

*Chapter 6: The Implementation Strategies Plan*

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# COMPREHENSIVE PLAN 2022



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## *Introduction*

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With the publication and adoption of this Comprehensive Plan document, the City of Live Oak will have taken an important step in shaping its future. The Plan will provide a very important tool for City staff and civic leaders to use in making sound planning decisions regarding the long-term growth and development of Live Oak. The various elements of the Plan are based upon realistic growth objectives and goals for the City that resulted from an intense comprehensive planning process involving a Steering Committee, citizens, Live Oak staff, elected and appointed officials, and major stakeholders in the community.

The future quality of life in Live Oak, as well as the environment of the City, will be substantially influenced by the manner in which Comprehensive Plan recommendations are administered and maintained. The Comprehensive Plan should never be considered a finished product, but rather a broad guide for community growth and development that is always evolving and changing in scope.

Changes within Live Oak, such as economics and development trends, that were not anticipated during preparation of the Plan will occur from time to time, and therefore, subsequent adjustments will be required. Elements of the City that were treated in terms of a general relationship to the overall area may, in the future, require more specific and detailed attention. Planning for the City's future should be a continuing process, and the Comprehensive Plan is designed to be a dynamic tool that can be modified and periodically updated to keep it in tune with changing conditions and trends.

The full benefits of the Plan for the City of Live Oak can only be realized by maintaining it as a vital, up-to-date document. As changes occur and new issues within the City become apparent, the Plan should be revised rather than ignored. By such action, the Plan will remain current and effective in meeting the City's decision-making needs.

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## *The Roles of the Comprehensive Plan*

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### ***A GUIDE FOR DAILY DECISION-MAKING***

The current physical layout of the City is a product of previous efforts put forth by many diverse individuals and groups. In the future, each new development that takes place, whether it is a subdivision that is platted, a home that is built, or a new school, church or shopping center that is constructed, represents an addition to Live Oak's physical form. The composite of all such efforts and facilities creates the City as it is seen and experienced by its citizens and visitors. If planning is to be effective, it must guide each and every individual development decision. The City, in its daily decisions pertaining to whether to surface a street, to approve a residential plat, to amend a zoning ordinance provision, to enforce the building codes, or to construct a new utility line, should always refer to the basic proposals outlined within the Comprehensive Plan. The private builder or investor, likewise, should recognize the broad concepts and policies of the Plan so that their efforts become part of a meaningful whole in planning the City.

## ***A FLEXIBLE & ALTERABLE GUIDE***

**The Comprehensive Plan for the City of Live Oak is intended to be a dynamic planning document – one that responds to changing needs and conditions.** Plan amendments should not be made without thorough analysis of immediate needs, as well as consideration for long-term effects of proposed amendments. The Live Oak City Council and other Live Oak officials should consider each proposed amendment carefully to determine whether or not it is consistent with the Plan's goals and policies, and whether it will be beneficial for the long-term health and vitality of the City of Live Oak.

At one- to three-year intervals, a periodic review of the Comprehensive Plan with respect to current conditions and trends should be performed. Such on-going, scheduled reevaluations will provide a basis for adjusting capital expenditures and priorities, and will reveal changes and additions which should be made to the Plan in order to keep it current and applicable long-term. The Planning and Zoning Commission shall devote one meeting annually at the end of the calendar year to reviewing the status and continued applicability of the Plan in light of current conditions. Within 90 days of this meeting, a report with any recommended changes to the Comprehensive Plan and/or to ordinances (e.g., the Zoning Ordinance) should be prepared and should be submitted to the Live Oak City Council. Those items that appear to need specific attention should be examined in more detail, and changes and/or additions should be made accordingly. By such periodic reevaluations, the Plan will remain functional, and will continue to give civic leaders effective guidance in decision-making. Periodic reviews of the Plan should include consideration of the following:

- The City's progress in implementing the Plan;
- Changes in conditions that form the basis of the Plan;
- Community support for the Plan's goals, objectives & policies; and,
- Changes in State laws.

## ***Public Participation***

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In addition to periodic annual reviews, the Comprehensive Plan should undergo a complete, more thorough review and update every five years. The review and updating process should begin with a citizen committee similar to the one appointed to assist in the preparation of this Plan, thereby encouraging citizen input from the beginning of the process. Specific input on major changes should be sought from various groups, including property owners, neighborhood groups, civic leaders and major stakeholders, developers, merchants, and other citizens and individuals who express an interest in the long-term growth and development of the City.

An informed, involved citizenry is a vital element of a democratic society. The needs and desires of the public are important considerations in Live Oak's decision-making process. Citizen participation takes many forms, from educational forums to serving on City boards and commissions. A broad range of perspectives and ideas at public hearings helps City leaders and the City Council to make more informed decisions for the betterment of the City as a whole.

Live Oak should continue to encourage as many forms of community involvement as possible as the City implements its Comprehensive Plan.

## ***Implementation Strategies***

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**There are two primary methods of implementing the Comprehensive Plan - proactive and reactive methods. Both must be used in an effective manner in order to successfully achieve the recommendations contained within the Plan.**

Proactive methods include the following, which have been put in priority order in relation to their importance to Live Oak:

1. Engaging in proactive code enforcement;
2. Establishing/enforcing Zoning Ordinances;
3. Establishing/enforcing Subdivision Ordinances;
4. Developing a capital improvements program (CIP), by which the City expends funds to finance certain public improvements (e.g., utility lines, roadways, etc.), meeting objectives that are cited within the Plan.

Reactive methods, which are not in any order of priority include:

- Rezoning a development proposal that would enhance the City and that is based on the Comprehensive Plan;
- Site plan review;
- Subdivision review.

Several specific strategies, both proactive and reactive, and financing mechanisms that could be used by the City of Live Oak to implement the recommendations and policies contained within the Comprehensive Plan are described within the following sections.

### ***CAPITAL IMPROVEMENTS PROGRAMMING***

Capital improvements are integrally linked to the City's Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance. A capital improvement such as a water treatment plant illustrates this concept. The Comprehensive Plan recommends areas for a particular type of development, the Zoning Ordinance reinforces Plan recommendations with applicable zoning districts consistent with that type of development, and the Subdivision Ordinance regulates the facilities (e.g., utility extensions, roadway widths, etc.) necessary to accommodate that type of development. The type of development that is recommended by the Comprehensive Plan and that is regulated and approved in accordance with the Zoning and Subdivision Ordinance dictates the water treatment plant's size and capacity.

The Comprehensive Plan makes recommendations on the various public improvements that will be needed to accommodate growth and development envisioned for the City over the next 20 years or more. Many of the changes involve improvements that will be financed by future

improvement programs. It will be a desirable to invest regularly in the physical maintenance and enhancement of the City of Live Oak rather than to undertake large improvement-type programs at longer time intervals. A modest amount of money expended annually on prioritized items in accordance with Plan recommendations will produce a far greater return to the City than will large expenditures at long intervals.

## *Funding Mechanisms*

Budgeting and cost are primary considerations in terms of implementing Plan recommendations. Therefore, a discussion of the various funding mechanisms that could be utilized by Live Oak to realize these recommendations follows. It is important to note that the discussion does not represent an exhaustive list of the funding sources that may be used, but includes those mechanisms that are likely to be most applicable for use within Live Oak.

### *Impact Fees*

Chapter 395 of the Texas Local Government Code addresses the issue of developer participation in the construction of off-site facilities such as water, wastewater, and roadways. This state law allows cities in Texas to decide whether to assess fees for 1) roadway construction, 2) water service expansion, and 3) wastewater service expansion to new residential and nonresidential development. The City should investigate the feasibility of using Chapter 395 as a funding mechanism for such capital expenditures.

Impact fees can be described as fees charged to new development based on that development's impact on the infrastructure system. The primary advantage to having this funding source is that it provides cities with the increased ability to plan and construct capital facilities so that the needed infrastructure system capacity is available when the market warrants. If they are not implemented, new capital facilities will likely be financed through taxes (e.g., ad valorem, sales), which are paid by existing as well as future residents. With impact fees, the development community is responsible for paying its related share of the cost of growth and the impact of that growth on local infrastructure systems.

However, while impact fees provide financing help for cities, they also increase the cost of development. As most costs associated with development are "passed through" to the consumer, it can be argued that impact fees increase the cost of housing or deter economic development. In order to mitigate any negative effects of adopting impact fees on economic development opportunities, the City can investigate development incentives, such as waiving all or a portion of impact fees, for larger retail uses that locate along Interstate Highway 35. It must also be noted that if the facilities (and the related capacity) are not available, growth would likely not occur anyway, and therefore, impact fees would not be charged.

### *State & County Funding*

Coordination with state agencies and with Bexar County is recommended for the joint planning and cost sharing of projects. A widely utilized example of state funding is the use of funds allocated by Texas Department of Transportation (TxDOT). TxDOT receives funds from the federal government and directly from the state budget that it distributes for roadway construction and maintenance across Texas. There are several roads within Live Oak that may be eligible for such funds.

Bexar County also has programs with monies available for various projects, including capital improvements and feasibility studies. Capital improvements funded by the County generally include roadways, park facilities, and public buildings. The City should research County funding availability specifically for implementation of Plan recommendations related to thoroughfares and parks.

### Various Types of Bonds

The two most widely used types of bonds are general obligation bonds and revenue bonds. General obligation bonds, commonly referred to as G.O.s, can be described as bonds that are secured by a pledge of the credit and taxing power of the City and must be approved by a voter referendum. Revenue bonds can be described as bonds that are secured by the revenue of the City. Certificates of obligation, commonly referred to as C.O.s, can be voted on by the City Council without a City-wide election/bond referendum. It should be noted that if Live Oak chooses to adopt an impact fee ordinance and bonds have been included in the assessment of impact fees, funds derived from impact fees could be used to retire bonds.

### Community Development Block Grant Program (CDBG)

CDBG grants can be used to revitalize neighborhoods, expand affordable housing and economic opportunities, and improve community facilities and services. A minimum of 70 percent of all grant funds allocated to a city must be devoted to programs and activities that benefit low- and moderate-income individuals. Cities can use grants toward a number of actions, including reconstructing or rehabilitating housing, building public infrastructure (i.e., capital facilities such as streets, water and sewer systems), providing public services to youths, seniors or disabled persons, and assisting low-income homebuyers. This type of funding was also briefly discussed within the *Neighborhood & Business Enhancement Plan* in relation to improving local housing.

## **REGULATORY MECHANISMS & ADMINISTRATIVE PROCESSES**

The usual processes for reviewing and processing zoning amendments, development plans, and subdivision plans provide significant opportunities for implementing the Comprehensive Plan. Each zoning, development and subdivision decision should be evaluated and weighed against applicable proposals contained within the Plan. The Plan allows Live Oak to review proposals and requests in light of an officially prepared document adopted through a sound, thorough planning process. If decisions are made that are inconsistent with Plan recommendations, then they should include actions to modify or amend the Plan accordingly in order to ensure consistency and fairness in future decision-making. Amending the Subdivision Ordinance and Zoning Ordinance represent two major, proactive measures that the City can take to implement Comprehensive Plan recommendations. Specifics on the way in which this can be effectively achieved for both are discussed in the following sections.

### ***The Subdivision Ordinance***

The act of subdividing land to create building sites is one that has the greatest effect on the overall design and image of Live Oak. Much of the basic physical form of the City is currently created by the layout of streets, easements, and lots. In the future, the basic physical form of

Live Oak will be further affected by elements such as new development, both residential and non-residential, and the implementation of the *Thoroughfare Plan*. As mentioned previously, many of the growth and development proposals contained within the City's Comprehensive Plan can be achieved through the exercise of subdivision control and other “reactive” practices. Some elements of the Plan, such as major thoroughfare rights-of-way and drainage easements, can be influenced, guided and actually achieved during the process of subdividing the land. Once the subdivision has been filed (recorded) and development has begun, the subdivision becomes a permanent, integral part of the City's urban fabric. Thereafter, it can be changed only through great effort and expense. Live Oak's Subdivision Ordinance should be updated in accordance with *Thoroughfare Plan* recommendations, specifically with the rights-of-way widths and sections contained therein. With this implementation measure, as individual plats are approved, the City can require that rights-of-way be dedicated in conjunction with the recommendations as generally set forth in the *Thoroughfare Plan*.

### *The Zoning Ordinance*

All zoning and land use changes should be made within the context of existing land uses, future land uses, and planned infrastructure, including roadways, water and wastewater. The City's Zoning Ordinance should be updated with the recommendations contained within this Comprehensive Plan. In addition, after a thorough review of the Zoning Ordinance, it is recommended that the following listed changes be made within the Ordinance.

- Ensure Consistency Between the Zoning Map and the *Future Land Use Plan* map.
  - Take proactive measures to rezone parcels of land in prime retail areas to ensure that these areas develop with nonresidential uses that will help the City's tax base.
- Ensure Variety For Residential Lot Sizes
  - The minimum required lot size should be 6,500 square feet.
- Encourage Unique Neighborhoods and Mixed Use Development
  - Incorporate districts allowing for Residential TND and Mixed Use TND into the Zoning Ordinance.
- Ensure Quality Residential Development
  - Incorporate the standards related to future single-family and multiple-family development listed within the *Neighborhood & Business Enhancement Plan*, Chapter 5, into the applicable sections and districts within the Zoning Ordinance.
- Ensure Quality Neighborhoods
  - Adopt a property maintenance ordinance that would address the regulation of visually unattractive elements, such as the maintenance of broken down vehicles, damaged fences, recreation vehicles parked for extended periods of time, excessive trash in front yards, and dilapidated accessory structures
- Ensure Quality Development Along Major Roadways
  - As recommended within the *Neighborhood & Business Enhancement Plan*, the City should establish either a separate zoning district or an overlay district related to ensuring high-quality, aesthetically pleasing nonresidential development along its major roadways, including Interstate Highway 35, Loop 1604, Topperwein Road, O'Conner Road, Lookout Road, and Pat Booker Road.

## *In Conclusion*

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Implementation is probably one of the most important, yet most difficult, aspects of the comprehensive planning process. Without viable, realistic mechanisms for implementation, the recommendations contained within the Comprehensive Plan will be difficult to realize. The two primary recommendations that are made as a result of this comprehensive planning effort are as follows:

1. Review the City's Zoning Ordinance, and amend it as recommended herein.
2. Evaluate and revise the current property maintenance code as recommended within the *Neighborhood & Business Enhancement Plan*.

There are numerous other recommendations made within this Plan that will be important to the future growth of Live Oak. They are listed at the end of each chapter, and they should be prioritized and implemented in the coming years. The City should concentrate on implementing the two primary recommendations listed above immediately following adoption of this Comprehensive Plan.