resemble a landing strip and encourage faster vehicle speeds. The difference between Figures 4-3 and 4-4 demonstrates the need to have height restrictions to preserve the rural/small town

Figure 4-1 Historic Downtown Building



Source: www.plantdeland.com

Figure 4-2 Historic Downtown Building



Source: www.plantdeland.com

Figure 4-3 Cavernous Feel



Source: ephemeralnewyork.wordpress.com

Figure 4-4 Widened Residential Street

atmosphere of Bruceville-Eddy. Taller one-story buildings and standard two-story and/or three-story structures will be sufficient for the 3rd Street corridor.

A mix of uses (including commercial and residential) within the downtown area should be encouraged as well. The citizens also expressed a desire to take advantage of passing traffic on Interstate Highway 35 by allowing for commercial businesses and light industrial uses along the frontage roads. New structures along the frontage road should be to a similar height design standard, built of quality



Source: permaculture.org.au

materials and display a pleasing façade of stone, brick, quality wood or a combination of these materials to maintain the Texas Rustic appearance.

Proposed Downtown Bruceville-Eddy Layout

Bruceville-Eddy's downtown district will feature commercial development mixed-in with Community Features as a walkable area for residents and visitors alike (Figure 4-5). The location for Bruceville-Eddy's Main Street, should be at the intersection of 3rd street and the Interstate Highway 35 service road, and then extend west until 3rd Street intersects with Ausborn Street. Houses already built in this area are exempt from this commercially-zoned area. See the Economic Development Section of this plan for more details.

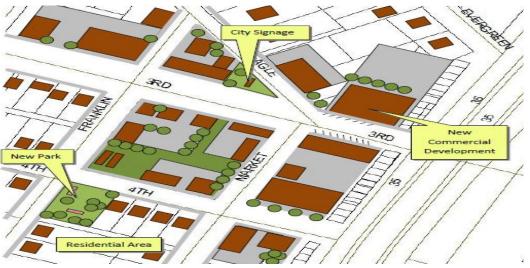


Figure 4-5 Downtown Bruceville-Eddy Proposed Layout

Source: Michele Berry

The location for Downtown Bruceville-Eddy's community features should begin at the intersection of Market Street and 4th Street, and then extend west until Washington Street. Recommendations include: a new Senior Center, a park, and a large space dedicated for gatherings (anchored by a gazebo, covered deck, or any other type of desirable construction that will attract travelers and satisfy residents.

Local Destinations: Plans for Circulation and Parking

The citizens of Bruceville-Eddy expressed a desire in the S.W.O.T. Analysis and Resident Survey responses to concentrate local activity in the existing Eddy downtown area. As a result, most local destinations will gravitate towards the 3rd and 4th Streets, which will become the future Downtown Bruceville-Eddy. To accommodate existing local and out-of-town commuters utilizing SH7 (also 3rd St), this plan recommends 3rd Street be developed as commercial/retail and 4th Street should contain the existing Masonic Lodge, the future location for a new senior center, and a small pocket park.

To encourage walking in this area, the City of Bruceville-Eddy should include the installation of a crosswalk at 3rd Street and Franklin or 3rd Street and Market Road (Figure 4-6). City engineers or consultants should work with the Texas Department of Transportation to determine feasibility of a crosswalk. Since 3rd Street is also a state highway (SH 7) traffic studies to determine automobile volume, speed, and visibility concerns are necessary before moving forward with these plans.

As Bruceville-Eddy implements plans to develop the city's core along 3rd Street, the city should consider the need for widening the road to support the potential growth and development to the area. As a result, city administrators should initiate discussions with TX-DOT to begin selecting options regarding curbs, gutters, sidewalks, and storm sewer improvements



Figure 4-6 Local Destinations Circulation and Parking Map

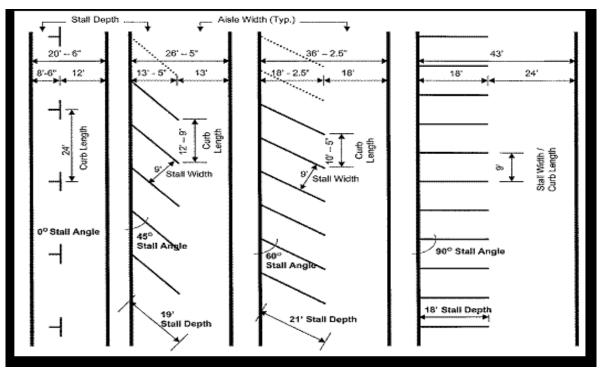
Source: Monique Coleman

Parking Standards

Off-street parking requirements should reflect respect for environmental quality considerations. Parking location and associated landscaping should be carefully regulated to avoid unacceptable expanses of pavement. Large parking lots should be broken into smaller sub-lots to maintain a rural feel and greater walkability. Parking standards should be carefully set to avoid unnecessary pavement. Shared-use parking facilities should be encouraged.

Parking should allow for one (1) parking space per every 400 square feet of use area. This assumes an average of 1.5 passengers per vehicle.

As downtown Bruceville-Eddy grows, the city should incorporate parking standards with development plans. The illustration below shows the type and angle of parking the city should consider (Figure 4-7). Any structures erected on the North side of Farm to Market 107 must consider the probability of the future expansion, and as a result, new structures should allow for parking in the rear of the building or along its side with the lot perpendicular to 3rd Street. It should be noted that parking models will differ in their space requirement and side parking distances between buildings can vary more than twenty feet depending on which parking model is selected.





Source: qcode.us

Signage

Signage off and on I-35 should be encouraged to match the "Texas Rustic" standard as voted on by residents . Table 8-1 in Appendix C provides further detail of design standards. Businesses both on and off I-35 should be encouraged to match their businesses design with Bruceville-Eddy's standards.

Two major signs which closely resemble Bruceville-Eddy's current welcome sign should be placed in plain view of I-35 travelers traveling both North and South (Figure 4-8). These signs will introduce travelers to Bruceville-Eddy as an accessible city with character all its own (Figure 4-9).

Figure 4-8 Bruceville-Eddy Sign

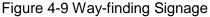


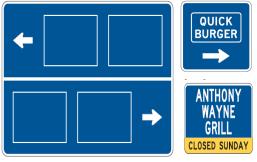
buice. Aaron Leuroru

Another sign placed on the Main Street pointing to 4th street should be placed so that those unfamiliar with Bruceville-Eddy's community features can see that it is literally one street over. This way, travelers looking to relax in town will know that they can park on or near the area, and soon enjoy what Bruceville-Eddy has to offer. People staying longer in town means they will normally spend more money on and/or off of Main Street.

As Bruceville-Eddy develops the new downtown area, city administrators should work with the Texas Department of Transportation to establish wayfinding signs along the I-35 corridor to direct travelers to the future downtown. See Appendix C for additional signage recommendations.

Community Involvement





Source: MUTCD

Our survey indicated a large interest from the Bruceville-Eddy Gardening club to take an active part in the beautification of downtown. This will add to the beauty and charm of the public area, and ensure a community-wide commitment to design standards.

The Bruceville-Eddy Gardening Club created a city welcome sign at 3rd Street (F.M. 107) and Eagle; and has begun landscaping at its base. This activity should be encouraged at least biannually and any expansion signage to other locations throughout town should be welcomed.

Additional Projects

In the interest of community involvement and increased downtown activity it is recommended that the senior center be relocated on the lot on 4th Street and Franklin (Figure 4-11). This would provide a public buffer between commercial and residential and provide a center for activity near the downtown core. A well-kept, public edifice built to scale with the structures on 3rd Street will add activity to the downtown shopping district and will provide walking traffic to retailers without creating a parking issue.

Figure 4-11 Downtown Park Map New Downtown Park Bruceville-Eddy



Source: Michele Berry

Figure 4-10 Pavilion



Source: eldridgepark.us

In addition to a senior center, the community should plan to acquire the parcel of land illustrated on the map and plan to construct a gazebo/pavilion and playground in the downtown area located at the southeast corner of 4th Street and Franklin (Figure 4-10). The pavilion will provide a gathering place for community events, give shade and shelter to families utilizing the playground, and serve as a revenue source when citizens rent the facility for private events and the Farmer's Market. In addition, the activities at the pavilion will provide more traffic for the retail on 3rd Street. Bruceville-Eddy must ensure that water and electricity are provided for this future Farmer's Market area.

Funding Opportunity

In an effort to implement this plan, city administrators should pursue funding opportunities such as the National Endowment of Arts (NEA) provided by the U.S. Department of Agriculture. The NEA established a new grant opportunity designed to contribute toward the livability of communities and help transform them into lively, beautiful, and economically sustainable places with the arts at their core. To meet the criteria, Bruceville-Eddy might also consider establishing a town mural and

encouraging the Bruceville-Eddy ISD to participate in its establishment, which would be great for community morale and cohesion. Funding for this grant ranges from \$25,000 to \$250,000.

Bruceville-Eddy's Farmers Market

Figure 4-12 Farmers Market Sketch



Source: phlf.org

Figure 4-13 Outdoor Movie Night



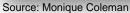
Source: openaircinema.us

Bruceville-Eddy's Farmers Market will be an ideal location for the events desired by the community including the Mayfest Chili Cook-off and a farmers market (Figure 4-14).

A farmers market will provide another venue for the community to congregate to and provide easy face to face communication between the Bruceville-Eddy city government and the residents. Ideally the farmers market will open regularly and will provide citizens and visitors with a variety of vendors and activities (Figure 4-13). Other markets around Texas showcase outdoor movie nights, cooking classes, and competitions in addition to fresh, local produce to draw visitors and contestants from around the state (Figure 4-12). All activities at the farmers market should be scheduled and available to the public on the city's website as well as in the local paper.

Figure 4-14 Downtown Dallas Farmers Market Shed 1







A farmers market will also drive more traffic into the new downtown Bruceville-Eddy's retail and business district. Shoppers will be encouraged to walk the sidewalks in the downtown area for refreshments and supplies. Retailers will be able to capitalize on this periodic pedestrian traffic.



CHAPTER FIVE HOUSING

36 | P a g e

HOUSING

Introduction: Current Housing Stock

The character of Bruceville-Eddy is best described as a residential community. The appeal of this community, for many residents, is a style of living which is offered by current housing options. As Bruceville-Eddy moves forward, it will be important to provide suitable housing options that also preserve the character of the community. In this section we will describe the current housing in Bruceville-Eddy and identify future development options.

Bruceville-Eddy has a broad range of housing types, ages, and values. Home ages range from the early 1900s to the present. The bulk of the housing stock was built between the years of 1970 to 1989 (Figure 5.1). As housing ages in Bruceville-Eddy, there may be opportunity for new infill housing or revitalization of existing housings. Funding through the State and Federal government may be available to aid residents with the cost associated with home remodeling and repair (Appendix E).

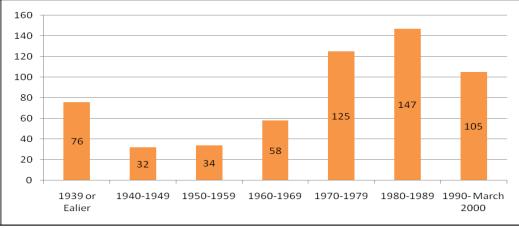


Figure 5-1 Housing by Year Built

The most predominant housing type in Bruceville-Eddy is single-family detached housing. Multifamily housing with two or more units comprises less than 3% of housing available (Table 5-1). Additionally, Figure5-2 Housing Occupancy shows that the proportion of single-family housing is higher in Bruceville-Eddy when compared to McLennan County and the State of Texas. The character of single-family housing is a predominant feature of the housing stock in Bruceville-Eddy and should be continued.

Source: U.S. Census Bureau 2000

Table 5-1 Housing Types		
Bruceville-Eddy	McLennan County	State of Texas
69.4%	67.8%	65.0%
0.6%	3.0%	3.1%
0.9%	6.8%	5.4%
0.4%	4.4%	4.7%
0.0%	11.6%	13.6%
28.8%	6.3%	8.2%
532	78,807	7,378,645
	Bruceville-Eddy 69.4% 0.6% 0.9% 0.4% 0.0% 28.8%	Bruceville-Eddy McLennan County 69.4% 67.8% 0.6% 3.0% 0.9% 6.8% 0.4% 4.4% 0.0% 11.6% 28.8% 6.3%



Source: U.S. Census Bureau 2000

Bruceville-Eddy boasts a high level of home ownership (Figure 5-4). Roughly 74% of the current housing is owner-occupied. While home ownership is seen as a positive trait within the community; residents expressed the need for more rental options. Figure 5-2 illustrates the noticeable difference of rental housing in Bruceville-Eddy compared to that of McLennan County and the overall state. Additional rental housing can be added to through the (deletion of allowance) promotion of accessory dwelling units; commonly known as "granny flats." Accessory dwellings would support the physical character of single family housing in Bruceville-Eddy, allow for additional housing options in the area, and offer an additional funding stream for homeowners.

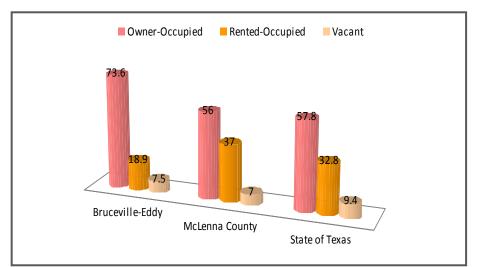


Figure 5-2 Dwelling Occupancy Characteristics

Source: U.S. Census Bureau 2000

The median value for a house in Bruceville-Eddy, according to the 2000 U.S Census, is approximately \$62,600. As seen in Figure 5-3, the distribution of home values follows closely to that of a bell curve, indicating that housing is accessible to a range of residents. Additionally, rental rates in Bruceville-Eddy are similar to that of neighboring areas, but lower than the state average. The affordability of housing is a prime indicator for cost of living, which makes the Bruceville-Eddy area attractive in the coming years.

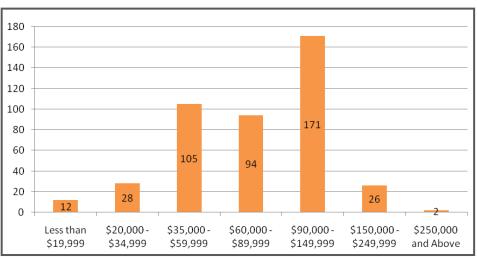
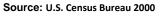


Figure 5-3 Housing Values



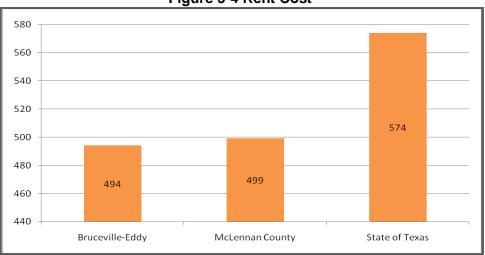


Figure 5-4 Rent Cost

Source: U.S. Census Bureau 2000

Future Housing Development

Through the visioning sessions it was found that both traditional large lot development and cluster development patterns were preferred. A significant portion of single-family homes in Bruceville-Eddy were built on larger lots of land with deep setbacks, as seen in Figure 5.5 and 5.6. The inclination towards continuing this development pattern speaks to a desire to preserve the character and feel of Bruceville-Eddy as it is today. The attraction to other development patterns such as clustering speaks to the residents' desire for open space and small town feel. Future housing development may come in the form of planned housing developments. As this happens, the city should negotiate for clustered housing to preserve the open space.

Design Guidelines

One solution for maintaining a rural character while accommodating additional residents is to



Figure 5-5 Bruceville-Eddy Home Set-back



Figure 5-6 Bruceville-Eddy Home on Large Lot

Source: Danny Brandt

Source: Danny Brandt

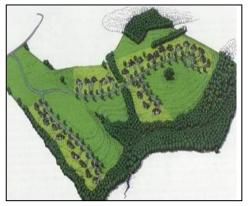
allow cluster subdivisions. In a cluster and a permanent easement of some type is created to preserve open space for the enjoyment of all residents. Figure 5-7 shows a traditional large lot single-family development pattern while Figure 5-8 shows the development pattern resulting from clustering.





Source: The Conservation Fund





Source: The Conservation Fund

Residential Land Use

The residential land use category allows for several types of housing and complimentary uses. These land uses are crucial to accommodating population growth expected with the widening of I-35 and the future sewer lines. It is important that housing be developed to bring in new residents, preserve the town character, and provide attractive options to all income levels. The majority of land will be designated for residential development to preserve the community character while allowing for population growth.

Historic Preservation

Bruceville-Eddy has a long history in Texas and many of its buildings provided linkages to significant period of the town's past (Figure 5-9, 5-10, 5-11). Preserving historic structures goes beyond honoring the past; they lend a feeling of authenticity and unique character to a place. We heard from residents a desire to be connected to the past while still being able to move forward into the future. Maintaining and protecting historic structures plays a key role in grounding the town in their own history.

Figure 5-9 Historic Residence

Figure 5-10 Historic Residence



Source: Danny Brandt

Source: Danny Brandt

Source: Danny Brandt

Figure 5-11 Historic Commercial

Bruceville-Eddy can develop regulation to protect community identified structures or building types. Bruceville-Eddy may seek to utilize the varying organization on the national and state level that promote, certify, and offer restoration grants for historic structures. The Advisory Council on Historic Preservation has begun to promote the preservation of rural open land as an integral element of preserving a place's history.



CHAPTER SIX OPEN SPACE

OPEN SPACE

Introduction

Preservation of natural open space for recreation is important to the community. Bruceville-Eddy's natural landscape features include rolling hills, vast view-sheds, and authentic Texas farmland.

If planned, implemented, and sustained properly, these spaces and facilities will evolve with the growth of Bruceville-Eddy to provide opportunities for recreation, gatherings, civic pride, and natural resource appreciation. New parks and recreation facilities occasionally may be needed, or certain existing park facilities may require renovation (Figure 6-2). Parks can play many roles:

- A place for gathering and socialization
- Open to all
- Opportunity for arts and music
- Add to community Health through recreation opportunities
- Improve quality of life
- Protect natural environment.

Figure 6-1 Workout stations along a fitness trail in Atlanta, GA



Source: collierpark.us

Figure 6-2 Bruceville-Eddy's Historic Water Tower



Source: texasescapes.com

Park Network

Currently, Bruceville-Eddy has little pedestrian connectivity between its parks and other destination points. In addition, according to the public survey conducted at the March 10, 2011 City Council meeting, multi-use trails with body-comprehensive fitness stations were the highest priority park facility (Figure 6-1).

From the responses, two additional parks are proposed and, as development increases more may be needed. One park around the lake in north Bruceville-Eddy and one on an open parcel on 4th Street (as part of the new downtown Bruceville-Eddy) are primed for initial park development. The park on the lake would function as an active recreational park featuring fields and trails. The park on 4th Street would serve as a community gathering point with a gazebo/pavilion, benches, and playground equipment.

These parks should be connected through trails (Figure 6-3). This network is designed to not only connect areas of activity, but also designed to be an important element in the overall incubation of economic growth and development. Bruceville-Eddy seeks to give its citizens.

access to its active sites in a natural, safe, and healthy way. Integrating this system into the natural landscape should be considered a priority. This trail system will utilize the road easement to connect it to the two parks.

Figure 6-3 Park and Trail Network Map Future Parks and Trail Network Bruceville-Eddy



Additional Considerations

In order to achieve an active network that adds to Bruceville-Eddy's overall success and character, it is important to be aware of other techniques available when planning for the creation, preservation, and protection of open space along with the natural environment:

- **Land acquisition**. Governments and government agencies at all levels, land trusts, and other nonprofit groups can purchase land for long-term protection. This would be most helpful in establishing the new parks as well as the city buffer. The City should work to acquire land through other methods asides from land acquisition because of the higher cost to the city.
- **Conservation easements and restrictions**. Easements or restrictions can be placed on all or portions of land parcels, preserving the land in perpetuity for purposes of conservation. The easements are generally held by government agencies or land trusts, but the owner receives tax relief and continues to control the property. The owner can sell the land, but the easement runs with the deed and restricts the buyer's ability to develop or alter the covered portion of the parcel.
- **Conservation planning/zoning**. Zoning and subdivision regulations can be written to preserve sensitive natural features and protect open space through clustering and parkland dedication requirements.
- **Agricultural land protection**. When development moves into rural areas, farmers often find that it no longer makes financial sense for them to practice agriculture. Communities such as Bruceville-Eddy have an interest in preserving agricultural enterprises or at least some of the land as open space.

All of these techniques can and should be used to help Bruceville-Eddy protect its rural character.



CHAPTER SEVEN

STRATEGIC ACTION PLAN

STRATEGIC ACTION PLAN

LAND USE

<u>GOAL 1</u>: Provide infrastructure to encourage desired land use development.

- OBJECTIVE 1: Ensure all existing development in Bruceville-Eddy and its surrounding Extraterritorial jurisdiction are serviced by sewer and water
 - STRATEGY 1: Adopt a utilities plan that provides sewer service first to existing development and then to areas where development is indicated on the Future Land Use Map.
 - **STRATEGY 2:** Secure supplemental water sources to ensure all residents have adequate water.

<u>GOAL 2</u>: Develop strategies and regulations for development.

- **OBJECTIVE 1**: Develop regulations that support the future land use plan.
 - **STRATEGY 1**: Supplement current zoning ordinances to reflect this plan and allow flexibility for rental and multi-family housing options,
 - STRATEGY 2: Supplement existing zoning ordinances by allowing both industrial and commercial use along I-35 and SH7/107.
 - STRATEGY 3: Adopt Subdivision ordinances that allow for optional cluster development. Consider providing incentives to developers who choose cluster-type developments. Be sure to include parkland dedication requirements.
 - STRATGEY 4: Apply existing agricultural zoning around the city boundaries to create the city buffer. Lands already zoned for residential should remain as such but any annexed lands should be part of this buffer.
- OBJECTIVE 2: Develop Design Standards
 - **STRATGEY 1**: Adopt design guidelines applicable to the General Business District.
 - STRATEGY 2: Adopt design standards for highway commercial development.
 - **STRATEGY 3**: Supplement existing ordinances to provide buffer requirements to separate commercial developments along the highway from other adjacent uses.
- OBJECTIVE 3: Develop adequate signage
 - STRATEGY 1: Adopt signage ordinances for commercial developments along I-35 and SH7/107.
 - STRATEGY 2: Install way finding signs that show the way from I-35 and SH7/107 to downtown Bruceville-Eddy.

TRANSPORTATION

<u>GOAL 1</u>: Establish and maintain roadway tools for citizens, decision-makers, and city administrators.

- **OBJECITVE 1:** Identify, maintain, and manage information for local roads.
 - STRATEGY 1: Create a road inventory consisting of pictures, maps, and an assessment form to document the conditions of existing, locally maintained roads and sidewalks.
- OBJECTIVE 2: Develop a thoroughfare map that illustrates the location and type of all existing roads (functional and non-functional) and the proposed locations for future roadways.
 - **STRATEGY 1**: Work with local, county or regional engineers or contract with a planning and engineering consulting firm to develop a Bruceville-Eddy Thoroughfare Plan Map.

<u>GOAL 2</u>: Establish new access routes to the Bruceville-Eddy school complex to mitigate safety and traffic concerns created by the proposed new Eagle Drive overpass.

- □ **OBJECTIVE 1:** Identify locations for possible new routes to the Bruceville-Eddy school complex in relation to the location of the Eagle Drive overpass.
 - STRATEGY 1: Work with the Texas Department of Transportation to ascertain all existing and future capacity and/or level of service data generated as a result of the Eagle Drive overpass.
 - **STRATEGY 2:** Create a map of the proposed new routes and work with property owners to acquire the right-of-way needed to develop the proposed new routes.

<u>GOAL 3</u>: Improve local circulation patterns in Bruceville-Eddy.

- OBJECTIVE 1: Identify potential locations for the development of new road network opportunities that will enhance north-south connectivity in Bruceville-Eddy and provide alternatives to using the I-35 corridor.
 - **STRATEGY 1:** In addition to the preliminary road proposal map included in this plan, the City should identify available land and begin land acquisition and right-of-way negotiations with property owners.

ECONOMIC DEVELOPMENT

<u>GOAL 1</u>: Establish SH 7 west of IH 35 as a regional business and retail corridor.

- **OBJECTIVE 1:** Identify future local destinations, establish the future road networks, and absorb the resulting increase of roadway usage and parking demands.
 - **STRATEGY 1:** Work to draw new, existing, or relocated relocating businesses to the general business district.
 - STRATEGY 2: In addition to highway and roadside signage, a promotional or marketing strategy, to area schools, city facilities, and local or regional businesses should be developed and launched to enhance to the awareness of and Bruceville-Eddy "local destinations".
 - STRATEGY 3: If development occurs along FM107/SH7, city administrators should work with the Texas Department of Transportation to ascertain the information needed to plan to absorb increased road usage and parking demands.
- □ **OBJECTIVE 2:** Implement signage strategies along the I-35 and FM107/SH7 corridors to enhance the visibility of businesses along FM107/SH7.
 - STRATEGY 1: Work with the Texas Department of Transportation to install (and when needed remove or replace) way-finding signage along state highways. There are signs that can be installed along I-35 and FM107/SH7 upon request. The City of Bruceville-Eddy should use the Federal Highway Administrations Manual on Uniform Traffic Control Devices (MUTCD) to determine the appropriate signage.
 - STRATEGY 2: Work with the Texas Department of Transportation or private contractor to create landscaped, rustic-Texan signage reading "Bruceville-Eddy". These signs are meant to provide boundary identifiers on the northern and southern borders of the community as well as provide entryway signage to the I-35/SH7 juncture into the new Bruceville-Eddy city center.
- OBJECTIVE 3: Attract new business to the downtown Bruceville-Eddy district
 - **STRATEGY 1:** Provide incentives for retail in the downtown Bruceville-Eddy district such as tax abatements.
 - **STRATEGY 2:** Partner with businesses to provide I-35 signage for businesses off the frontage road.
- **<u>GOAL 2</u>**: Increase employment opportunities on the I-35 corridor of Bruceville-Eddy.
 - **OBJECTIVE1:** Attract new businesses to the new Bruceville-Eddy I-35 corridor.
 - **STRATEGY 1:** Develop marketing strategies and brochures to market the regional location, livability, and excellent school district of Bruceville-Eddy.
 - **STRATEGY 2:** Work with any business (commercial or light industrial) being displaced by the I-35 widening to relocate in the frontage area or the new downtown.

<u>GOAL 3</u>: Increase the desirability of the new downtown Bruceville-Eddy retail and business district.

- □ **OBJECTIVE 1:** Expand the district by acquiring the two blocks south from 3rd Street between Franklin and Market.
- OBJECTIVE 2: Establish a new park and the other community features.
- **OBJECTIVE 3:** Construct the new senior center.
 - **STRATEGY 1:** Utilize funds gained from tax revenue collected from new business along I-35 to purchase land.
 - **STRATEGY 2:** Create a special financing district for the downtown area to promote development in the area.

HOUSING

GOAL 1: Provide affordable housing opportunities

- □ **OBJECTIVE 1**: Revise existing zoning and subdivision ordinances to allow creative residential development.
 - **STRATEGY 1**: Continue allowing individual home developers (an individual purchasing one plat and placing a singular primary dwelling) the right to place traditional stick-built construction dwellings in residential zones.
 - STRATEGY 2: Adopt Subdivision ordinances that allow for creative rental options such as residential accessory dwelling units and the creation of duplex, triplex that have the same look and feel of single-family residences.

<u>GOAL 2</u>: Provide additional housing as Bruceville-Eddy grows while balancing resident's desire for open space

- □ **OBJECTIVE 1**: Negotiate the preservation of open land and the use of cluster development as new housing developments come to the city.
 - **STRATEGY 1:** Modify subdivision ordinances to allow for cluster subdivision.
 - STRATEGY 2: Ensure future zoning regarding remain consistent with existing setbacks, lots widths, lot depths, and total lot area to provide adequate open space on residential lots.

OPEN SPACE

GOAL 1: Preserve Open Space

- **OBJECTIVE 1**: Preserve existing public and private open space.
 - **STRATEGY 1**: Zoning ordinances should allow parks as a use-by-right.
 - STRATEGY 2: Maintain an Agricultural Zoning District.
 - **STRATEGY 3**: Adopt ordinance to maintain open space in floodplains.
 - **STRATEGY 4**: Allow uses such as fields or hike and bike trails in floodplains.

GOAL 2: Improve and Expand Public Open Space

- □ **OBJECTIVE 1:** Create ordinances that provide ample open space within subdivisions and require public land dedications.
 - **STRATEGY 1**: Requiring new residential developments to dedicate parkland for community use.
 - **STRATEGY 2**: Create a concept park map for developers to choose land from, so that public space is located where it is accessible to all.
- □ **OBJECTIVE 2:** Increase use of public open space.
 - STRATEGY 1: Use volunteers as a cost-efficient way to clean, mow, and landscape parks.
 - **STRATEGY 2:** Hold at least two town festivals a year in public spaces, including Mayfest and the Chili Cook-Off.
 - STRATEGY 3: Begin a weekly seasonal farmers market to allow access to fresh fruit and vegetables in town limits as well as an opportunity for backyard and local farmers to sell produce.
 - **STRATEGY 4:** Improve all parks with monument or plaque signage that highlights town history and/or honors donors.
- OBJECTIVE 3: Expand and improve parks system through new features and trail facilities.
 - **STRATEGY 1:** Create a volunteer parks committee to oversee and direct park improvements.
 - STRATEGY 2: Make improvement to existing Appleby Park through the addition of landscaping, trails, and recreational equipment.
 - **STRATEGY 3:** Acquire park land with "in-lieu-of" fees collected from developers.
 - **STRATEGY 4:** Connect parks through trails systems that utilize street easements.



CHAPTER EIGHT APPENDIX

Appendix

A. Session One SWOT Analysis Results

STRENGTHS	WEAKNESSES
Schools Chemical Plant Methodist Church City Hall Barber Community Church Statuary Subway Baseball Field Baptist Church Church Green family Camp RV Park Video Store Storage Facility Campground Senior Center Restaurant Family Dollar	Abandoned Grocery Store Need for Housing Due To Runoff Lack of Development Lack of Development South of the School Fire Station too Small Lack of Parks State Rest Area (perceived as high crime area) Lack of Interconnectivity of Roads (low response time for EMS) No Fueling Station on 7 West of Eddy Lack of businesses (abandoned) No Alcohol
OPPORTUNITIES	TREATS
Need to Annex South and West of Eddy Address Weaknesses	Highway expansion may cause loss of businesses.

Table 8-1 Visioning Session One SWOT Analysis Results

Source: Michele Berry

B. Visioning Session Two and Survey Responses

Table 8-2 Visioning Session Two and Resident Survey Responses

Style

Texas Rustic	11
Late 19th Century	3
French	0
Modern	3

Center Feature

Gazebo	6
Pavilion	11
Fountain	0

Downtown Bruceville-Eddy Location

Along Hwy 107
Where there is room for it now to be congested
Near schools
Middle of Town
Hwy 107

Buffers

Vegetation	9
Berm	3
Sound Wall	4

Open Space

Water Ways	1
Along Roads	0
Parks	10
Existing	6

Housing

Traditional Large Lot Subdivisions	6
Cluster or Conservation Suburbs	3
Both	3

Setbacks

Narrow	1
Wider	12

Comments

Clean Town

Being a place to build homes not just house. A place where the cost of living would meet all classes of people. A place of plenty and safe.

A small city atmosphere with enough commercial development to keep us from having to drive anywhere from 12 to 20 miles for basic everyday supplies. Just a beautiful small county town.

Rural small town is the reason we moved here some 28 years ago.

sewer system in town to allow growth.

Houses clear of junk, old used cars, etc.

Eddy is a nice place to live, but sure needs a better business area. Nice grocery store and a few good eating places would be a great assets and drawing card.

let us see what is offered. Please note attached map with comments on back. Also many thanks to UTA for their interest and help to us.

Source: Michele Berry

C. Signage Recommendations

Recommendations

This is an existing Bruceville-Eddy sign. City administrators should work with TX-DOT to improve this existing sign and relocate the West Farm-to-Market 107 sign hindering its view.

This is the "type" of monument/entry way sign the City of Bruceville-Eddy should also request be installed as the north and south boundaries of the community. However, the signs should be bigger and more pronounced (possibly encased in a "stone" or wooden structure).

Sign Types

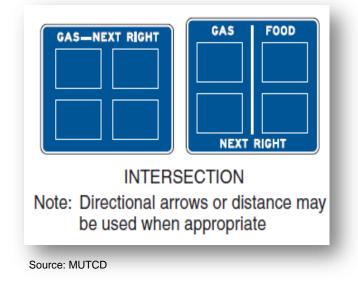
Figure 8-1 Bruceville-Eddy Welcome Signage

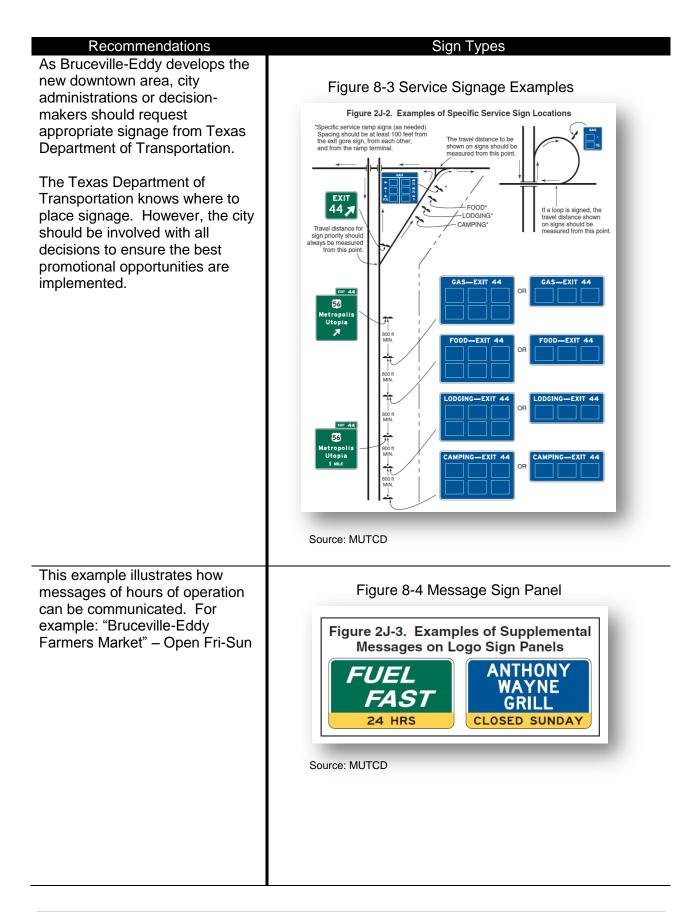


Source: Aaron Ledford

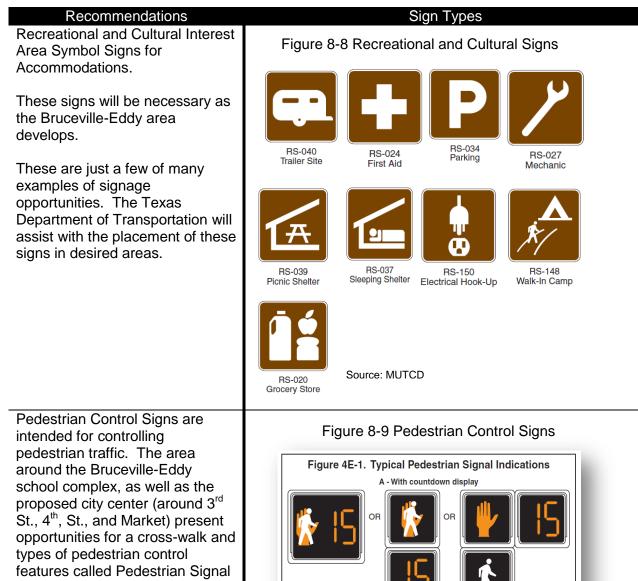
These signs should be installed along I-35 as commuters approach the I-35/SH 7 intersection. As new development comes to the area, the City should work with the Texas Department of Transportation to specialize these signs to fit the needs of to community.





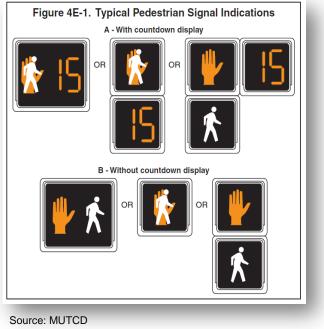


Recommendations	Sign Types
This type of sign could be a helpful way-finder sign for the "Mayfest" participants or a directional sign to the Bruceville- Eddy RV Park.	Figure 8-5 Message Sign Panels Figure 2J-4. Examples of RV Access Supplemental Messages on Logo Sign Panels THE RUSTY W ACCESS THE RUSTY MICHOR RV ACCESS Source: MUTCD
Trailblazer signs may contain various types of services. This is just another alternative signage options to consider. These signs are installed along crossroads for facilities that have logo sign panels displayed along the main roadway and ramp. This type of sign is ideal on the northbound side of I-35 to direct commuters to "Family Dollar" and future businesses. Tourist-Oriented Directional Signs are guides with one or more panels that display business and directional information for eligible business, service, and activity facilities. Activity centers for Bruceville- Eddy such as the Masonic Lodge or the Senior Center might be eligible activity facilities. City administrators should verify eligibility with TX-DOT.	Figure 8-6 Trailblazer Signs Figure 2J-5. Examples of Specific Service Trailblazer Signs Figure 3J-5. Examples of Specific Service Trailblazer Signs Figure 3J-5. Examples of Specific Service Trailblazer Signs Figure 3J-5. Examples of Specific Service Trailblazer Signs Figure 3D-1 Figure 3J-5. Examples of Specific Service Trailblazer Signs Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure 3D-1 Figure



Heads or commonly known as "Ped-Heads".

City Engineers or Consultants, B-E ISD (when applicable) and TX-DOT should be consulted on requests for these types of pedestrian-safety enhancement features.



D. Facilities Inventory

The maintenance of facilities and property is important when a city is transitioning from one stage of maturation to another. Particularly for Bruceville-Eddy, an opportunity for growth and expansion will soon become a reality for the city. As such, a facilities inventory included in this plan, which are pictures of the structures, will document the facility name, location, condition, age if provided and maintenance needs (if ascertained) of all facilities and particularly of city-owned facilities.

City staff should assess each city-owned facility and continue to expound upon this inventory as information will be an asset when considering the future land use plan for Bruceville-Eddy. This information should also be used to make recommendations for facility expansion and if needed facility relocation.

City staff should plan to develop and maintain a facilities map identifying:

- Proposed land for acquisition and development (identify ownership on parcels),
- o Land availability, and
- Public-Public or Public-Private Partnership opportunities.

McLennan County should be able to assist the city with developing this map.

Facility: Bruceville-Eddy Municipal Building

Address: 143 Wilcox Drive #A Eddy, TX 76254

Phone: 254-859-5964

Comments: City Government and Police Headquarters. Also location for residents to pay water bills. Figure 8-10 Bruceville-Eddy Municipal Building



Source: Aaron Ledford

Figure 8-11 Municipal Building 2



Source: Danny Brandt

 Facility: Animal Control Facility Address: 143 Wilcox Drive Eddy, TX 76254 Phone: 254-859-5964 Comments: Animal Control Facility is a licensed 72-hr or weekend holding facility. 	<image/>
	Source: Aaron Ledford
 Facility: Fire Engine Storage Bay Address: 143 B Wilcox Dr. Phone: Emergency 911 (254) 859-5694 Comments: Volunteer Fire Department and Volunteer First Responders (emergency medical services). No ambulance. Emergency service vehicles are dispatched from Scott and White. The city also established a shared agreement with Lorena Police department. 	<image/> <caption></caption>
Facility: Bruceville-Eddy TV Station (not city- owned)Address:Comments:	<image/>

Facility: Bruceville-Eddy Historic Water Tower	Figure 8-15 Historic Water Tower
Address:	
Comments: The water town is non- functional; the tower features the B-E ISD Eagle Mascot	Fource: Aaron Ledford
Facility: Bruceville-Eddy Used Oil Collection Center	Figure 8-16 Used Oil Collection Center
Address:	
Hours of Operation: Mon – Fri 8 a.m. – 3 p.m. 2 nd & 4 th Sat 8 a.m. – 12 noon	Source: Aaron Ledford
Facility: Duty Park/Soft Ball Fields	Figure 8-17 Duty Park/Softball Fields
Address: 248 Hungry Hill	
Comments:	<image/> <image/>

Facility: Corby Pavilion/Appleby Park (next to Corby Pavilion) Figure 8-18 Corby Pavilion/Appleby Park Address: 143 Wilcox Drive Image: Comments: Comments: Image: Comments: Facility: Masonic Lodge (not city-owned) Figure 8-19 Bruceville-Eddy Masonic Lodge Address: 4 th Street Image: Comments: Comments: Figure 8-19 Bruceville-Eddy Masonic Lodge Facility: Masonic Lodge (not city-owned) Figure 8-19 Bruceville-Eddy Masonic Lodge Address: 4 th Street Image: Comments: Comments: Image: Comments: Facility: Senior Center No picture Address: 4 th Street and IH-35 No picture Phone: Image: Comments:		
Comments:Image: Comments and the set of t	Facility: Corby Pavilion/Appleby Park (next to Corby Pavilion)	Figure 8-18 Corby Pavilion/Appleby Park
Facility: Masonic Lodge (not city-owned) Address: 4 th Street Comments: Facility: Senior Center Address: 4 th Street and IH-35 Phone:	Address: 143 Wilcox Drive	
Address: 4 th Street Comments: Figure 8-19 Bruceville-Eddy Masonic Lodge Figure 8-19 Bru		Source: Danny Brandt
Comments:Image: Comments in the second s		Figure 8-19 Bruceville-Eddy Masonic Lodge
Facility: Senior CenterNo pictureAddress: 4th Street and IH-35.No picture		
Address: 4 th Street and IH-35 Phone:		T:30 PM Source: Danny Brandt
Phone:	Facility: Senior Center	No picture
	Address: 4 th Street and IH-35	
Comments:	Phone:	
	Comments:	

E. Funding Recommendations

Identified below are that have grant funding or financing opportunities to accommodate many of the recommendations stated in the Bruceville-Eddy Comprehensive Plan. City administrators should research all opportunities first, then work with decision-makers and members of the community to develop a specific action plan before pursing funding for any of the proposed projects in this plan.

Below is a list of potential funding sources. A more in-depth explanation of suggested funding options mention throughout the plan is explained on the next page.

Land Use Funding Sources

Agency	Website
Texas Water Development Board: Regional Water Supply and Wastewater Facilities Planning Program	http://www.twdb.state.tx.us/assistance/financial/fin regionalfacilityplan/regionalplanning.asp
U.S. Department of Interior	http://www.doi.gov/index.cfm
Texas Parks and Wildlife Recreation Grants	http://www.tpwd.state.tx.us/business/grants/

Transportation Funding Sources

Agency	Website
Texas Department of Agriculture – Texas Capital Fund – Infrastructure Development	http://www.agr.state.tx.us/agr/sort_render/0,1980, 1848_23122_0_0,00.html?channelId=23122
Texas Department of Transportation - Public Transportation Grant	http://www.txdot.gov/business/governments/grants /public_transportation.htm
U.S. Department of Transportation Federal Transit Administration	http://www.fta.dot.gov/grants_financing.html

Economic Development Funding Sources

Agency	Website
Texas Department of Agriculture – Texas Capital Fund – Downtown Revitalization; Main Street Improvements; or Real Estate Development	http://www.agr.state.tx.us/agr/sort_render/0,1980, 1848_23122_0_0,00.html?channelId=23122
American Recovery and Reinvestment Act	http://www.window.state.tx.us/recovery/apply/gran ts_biz.php

Agency	Website
Federal Grants Wire – Community	http://www.federalgrantswire.com/community-
Development Block Grants/Small Cities	development-block-grantssmall-cities-
Program	program.html

Housing Funding Sources

Agency	Website
Community Development Block Grant Program	http://www.hud.gov/offices/cpd/communitydevelop ment/programs/
Texas Department of Housing & Community Affairs	http://www.tdhca.state.tx.us/community- services/index.htm

Open Space Funding Sources

Agency Texas Parks and Wildlife Recreation Grants	Website http://www.tpwd.state.tx.us/business/grants/
U.S. Department of the Interior	http://www.doi.gov/index.cfm

WHAT'S A CITY TO DO?

In considering who pays for right-of-way or infrastructure, there are several options available to a municipality, most of which are not feasible due to the timing of the construction of the improvements or the piecemeal acquisition of land for right-of-way.

A. On-Site Improvements/Dedications

With standard subdivision development, it has never been challenged that cities do not have the right to require a developer to provide, free of charge, such things as street right-of-way, paved streets (constructed in accordance with applicable subdivision ordinance standards), easements for utilities, on-site infrastructure such as sewer lines and water lines, sidewalks and curbs. The impact fee statute specifically provides that an "impact fee" does not include "dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development." *Id.*, § 395.001(4)(B).

B. Off-Site Improvements/Dedications

The question of who pays off-site improvements and dedications really is the key issue facing many, particularly smaller, cities around the State. The options available to a city are listed below with comments about the feasibility of each option.

Option 1: The Rough Proportionality Study. The obvious answer, in light of the recent adoption of Section 212.904 of the Local Government Code, is that the developer and the municipality make that determination through a rough proportionality study, but is this really a practical answer? For example, if a city's share of roadway construction is \$1 million and the city does not have funds available for such construction, does the subdivision project come grinding to a halt until the city has the funds available for the construction project? In all likelihood, no developer is going to sit back and wait several years for the city to budget the construction project. Further, the city runs a massive legal risk if it denies the subdivision project due to the city's lack of funds for its share of the roadway construction costs. Nevertheless, if a city has funds available for the roadway construction project, it certainly may pay its proportionate share of the roadway construction costs.

Option 2: Buy the Right-of-Way/Pay for the Public Improvements. This is just another variation of the first option. In most cases cities do not have available the funds to buy all or a portion of the 20 right-of-way needed or to construct the necessary public improvements with the developer paying a proportionate share of the costs.

Option 3: Condemn the Right-of-Way or Easements. While the necessary rights-of-way and easements clearly would be obtained for a public purpose, eminent domain is generally not feasible for the reasons specified in Options 1 and 2—the city in all likelihood has not budgeted the funds for such eminent domain proceedings. Further, even if funds are available, most cities do not use eminent domain for piecemeal portions of roadways or public improvement projects. Obviously there are political considerations to be taken into account when a city utilizes eminent domain, especially after the recent United States Supreme Court case of *Kelo v. City of New London*, 545 U.S. 469 (2005), and the furor raised over local governments' use of eminent domain for economic development purposes.

Option 4: Assessments. The assessment of abutting property owners for roadway improvements pursuant to Chapter 313 of the Texas Transportation Code or water and sewer assessments pursuant to Chapter 402 of the Texas Local Government Code is a feasible option. Cities around the State have used the assessment process for the construction of capital improvements such as roadways, water and sewer lines, and related infrastructure, including the costs of property acquisition and related acquisition costs such as legal fees. Assessments, however, are generally not done piecemeal and are used, for example, to construct a new roadway, not just a portion of an existing roadway. Nevertheless, assessments, while not particularly popular with adjoining landowners, are an available option to pay for capital improvements in certain cases.

Option 5: Impact Fees. The adoption of an impact fee ordinance may be one of the best responses for dealing with new development, and in light of current case law and statutory requirements, impact fee ordinances will be the best defense available to a city that is challenged for the amount of money it charges for capital improvements attributable to new development. "Impact fees, like other forms of development exactions, are imposed as a condition of development approval to mitigate impacts on public facilities and services generated by the development project. The principal use of impact fees, which distinguishes them from traditional subdivision exactions, is the financing of off-site capital facilities to support new growth."2 Further, "[i]mpact fees . . . serve as a substitute for denial of development projects that otherwise would not be served by adequate facilities. In essence, development exactions mitigate adverse impacts of new development on the municipality's ability to provide essential facilities and services." An impact fee is broadly defined as a contribution of land, improvements or money imposed as a condition of development approval to mitigate the impacts of the development project. Such development exactions include mandatory dedications of property for rights-of-way, requirements to construct capital improvements, fees in lieu of dedication or construction, impact fees for public facilities, and fees or charges that are assessed against development projects to mitigate environmental or social impacts.

If *Stafford* and *Dolan* have taught us anything, the safest course to follow is to adopt an impact fee ordinance and to require new development to pay for off-site capital facilities to support the new growth and development. While impact fees are often cumbersome to adopt and utilize, and the statute authorizing impact fees (Chapter 395 of the Local Government Code) is not a model of clarity, impact fees nevertheless address the issue of off-site exactions and the extent a local government may go in assessing costs for capital improvements necessitated by new development. Thus, in light of *Stafford* and *Dolan*, it has been our advice to clients that adoption of an impact fee ordinance may be the most prudent course of action in light of the guidance from Texas courts.

Option 6: Pro Rata Agreements. In Texas, pro rata agreements may only be utilized for water and wastewater projects and costs, but may not be used for roadways. Section 395.001(4)(C) of the Texas Local Government Code provides that "lot or acreage fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines" and pro rata agreements are not included in the definition of "impact fees." While a pro rata agreement for water and wastewater projects and costs may be feasible, roadway acquisition and construction costs are not permissible in Texas, thus depriving local governments of another basis on which to pay those costs. **Option 7: Development Agreement**. While impact fees surely address the underlying cost issues, we have found that the best way for a city to deal with the exactions issue is to provide that the developer pay all such costs and the city protect itself through a development agreement with appropriate waivers of causes of action and related litigation potential. Certainly every developer will not agree to this option since the result is that the developer still "picks up the tab" for all offsite costs; however, our experience has been that most will do so and will sign a development agreement with waivers of liability.

A sample waiver paragraph follows:

The Developer hereby agrees that any land or property it donates to City X, as reflected on the Final Plat or as may be donated at a later date by Developer, is roughly proportional to the need for such land and Developer hereby waives any claim therefore that it may have. Developer further acknowledges and agrees that all 4 Texas Municipal League Public Policies Briefing Series, "Impact Fees in Texas," § 1.2 at 1-2 (Nov. 1989)(hereinafter "Impact Fees").

CONCLUSION

While the old days of requiring a developer to pay for off-site improvements has changed as a result of *Dolan* and *Stafford*, there are still options available to municipalities in addressing these costs. Care must be given, however, to the new jurisprudence on this topic and any response by a local government to the topic of off-site exactions must be carefully tailored so as not to run afoul of case law and Section 212,904 of the Local Government Code.

All content under the title "What's a City to Do?" is an excerpt from "Rough Proportionality: Who Pays for Infrastructure? by Terrance Welch http://www.tml.org/legal_pdf/Who-Pays-Infrastructure.pdf Example of Board Member Application



APPLICATION FOR LORENA ECONOMIC DEVELOPMENT CORPORATION BOARD MEMBER APPOINTMENTS

NAME:

ADDRESS:

TELEPHONE NUMBER:

EMAIL:

DO YOU LIVE IN LORENA OR LORENA'S ETJ?

DO YOU HAVE AVAILABILITY TO ATTEND EDC BOARD MEETINGS THE SECOND TUESDAY OF EACH MONTH, 6PM – 8PM (The Board does not meet in March, July, or December) (Yes/No)?

DO YOU HAVE ANY CONFLICT OF INTEREST WITH SERVING ON THE LORENA ECONOMIC DEVELOPMENT CORPORATION BOARD (Yes/No)?

DO YOU SUPPORT PURSUING THE PLANNED SMART GROWTH OF LORENA THROUGH THE PLANNED DEVELOPMENT OF INFRASTRUCTURE, CREATION OF JOBS, AND PLANNED SMART GROWTH OF COMMERCIAL AND RESIDENTIAL DEVELOPMENT WHICH CREATES AND GROWS SALES TAX REVENUE AND PROPERTY TAX REVENUE TO BE REINVESTED BACK INTO LORENA (Yes/No)?

BRIEFLY STATE YOUR QUALIFICATONS AND EXPLAIN WHY YOU WISH TO BE A MEMBER OF THE LORENA ECONOMIC DEVELOPMENT CORPORATION:

SIGNATURE: ______ DATE: _____

Please email completed applications to: <u>LorenaEDC@LorenaTX.gov</u>