

# ENACTING A MASONRY PLANNING POLICY

Presented by:

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Brick Industry Association Southwest Region

# Introduction

- Meg Belmontes
- Community Planner BIA-SW
- Previously 15 years construction sales and management experience
- Masters degree in International Marketing
- Industry/Business Perspective



# Presentation Overview

- ❑ Community Benefits of Masonry Planning Policies
- ❑ Implementation Process
  - ❑ Identify target communities
  - ❑ Make contact
  - ❑ Recruit a champion
  - ❑ Communicate your message
  - ❑ Determine the policy type
  - ❑ Draft the ordinance
  - ❑ Approval Process



# Brick Industry Association

## Community Planning Program

“If you can’t convince them to use brick, force them to use it.”



# Community Planning Program

- ❑ Municipalities have the lawful right to adopt regulations that require the use of masonry products on a certain percentage of exterior walls
- ❑ Not a hard sell.....idea sells itself
- ❑ Required a focused and consistent message backed by professionally developed collateral materials
- ❑ The percentage of masonry required, and the materials that will be considered as masonry, are determined by the needs and desires of the community and outlined in the ordinance.
- ❑ In Texas, we focus on Masonry requirements, not brick requirements, because they are easier to pass



# Community Benefits of Masonry Planning Policies

- Motivating Factors for Decisions
  - Taxes / Community Fiscal Health
    - Property Values
    - Growth and Development
    - Impact of Urban Decay
  - Public Safety and Health
    - Building Standards
    - Fire Standards
    - Impact of Natural Disaster
  - Quality of Life
    - Community Pride
  - Aesthetics
  - Sustainability



# Community Benefits of Commercial Masonry Planning Policies

- ❑ Taxes / Community Fiscal Health
  - ❑ Increased Property Values
    - High value at time of construction
    - Retains value and appreciates over time





# Community Benefits of Commercial Masonry Planning Policies

- Taxes / Community Fiscal Health
  - ▣ Encourages Growth and Development
    - National retailers want to protect their investments
    - Attracts quality businesses





# Community Benefits of Commercial Masonry Planning Policies

## □ Taxes / Community Fiscal Health

### ▣ Reduces Urban Decay

- Protects property owners from diminished property values due to low quality construction adjacent to their property
- Low maintenance
- Adaptive reuse



# Community Benefits of Commercial Masonry Planning Policies

- ❑ Public Safety and Health
  - ❑ Added safety for fire personnel and patrons
  - ❑ Protection from wind blown debris
  - ❑ Can lower the impact of flood



# Community Benefits of Commercial Masonry Planning Policies

Best Practices

Federal Emergency Management Agency / Region VI

November, 2008

## Mitigation best practices



### Quick reopening of supermarket served Galveston citizens

Seawall, structural measures, last-minute prep protected Kroger

#### At a glance

The beachfront Signature Kroger Grocery Store in Galveston survived Hurricane Ike with minimal damage and reopened in only 3.5 days because of pre-disaster hazard mitigation, preparation and commitment to serve the community.

**GALVESTON, Texas** — In the wee hours of Saturday, Sept. 13, 2008, Hurricane Ike barreled ashore as a strong Category 2 storm, bringing wind gusts up to 125 mph and a storm surge that spilled over the 17-foot-high Galveston seawall.

The disaster shut down the island for many long days thereafter. But a bright spot beckoned in the landscape of destruction. Next to the seawall, one grocery store reopened in



Photo courtesy of Signature Kroger Grocery Store

Kroger's grocery in Galveston opened quickly after Hurricane Ike because of hazard-mitigation actions.





# Community Benefits of Commercial Masonry Policies

## □ Quality of Life

### ▣ Community Pride

- Creates a sense of “Place”
- Creates a “Gateway” to the community because commercial development takes place along major thoroughfares



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# Community Benefits of Commercial Masonry Policies

- ❑ Aesthetics
  - ❑ Materials are human scale
  - ❑ Can reduce the use of objectionable paint
- ❑ Sustainability
  - ❑ 100+ building life span



# Community Benefits of Residential Masonry Policies





# Community Benefits of Residential Masonry Policies

Will quality commercial development follow?



# Community Benefits of Residential Masonry Planning Policies

- ❑ Increased property tax revenue to the city to offset the cost of services and infrastructure
- ❑ Quality residential attracts quality retail
- ❑ Quality residential attracts professionals
- ❑ Lower residential insurance rates and higher fire safety protection
- ❑ Long term (100 year) beauty
- ❑ Lower maintenance costs
- ❑ Remove threat of builders building to the lowest possible standards allowed by law
- ❑ Home prices offset by increases in equity, lower insurance premiums and lower maintenance costs
- ❑ Wind storm safety



# Implementation Strategies

Identify target communities

Make contact

Recruit a champion

Communicate your message

Determine policy type

Draft the ordinance

Approval Process



# Identify Target Communities

## □ Research

### ▣ Target cities based on

- Size, growth, and future growth pattern
- Government type – general law vs. home rule
- Whether or not zoning is in place
- Current masonry standard
- Peer pressure from adjacent cities

### ▣ Market research

- Create a model to provide a ranking system



# Identify Target Communities

- Feedback from conferences
  - Target both city staff and elected officials include:
    - Texas Municipal League
    - League of Cities
    - American Planning Association
  - Gather contact information and leads
    - Pre-conference mailing and giveaway
  - Sponsorships
  - Present our message





# Identify Target Communities

TEXAS CITY DIKE	SWALLOWS MEADOWS	BP INDUSTRY	CHELSEA ADDITIONS	MARLIN/ ATLANTIS	ROAD WORK	PELICAN HARBOR PHASE II	NEW MUDS	STATE HIGHWAY 66	RAINSONG	STREET OF MEMORIES
CITY HALL	DOYLE CONVENTION CENTER	NEW MUDS	MAIL OF THE MAINLAND	ROAD WORK	TEXAS CITY ISD	LA MARQUE ISD	INDUSTRY STERLING	DICKINSON ISD	PORT OF TEXAS CITY	
<h2>Housing boom</h2> <p>City expects 23,000 new single-family homes in next five years</p> <p>By T.J. AULDS The Daily News</p> <p>TEXAS CITY — The way things are going, Texas City building inspector Larry Iles may need more construction permits.</p> <p>"It certainly has been busy, and it's going to get real busy here in the next 18 months," said Iles. "Really busy."</p> <p>There are no fewer than 20 housing developments under way or set to begin in 2006 in Texas City.</p> <p>By city estimates, more than 23,000 single-family homes are slated for construction during the next half-decade.</p> <p>Most will be completed by late 2007.</p> <p>"There's no doubt we are just at the cusp of what will be a remarkable growth period for Texas City," said Mayor Matt Doyle. "It's exciting but somewhat daunting as well."</p> <p>Doyle likens the housing starts coming to Texas City to the fast growth League City and Friendswood experienced in the past decade.</p> <p>"Developers found there was more land to be had down this way, and it was the next logical choice, as much of that property around Clear Lake was gobbled up," he said.</p> <p><b>Land Tejas</b></p> <p>No chunk of property is bigger than the Land Tejas development planned on both sides of Interstate 45 in northwest Texas City.</p> <p>Developed by the same company that built the Canyon Gate communities in Fort Bend County, the Texas City project calls for 10,000 homes to be constructed on what has long been called the Bishop tract. Commercial development is planned along the Interstate 45 frontage roads.</p> <p>Land Tejas proposes to build the 5,000-acre development in pods, many of which will be built out by homebuilders the company has worked with on its other six master-planned communities.</p> <p>Company officials were expected to close on the large tract this month. Initial phases of construction are set to begin in mid-2007.</p> <p><b>On the waterfront</b></p> <p>Developers of Grand Cay Harbor are working on a 575-lot project. The 250-acre waterfront community is at the base of the Texas City hurricane levee, not far from the Moses Lake flood-gate.</p> <p>The fact Grand Cay is on the protected side of the levee means homeowners will not have to live on pilings.</p> <p>"That's what makes this so unique," said Norman Reed, one of the project's managers and son of the landowner, Lyman Reed. "I really think given the scope of this project, it is one of a kind."</p> <p>"These homes will be slab on grade construction. We won't be building any of them on pilings."</p> <p>See HOUSING BOOM/A7</p>										
MEGAPORT	MOSES LAKE	INDUSTRY VALERO	PILGRIMS LANDING	ROAD WORK	ESTIMATED TAX VALUES	PILGRIMS ESTATES	NEW MUDS	MORNING STAR SENIOR APTS.	GO	

# Identify Target Communities

- ❑ Fulshear, TX
  - ❑ Current population of 1428 (additional 3500 in ETJ)
  - ❑ Less than 50 new construction permits in 2007
- ❑ Largest city in Fort Bend County by land size with ETJ
  - ❑ Sugar Land (pop. 79,000)
  - ❑ Missouri City (pop. 74,000)
- ❑ “Fulshear, to the north of the district, will have 3,000 homes in Cross Creek Ranch. Tamarraon Lakes is planning nearly 2,000 homes, Willman said. Fulshear Crossing will have about 1,300 homes and Fulshear Creek Crossing will have 1,100 homes.” Houston Chronicle 8/20/09





# Identify Target Communities

- Personal Relationships
  - MOST IMPORTANT
  - “Grapevine” story
  - Movement of staff between cities
  - Networking within the planning community
    - Local chapter meetings of APA
  - Inside information
    - Identify both threats and opportunities

# Make Contact

- ❑ Initial outreach activities with planning staff and/or elected officials
- ❑ Validate the need for an ordinance
- ❑ Engage the development sector regarding methods to improve the community's image and sustainability
  - ❑ Developers
  - ❑ Commercial Builders
  - ❑ Local Residential Builders
- ❑ Survey Similar Communities
  - ❑ Peer pressure does not end in high school!
  - ❑ Use fear!



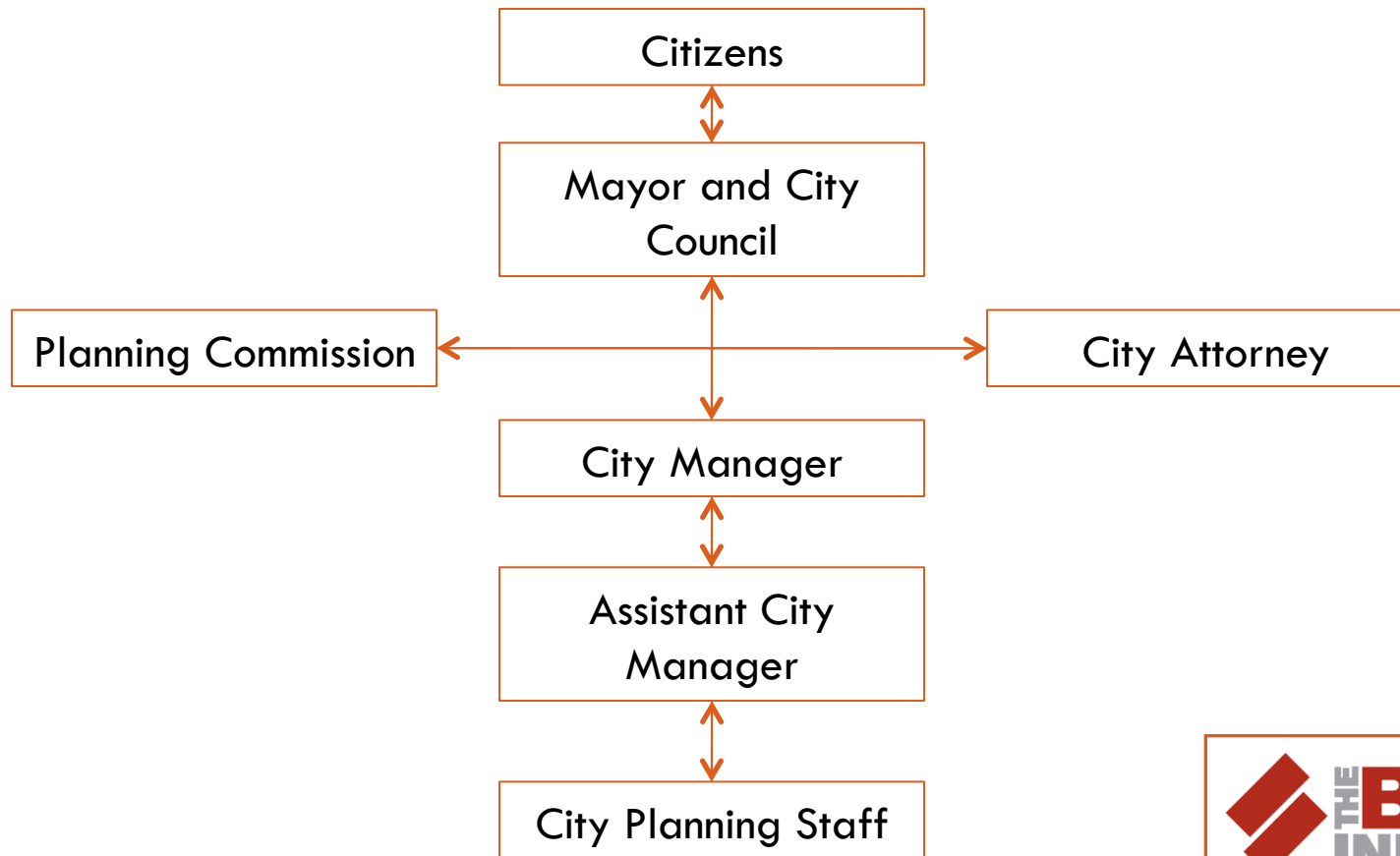
# Recruit a Champion

- ❑ In order to gain support from the Mayor, City Council and Planning Commission, recruiting a champion is ESSENTIAL
  - ❑ Local business leader
  - ❑ Chamber of commerce official
  - ❑ Elected official
  - ❑ Planning director



# Recruit a Champion

## Organizational Chart



# Recruit a Champion

- Message to elected officials
  - ▣ They may use 100% of their political capital for this cause, BUT once it has passed, it will leave behind a LEGACY that will outlast them, their children and will still be in place for their grandchildren to enjoy.



# Recruit a Champion

## □ Planning director as a champion?

### ■ Pros and Cons

- Accessible and usually proponents of MPPs
  - Responsible for policy recommendations
  - Responsible for crafting ordinances
  - Able to provide insight into city politics
  - Under direction city manager, mayor and city council
  - Staff complacency
  - Don't get to vote
- Effectiveness depends on the individual
  - May be able to recommend a champion



# Communicate your message

- Collateral materials
  - Case Studies
  - Newspaper articles
  - Research findings
  - Sustainability
- Presentations
  - Conferences
  - Community groups
  - Planning Commissions
  - City Council Meetings
- Informative DVD





# Determine Policy Type

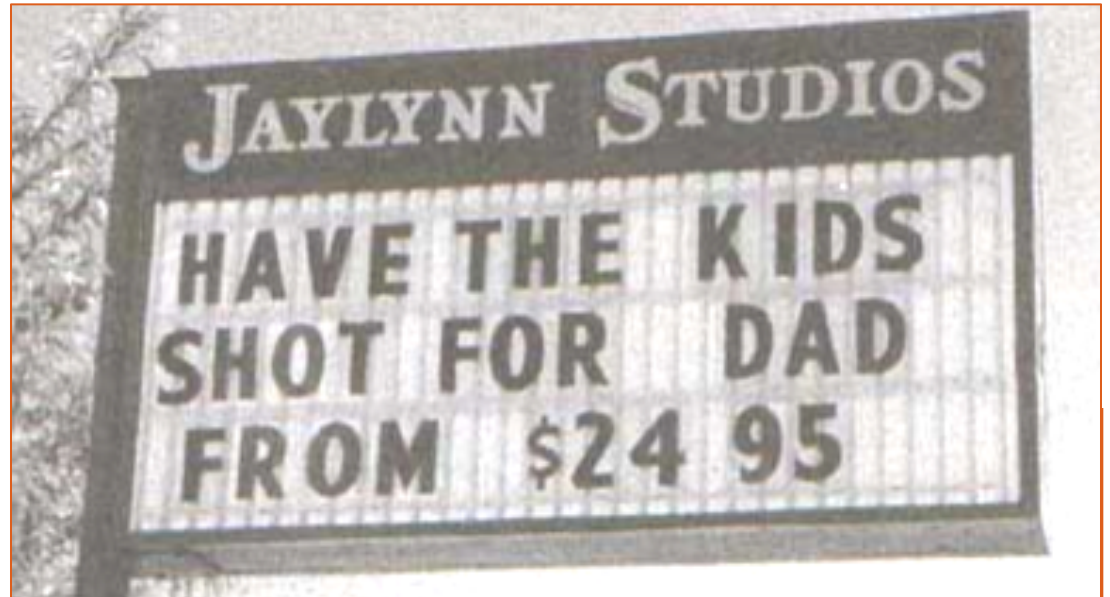
- ❑ Zoning Ordinance
- ❑ Overlay District
- ❑ Building Code
- ❑ Incentives
- ❑ Use-Specific Ordinance
- ❑ Subdivision Ordinances
- ❑ Annexation Agreements



# Draft the Ordinance

## Objective

- ❑ Simple to understand
- ❑ Allow for some flexibility
- ❑ Ensure that the language in the ordinance achieves the desired results



# Draft the Ordinance

## Preamble

- WHEREAS, upon recommendation of the City Staff and in deliberation of the City Council of the City of \_\_\_\_\_, Texas is deemed to be in the best interest of the health, safety and the general welfare of the citizens of the City of \_\_\_\_\_ that a new ordinance .....

# Draft the Ordinance

## Definitions

- ❑ Masonry materials shall mean and include that form of construction defined below and composed of **brick, stone, concrete block** or other materials of equal characteristics **laid up unit by unit and set in mortar.**
- ❑ By definition, this excludes precast concrete panels (Tilt Wall), and fiber cement siding, hard coat stucco and exterior insulation and finish systems (EIFS).



# Draft the Ordinance

## Definitions continued

- ☐ Brick
- ☐ Stone
- ☐ Concrete Block
- ☐ Precast Concrete Panels
  - only allowed if post-constructed wall areas are then covered by defined masonry materials to meet the required percentage of coverage as defined in this ordinance

# Draft the Ordinance

## Non-Residential Requirements

- Typical language:
  - Each exterior façade elevation shall be of exterior fire resistant construction consisting of a minimum 80% brick, stone or other approved masonry materials, exclusive of doors, windows, and window walls, unless otherwise approved by the Planning and Zoning Commission
- Remaining percentages may be constructed of any other material allowed by the building code, unless it is expressly prohibited.
- Some cities only apply requirement to façade facing the street or a residential area



# Draft the Ordinance

## Existing Buildings

- The following standards apply to all new non-residential building construction and any building expansion of 50% or more in floor area or a significant change in use of the building from one occupancy to another occupancy in accordance with the established building codes.



# Draft the Ordinance

## Public Buildings and Schools

- ❑ Must also comply with the ordinance



# Draft the Ordinance

## Big Box Retailers

- They can deviate from their prototype design and incorporate brick and stone





# Draft the Ordinance

## Heavy Commercial Uses

- Upgrade facades can improve the appropriateness of the use in certain areas



# Draft the Ordinance

## Residential Requirements

- Typical Language:
  - All one- and two-family residential buildings including townhomes and duplexes shall have exterior walls constructed of exterior fire resistant construction with a minimum of 75% brick or stone, exclusive of doors, windows, window walls and garage doors.
- Note that it is limited to brick or stone
- Typically also has a list of prohibited materials (EIFS, Metal)
- Percentage may vary by story or elevation.



# Draft the Ordinance





# Draft the Ordinance



# Draft the Ordinance

**Visual impact of a non-masonry on the second story**



# Draft the Ordinance

## Residential Requirements

- ❑ Multi-Family
  - ❑ Very important!
  - ❑ Relatively quick turnover of property
  - ❑ Located near single family neighborhoods
  - ❑ Value based on occupancy not structure
  - ❑ Should follow the same standard as commercial
  - ❑ Should add an exclusion of EIFS



# Draft the Ordinance

## □ Flexibility

- ▣ Provision for the consideration of alternative materials
  - Should create a superior result
  - NOT based on economic relief or hardship!!!



# Approval Process

- ❑ After the policy has been developed
  - ❑ Planning and Zoning Commission
  - ❑ City Attorney
  - ❑ City Council (3 times = 3 months)
- ❑ Participate at each stage of the process
  - ❑ Presentations
  - ❑ Answering questions
  - ❑ Behind the scenes

# These things take time!

- ❑ Timing is off
  - ❑ Not ready yet
    - Comprehensive Plan – a guideline for policy
    - Zoning Map
  - ❑ Focused on another initiative
- ❑ No available staff
  - ❑ Small city without planners
  - ❑ Too busy with growth and development
- ❑ No money
- ❑ Complacent

# These things take time!

- ❑ City will likely encourage community involvement
  - ❑ Visioning workshops
  - ❑ Committee of community leaders
  - ❑ Builder association opposition
- ❑ Average time frame is 3 years
- ❑ Policies relatively permanent!
- ❑ BE PATIENT!!!

# In Summary

- ❑ Educate
- ❑ Advocate
- ❑ Motivate
- ❑ Facilitate
- ❑ Negotiate
- ❑ CLOSE THE DEAL



# QUESTIONS?



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