

## 4 LAND USE STUDY

Land use location and extent impact community property values, City service expenditures, traffic flow, aesthetics, and economic development potential. The Existing Land Use Map (*Map 4A*) shows land development patterns within the city limits and extraterritorial jurisdiction (ETJ).<sup>1</sup> The Future Land Use Map (*Map 4B*) and Land Use Study help the community plan for infrastructure to guide the desired direction of future growth.

### 4.1 Highlights

Approximately 57% of land in the Wallis city limits is developed (546 acres). The remaining 405 acres are semi-developed, undeveloped, or used for agriculture. Of the developed land, approximately 30% is used for public right-of-way (165 acres), due in part to the city's generally grid-like layout but also TX 36, TX 60, FM 1093 and a few miles of railroad that traverse the city. Most of the remaining land is used for residential housing (245 acres), or 45% of developed land. Other more common land uses in Wallis include recreation and open space (66 acres), commercial/retail (28 acres), and institutional (20 acres).

The primary natural barriers to construction are floodplains, depth-to-saturation, and shrink-swell from changing water content in the soil.

Residents' interests in land use improvements include housing conditions and stock, street conditions, community appearance, and local commercial development. Residents would like to see improved housing conditions in Wallis, including dilapidated building removal and improved yard maintenance. Residents would also like to see more housing development affordable to and serving the needs of people of varying economic means and life stages (such as affordable, senior, market-rate, first-time homebuyer, and rental housing needs). In addition, residents would like to see more opportunities for business development to support an active local economy and a thriving central business district.

*Map 4B: Future Land Use* illustrates (a) a preference to limit development in and around the floodplain to support improved street and housing conditions; (b) a preference for additional and diverse housing development to serve varying resident needs; and (c) a desire to further a vibrant, local activity center in the traditional downtown.

---

<sup>1</sup> The ETJ is the area within a certain distance beyond the city or town limits in which the local government can control land development patterns through its subdivision ordinance.

## 4.2 Context: History & Community Input

### Previous Land Use

GrantWorks, Inc. completed a land use study for the City of Wallis in 2010 as part of a larger comprehensive planning process. In 2010, the City of Wallis included 974 acres. Approximately 56% of land in Wallis was developed and residential housing was the most common land use (39% of developed land, or 214 acres).

The 2010 study established the following land use goals for Wallis:

- Land use patterns that allow for efficient infrastructure maintenance and provision of community services
- Enhanced physical appearance and amenities that will appeal to new businesses and residents
- Develop new housing for all income levels

### Community Input

A detailed discussion of community input collection is located in *Chapter 1: Community Goals & Objectives*. The particular concerns expressed by residents that relate to land use are:

Achieve/Preserve	Avoid/Eliminate
<ul style="list-style-type: none"> <li>▪ Improve attitude towards growth</li> <li>▪ Preserve small town feel</li> <li>▪ Protect rural lifestyle</li> <li>▪ Preserve generational land</li> <li>▪ Continue improvement projects</li> <li>▪ Ensure sufficient capacity for growth</li> <li>▪ Develop more housing</li> <li>▪ Reinvigorate the downtown</li> <li>▪ Preserve historic character</li> <li>▪ Capitalize on location to attract residents and industry</li> </ul>	<ul style="list-style-type: none"> <li>▪ Drainage problems, flooding</li> <li>▪ Dangerous, blighted building</li> <li>▪ Absentee landlords</li> <li>▪ Vacant and abandoned property</li> <li>▪ Cloudy titles</li> <li>▪ Overregulation</li> <li>▪ The taking of private property (Eminent Domain)</li> <li>▪ Property rights infringement</li> </ul>

## 4.3 Inventory & Forecast

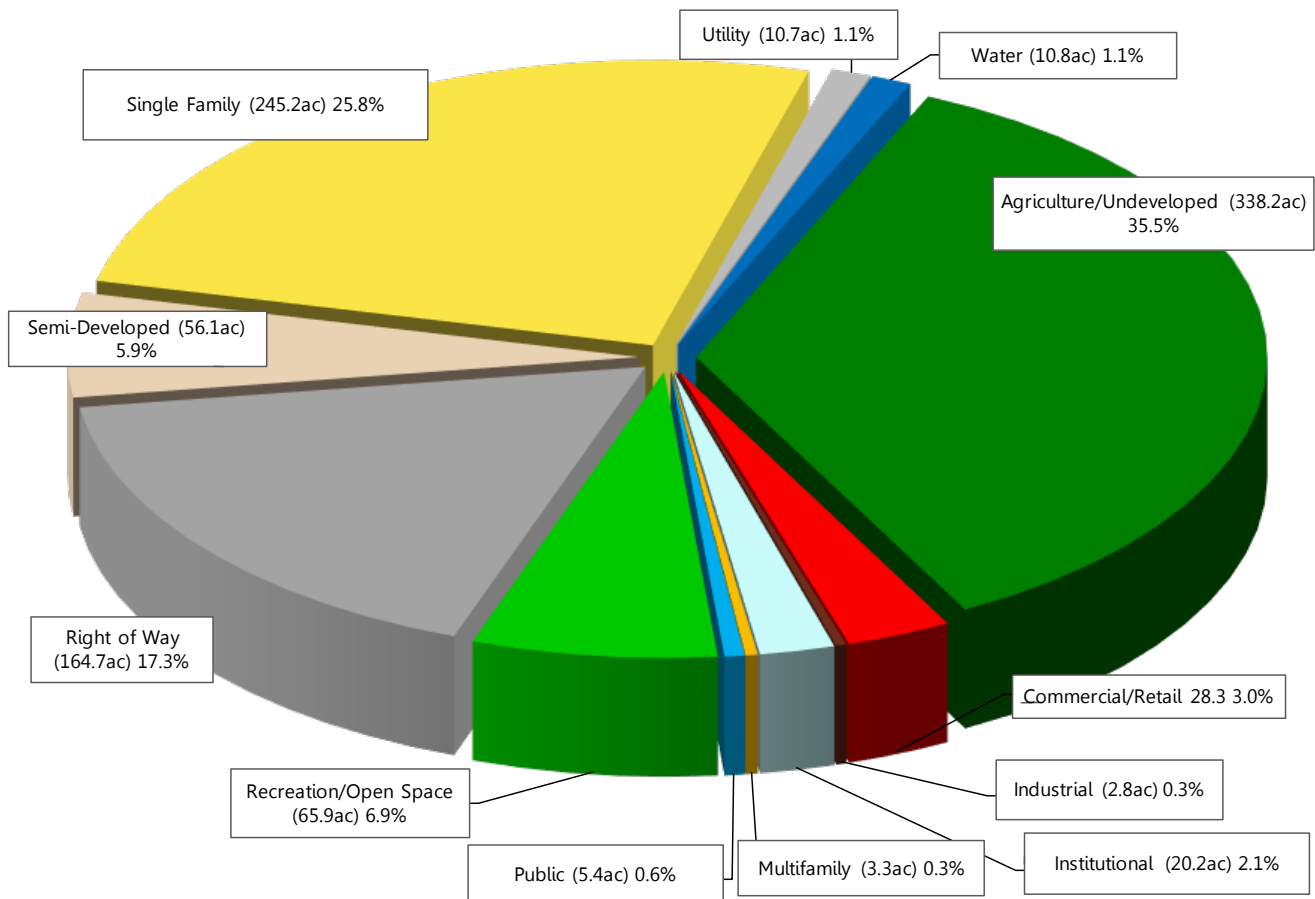
### 4.3.1 Existing Land Use

Wallis' land use in 2023 is characterized by:

- Approximately 952 acres in the city limits; approximately 405 semi-developed<sup>2</sup>, undeveloped, or used for agriculture.
- Approximately 245 acres of single-family residential land (a median 0.45 acres per house).
- Approximately 165 acres of right-of-way, due in part to TX-36 and railroad right-of-way.
- General separation of commercial, residential, and industrial land uses (see *Map 4A*).

*Appendix 4A* provides definitions, detailed tables, and an explanation of the methodology used to calculate land use.

Chart 4A: Land Use, Total Acres/Percent



<sup>2</sup> Subdivided and provided with city services, but no building on the property.

### 4.3.2 Land Development Factors

#### Environmental Factors

Environmental factors impacting construction include lakes and streams, floodplain, soil type, and slope. These factors do not prevent construction, but they can make initial costs and/or long-term maintenance more expensive.

#### Lakes, Rivers, Streams, and Wetlands

Within Wallis and its ETJ, several natural features restrict or inhibit development (see *Figure 4B, next page*). A total of 373.9 acres of land are designated as wetlands by the US Forest and Wildlife Service, which includes approximately 37.2 acres of land covered by lakes or ponds and about 17.9 miles of streams. Several of these natural water features run through or are adjacent to developed neighborhoods in the eastern portion of the city. Additionally, the Brazos River runs to the east and north of the city. While the river itself is not a limiting factor for development, the river has a significant impact on local flooding in the surrounding floodplain, some of which extends into Wallis and its ETJ.

#### Floodplain

Floodplain consists of the main channel of a river or stream – or a *floodway* – and the generally flat area of land next to the floodway that experiences flooding during periods of high discharge or the – *flood fringe*. Structures and other development in the floodplain are at risk for flood damage. Development in the floodplain can also cause a “rise” of floodwaters outside of the floodway fringe. Floodplain development should ideally be discouraged but, with additional building requirements such as elevated lowest floors, may be safely constructed and used (see *Section 4.4.1 Protect Floodplain & Prevent Flood Damage*). Construction in the floodway should be discouraged.

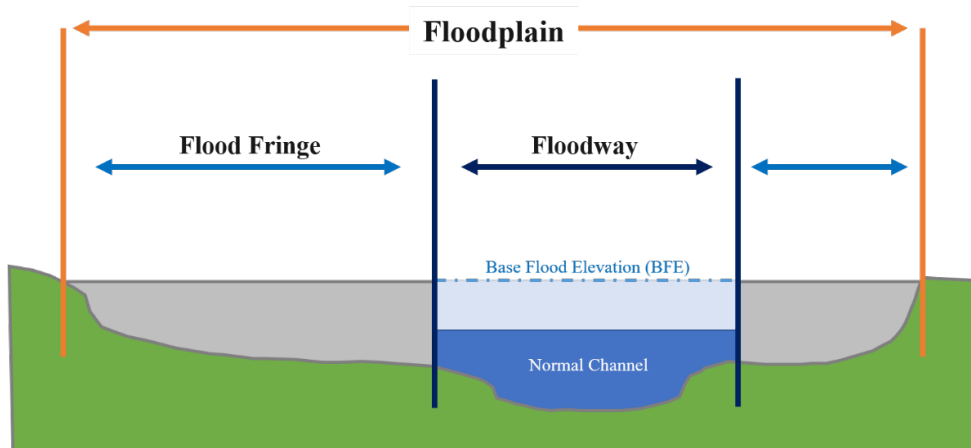


Figure 4A: Floodplain Crosssection

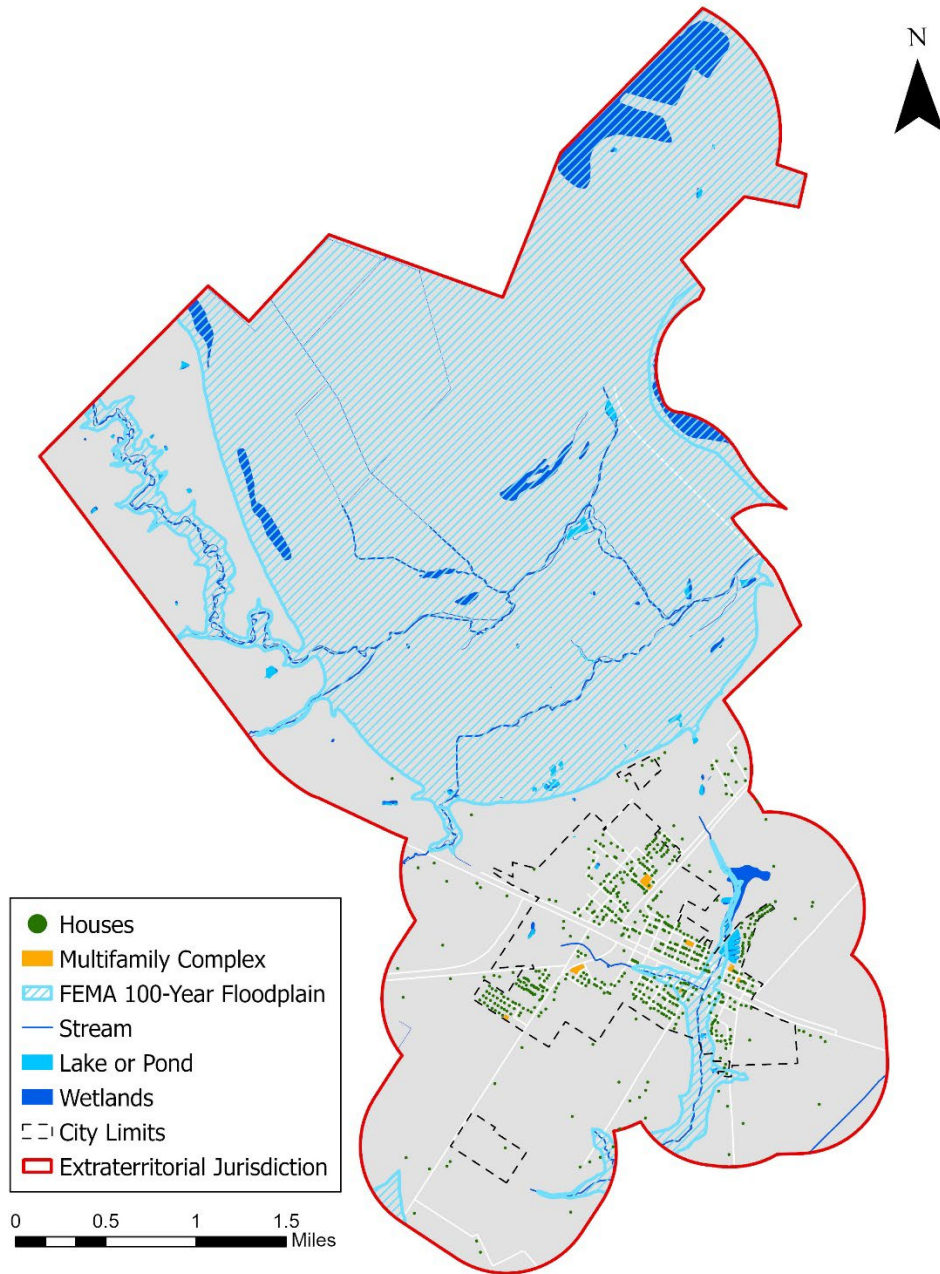


Figure 4B: Floodplain Map

**Approximately 43 acres of land within Wallis’ city limits and an additional 5,687 acres within the ETJ are FEMA-identified 100-year floodplain.** Most floodplain is semi-developed or agriculture/undeveloped (45%).

34% of the floodplain is primarily developed for single-family housing; there are approximately 14.46 acres of floodplain developed for single-family housing, including 31 houses located in the floodplain (see *Figure 4B*). According to the field survey for this plan, all these houses are occupied.

## Soil

**The primary limiting soil factor in Wallis is flooding.** The three prominent soil types within the city limits and ETJ are Verland, Lake Charles, and Brazoria. Verland has somewhat poor drainage, while Lake Charles and Brazoria are moderately well-drained. All three soil types have very slow permeability and have high runoff on slopes below 1% and very high runoff on slopes above 1%. These conditions tend to lead to ponding and flooding as the soil is incapable of quickly absorbing large amounts of water. As such, these soils necessitate that any new construction or improvements must be adequately designed to handle flood risks, creating an additional barrier to development.

*Figure 4C (next page)* illustrates soil types within and around Wallis. Detailed soil data is available through the U.S. Department of Agriculture – Natural Resources Conservation Service.<sup>3</sup>

## Construction Limitations

*Figure 4C* also illustrates construction limitations for soil in Wallis and its ETJ. Soil areas are organized in two groups: soil types that create more construction restrictions (darker red indicating more restrictions) and soil types that create fewer construction restrictions (darker green indicating fewer restrictions).

Most houses in Wallis have been constructed in areas with some soil limitations on construction of streets, small commercial buildings, or one-to-three-story, and single-family homes (shades of orange in *Figure 4C*). The presence of limiting factors does not prevent construction, but it can make initial development and long-term maintenance more expensive. Detailed soil data is available through the U.S. Department of Agriculture – Natural Resources Conservation Service.<sup>4</sup>

## Slope

**Slope impacts site drainage, and steep slopes may be more susceptible to erosion and landslides.** Generally, land with slopes between 0.5% and 1.0% are ideal for development. Land with a slope under 0.5% lacks drainage and is likely unsuitable for development, while slopes over 1.0% may create slight-to-major problems for commercial or large-scale development. Slopes over 5.0% may only be suitable for special development.

See slope ranges for each soil type in *Figure 4C (next page)*.

<sup>3</sup> <http://datagateway.nrcs.usda.gov/GDGOrder.aspx>

<sup>4</sup> <http://datagateway.nrcs.usda.gov/GDGOrder.aspx>

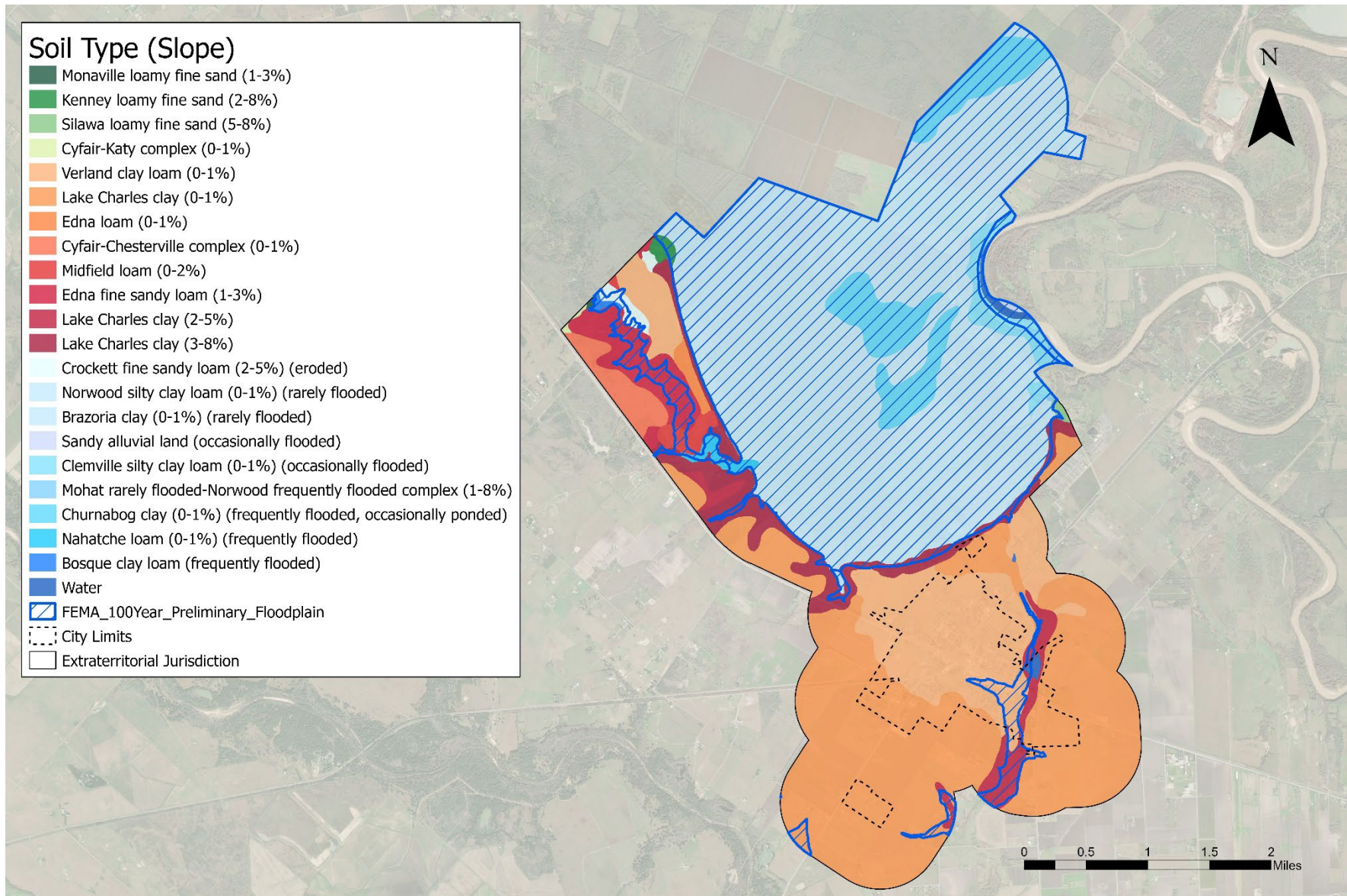


Figure 4C: Soil Type, Slope, & Construction Limitations

## Access to Existing Infrastructure

Additional land development considerations in Wallis include access to existing infrastructure like water and wastewater services and connection the existing road network.

**Lots that are already served by or located close to existing infrastructure like water mains, sewer mains, and roads avoid the need for significant infrastructure extensions, and the associated debt required to fund those extensions.** In this sense, these lots are easily developed.

There are approximately 265 acres within the city limits that are easily developed, meaning that the land is:

- ✓ Currently identified as either semi-developed, undeveloped, or used for agricultural purposes,
- ✓ Within 100 feet of water and sewer distribution lines,
- ✓ Located adjacent to public right-of-way and paved or dirt streets, and
- ✓ Located outside of the 100-year floodplain (FEMA special hazard area).

Approximately 49% (130 acres) of this easily developed land has frontage on a major arterial (TX 36 and FM 1093 / N. 1<sup>st</sup> Street) (see *Table 4A*).

Table 4A: Ease of Development

Ease of Development	Acres
Easily Developed (All)	265
<i>With Arterial Access</i>	<i>130</i>
Lacks Built ROW Access	0

*Figure 4D (next page)* shows Wallis' undeveloped, agricultural, and semi-developed land as defined by the above criteria, including 20.7 acres of land within or proximate to floodplain where limited and/or special development is recommended.

A large-scale version of the map in PDF format is included with this study. The map should be posted in a visible location at City Hall (and ideally on a City website) to demonstrate the type and variety of undeveloped land within the city limits.



**Ease of Development**

- Developed/In-Use Land
- Easily Developed
- Easily Developed, Arterial
- Limit Development
- Lacks Water or Wastewater
- Floodplain
- City Limits



Figure 4D: Ease of Development Map

## Proximate Jurisdictions

A city's physical development can also be limited by the proximity of other cities, most often by the extraterritorial jurisdiction (ETJ) of another city. ETJ refers to the area beyond a city's boundaries where some of the city's laws extend (still apply), such as subdivision regulations. The extent of an ETJ is tied to a city's total population and ranges from 1/2 mile to five miles. For example, based on a population size of fewer than 5,000 inhabitants, the City of Wallis has a 1/2-mile ETJ around its city limits. Additionally, Wallis extended its ETJ to the north through an agreement with Austin County in 2004. The agreement extends the ETJ further north to where it borders the ETJ of Sealy (see *Figure 4E*).

Because their respective ETJ's do not overlap or border the opposing city limits, there are no administrative boundaries that restrict development within Wallis' city limits or ETJ.

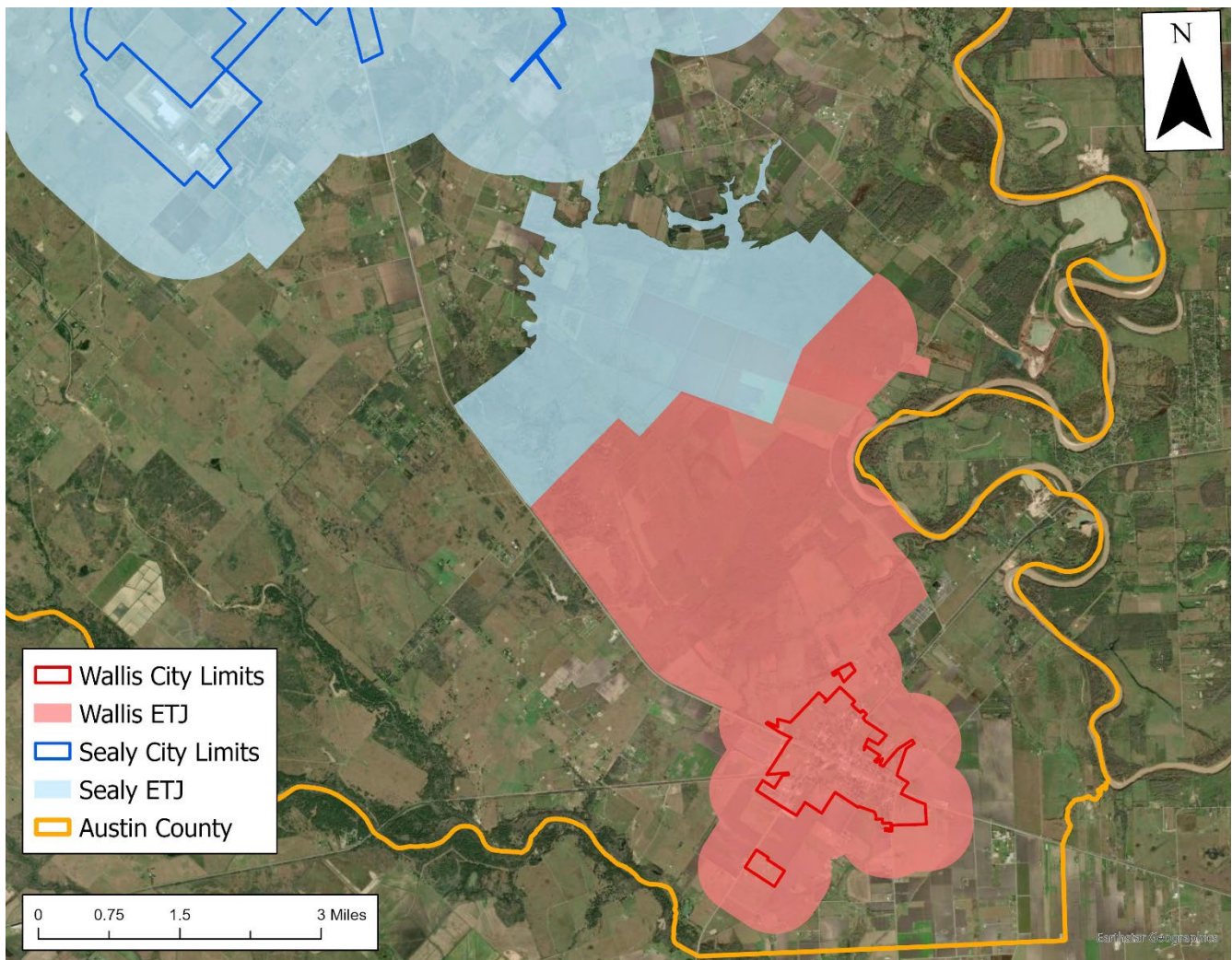


Figure 4E: Overlapping & Revised Jurisdictional Boundaries

## 4.4 Key Land Use Considerations

Based on the community input and local land use data described in this chapter, the City of Wallis should focus on the following key areas related to land use:

- ❖ Floodplain protection and flood damage prevention
- ❖ Community physical appearance and historical assets
- ❖ Future growth

### 4.4.1 Protect Floodplain & Prevent Flood Damage

Approximately 43 acres of land within Wallis' city limits and an additional 5,687 acres within the ETJ are FEMA-identified 100-year floodplain. Most floodplain is semi-developed or agricultural/undeveloped (45%). An additional 14.4 acres of floodplain is developed for single-family, there are 31 occupied single-family houses in the floodplain (see *Figure 4B, page 4-8*).

The best way to prevent flood damage to structures in the floodplain is to prevent new construction and to remove existing structures. If a structure must remain or be built in the floodplain, it is important ensure that it meets heightened construction standards. The City of Wallis can work to prevent future damage due to flooding by pursuing the following strategies:

- ❖ Update development regulations to limit new construction in and around the floodplain
- ❖ Adopt a future land use map that illustrates floodplain protection goals
- ❖ Pursue grants to elevate or remove existing structures in the floodplain
- ❖ Enforce flood damage prevention regulations
- ❖ Promote NFIP participation
- ❖ Consider participation in the Community Rating System (CRS)

#### Update Development Regulations to Limit New Floodplain Construction

The City should update its development regulations to limit new construction in the floodplain and consider extending those limitations to a portion of nearby land. Extending the regulations to create a floodplain buffer would further preserve floodplain function and better prevent flood damage as the shape and nature of a floodplain can change over time.

## Zoning Ordinance

Zoning ordinances establish regulations and standards for how property in a specific location – or a certain zoning district - within the city limits can be used and developed. For example, a zoning ordinance may regulate the location and use of buildings, structures, and land, or the height, number of stories, and size of buildings and other structures. Some municipalities create zoning districts to preserve, conserve, and protect environmentally sensitive areas, like floodplains.

The City should seek to develop a zoning ordinance that limits development of the floodplain to ensure the safety of life and property.

## Subdivision Ordinance

Subdivision standards, which apply to new developments in both the city limits and the extraterritorial jurisdiction (ETJ), can also be used to limit floodplain development.<sup>5</sup> Subdivision ordinances authorize and regulate division of land into lots and blocks, most often for residential development. The regulations are intended to ensure reasonable and acceptable design standards for new developments, as well as appropriate infrastructure and improvements that will be compatible with the city's utility and street systems.

Subdivision standards can limit development in the floodplain by regulating building sites. For example, Wallis could require that each lot in a subdivision provide a building site that is on natural, high ground, out of the 100-year floodplain. *Figure 4F (next page)* illustrates a few alternatives to the traditional approach to developing a property that is partially in the floodplain (*further discussed in 4.4.4 Guide Future Development*). Subdivision standards can also support limited, appropriate development in the floodplain by allowing land to be used to meet a portion of open space/recreation area requirements in new subdivisions.

The City of Wallis adopted an updated Subdivision Ordinance (Ordinance No. 103A) in December 2023. Beyond the typical platting requirements, the ordinance requires developers to identify the natural water features and develop drainage systems to manage stormwater. The Ordinance allows the City to identify flood-prone areas as uninhabitable and prohibit construction of residential buildings or any other use that would either worsen flooding risks and conditions or would be susceptible to flood damage, but other uses that would not pose such risks (e.g. open space or recreation) would be allowed.

---

<sup>5</sup> The Texas Statutes enable a city to extend subdivision ordinance standards to regulate the following aspects of development in the ETJ: (1) the use of any building or property for business, industrial, residential or other purposes; (2) the bulk, height, or number of buildings constructed on a particular tract of land; (3) the size of a building that can be constructed on a particular tract of land, including without limitation any restriction on the ratio of building floor space to the land square footage; or (4) the number of residential units that can be built per acre of land.

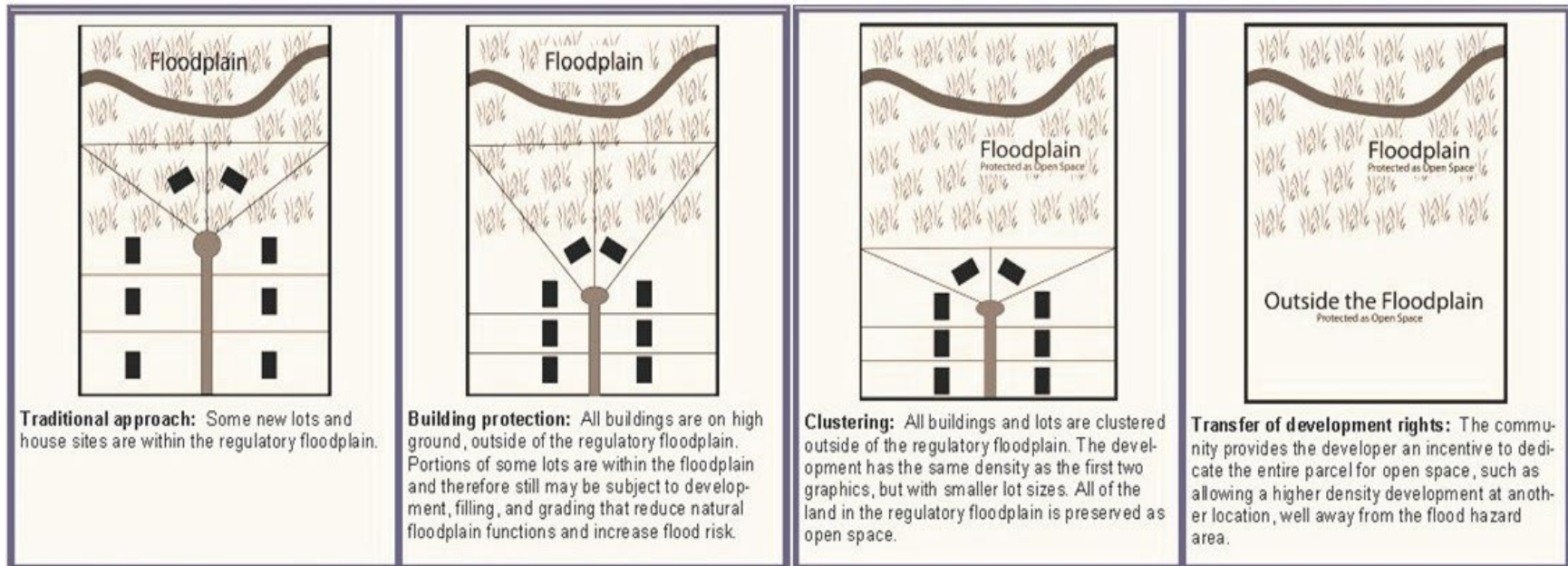


Figure 4F: Alternative Development Approaches to Limit Development in the Floodplain<sup>6</sup>

Aside from regulating allowable uses in flood-prone areas, the ordinance provides consistent regulations across all locations within the city; it does not set a higher standard of development or stricter drainage system regulations for development in or near floodplains. As such, the City should consider updating the subdivision ordinance to reflect any changes that have occurred in the city since the adoption of the ordinance. Additional regulations could include identification of FEMA 100-year floodplains in preliminary and final plats. The City should also consider including more specific language, as well as definitions, for flood-prone areas. Ideally, this language would mirror the Flood Damage Prevention Ordinance to ensure consistency and clarity.

<sup>6</sup> Source: NFIP Community Rating System's Coordinator's Manual FIA 15/2013 (2013)

## Adopt a Future Land Use Map that Illustrates Floodplain Protection Goals

The City of Wallis can make clear that the community prefers not to see new development in the floodplain by adopting a future land use plan that reflects this preference and posting the map at City Hall and on a City website. The Future Land Use Map created for this plan illustrates a preference for no new construction in the floodplain by classifying semi-developed floodplain in the city as preserved open space.

## Pursue Grants to Elevate or Remove Existing Development from the Floodplain

The City should pursue grant support for elevating or removing existing development located in the floodplain (see *Figure 4B, page 4-8*).

For example, the FEMA Hazard Mitigation Grant Program (HMGP) provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. HMGP funds may be used to fund projects that will reduce or eliminate the losses from future disasters.

Projects must provide a long-term solution to a problem, for example, elevation of a house to reduce the risk of flood damages as opposed to buying sandbags and pumps to fight the flood. In addition, a project's potential savings must be more than the cost of implementing the project. Funds may be used to protect either public or private property or to purchase property that has been subjected to, or is in danger of, repetitive damage.

Examples of projects include, but are not limited to:

- Acquisition of real property for willing sellers and demolition or relocation of buildings to convert the property to open space use.
- Retrofitting structures and facilities to minimize damages from high winds, earthquake, flood, wildfire, or other natural hazards.
- Elevation of flood-prone structures.
- Development and initial implementation of vegetative management programs.
- Minor flood control projects that do not duplicate the flood prevention activities of other federal agencies.

More information about FEMA hazard mitigation grants is available at <https://www.fema.gov/hazard-mitigation-assistance>.

## *Assist Residents with Clarifying Clouded Property Titles*

“Clouded title” refers to issues in a property’s past that make legal ownership of that property unclear. Several situations may result in a clouded title such as unreleased liens or improperly described foreclosures. Very often, however, clouded titles may result from lack of clear inheritance, sometimes over multiple generations, and/or disagreement between multiple heirs. Lack of clear title presents a major impediment to connecting residents with State and federal housing funding, particularly following weather

## **Enforce Flood Damage Prevention Regulations**

Flood damage prevention ordinances or standards establish requirements and limitations for construction in flood hazard areas. Flood hazard areas and designations are usually established in a Federal Insurance Rate Map (FIRM) and created as part of a FEMA Flood Insurance Study (FIS). A firm will generally specify:

- Risk areas (high risk or *Special Flood Hazard Areas (SHFA)*, moderate-risk, or low-risk)
- Regulatory floodway<sup>7</sup> (if applicable)
- Base Flood Elevations<sup>8</sup> (BFEs)
- Flood insurance risk designations and definitions (assists in determining the flood insurance premium rates for properties)

Flood damage prevention ordinances can apply to all areas of special flood hazard within a city’s jurisdiction, which can include the ETJ.

The City of Wallis has participated in the NFIP since 1974 and enforces a Flood Damage Prevention Ordinance that expands on the model ordinance created by the Federal Emergency Management Agency (FEMA).<sup>9</sup> Ordinance No. 110-B establishes requirements and limitations for construction in flood hazard areas as established by FEMA’s “Flood Insurance Study for Austin County, Texas and Incorporated Areas” effective/dated September 3, 2010 and accompanying Flood Insurance Rate Maps effective/dated September 3, 2010 and any revisions thereto”.

The ordinance does not prohibit development within the floodplain; rather, it establishes guidelines for minimizing flood damage for any construction in the floodplain. For example, residential development must have the lowest floor elevated to at least one foot above base flood elevation (BFE).<sup>10</sup> Non-

<sup>7</sup> The regulatory floodway is the channel of a stream plus adjacent floodplain areas that must be kept free of encroachment so that the one percent annual chance flood can be carried without substantial increases in flood heights.

<sup>8</sup> Base Flood Elevation (BFE) is the computed elevation to which the flood is anticipated to rise during the base flood (the flood having a one percent chance of being elevated or exceeded in any given year).

<sup>9</sup> <http://www.twdb.texas.gov/flood/insurance/participation.asp>

<sup>10</sup> Fema.gov defines the BFE as “the computed elevation to which floodwater is anticipated to rise during the base flood” or the flood having a one percent chance of being equaled or exceeded in any given year, i.e., the 100-year floodplain.

residential development must meet the same standards, or any level below the base flood elevation must be properly floodproofed (watertight, resistant to the effects of buoyancy, etc.). The requirements for manufactured homes vary based on the category of the flood zone (A or AE): manufactured homes must either be substantially anchored to prevent collapse or flotation (Zone A), or they must be at least one foot above the base flood elevation in the higher risk (Zone AE). Similar requirements are in place for recreational vehicles. The ordinance also does not prohibit the development of manufactured home parks or subdivisions in the floodplain, but it does establish similar construction guidelines and permitting processes. The ordinance explicitly prohibits all forms of development in a designated floodway, unless it can be proven that it will not increase flood levels.

The ordinance also establishes permitting and variance procedures as well as penalties for non-compliance.

## Promote NFIP Participation

Created by the US Congress in 1968, the NFIP aims to reduce the impact of flooding on private and public structures by providing affordable, federal flood insurance to property owners, renters, and businesses. Residents gain access to this federal flood insurance when their local government volunteers to participate in the NFIP and implements required floodplain management regulations, such as a Flood Damage Prevention Ordinance (discussed in next section).

As of 10/31/2023, there are 34 active (in force) NFIP policies in Wallis.<sup>11</sup>

The City of Wallis should encourage residents to participate in the NFIP. Many residents may not be aware that flood insurance is available, may not see the need to insure their property, or may not be aware that insurance must be purchased at least 30 days before any claim to be covered. As noted in the NFIP manual:

“Flood insurance is a wise investment. Floods are the number-one natural disaster in the United States... Just a few inches of water can cause tens of thousands of dollars in damage. Flood damage is not covered by most standard homeowners or business insurance policies. Disaster assistance, if it is available, is typically a loan that must be repaid with interest”.<sup>12</sup>

Residents with buildings close to floodplain boundaries may also want to consider purchasing flood insurance. You are not required to live in the floodplain to purchase a flood policy. Areas outside of 100-year flood zones may flood for several reasons. For example, this may happen when the FIRM used to establish flood boundaries is older. Older maps and boundaries may not account for factors like recent urbanization and increases in impervious cover.

<sup>11</sup> <https://nfipservices.floodsmart.gov/reports-flood-insurance-data>

<sup>12</sup> Federal Emergency Management Agency. (2017). “National Flood Insurance Program Community Rating System Coordinator’s Manual FIA-15/2017”. <https://www.fema.gov/media-library/assets/documents/8768>



The most recent FIRM for the City of Wallis was completed in September 2010.

To promote and support NFIP participation, the City should conduct public outreach to educate residents about the need for flood insurance and information about the NFIP. Public outreach activities could include a workshop, targeted letters to owners of property within or near floodplain, or even a few sentences included in each water bill indicating where residents can obtain more information about the NFIP. Public outreach activities could also result in credit – and therefore reduced insurance premiums for residents – through the NFIP’s Community Rating System (further discussed below).

In addition, the City should:

- ❖ Post the FEMA Flood Insurance Rate Map (FIRM) in a visible location at City Hall.
- ❖ Maintain records of the number of flood insurance policies in the community and identify areas that require further coverage.
- ❖ Post information about flood damage and flood insurance on the City website.

### **Consider Participation in the Community Rating System (CRS)**

The City of Wallis should consider participation in the National Flood Insurance Program’s (NFIP) Community Rating System (CRS).

The purpose of CRS is to encourage and recognize community and state activities that exceed the minimum NFIP requirements. Based on credited activities, residents in participating communities can obtain discounts of up to 45% off flood insurance premiums.

There are 19 creditable activities organized under four categories: public information activities; mapping and regulations; flood damage reduction activities; and warning and response. For example, under mapping and regulation activities, the CRS defines several “higher regulatory standards” that a community may adopt to receive credit, such as a freeboard requirement. A freeboard requirement establishes that the lowest floor of a building (or a substantial improvement) is a certain number of feet above the base flood elevation (BFE) rather than “at or above” the base flood elevation. The City of Wallis’ current Flood Damage Prevention Ordinance already has a freeboard requirement, stating that the lowest floor of residential, including both stick-frame and manufactured homes, and non-residential structures must be at least one (1) foot above the BFE.

The CRS also states that the City can receive credit for adopting the International Building Code, particularly Appendix G or an ordinance that addresses similar topics. As of 2017, the City has adopted the 2015 edition of the International Building Code, but the City has not adopted Appendix G. The City could consider adopting Appendix G to strengthen building regulations regarding flood protection.

The City could also gain credit through public information programs. The City could receive credit for yearly outreach projects such as annual messages to floodplain residents or businesses or other at-risk individuals regarding topics like flood insurance, flood preparedness, and home protection. Extra points can be awarded if the message is sent by a credible source like insurance companies or civic organizations. The City could also receive credit for flood response preparations, including a pre-flood plan for public outreach during and after a flood.

The City should work with its Floodplain Administrator to increase familiarity with opportunities to obtain CRS credit. Specifically, the City may want to consider the following creditable activities:

- Adopting one or more of the recommended higher regulatory standards or the International Building Code.
- Public information activities, such as outreach about the risks of floodplain development and/or resources that may mitigate damage or quicken recovery (such as better building practices and NFIP insurance policies).

The 2017 Community Rating System Coordinator’s Manual and 2021 Addendum details the activities and requirements for obtaining CRS credit. The manual is available online at <https://www.fema.gov/floodplain-management/community-rating-system>.

#### **4.4.2 Enhance Wallis’ Physical Appearance**

Survey respondents identified housing and yard conditions as one of Wallis’ top three key challenges. Wallis can support an enhanced physical appearance by pursuing the following strategies:

- ❖ Enforce nuisance standards
- ❖ Develop a code enforcement framework and strategy
- ❖ Consider voluntary measures to promote building and yard clean up
- ❖ Promote visually appealing development in commercial centers and along thoroughfares
- ❖ Activate vacant lots through temporary use

#### **Enforce Nuisance Standards**

The City of Wallis should continue to enforce its nuisance standards.

Many cities use nuisance standards or ordinances to address structure and yard conditions such as vacant/dangerous structures and junked vehicles. Generally, nuisance refers to the use of land/property in a way that injures the rights of others or that may negatively impact the health, morals, safety, welfare, comfort, or convenience of the public. For example, allowing weeds and trash to accumulate may negatively impact the health and safety of the public by resulting in an unsanitary environment which

may attract vermin and disease-carrying pests.

Ordinance No. 193 of the City of Wallis regulates junked vehicles, weeds, rubbish, and other undesirable conditions as a public nuisance. Section 2(a) defines a public nuisance as:

“any filth, carrion, rubbish, junk, trash, waste products, brush and refuse, accumulation of stagnant water or holes or places where water may accumulate or become stagnant, weeds which have grown to a height as described below, impure or unwholesome matter of any kind, or objectionable, unsightly or unsanitary matter of whatever nature”

The regulations in this ordinance establish the procedure and requirements for notice of violation, collection of costs and other methods of abatement, and penalty for violation. It also authorizes the City to abate the nuisance if not completed within seven days of the notice.

Many cities also declare dangerous or substandard buildings to be a nuisance and adopt substandard building ordinances to establish procedures for removing, repairing, rehabilitation, or demolishing such structures. *Chapter 3: Housing Study* provides additional suggestions for improving housing conditions in Wallis.

### **Develop a Code Enforcement Framework & Strategy**

The City of Wallis should also consider developing and maintaining a code enforcement framework and strategy.

Ordinance effectiveness depends on enforcement, but the time and expenses needed to ensure code compliance are often major challenges for small towns and cities. The report *Code Enforcement: Recommendations for Small Towns* developed by the State of Utah’s Rural Planning Group provides a valuable resource for cities facing this challenge. The report outlines the following general steps and provides strategies, samples, and checklists to assist community leaders with each step:

- Develop a clear and consistent plan that outlines long-term goals for the community.
- Update the current code/regulations to ensure consistency with the general plan, as needed
- Develop and adopt an enforcement framework and strategy, ensuring not to commit to more enforcement than is reasonable for finances or employee capacity.

The Rural Planning Group’s report can be found on their website <http://ruralplanning.org/>.

## Consider Voluntary Measures to Promote Building/Yard Cleanup

Adopting voluntary measures is another key method for addressing structure and yard conditions. Motivating property owners to voluntarily clean up their buildings and yards is usually the most politically popular and effective mechanism for eliminating junked yards and dilapidated buildings and improving property maintenance.

Wallis should support additional voluntary activities related to housing and yard conditions that have been successful in other similarly sized communities such as:

**Competitions for “yard of the month,” “best garden,” and/or “best maintained property”.** For example, each month from June through October members of a local landscape committee in Mesquite, Texas select up to five residents living in the city to receive a “Yard of the Month” award signed by the mayor. Award winners demonstrate property that has no visible code violations and is considered one of the most visually pleasing in the area. For more information, visit <https://www.cityofmesquite.com/385/Yard-of-the-Month>.

**Self-assessments.** It is easy for anyone to get used to how the things and places around them look. One effective way to help property owners refocus on their property is to ask them to conduct a self-assessment of their property’s appearance. Other small cities have used a “Self-Assessment Questionnaire” to initiate this process. The questionnaire was sent by a volunteer group working on image improvement to owners of properties on that city’s main thoroughfares. The volunteers included a letter explaining the project and requesting that owners evaluate their properties. The letter resulted in approximately 50% of property owners conducting repair and maintenance work.

**Mowing Clubs.** Mowing clubs can help support regular private yard maintenance. Often mowing clubs are designed to assist low-income seniors in the community who may be unable to maintain their properties. Clubs can be started as Eagle-Scout projects or by other neighborhood and community groups. The Aging in Place Initiative is one organization that has successfully implemented such a program. (See [www.aginginplaceinitiative.org](http://www.aginginplaceinitiative.org) and information in *Appendix 3C* in *Chapter 3: Housing Study*.)

In addition to promoting voluntary activities like the ones listed above, the City can help connect residents with support opportunities from governmental and non-profit organizations. For example, the Texas Department of Transportation and Keep Texas Beautiful sponsor a scholarship competition for high-school students involved in a trash-off organization. Information is available on their websites (<http://www.ktb.org/programs/litter-prevention/dont-mess-with-texas-trash-off.aspx> and <http://dontmesswithtexas.org/>).

## Promote Visually Appealing Development in Key Areas

Commercial centers and major thoroughfares can provide a community's visual introduction. Seemingly minor changes in the type and form of permitted development can have a notable on the impact on the appeal of that introduction.

A comparison of streets in Dallas (*Figure 4G, next page*) and Lubbock (*Figure 4H, next page*) provides an illustrative example. The Dallas and Lubbock street sections have several similarities: the buildings in both locations have masonry/hardwood/cement facades, plenty of windows, and neither street boasts amenities such as benches, decorative lighting, or underground telephone wires. Nevertheless, basic differences in layout and maintenance give the Dallas street a much more appealing aesthetic than the Lubbock street.

The following differences contribute to the differing appeal of each area:

	<u>Oak Lawn (Dallas)</u>	<u>34<sup>th</sup> St (Lubbock)</u>
<b>Traffic Lanes</b>	4	5
<b>Parking Lot Entrances</b>	Few, minimally sized	Frequent, wide
<b>Sidewalks</b>	Wide, well-maintained	Narrow, poorly maintained
<b>Awning/Walkway in Strip-mall</b>	Deep	Shallow
<b>Street &amp; Building Maintenance</b>	Well maintained	Poorly maintained
<b>Building Placement</b>	Generally consistent and close to the sidewalk/street	Irregular, set farther back from sidewalk/street



Figure 4G: Oak Lawn, Dallas

Auto-oriented, pedestrian accessible development<sup>13</sup>



Figure 4H: 34th St, Lubbock

Auto-oriented development with limited pedestrian features (narrow sidewalk on right, wide driveways, no trees in right-of-way)<sup>14</sup>

<sup>13</sup> Images downloaded from Google Streetview.

<sup>14</sup> Images downloaded from Google Streetview.

Commerce St (TX 36) serves as the primary commercial corridor for Wallis, and the proposed Central Business District (see *Chapter 10 – Central Business District*) encompasses approximately seven blocks of this area, from S 1<sup>st</sup> St to S 8<sup>th</sup> St (see *Figure 4I*). This strip consists of Wallis’ traditional downtown, as represented by a series of buildings from the early-to-mid 20<sup>th</sup> century running from S 1<sup>st</sup> St to S 3<sup>rd</sup> St, as well as more modern development to the east of S 3<sup>rd</sup> St. This area almost exclusively includes commercial buildings, some of which appear to be vacant as of December 2023, according to fieldwork conducted by GrantWorks Inc. staff. There are also several semi-developed lots that could be developed into compatible uses, such as additional commercial buildings or public parks. Additional commercial development extends northwest along TX 36.

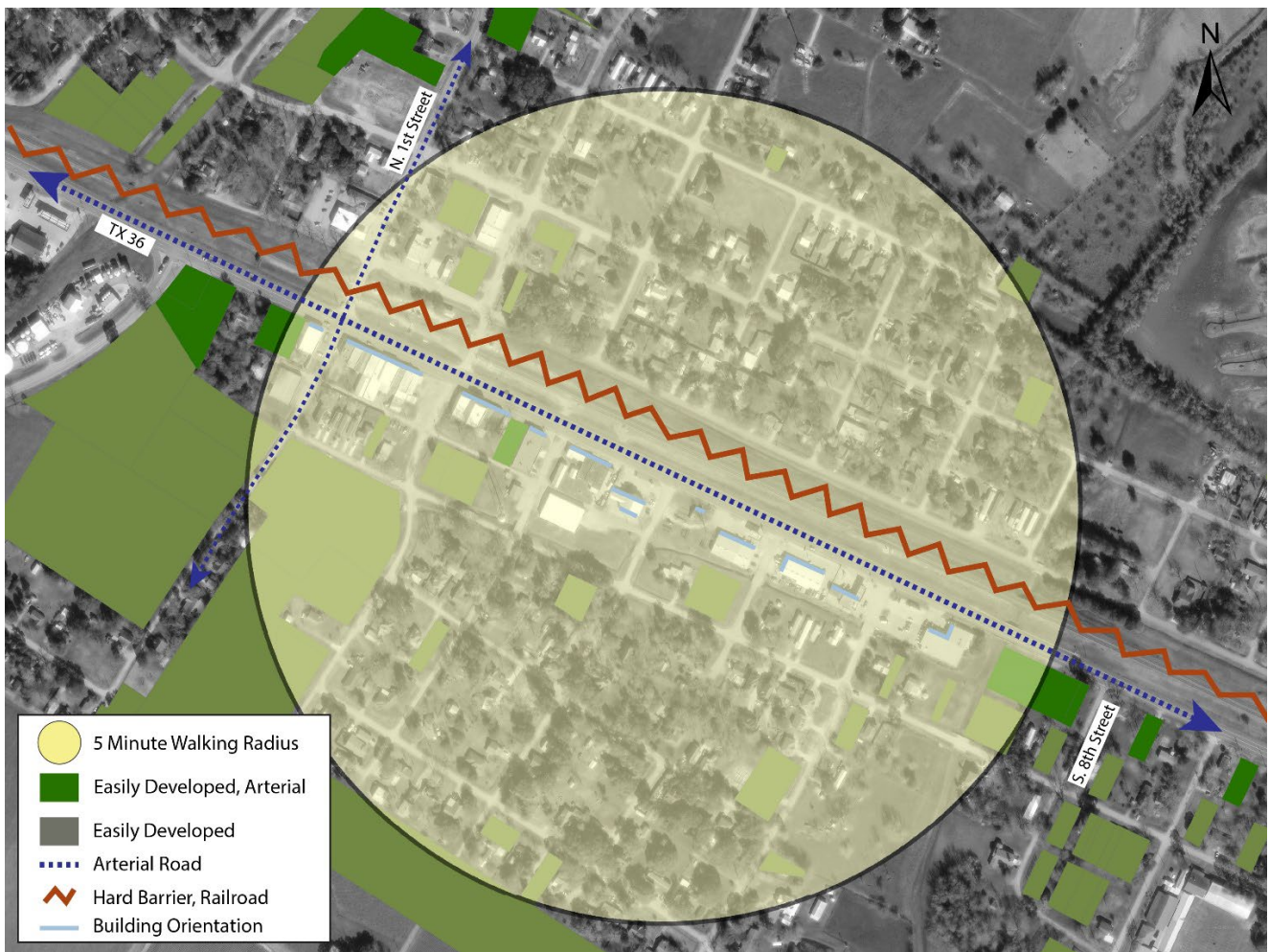


Figure 4I: Central Wallis

The traditional downtown includes several features that work together to identify and ‘define’ the area including generally uniform building setback, orientation, and massing along TX 36. Most buildings in the area are well maintained and aesthetically appealing with preserved brick or new paint, attractive signage, and inviting storefronts with large windows. Recently, the renovation of two buildings (Marini’s Empanada Kitchen and Brandt 1910 Event Venue, see *Figure 4I*) have brought back life to the downtown.

Sidewalks, crosswalks, street furniture, and awnings encourage exploration by supporting a pedestrian friendly environment. Vacant buildings and lots detract somewhat from the area’s visual appeal, but window displays, and creative use of vacant space offer charming solutions.



Figure 4J: Historic Downtown Wallis

Outside of the traditional downtown, however, the impression of a defined and explorable commercial area diminishes. Building setbacks, orientation, and massing notably vary and limited sidewalks and large parking lots with wide entrances create a dangerous environment for pedestrians, discouraging non-automotive visits to and around the area. Commercial development along TX 36 is particularly inaccessible without a car to most residents in the city.

In the short term, for example, the City might consider supporting beautification projects. This could include painting murals on the prominent sides of warehouse buildings and encouraging temporary uses on semi-developed or underdeveloped land in the area (such as community gardens and public art).

Wallis should consider adopting a zoning ordinance to establish what the City requires and encourages of development in these key areas. In addition to specifying permitted uses, zoning ordinances often include standards that, over time, contribute to the creation of visually appealing areas that may encourage not only resident pride in the community but also new business growth.

Adopting standards such as building orientation requirements and minimum/maximum setbacks, as well as parking and sidewalk requirements would ensure that future development follows positive trends already found in the historic downtown. Standards such as screening and landscaping requirements could also, over time, provide visual consistency and improve visual appeal in this area and along major thoroughfares like N. 1<sup>st</sup> Street/FM 1093.



The Houston-Galveston Area Council (H-GAC) developed a downtown revitalization guide for local governments called "Bringing Back Main Street". The guide offers best practices, resources, and funding opportunities for a variety of revitalization projects. This guide is further summarized in *Chapter 10 – Central Business District*. The City should review this guide to identify potential future projects, partners, and opportunities for collaboration.

**Activate Vacant Lots Through Temporary Use**

Wallis’ appearance can also be enhanced by activating some of the 405 acres of semi-developed, undeveloped, or agricultural land within the city limits, particularly vacant lots in existing residential and commercial areas.

Vacant lots can have ‘spillover’ effects that negatively impact neighboring properties. Research has found that vacant and abandoned properties can be linked to reduced property values, increased crime, and increased risk to public health and welfare. In commercial areas, vacant lots can also reduce the feeling of business activity. Until such time as more-permanent development occurs, the City of Wallis should consider activating vacant lots in the community through temporary uses.

The Office of Policy Development and Research for the United States Department of Housing and Urban Development (HUD) notes in its Winter 2014 issue of Evidence Matters that:

“Temporary use, when successful, can rapidly and efficiently bring underutilized land into productive use, thereby reducing or removing many undesirable externalities. As low-cost and low-risk strategies, temporary projects can also respond quickly to changing conditions and demands — a particular advantage in many cities, where political and economic conditions are uncertain, and cause a reluctance to enter potential long-term commitments, responsibilities, and liabilities... For city administrators facing tight budgets, temporary use projects can be a cost-effective strategy for dealing with vacant land that yields rapid results.”

Vacant lots can be activated by introducing general activity spaces, as well as through more specific community events. The below lists provide just a few examples of temporary uses:

Activity Spaces	Events
<ul style="list-style-type: none"> <li>• Public park</li> <li>• Free library, outdoor reading space</li> <li>• Public art</li> <li>• Community garden/children’s learning or school garden</li> </ul>	<ul style="list-style-type: none"> <li>• Farmer’s market / bake sale</li> <li>• Community chess, board, or card game tournaments</li> <li>• Outdoor concert or dance</li> <li>• Local vendor and artisan stalls</li> </ul>

Communities throughout the United States have been turning to temporary use to address some of the negative community impacts created by vacant lots in developed areas. As a result, there are numerous resources available to help both residents and local governments pursue these options. In addition, state

and federal departments provide resources for several activities that could be used to activate vacant land. For example, the Texas Department of Agriculture (TDA) provides resources supporting initiatives like garden-based learning<sup>15</sup> and setting up and maintaining a local farmer's market.<sup>16</sup> Similarly, the National Parks and Recreation Association (NPRA) offers a general guide for creating mini-parks.<sup>17</sup>



Figure 4K: Little Free Library<sup>18</sup>



Figure 4L: Community Garden<sup>19</sup>

Several nonprofits also provide useful guides and resources. For example, Keep Texas Beautiful offers grants and funding for a number of projects that could be used to activate vacant spaces, such as butterfly gardening<sup>20</sup>, and the American Community Gardening Association provides informational and resource support for community gardening initiatives.<sup>21</sup> In addition, Wallis can draw from the experiences of a number of local governments and communities throughout the United States that have already undertaken initiatives to activate vacant land in their cities. For example, the City of St. Louis, Missouri provides residents with several resources for “fostering the creative reuse of the City owned land” on its website.<sup>22</sup> The City of Milwaukee, Wisconsin has similarly put together a “Vacant Land Handbook” to support resident projects on publicly owned land.<sup>23</sup>

<sup>15</sup> For more information about garden-based learning visit

<http://www.squaremeals.org/FandNRResources/TexasFarmFresh/GardenBasedLearning.aspx>

<sup>16</sup> The TDA report on starting a farmer's market is also available at Reports are also available online at

[http://www.gotexan.org/Portals/1/PDF/FarmersMarketGuide-online\\_version\\_lo-res.pdf/](http://www.gotexan.org/Portals/1/PDF/FarmersMarketGuide-online_version_lo-res.pdf/)

<sup>16</sup> The NPRA report on mini-parks is also available online at

[https://www.nprpa.org/uploadedFiles/nrpaorg/Grants\\_and\\_Partners/Recreation\\_and\\_Health/Resources/Issue\\_Briefs/Pocket-Parks.pdf](https://www.nprpa.org/uploadedFiles/nrpaorg/Grants_and_Partners/Recreation_and_Health/Resources/Issue_Briefs/Pocket-Parks.pdf).

<sup>17</sup> Ibid.

<sup>18</sup> Source: <https://littlefreelibrary.org/pressresources/>

<sup>19</sup> Source: <http://inhabitat.com/top-10-cities-in-the-us-for-urban-farming/portland-community-garden/>

<sup>20</sup> More information about butterfly gardening is available at <https://www.ktb.org/butterfly-gardening>

<sup>21</sup> More information about the American Community Garden Association is available at <https://www.communitygarden.org/>

<sup>22</sup> More information available at

<https://www.stlouis-mo.gov/government/departments/planning/sustainability/toolkit/develop-creative-use-for-vacant-land.cfm>

<sup>23</sup> Handbook available at <http://city.milwaukee.gov/ImageLibrary/Groups/cityDCD/planning/pdfs/VacantLotHandbook.pdf>

### 4.4.3 Highlight & Protect Historical Assets

A city's history can inspire a sense of community pride among residents and, if shared, may draw visitors and businesses. Wallis can highlight and protect historical assets by pursuing the following strategies:

- ❖ Identify structures potentially eligible for state and/or national landmarks
- ❖ Preserve historical development character
- ❖ Identify buildings of local historical importance
- ❖ Develop a Historic Preservation Ordinance

There are four state historical markers (three churches and Wallis State Bank) located within the city commemorating the formation and early history of the City of Wallis.

Wallis should consider working with property owners to identify other structures that are potentially eligible for state and/or national landmark status. Communities often fail to recognize which of their characteristics non-members find important or attractive; therefore, it can be challenging but useful to receive the kind of recognition represented by historic listings such as the National Register of Historic Places<sup>24</sup> and the Texas Historic Landmarks Program.<sup>25</sup> Additional information can be found at: [www.nps.gov/subjects/nationalregister/index.htm](http://www.nps.gov/subjects/nationalregister/index.htm) and <http://www.thc.state.tx.us/preserve/projects-and-programs/state-historical-markers>.

Wallis' historical development character is another important asset. Preservation of amenities commonly found in historic districts and lost in new construction adds value to properties. Streets that accommodate pedestrian and bicycle as well as automobile traffic (and typically include features such as uniform setbacks, trees, benches, etc.) – create the following advantages:<sup>26</sup>

- Retail sales increase through accommodating non-auto users and creating an appealing space for pedestrians and shoppers
- More residents shop locally due to reduced travel time and added convenience
- New development and businesses are attracted to the area
- Residential property values increase because, in general, homeowners will pay a premium to reside in walkable communities
- Office and retail property values increase<sup>27</sup>

From a land use perspective, Wallis should strongly consider regulations and public investments that:

---

<sup>24</sup> The National Register of Historic Places is a nation-wide program aimed at protecting America's historic and archaeological resources.

<sup>25</sup> Awarded by the Texas Historical Commission, Texas Historical Landmarks recognize historically and architecturally significant properties in the State of Texas.

<sup>26</sup> See [www.completestreets.org/complete-streets-fundamentals/factsheets/economic-revitalization/](http://www.completestreets.org/complete-streets-fundamentals/factsheets/economic-revitalization/) for examples and studies

<sup>27</sup> Pivo, G. & Fisher, J.D. (2010). The Walkability Premium in Commercial Real Estate Investments. Retrieved from <http://merage.uci.edu/ResearchAndCenters/CRE/Resources/Documents/01%20-%20Fisher-Pivo%20Walkability%20Paper.pdf>

- Preserve existing historical structures and lot layouts
- Encourage new construction that matches or enhances existing historical structures and lot layouts
- Provide additional practical and/or aesthetic benefits that will draw people to the city

Wallis should also consider bringing community members together to identify the historic buildings or areas they wish to protect through a historic preservation ordinance. Texas Local Government Code (Sec. 211.003) provides that “In the case of designated places and areas of historical, cultural, or architectural importance and significance, the governing body of a municipality may regulate the construction, reconstruction, alteration, or razing of buildings and other structures.” No limits are placed on the type of city with regards to that type of regulation (i.e., general law or home rule).

The Texas Historical Commission has produced a model ordinance and that ordinance, as well as the version of that ordinance adopted by Fredericksburg. Mount Vernon, a General Law Type A City in northeast Texas has also been widely recognized for the success of its historic preservation efforts.<sup>28</sup> Grapevine, TX has a useful FAQ related to its historic preservation ordinance listed on its website.<sup>29</sup>

#### 4.4.4 Guide Future Development

Based on future housing recommendations (*Chapter 3*) and existing lot sizes, there is enough land within the current Wallis city limits and outside of the floodplain to accommodate the anticipated 17.4% population increase over the planning period, as well as potential space for desired non-residential development, such as additional commercial establishments. There are approximately 265 acres of land in the city limits that is semi-developed or used for agriculture/open space and located outside of the floodplain.

However, Wallis’ ability to accommodate population growth efficiently and affordably during the current planning period, and beyond, will depend in part on the location of new development. Wallis can support these goals by pursuing the following strategies for guiding future growth:

- ❖ Prioritize infill development
- ❖ Permit alternative development types
- ❖ Ensure orderly and timely expansion through targeted annexation

### Prioritize Infill Development

Population growth is often accommodated through “greenfield development”, or development of land not previously used, usually in the form of large lots outside of existing developed areas. Greenfield development offers a blank slate but can create significant, and costly, challenges for cities and towns.

<sup>28</sup> Mount Vernon’s historic preservation ordinance is available at [www.comvtx.com/](http://www.comvtx.com/)

<sup>29</sup> [www.grapevintexas.gov/IndividualDepartments/HistoricPreservation/HistoricPreservationFrequentlyAskedQuestions.aspx](http://www.grapevintexas.gov/IndividualDepartments/HistoricPreservation/HistoricPreservationFrequentlyAskedQuestions.aspx)

This type of development often requires lengthy extensions of municipal water/wastewater systems, as well as street and drainage systems.

In contrast, “infill” refers to the process of developing vacant lots (or portions of a lot) in areas with existing development, like neighborhoods and commercial areas. Lots in areas with existing development often already have road network access and are already served by water, wastewater, and drainage systems (or, if not, are more likely to require minimal expansions).

By avoiding the need for significant infrastructure extensions, municipalities can also avoid the debts often required to finance such improvements. While municipal debt may still be required, infill development can allow the municipality to focus on existing systems maintenance and improvements that will serve a larger population.

There are approximately 265 acres within the city limits that are easily developed. Approximately 49% of this easily developed land (130 acres) has frontage on a major arterial (TX 36, FM 1093 / N. 1<sup>st</sup>. Street) (see *Figure 4D, page 4-11*).

To facilitate infill development, Wallis should:

- ❖ Limit extension of City utility services beyond the city limits
- ❖ Adopt a future land use map that illustrates preferences for where infill development will occur and what type of infill development is prioritized by the community
- ❖ Adopt a zoning ordinance and map to support future land use goals

## Permit Alternative Development Types

When considering greenfield development or large-scale redevelopment projects, the City of Wallis should permit alternative development types such as Planned Unit Developments and Cluster Developments.

*Planned Unit Development (PUD):* A PUD is a designed grouping of varied and compatible land uses, such as housing, recreation, commercial centers, and industrial parks, within one development or subdivision. It is used as part of conventional zoning or form-based code to allow for flexibility in land use planning. It can be an overlay district or a zoning category. Depending on the type of PUD, a project might go through the subdivision and zoning processes at the same time.

PUDs are usually implemented to carry out master planning of a tract of land, and are intended to:

- Foster city or public/private partnered special projects
- Allow for the development of mixed use, transit-oriented, or traditional neighborhoods with a variety of uses and housing types

- Carry out specific goals of a comprehensive plan
- Preserve natural features, open space, and other topographical features of the land

Standards within a PUD are usually negotiated between city authorities and staff and the developer on a case-by-case basis, and they require approval under adopted zoning and/or subdivision codes, including plan review and public hearings.

*Cluster Development.* Cluster developments, also known as conservation subdivisions, are residential subdivisions that have been designed to maximize contiguous open space to:

- Provide habitat for wildlife
- Provide shared open space for recreation
- Enhance community spirit
- Reduce infrastructure maintenance costs (fewer miles of pavement and utility lines)
- Reduce flooding and road deterioration (less water enters the drainage system)
- Preserve a city's rural character (by preserving open space)

*Figures 4M and 4N (next page)* illustrate how a piece of land subdivided as a cluster development allows for the same number of houses as a traditional development. While each individual lot is smaller in the cluster development, the remaining land becomes common open space that can be used for recreation, utilities such as storm water detention ponds, and for public gardens or agriculture.

The City of Pearland has adopted a provision for cluster developments and could be contacted for guidance on adopting an appropriate ordinance amendment and encouraging their construction. See City of Pearland website at [www.cityofpearland.com](http://www.cityofpearland.com).

Several non-profit groups are working with cities, developers, and individuals throughout the country to promote energetic, livable cities through design and would be a good source for technical information on various design features, community education, and funding as it relates to both alternative subdivision design (PUDs and cluster developments) and thoroughfare design elements. These include the USDA Office of Sustainable Development ([www.usda.gov](http://www.usda.gov)), the Congress for New Urbanism (<http://www.cnu.org/>), the Urban Land Institute ([www.uli.org](http://www.uli.org)), and Smart Growth Online (<http://www.smartgrowth.org/>).



130-acre site with 55, 2-acre home sites

Figure 4M: Standard Subdivision<sup>30</sup>



Same 130-acre site with 55, ¾ acre home sites; 81 acres preserved as common open space.

Figure 4N: Cluster Subdivision

<sup>30</sup> Images retrieved from [www.landchoices.org](http://www.landchoices.org). Extensive information available on that site and from the University of Minnesota Extension office [www.extension.umn.edu/](http://www.extension.umn.edu/)

## Ensure Orderly & Timely Expansion through Targeted Annexation

Targeted or directed annexation is another way to shape and manage growth. The purpose of annexing land is to bring urbanizing areas into a system where development can be regulated to ensure public health, safety, and welfare.

Only parcels in certain locations and under certain conditions can be annexed. A city may only annex land that is contiguous with its city limits. The land must also be located within that city's extraterritorial jurisdiction. Cities are further limited in terms of how annexation may occur. The Texas Local Government Code establishes two general forms of annexation for municipalities: voluntary and unilateral (or involuntary).

In the 2017 and 2019 legislative sessions, a series of laws were passed that greatly limit cities' ability to unilaterally annex neighboring communities. Under the new laws, almost all annexation must be done by consent, with only a few narrow exceptions. *Appendix 4B* further describes the main elements of several of these key bills. In addition, in July 2019 the Texas Municipal League updated its existing, detailed explanation<sup>31</sup> of annexation procedures and requirements in Texas.

Annexation can be financially beneficial for cities when it brings the developed land on to the city's tax rolls. At the same time, annexation can introduce an additional financial burden because a city that annexes land must provide full municipal services, including water and sewer, within a designated period. Thus, at minimum, cities considering annexation should conduct a financial analysis to determine whether the provision and maintenance of water, sewer, street, drainage, and police and fire services would be adequately paid for by fees and taxes on those served over the long-term (i.e., including replacement of lines and pavement at 30-year intervals).

Due to the large amount of easily developed land already within the city limits (approximately 265 acres, see *Table 4A, page 4-10*), **annexation is not generally recommended for Wallis**. Nonetheless, if the City does wish to consider annexation in the future, there are two potential options (see *Figure 4P*):

1. Additional land along TX 36 to the east and west.
2. Land along the proposed Allens Creek Reservoir.

Land along TX 36 would be commercially and residentially viable. Currently, several housing developments are in negotiations for development near Brazos High School to the east of the City and housing and commercial development to the west near the Green Mountain Solar Park.

Land to the north could allow Wallis to absorb any residential development pressure that may arise from the Allens Creek Reservoir. The proposed reservoir is planned to be off-channel: the plan is to build the reservoir near the Brazos River on Allens Creek (see *Figure 4O*). Water will be pumped into to

<sup>31</sup> <https://www.tml.org/DocumentCenter/View/1233/Annexation-Paper-TML-July-2019PDF>



the reservoir from the Brazos River during periods of high streamflow. Due to population growth, the reservoir will be used to meet the anticipated growth in demand for surface water in the Lower Brazos basin. The Brazos River Authority is the sole developer and expects to break ground by 2030. The reservoir's main purpose is to provide a reliable water supply and thus water levels will fluctuate significantly. However, it is expected that fishing, boating, and swimming will be made available to the general public.

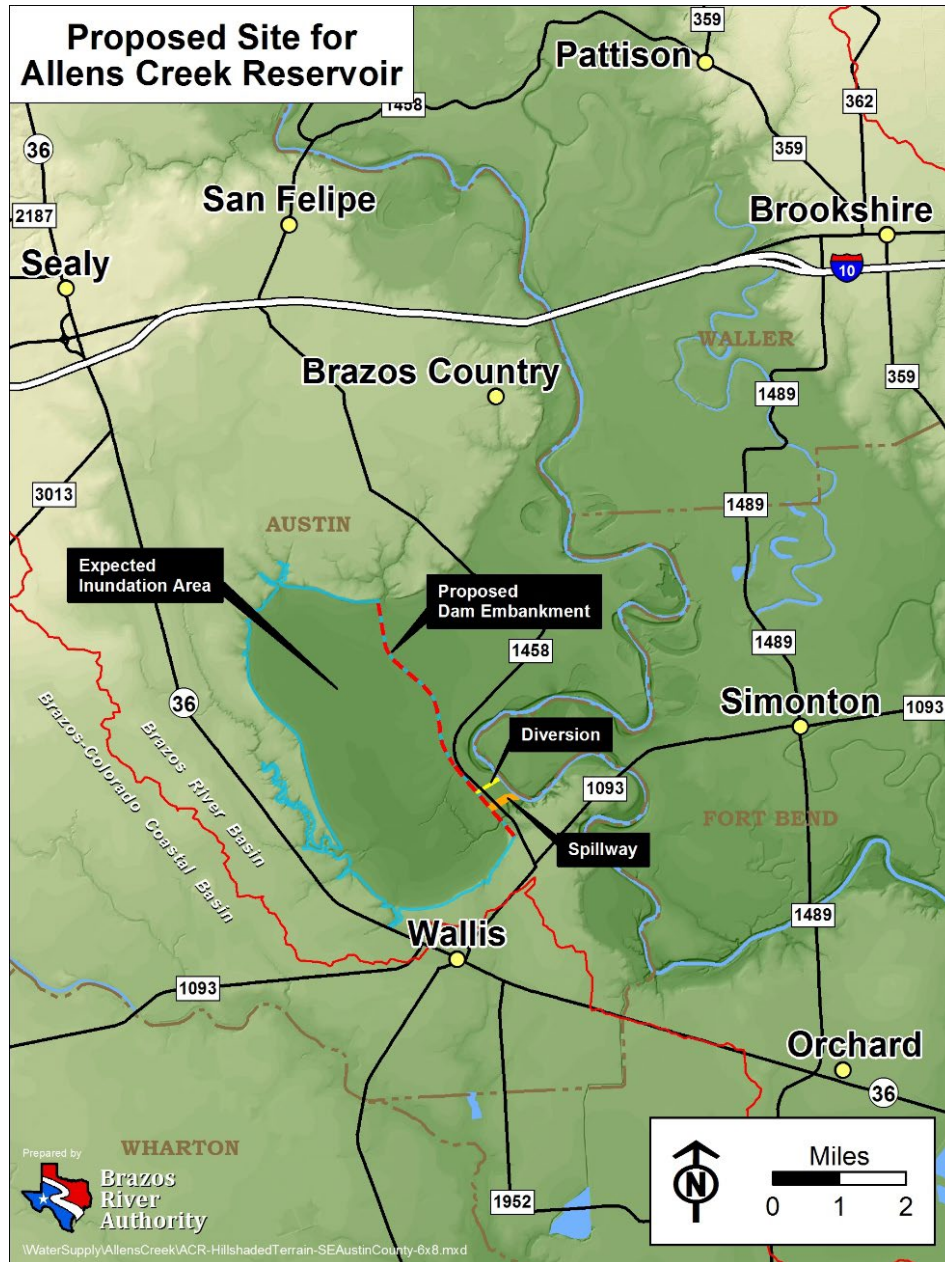


Figure 40: Allens Creek Reservoir<sup>32</sup>

<sup>32</sup> <https://brazos.org/AllensCreek>



Figure 4P: Priority Annexation Areas

Determining the relative costs and benefits of annexation is often complex and may involve factors that are not easily measurable in financial terms. As a result, many larger cities in Texas have developed policies or criteria to help guide decisions. For example, the City of Tyler, Texas uses the following prioritized criteria to guide annexation decisions:

- Amount of existing development and potential tax benefits
- Potential for imminent new development
- Potential connection to unique transportation locations like interstate highway interchanges and the airport
- Adverse consequences of not annexing the area
- Cost of extending infrastructure
- Potential for significant shaping of the development character

### *Coordinate Land Use Planning with Surrounding Municipalities*

Due to its proximity (see *Section 4.3.2 – Proximate Jurisdictions*), land use in the city of Sealy could have a significant impact on land use and development opportunities in Wallis. For example, manufacturing or light industrial uses in Sealy’s southern ETJ could reduce interest in other types of development, such as residential development, in Wallis’ northern ETJ. In contrast, by taking a more regional perspective and working together the cities of Wallis and Sealy may be able to develop larger-scale amenities that will draw visitors to both cities, such as hiking and biking trails.

Additionally, because of Wallis’ proximity to Houston, it is possible that land use decisions in Houston or its surrounding community may have a significant impact on development in Wallis. For example, population and job growth in surrounding counties may place development pressure on Wallis. From 2000 to 2010 and 2010 to 2020, Fort Bend County and Waller County were two of the fastest growing counties in Texas, and while not part of the 25 fastest growing counties, Harris County grew by 15.2% from 2010 to 2019, or 1.6% annually. Based on 2018 projections from the Houston-Galveston Area Council, these populations are expected to continue growing rapidly. For all eight (8) counties included in the projection (Austin County was not included), population growth is projected to continue at an average of 136,000 annually, and an average of 43,000 jobs are projected to be added to the regional economy each year from 2015 to 2045. Fort Bend County is projected to grow by approximately 21,600 residents annually with a projected job growth of 4,250 jobs annually, on average. Waller County is projected to see population growth of 2,600 residents (the largest relative growth among the counties) and job growth of 500 jobs annually, on average. The strong population and job growth may have significant impacts on land use decisions, particularly regarding residential; commercial; and industrial land, in these counties as well as neighboring communities.

The City of Wallis should remain well-informed about land use planning and decisions at the regional, county, and local levels for all surrounding communities. Ideally, the City of Wallis should collaborate with these communities to ensure that localized changes can benefit the entire region.

The Houston-Galveston Area Council (H-GAC) manages planning from a regional perspective for Austin County and the surrounding communities. H-GAC activities range from long-term transportation planning to municipal economic development programs, but some recent large-scale and long-term forecasting and planning activities have not included Austin County. This omission may limit knowledge of the dynamics at play Austin County, but Wallis may still be impacted by the dynamics at play in surrounding communities. As such, the City of Wallis can anticipate and prepare for regional changes by reviewing studies produced by H-GAC and by working closely with nearby municipalities, counties, and regional entities to develop cohesive and cooperative land use policies.

## 4.5 Future Land Use

Unlike an existing land use map, which identifies distinct land uses for each parcel, a future land use map depicts the desired general character of areas in the community. The future land use map illustrates community goals and those illustrated changes often extend beyond the current planning period to visually establish preferred growth boundaries.

Wallis is expected to experience some changes in land use over the next 10 years based on a forecasted population increase from 1,390 to 1,615 residents (+17.4%).

Soil conditions and drainage challenges may limit some new construction, but the feasibility of additional development will depend primarily on continuing improvements to Wallis' water and sewer systems to ensure that both remain below capacity.

Wallis' future land use map illustrates: (a) a preference to limit development in and around the floodplain to support improved street and housing conditions; (b) a preference for additional and diverse housing development to serve varying resident needs; and (c) a desire to further a vibrant, local activity center in the traditional downtown (see *Figure 4Q next page* and *Map 4B*).

It is important to note that **a future land use map is a visual statement of where and how a community wants to grow, not a prediction of future growth.** However, adopting a future land use map can encourage additional growth because it communicates a city's long-range development goals not only to residents and future local government, but also to potential developers with an interest in creating thriving projects.



Figure 4Q: Future Land Use Map

## 4.6 Implementation Plan

The Implementation Plan organizes the action items recommended to address each issue identified in the above sections into a timeline for completion. The actions are prioritized and organized by date.

Table 4B: Implementation Plan: 2024-2034

Goals & Objectives	Activity Year(s)			Lead Organization	Cost Estimate	Funding Sources
	2024-2027	2028-2030	2031-2034			
<b>Goal 4.1 Support flood damage prevention</b>						
Enforce flood damage prevention standards	x	x	x	City	Variable	GEN
Pursue grants to remove or elevate structures in floodplain	x	x	x	City	Up to 25% match	GEN; FEMA
Adopt a <i>Future Land Use Map</i> that illustrates community floodplain protection goals	x			City	N/A	N/A
Post <i>FEMA FIRM</i> and <i>Future Land Use Map</i> in a visible location at City Hall and on City website; update as needed.	x			City	N/A	N/A
Conduct one or more activities to support NFIP Participation.		x	x	City	Variable	GEN
Adopt a <i>Zoning Ordinance</i> that supports floodplain protection goals			x	City	<\$2,000 (Legal)	GEN
Review <i>Subdivision Ordinance</i> to ensure standards that limit floodplain development			x	City	<\$2,000 (Legal)	GEN
Consider participation in NFIP's Community Rating System			x	City	Staff	GEN

Goals & Objectives	Activity Year(s)			Lead Organization	Cost Estimate	Funding Sources
	2024-2027	2028-2030	2031-2034			
<b>Goal 4.2 Enhance Wallis' physical appearance and recognize community beautification efforts</b>						
Enforce nuisance ordinances	x	x	x	City	Variable	GEN
Host annual trash collection day(s); keep records of tons of trash collected	x	x	x	City	Variable	GEN, Local
Encourage local organizations and groups to form mowing clubs to help low-income seniors maintain their yards	x	x	x	City	Staff	GEN, ISD
Develop a code enforcement framework and strategy	x			City	Staff / Variable	GEN
Start a community beautification recognition program; record wining properties with pictures; post at City Hall and on City website		x		City	<\$1,000	GEN
Remove at least one dilapidated, non-residential structure per year		x	x	City	\$1,000 (legal) + cost per structure (variable; US avg. = \$18,000/structure)	GEN, EDC
Reconstruct or replace at least one substandard house per year		x	x	City	See Chapter 3: Housing Study	
Adopt a <i>Zoning Ordinance</i> that supports high quality development in Wallis			x	City	<\$2,000 (Legal)	GEN
Develop reference library at City Hall (and/or website) to support residents interested in temporary uses			x	City	Staff	GEN



Goals & Objectives	Activity Year(s)			Lead Organization	Cost Estimate	Funding Sources
	2024-2027	2028-2030	2031-2034			
<b>Goal 4.3</b> <i>Prioritize infill development while seeking opportunities to continue to develop rural housing in the proximate ETJ</i>						
Limit extension of City utility services beyond city limits until infill development is maximized	x	x	x	City	N/A	N/A
Keep the Future Land Use map and information on desired development types on display at City Hall and on City website	x	x	x	City	N/A	N/A
Adopt a <i>Future Land Use Map</i> that illustrates a preference for diverse housing options	x			City	N/A	N/A
<b>Goal 4.4</b> <i>Attract economically stable development that complements existing development</i>						
Limit extension of City utility services beyond city limits until infill development is maximized	x	x	x	City	N/A	N/A
Conduct a cost/benefit analysis of new developments	x	x	x	City	Variable	GEN
Establish a schedule for regular review of Future Land Use Map, and Subdivision Ordinance	x			City	N/A	N/A
Adopt a <i>Future Land Use Map</i> that illustrates community preferences to guide future development	x			City	N/A	N/A
Adopt a <i>Zoning Ordinance</i> that supports future land use goals			x	City	<\$2,000 (Legal)	GEN
Develop annexation assessment protocol and criteria			x	City	Staff	GEN

Goals & Objectives	Activity Year(s)			Lead Organization	Cost Estimate	Funding Sources
	2024-2027	2028-2030	2031-2034			
Review <i>Subdivision Ordinance</i> to ensure standards support community goals			x	City	<\$2,000 (Legal)	GEN

Sources: **GEN** = Municipal funds; **EDC** = Wallis Economic Development Corporation; **FEMA** = Federal Environmental Management Agency hazard mitigation/disaster recovery grants; **ISD** = Wallis Independent School District; **Local** = donations of time/money/goods from private citizens, charitable organizations, and local businesses; **Staff** = Staff time

## 4.7 Appendix 4A: Land Use Methodology

GrantWorks Inc. conducted a land use survey in Wallis in December 2023. Land use data was collected by driving by every property in the city and extraterritorial jurisdiction (ETJ), using aerial imagery available from the Texas Natural Resources Information System ([www.tnris.org](http://www.tnris.org)), and consulting with City staff.

*Table 4A.1: Land Use Classifications* defines the land uses selected to describe property in Wallis.

Table 4A.1: Land Use Classifications

<b>Classification</b>	<b>Examples</b>
Agricultural / Undeveloped	Fields, farms, woodlands, open flood plain
Agricultural Processing	Cotton Gin; Grain/Seed Storage; Mills; Feed Lots; Slaughterhouses; Chick or Pig "Factories"; Livestock showing; Peanut Processing
Single-Family Residential	Single-family houses, mobile homes
Multifamily Residential	Duplexes, triplexes, apartments, condominiums
Mixed Use	Apartment over office or store, home occupation with store/office front
Commercial	Stores, daycares, RV parks, mini-storage businesses, offices, including medical offices, and commercial parking lots/facilities
Industrial	Factories, salvage yards, mines, large warehouses, industrial yards and refineries
Institutional	Educational and religious institutions, and hospitals, jails, prisons, and nursing homes, including associated parking lots and recreation/park areas for the institutional use only, Mason's Lodge, Lion's Club, and other related private group centers
Recreational	Developed recreational or open space (public or private), not associated with other uses
Public	Government offices and facilities, water and wastewater facilities, public utilities
ROW	Highway and street right-of-way, railroad right of way
Utility	Private utility, including cell phone towers, electrical stations, transformer stations, etc.
Semi-Developed	Vacant subdivided lots of less than 10 acres in areas with or very near water, sewer, and street infrastructure

Table 4A.2: Detailed Land Use Tabulation

City Land Use Classification	Acres	% DEV	% TOTAL	Acres/100
Cemetery	0	0.0%	0.0%	0.0
Commercial / Retail	28	5.2%	3.0%	2.0
Industrial	3	0.5%	0.3%	0.2
Institutional	20	3.7%	2.1%	1.4
Multifamily	3	0.5%	0.3%	0.2
Public	5	1.0%	0.6%	0.4
Recreational / Open Space	66	12.1%	6.9%	4.7
Right-of-Way	165	30.1%	17.3%	11.8
Single-Family	245	44.9%	25.8%	17.6
Utility	11	2.0%	1.1%	0.8
<b>Total for Developed Areas</b>	<b>546</b>	<b>100%</b>	<b>57.4%</b>	<b>39.3</b>
Semi-Developed	56	-	5.9%	4.0
Agriculture / Undeveloped	338	-	35.5%	24.3
Water	11	-	1.1%	0.8
<b>Citywide Total</b>	<b>1,279</b>		<b>100%</b>	<b>68.5</b>

ETJ Land Use Classification	Acres	% DEV	% TOTAL	Acres/100
Cemetery	15	2.7%	0.2%	7.5
Commercial / Retail	88	15.5%	0.9%	42.7
Industrial	0	0.0%	0.0%	0.0
Institutional	0	0.0%	0.0%	0.0
Multifamily	0	0.0%	0.0%	0.0
Public	0	0.0%	0.0%	0.0
Recreational / Open Space	0	0.0%	0.0%	0.0
Right-of-Way	204	36.1%	2.1%	99.3
Single-Family	185	32.8%	1.9%	90.5
Utility	73	12.9%	0.8%	35.5
<b>Total for Developed Areas</b>	<b>565</b>	<b>100%</b>	<b>5.9%</b>	<b>275.4</b>
Semi-Developed	17	-	0.2%	8.2
Agriculture / Undeveloped	9,021	-	93.9%	4,400.3
Water	0	-	0.0%	0.0
<b>ETJ Total</b>	<b>9,602</b>		<b>100%</b>	<b>4,684.0</b>

<b>Regional Land Use Classification</b>	<b>Acres</b>	<b>% DEV</b>	<b>% TOTAL</b>	<b>Acres/100</b>
Cemetery	15	1.4%	0.1%	1.0
Commercial / Retail	116	10.4%	1.1%	7.3
Industrial	3	0.2%	2.0%	0.2
Institutional	20	1.8%	0.2%	1.3
Multifamily	3	0.3%	0.03%	0.2
Public	5	0.5%	0.05%	0.3
Recreational / Open Space	66	5.9%	0.6%	4.1
Right-of-Way	368	33.1%	3.5%	23.1
Single-Family	431	38.8%	4.1%	27.0
Utility	83	7.5%	0.8%	5.2
<b><i>Total for Developed Areas</i></b>	<b><i>1,111</i></b>	<b><i>100%</i></b>	<b><i>10.5%</i></b>	<b><i>69.7</i></b>
Semi-Developed	73	-	0.7%	4.6
Agriculture / Undeveloped	9,359	-	88.7%	568.8
Water	11	-	0.1%	0.7
<b><i>Regional Total</i></b>	<b><i>10,554</i></b>	<b><i>-</i></b>	<b><i>100%</i></b>	<b><i>661.7</i></b>

Source: GrantWorks, Inc. Field Survey, 2023

Note: Values may be rounded to next whole number.

## 4.8 Appendix 4B: Summary of Recent Annexation Bills

### **HB 347**

1. Eliminates the distinction between Tier 1 and Tier 2 cities and counties created by S.B. 6.
2. Eliminates existing annexation authority that applied to Tier 1 cities and makes most annexations subject to the three consent annexation procedures that allow for annexation:
  - a. On request of each owner of the land,
  - b. Of an area with a population of less than 200 by petition of voters and, if required, owners in the area; and
  - c. Of an area with a population of at least 200 by election of voters and, if required, petition of landowners.
3. Authorizes certain narrowly defined types of annexation (e.g., city-owned airports, navigable streams, strategic partnership areas, industrial district areas, etc.) to continue using a service plan, notice, and hearing annexation procedure.

### **HB 4257**

Applies only to Subchapter C-4 (election-approved annexations).

1. The disapproval of the proposed annexation of an area does not affect any existing legal obligation of the city proposing the annexation to continue to provide governmental services in the area, including water or wastewater services, regardless of whether the municipality holds a certificate of convenience and necessity to serve the area; and
2. A city that makes a wholesale sale of water to a special district may not charge rates for the water that are higher than rates charged in other similarly situated areas solely because the district is wholly or partly located in an area that disapproved of a proposed annexation.

### **SB 1024**

Applies only to "consent exempt" annexations.

1. A city with a population of 350,000 or less shall provide access to services provided to an annexed area under a service plan that is identical or substantially similar to access to those services in the city.
2. A person residing in an annexed area subject to a service plan may apply for a writ of mandamus against a city that fails to provide access to services in accordance with (1).
3. In the action for the writ:

- a. The court may order the parties to participate in mediation,
  - b. The city has the burden of proving that it complied with (1),
  - c. The person may provide evidence that the costs for the person to access the services are disproportionate to the costs incurred by a municipal resident to access those services,
  - d. If the person prevails, the city shall disannex the property that is the subject of the suit within a reasonable period specified by the court or comply with (1); and (e) the 12 court shall award the person's attorney's fees and costs incurred in bringing the action for the writ; and
4. A city's governmental immunity to suit and from liability is waived and abolished to the extent of liability created under the bill.

### **SB 1303**

1. Every city must maintain a copy of the map of city's boundaries and extraterritorial jurisdiction in a location that is easily accessible to the public, including:
  - a. The city secretary's office and the city engineer's office if the city has an engineer; and
  - b. If the city maintains a website, on the city's website.
2. A city shall make a copy of the map under (1), above, available without charge.
3. Not later than January 1, 2021, a home rule city shall:
  - a. Create, or contract for the creation of, and make publicly available a digital map that must be made available without charge and in a format widely used by common geographic information system software,
  - b. If it maintains a website, make the digital map available on that website, and
  - c. If it does not have common geographic information system software, make the digital map available in any other widely used electronic format.
4. If a city plans to annex under the "consent exempt" provisions that remain in the Municipal Annexation Act after the passage of H.B. 347 (discussed below), a home rule city must:
  - a. Provide notice to any area that would be newly included in the city's ETJ by the expansion of the city's ETJ resulting from the proposed annexation; and
  - b. Include in the notice for each hearing a statement that the completed annexation of the area will expand the ETJ, a description of the area that would be newly

included in the ETJ, a statement of the purpose of ETJ designation as provided by state law, and a brief description of each municipal ordinance that would be applicable, as authorized by state law relating to subdivision ordinances, in the area that would be newly included in the ETJ; and

- c. Before the city may institute annexation proceedings, create, or contract for the creation of, and make publicly available, without charge and in a widely used electronic format, a digital map that identifies the area proposed for annexation and any area that would be newly included in the ETJ as a result of the proposed annexation. (Note: Many of the remaining provisions of the bill modified sections in Chapter 43 of the Local Government Code, relating to municipal annexation, which were eliminated by H.B. 347.)