

MORE FROM HOMEPAGE

Back to school while banned from campus:
UT Dallas protesters fight discipline

Dallas County reports first West Nile death
of 2024

H
d

ADVERTISEMENT

THIS IS MEMBER-EXCLUSIVE CONTENT ⓘ

OPINION

Dallas council will vote on an unvetted plan on land use

Plan Commission rushed ForwardDallas 2.0; this opens the door to future litigation.

By Mike Northrup
1:30 AM on Aug 7, 2024





City of Dallas chief planner Lawrence Agu III (right) listens to speaker along with Dallas City Plan Commission members Joanna Hampton (center) and Melissa Kingston during town hall meeting on the ForwardDallas land-use plan at the Samuel Grand Recreation Center on Wednesday, April 3, 2024, in Dallas. Public meetings were held in many council districts. Hundreds of concerned and confused residents showed up. Nobody knew then what the final draft would look like. Answers to questions were often contradictory, writes Mike Northrup. (Smiley N. Pool / Staff Photographer)



The city of Dallas' Comprehensive Plan, known as ForwardDallas 2.0, reminds me of a scene from Douglas Adams' *The Hitchhiker's Guide to the Galaxy*, where Arthur Dent awakens one morning to find a bulldozer preparing to level his home for a highway. He is told that he had notice of the highway project because the plans had been on display in a locked filing cabinet in the cellar of his municipality.

If you aren't up to speed, [ForwardDallas](#) is the comprehensive land use plan for the city that's about to be in front of the City Council. It is intended to affect all future development, and, like Arthur Dent, a lot of us ought to be worried about what's in store.

ADVERTISEMENT

In a shocking and reckless move, the [Dallas City Plan Commission on July 25](#) approved passage of the new vision for the city's growth without seeing a final document, complete with amendments they approved, and with no public notice of the contents of either the document or of the vote.

Or to quote [District 8 Commissioner Lorie Blair from that meeting](#): “As tempted as I am to agree with Commissioner [Deborah] Carpenter that we should read this one more time before we vote it out, I think the majority of us have deal fatigue, and I think it's time to send this along.”



Opinion

Get smart opinions on the topics North Texans care about.

SIGN UP

Or with:



GOOGLE



FACEBOOK

By signing up you agree to our [Terms of Service](#) and [Privacy Policy](#).

But what exactly did they just send along? This is not some minor, arcane plan that will collect dust on a shelf at City Hall. This is a blueprint for deciding future land use decisions, known as zoning. The plan impacts the future livability of Dallas, most directly our residential neighborhoods.

Now it falls to the Dallas City Council to decide what to do with this defective, unvetted plan that came into being as a result of dysfunction at City Hall among staff and leadership. The council is expected to review the plan later this fall.

ADVERTISEMENT

The road to the July 25 vote was messy. An obscure committee called the Comprehensive Land Use Plan Committee was tasked with producing the initial draft of the comprehensive plan. City records reflect that committee appointees often failed to show up for meetings, making it difficult to meet due to the lack of a quorum. When the first working draft was produced in September, it was a mere 39 pages. Many of those pages promised forthcoming text that was necessary to make sense of the document.

Since then, the city's release of incomplete "interim" drafts has become an example of how not to write a comprehensive plan. At times, the process appeared deliberately chaotic. Ultimately, four interim working drafts were released, each longer than the prior draft, but each still missing critical information. Various drafts were riddled with made-up terms like "gentle density" that sorely needed defining. There were internal contradictions as well as contradictions with other policy documents the City Council had previously enacted.

Public meetings were held in many council districts. Hundreds of concerned and confused residents showed up. Nobody knew then what the final draft would look like. Answers to questions were often contradictory. At one meeting I attended, a senior staff member announced that the staff was not going to draft anything else because the then-current draft was in the plan commission's hands. Less than a minute later, the same staff member stated that she was drafting language to add to the document.

I had one-on-one conversations with a number of plan commissioners, and I asked them how they would undertake the process of drafting and amending the plan. I couldn't get clear answers. That process is incredibly important. Getting the agreement of all 15 CPC members to both the language and the substance of this major revision of the 2006 comprehensive plan was always a big ask. But there was never a transparent

and consistent process to accomplish that tough goal.

ADVERTISEMENT

To their credit, a small group of commissioners rolled up their sleeves and went to work, attending public meetings, poring over each draft, and offering thoughtful changes. Other commissioners took a more passive approach and made statements that tried to minimize the significance of the plan, saying the plan commission doesn't always follow it anyway. And still others made comments demonstrating what I took as an indication that they themselves had not read the draft. These comments highlighted the fact that the draft lacked the clarity and crispness needed to make it useful for guiding future zoning.

When July 25 rolled around, commissioners were exhausted and beyond ready to wash their hands of the document. Though numerous material changes had been made prior to July 25, the June "interim" working draft was still the only document available for public review. Prior to July 25, commissioners were advised that the July 25 meeting was a working session with the possibility of adding another working session, and that a vote would be taken on the final draft at a special called meeting on Aug. 2. The city secretary posted the notice of the special meeting. Many CPC commissioners advised residents to look for the final vote to take place Aug. 2.

During the July 25 working session, the commissioners agreed to more than 100 additional changes. However, once they had worked their way through all the proposed changes, a motion was made to approve the draft and forward it to the City

Council.

Commissioner Joanna Hampton objected, pointing out that she had “lost count of the number of pages of edits” and she made the point that the revised document should be available for review by the public and the commissioners before a final vote was taken.

Commissioner Thomas Forsyth complained that the commission was “not being transparent with the public.”

Commissioner Melissa Kingston pointed out that it “breeds distrust” to give the public only parts of the document and then make that document an ever-changing target.

Despite the protests, the commission voted 10-4 to advance the document to the City Council. The Texas Open Meetings Act requires a different course of action, and violating that act is against the law. The “final” draft, with all its material changes, should have been available for review — by the CPC members and by the public — before any vote. Posting notice of a special meeting to be held on Aug. 2 to vote on the final draft and then voting prematurely to pass the plan strikes me as a potential violation of law.

ADVERTISEMENT

After spending months working toward a common goal of completing the plan, the commission put the plan in legal jeopardy. Anytime it gets recited as a basis for some future zoning change, it puts that future zoning change at risk for legal challenges. It didn't need to be that way.

It is reckless that plan commissioners would not take the time to see if all the pieces were there and fit together — particularly after spending so much time on it. Even if some wanted to throw caution to the wind, why would they not afford basic courtesy to the four commissioners who cared enough to ask to see the final product before voting on it? Why would they not allow the public to see what was being voted on?

Dallas needs a comprehensive land use plan to guide its development for the next decade or more. The public has a right to know about and to comment on the plan to be adopted. What the commission has given Dallas is an unvetted plan that promises future litigation. We can only hope the Dallas City Council has the wisdom and fortitude to fix this broken document.

Mike Northrup is a zoning and appellate attorney in Dallas. He has previously served as a Charter Review Commissioner, a Landmark Commissioner and a Board of Adjustment member. He is a frequent advocate on zoning issues for neighborhood organizations.

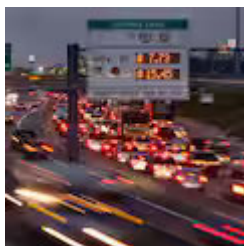
ADVERTISEMENT

We welcome your thoughts in a letter to the editor. See the [guidelines and submit your letter here](#). If you have problems with the form, you can [submit via email at letters@dallasnews.com](mailto:letters@dallasnews.com)



Mike Northrup

TOP PICKS



Toll Trap

Inside the state's complex toll system



Deadly Fake

30 Days Inside Fentanyl's Grip on North Texas