Bastrop, TX City Council Meeting Agenda

Bastrop City Hall City Council Chambers
1311 Chestnut Street
Bastrop, TX 78602
(512) 332-8800

BASTROPTX
Heart of the Lost Pines / Est. 1832

October 22, 2019 at 6:30 P.M.

City of Bastrop City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

The City of Bastrop reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

PLEASE NOTE: ANYONE WISHING TO ADDRESS THE COUNCIL MUST COMPLETE A CITIZEN COMMENT FORM AND GIVE THE COMPLETED FORM TO THE CITY SECRETARY PRIOR TO THE START OF THE CITY COUNCIL MEETING.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE – Nathan Petrie and Derek Ellzy, Bear Tecs

TEXAS PLEDGE OF ALLEGIANCE
Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

3. INVOCATION – Pastor Willis

4. PRESENTATIONS

4A. Mayor's Report

4B. Councilmembers' Report

4C. City Manager's Report

4D. Receive a presentation from the Youth Advisory Council regarding the communication plan related to the Hands Free Ordinance.

4E. A proclamation of the City Council of the City of Bastrop, Texas, recognizing November 1, 2019 as City of Bastrop Arbor Day.

4F. A proclamation of the City Council of the City of Bastrop, Texas proclaiming the 4th – 8th of November 2019 as Municipal Court Week.

5. WORK SESSION/BRIEFINGS

5A. Receive a presentation on the City of Bastrop 2020 and 2021 Election Calendars.

5B. Receive update on a funding request being made to the Bastrop Economic Development Corporation for various park projects.

6. STAFF AND BOARD REPORTS

6A. Receive Monthly Development Update.

6B. Receive Quarterly Presentation from the Bastrop YMCA.

6C. Receive Presentation and Update from the Bastrop Opera House.

6D. Receive Presentation and Update from the Bastrop County Historical Society.

6E. Receive Quarterly Report on the Bastrop Convention & Exhibit Center.

7. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the City Secretary prior to the beginning of the Council meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Staff for research and possible future action.

To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the start of the meeting.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.

8. CONSENT AGENDA

The following may be acted upon in one motion. A Councilmember or a citizen may request items be removed from the Consent Agenda for individual consideration.

8A. Consider action to approve City Council minutes from October 8, 2019, Regular meeting.

8B. Consider action to approve the second reading of Ordinance No. 2019-47 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit for the expansion of a church use for Friendship Bible Baptist Church in Friendship Bible Subdivision, located at 1903 Pecan Street, within the city limits of Bastrop, Texas, as attached in Exhibit A and Exhibit B; setting out conditions, including a severability clause; and establishing an effective date.

8C. Consider action to approve the second reading of Ordinance No. 2019-46 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code Of Ordinances, Chapter 3, Article 3.01 – "General Provisions," Section 3.01.002 "Bond And Insurance Requirements"; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

8D. Consider action to approve Resolution No. R-2019-90 of the City Council of the City of Bastrop, Texas, approving the Financial Management Policy, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.

9. ITEMS FOR INDIVIDUAL CONSIDERATION

9A. Consider action to approve Resolution No. R-2019-107 of the City Council of the City of Bastrop, Texas confirming board appointments of the Mayor, as required in Section 3.08 of the City's Charter, as outlined in Exhibit A; and establishing an effective date.

9B. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-50 of the City Council of the City of Bastrop, Texas amending the 2036 Comprehensive Plan by amending Chapter 5, of the Transportation Master Plan, as attached in Exhibit A; and providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting and move to include on the November 12, 2019 agenda for a second reading.

9C. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-51 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block (B3) Code, as attached in Exhibit A; providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

9D. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-52 of the City Council of the City of Bastrop, Texas adopting the Authentic Bastrop Pattern Book, as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

9E. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-53 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block Technical Manual("B3TM"), as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; and move to include on the November 12, 2019 agenda for a second reading.

9F. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-54 of the City Council of the City of Bastrop, Texas adopting a development manual in compliance with Bastrop Building Block (B3) Code – enacting purpose, authority and

jurisdiction, as attached in Exhibit A; establishing a repealing clause; providing severability; providing an effective date; and move to include on the November 12, 2019 agenda for a second reading.

9G. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-55 of the City Council of the City of Bastrop, Texas adopting the 2036 Comprehensive Plan as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

9H. Consider action to approve the first reading of Ordinance 2019-57 of the City Council of the City of Bastrop, Texas adopting Schedules of Uniform Submittal Dates for 2019/2020 for Neighborhood Regulating Plans as shown as Exhibit A, in order to comply with Texas Local Government Code Chapter 212, which requires Neighborhood Regulating Plans to be reviewed within thirty (30) days of submittal or deemed approved; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

9I. Consider action to approve Resolution No. R-2019-106 of the City Council of the City of Bastrop, Texas authorizing the City Manager to execute a Special Warrant Deed transferring 2.07 acres of land in Lake Bastrop acres to Bastrop County for use as park land in consideration of Ten Dollars and 00/100 cents ($10.00), as attached in Exhibit A; providing for a repealing clause; and establishing an effective date.

9J. Consider action to approve the first reading of Ordinance No. 2019-55 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date, and move to include on the November 12, 2019 City Council agenda for a second reading.

9K. Consider action to approve the first reading of Ordinance No. 2019-49 of the City Council of the City of Bastrop, Texas amending Construction Standards Technical Manual dated January 2012, amending Chapter 1 – Section II References, Abbreviations and Definitions and adding Street Typical Street Cross-Sections, as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting and move to include on the November 12, 2019 agenda for a second reading.

9L. Consider action to approve Resolution No. R-2019-108 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to return the Capital Area Metropolitan Planning Organization (CAMPO) Surface Transportation Program grant intended to fund the construction of the State Park Trail project; providing for a repealing clause and establishing an effective date.

9M. Consider action to approve Resolution No. R-2019-109 of the City Council of the City of Bastrop, Texas, approving an Interlocal agreement with Tarrant County allowing the City of Bastrop to participate in the Tarrant County Cooperative Purchasing Program, attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing for an effective date.

9N. Consider action to approve the first reading of Ordinance No. 2019-56 of the City Council of the City of Bastrop, Texas repealing and replacing Chapter Six, Health and Sanitation, as attached in Exhibit A; and repealing and replacing Chapter Eight Offenses and Nuisances, as attached in Exhibit B; and providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; and proper notice and meeting, and move to include on the November 12, 2019 agenda for a second reading.

9O. Consider action to approve Resolution No. R-2019-104 of the City Council of the City of Bastrop, Texas, authorizing the assignment of the Amended and Restated Development Agreement and the Amended and Restated Consent Agreement for Creation of, and Inclusion of Land in, Conservation and Reclamation Districts between the City of Bastrop, Texas and XS Ranch Fund VI, LP to Pacific Ventures Development Management, LLC upon the completion of the sale of said property; authorizing the City Manager to execute all necessary documentation; providing for a repealing clause, and establishing an effective date.

10. EXECUTIVE SESSION

10A. City Council shall convene into closed executive session for an update from the City Attorney pursuant to Texas Government Code Section 551.071, regarding Settlement Agreement with Bastrop Estates Mobile Home Park at 2505 Main Street.

10B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding status of Building Bastrop Codes.

11. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION

12. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: Friday, October 18, 2019 at 3:00 p.m. and remained posted for at least two hours after said meeting was convened.

Ann Franklin

Ann Franklin, City Secretary

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 4A

TITLE:
Mayor's Report

STAFF REPRESENTATIVE:
Lynda Humble, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

(1) expressions of thanks, congratulations, or condolence;
(2) information regarding holiday schedules;
(3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
(4) a reminder about an upcoming event organized or sponsored by the governing body;
(5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
(6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

ATTACHMENTS:

- Power Point Presentation

Mayor's Report
October 22, 2019

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Latest Activities

Sept 27 - October 8

Events in 2019: 246

Wes Jones
Dan McGrath









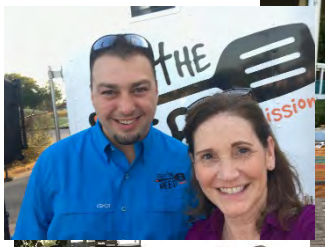
Bluebonnet Scholarship Golf Tournament





Walmart Re-Opening









National Night Out



Chamber Luncheon First Responders

Senator Watson



Friends & Country Music

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Planned Events

October 8 – October 22

- October 8 – 11 TML Conference
- October 12 – The Autumn Big Sit
- October 15 – Chamber Open House
- October 16 – AARO Meeting
- October 17 – FCI Quarterly Luncheon
- October 21 – BEDC Board Meeting
- October 22 – City Council Meeting

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Upcoming Events & City Meetings

- October 24
  - Family Crisis Luncheon: Inspire, Empower and Thrive
  - Board and Commissions Orientation
- October 25 – BEST Breakfast
- October 30 – Bastiano's Anniversary
- October 31 – Halloween Bash
- November 1 – Career Day at Emile
- November 2 – Marine Corps Dinner
- November 4 – Library Board Meeting
- November 5 – Joint City Council and Construction Standards Board Meeting
- November 6 – Chamber Luncheon
- November 6 thru 8 – APA Conference
- November 9
  - Veteran's Car Show
  - Red, White and Blue Veteran's Day Banquet
- November 12 – City Council Meeting

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STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 4B

TITLE:
Councilmembers' Report

STAFF REPRESENTATIVE:
Lynda Humble, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

(1) expressions of thanks, congratulations, or condolence;
(2) information regarding holiday schedules;
(3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
(4) a reminder about an upcoming event organized or sponsored by the governing body;
(5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
(6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 4C

TITLE:
City Manager's Report

STAFF REPRESENTATIVE:
Lynda Humble, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

(1) expressions of thanks, congratulations, or condolence;
(2) information regarding holiday schedules;
(3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
(4) a reminder about an upcoming event organized or sponsored by the governing body;
(5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
(6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 4D

TITLE:
Receive a presentation from the Youth Advisory Council regarding the communication plan related to the Hands Free Ordinance.

STAFF REPRESENTATIVE:
Trey Job, Assistant City Manager of Development Services



Hands Free Ordinance

Advertising Methods



In School

- Announcements
- Pep rallies
- Remind101



Outside of school

Flyers

- Posted in downtown hotspots where teens are frequently located
  - DMV
  - Restaurants
  - Hangout Spots

Social Media

- Sharing on social media where people can screenshot the information and repost it
  - Snapchat
  - Instagram



STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 4E

TITLE:
A proclamation of the City Council of the City of Bastrop, Texas, recognizing November 1, 2019 as City of Bastrop Arbor Day.

STAFF REPRESENTATIVE:
Trey Job, Assistant City Manager of Development Services

PROCLAMATION

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WHEREAS, Arbor Day is observed throughout the world in many languages and cultures; and

WHEREAS, all across Texas, from towering pines to majestic oaks to scrubby mesquites — the many trees of Texas are beautiful and prominent features of our unique and breathtaking landscape; and

WHEREAS, as Texans, we value our trees and the benefits they provide each of us every day. Benefits like clean air, clear water, improving our health, abating storm water and even saving us money on energy bills and;

WHEREAS, we encourage people in our community to plant trees and celebrate them on the first Friday each November on Texas Arbor Day.; and

WHEREAS, this holiday for trees is an opportunity to teach fundamental lessons about the stewardship of our natural resources and caring for our environment. It is an opportunity to learn what each of us can do to keep our community trees healthy and vibrant. And it is a time we can pause to appreciate trees in our lives.; and

WHEREAS, trees, wherever they are planted, are a source of joy and enjoyment.

NOW, THEREFORE, I, Connie Schroeder, Mayor of the City of Bastrop, do hereby recognize **November 1, 2019 as:**

ARBOR DAY

in the City of Bastrop, and I do thereby encourage all citizens to cherish our trees and recognize their important role in the environment.

IN WITNESS WHEREOF, I have set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 22nd day of October, 2019.

_____
Connie B. Schroeder, Mayor

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 4F

TITLE:
A proclamation of the City Council of the City of Bastrop, Texas proclaiming the 4th – 8th of November 2019 as Municipal Court Week.

STAFF REPRESENTATIVE:
Kimberly Walters, Administrator
Patsy Paranich, Juvenile Case Manager
Mayra Espinoza, Trial Coordinator

BACKGROUND/HISTORY:
Municipal courts, city councils, and communities throughout Texas are showing appreciation for the dedicated municipal judges, court clerks, court administrators, prosecutors, bailiffs, and warrant officers who comprise the Texas municipal courts from November 4-8, 2019. Municipal Court Week is a great time to not only recognize how much municipal courts do, but to share with the public the important role that local courts and their personnel play in the criminal justice system and the community.

ATTACHMENTS:
Proclamation for Municipal Court Week

PROCLAMATION

BASTROPTX
Heart of the Lost Pines / Est. 1832

WHEREAS, the Municipal Court of the City of Bastrop, a time honored and vital part of local government, has existed since 1832; and

WHEREAS, more people, citizens and non-citizens alike, come in personal contact with municipal courts than all other Texas courts combined; and

WHEREAS, public impression of the entire Texas judicial system is largely dependent upon the public's experience in municipal court; and

WHEREAS, Municipal Judges and court support personnel have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and conform to the standards set by the Canons of Judicial Conduct; and

WHEREAS, Municipal Courts play a significant role in preserving the quality of life in Texas communities through the adjudication of traffic offenses, ensuring a high level of traffic safety for our citizens; and

WHEREAS, Municipal Courts serve as the local justice center for the enforcement of local ordinances and fine-only state offenses that protect the peace and dignity of our community; and

WHEREAS, Municipal Judges and Clerks continually strive to improve the administration of justice through participation in judicial education programs, seminars, workshops and the annual meetings of their state and local professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the 916 Texas Municipal Courts, and salute their critical role in preserving public safety, protecting the quality of life in Texas communities, and deterring future criminal behavior.

NOW, THEREFORE, I, Connie Schroeder, Mayor of the City of Bastrop, do hereby recognize the 4th - 8th of November 2019 as:

MUNICIPAL COURT WEEK

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 22nd day of October 2019.

_____

Connie B. Schroeder, Mayor

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 5A

TITLE:
Receive a presentation on the City of Bastrop 2020 and 2021 Election Calendars.

STAFF REPRESENTATIVE:
Ann Franklin, City Secretary

BACKGROUND/HISTORY:
House Bill 305 was passed during the 86th Texas Legislative Session. The bill states:

[1] HB 305
Applies only to a political subdivision with the authority to impose a tax that at any time on or after January 1, 2019, maintained a publicly accessible Internet website and provides that:

(1) A political subdivision to which the bill applies shall post on a publicly accessible Internet website the following information:
   (a) The political subdivision's contact information, including a mailing address, telephone number, and e-mail address;
   (b) Each elected officer of the political subdivision;
   (c) The date and location of the next election for officers of the political subdivision;
   (d) The requirements and deadline for filing for candidacy of each elected office of the political subdivision, which shall be continuously posted for at least one year before the election day for the office;
   (e) Each notice of a meeting of the political subdivision's governing body under the Open Meetings Act; and
   (f) The minutes of a meeting of the political subdivision's governing body;
(2) Sections (1)(e) and (f) do not apply to a city with a population of less than 5,000 located in a county with a population of less than 25,000.

ATTACHMENTS:
- 2020 Election Calendar
- 2021 Election Calendar

BASTROP ELECTION CALENDAR

MAY 2, 2020 GENERAL ELECTION

DATE	**ACTION**
September 1	Deadline to post NEW HB 305 notice.[1]
December 16	Last Day to post notice of the dates of the candidate filing period for the election.
January 15	Candidate/Officeholder Campaign Finance Report. (Semiannual Report) – **Deadline 5:00 p.m.** (Deadline is extended because of holiday.)
January 15	First day candidates may file an application for a place on the ballot for Regular Election. ***(The candidate must have appointed a campaign treasurer prior to filing an application for a place on the ballot.)***
February 11	Last Council meeting allowed to call general election. ***(February 14, 2019 is the last day to order the Election.)***
February 14	Last day for candidate to file an application for a place on the ballot for Regular Election. – **Deadline 5:00 p.m.**
February 21*	Last day a candidate may withdraw from the Regular election. – **Deadline 5:00 p.m.** ***(*Candidates may withdraw if it is before ballots are prepared, even if it is after the deadline.)***
February 24	Conduct Drawing for order of names on ballot at 9:00 a.m. City Hall, 1311 Chestnut Street.
February 24	Candidate Orientation at City Hall, 1311 Chestnut Street at 9:30 a.m.
April 2	30th Day Before Election Report. (Form C/OH) – **Deadline 5:00 p.m.**

April 2 — Last day for submitting voter registration application in time to vote at the election or for requesting transfer of registration in time to vote in new precinct not in the same county and territory.

April 20 — First day for early voting by personal appearance.

April 24 — 8th Day Before Election Report. (Form C/OH) – **Deadline 5:00 p.m.**

April 28 — Last day for regular early voting by personal appearance.

May 2 — **ELECTION DAY**

May 12 — Canvass results of election at 6:30 p.m. City Hall, 1311 Chestnut Street. ***(May 12, 2020 is the last legal day to canvass.)*** (*This date could possibly change, it is determined by the Federal Write-in Absentee Ballot and Mail in ballots. These ballots must be accounted for prior to the results of the Election being released. If this date changes it will be posted on the City's Web Site and Council Meeting Board.*)

[1] HB 305

Applies only to a political subdivision with the authority to impose a tax that at any time on or after January 1, 2019, maintained a publicly accessible Internet website and provides that:

(1) A political subdivision to which the bill applies shall post on a publicly accessible Internet website the following information:
   (a) The political subdivision's contact information, including a mailing address, telephone number, and e-mail address;
   (b) Each elected officer of the political subdivision;
   (c) The date and location of the next election for officers of the political subdivision;
   (d) The requirements and deadline for filing for candidacy of each elected office of the political subdivision, which shall be continuously posted for at least one year before the election day for the office;
   (e) Each notice of a meeting of the political subdivision's governing body under the Open Meetings Act; and
   (f) The minutes of a meeting of the political subdivision's governing body;

(2) Sections (1)(e) and (f) do not apply to a city with a population of less than 5,000 located in a county with a population of less than 25,000.

JUNE 13, 2020 RUNOFF ELECTION

May 12	**Order Runoff Election** ***(This is the same day as the Canvass, if canvass date changes this date changes.)***
June 1	**Early Voting in person begins.**
June 9	**Early Voting in person ends.**
June 13	**RUNOFF ELECTION DAY**
June 23	**Canvass**
June 23	**Swearing in**

BASTROP ELECTION CALENDAR

MAY 1, 2021 GENERAL ELECTION

DATE	**ACTION**
May 1, 2019	Deadline to post NEW HB 305 notice.
December 14	Last Day to post notice of the dates of the candidate filing period for the election.
January 15	Candidate/Officeholder Campaign Finance Report. (Semiannual Report) – **Deadline 5:00 p.m.** (Deadline is extended because of holiday.)
January 13	First day candidates may file an application for a place on the ballot for Regular Election. ***(The candidate must have appointed a campaign treasurer prior to filing an application for a place on the ballot.)***
February 9	Last Council meeting allowed to call general election. ***(February 12, 2021 is the last day to order the Election.)***
February 12	Last day for candidate to file an application for a place on the ballot for Regular Election. – **Deadline 5:00 p.m.**
February 19*	Last day a candidate may withdraw from the Regular election. – **Deadline 5:00 p.m.** ***(*Candidates may withdraw if it is before ballots are prepared, even if it is after the deadline.)***
February 22	Conduct Drawing for order of names on ballot at 9:00 a.m. City Hall, 1311 Chestnut Street.
February 22	Candidate Orientation at City Hall, 1311 Chestnut Street at 9:30 a.m.
April 1	30th Day Before Election Report. (Form C/OH) – **Deadline 5:00 p.m.**

April 1	Last day for submitting voter registration application in time to vote at the election or for requesting transfer of registration in time to vote in new precinct not in the same county and territory.
April 19	First day for early voting by personal appearance.
April 23	8th Day Before Election Report. (Form C/OH) – **Deadline 5:00 p.m.**
April 27	Last day for regular early voting by personal appearance.
May 1	**ELECTION DAY**
May 11	Canvass results of election at 6:30 p.m. City Hall, 1311 Chestnut Street. ***(May 12, 2020 is the last legal day to canvass.)*** (*This date could possibly change, it is determined by the Federal Write-in Absentee Ballot and Mail in ballots. These ballots must be accounted for prior to the results of the Election being released. If this date changes it will be posted on the City's Web Site and Council Meeting Board.*)

JUNE 5, 2021 RUNOFF ELECTION

May 11	**Order Runoff Election** ***(This is the same day as the Canvass, if canvass date changes this date changes.)***
June 5	**RUNOFF ELECTION**
May 24	**Early Voting in person begins.**
June 1	**Early Voting in person ends.**
June 15	**Canvass**
June 15	**Swearing in**

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 5B

TITLE:
Receive update on a funding request being made to the Bastrop Economic Development Corporation for various park projects.

STAFF REPRESENTATIVE:
Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:
The Bastrop Economic Development Corporation (EDC) has approved in their FY 2020 budget $49,950 designated for City Projects and Programs. Only eligible Type B projects will be considered. Under these eligible projects are Amateur Sports Facilities and Public Parks.

The City has identified the following projects that we feel would be eligible for this available funding:

- **Delgado Park Fence and Gate**: We would like to install 1,400 feet of 6' tall black vinyl coated commercial chain link fence around the park and install a new 24' double drive wrought iron gate. This will allow for the park to be secured during non-park hours and the gate will open / close automatically and not have to be closed by the Police Department each night. This project was identified as Phase II but has been escalated due to community safety concerns. This project will cost $39,200

- **Seats at Mayfest Arena:** The purpose of this request is to acquire new box seats for the rodeo arena at Mayfest Park. These would replace the current seats that are old and deteriorating. The new seats would increase the value of the rodeo arena and would provide a safer place to sit for people that attend events held there. Also, it could promote the rodeo arena as a nicer venue and encourage more event organizers to hold their events at the arena. All 56 seats need to be replaced. The arena brings in 8,000 to 10,000 people every year. This project will cost $6,991



These projects total $46,191

The City plans to request these funds from the Bastrop EDC Board at their November 18th meeting.

POLICY EXPLANATION:
The Financial Management Policy states that City Council be notified at a public meeting regarding any funding being requested from our partnering organizations such as Bastrop EDC and Visit Bastrop.

FUNDING SOURCE:
Bastrop EDC

RECOMMENDATION:
N/A

ATTACHMENTS:
N/A

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 6A

TITLE:
Receive Monthly Development Update.

STAFF REPRESENTATIVE:
Matt Jones, Director of Planning and Development

BACKGROUND/HISTORY:
The Planning and Development Department's mission is preserving the past, while facilitating growth and quality of life in harmony with the vision for the City of Bastrop's future. The purpose of the department is to maximize community strengths and minimize weaknesses; protect property rights and enhance property values; anticipate growth and provide adequate public facilities and services; balance economic growth with quality of life issues; and avoid unmanageable concentrations or dispersal of population.

POLICY EXPLANATION:
Regular update for City Council and community regarding planning and development related items.

ATTACHMENT:
- PowerPoint presentation



Monthly Development Update

BASTROPTX
Heart of the Lost Pines / Est. 1832

Planning and Development

Mission and Purpose

Mission:

Preserving the past while facilitating growth and quality of life in harmony with the vision for the City of Bastrop's future.

Purpose:

To maximize community strengths and minimize weaknesses; protect property rights and enhance property values; anticipate growth and provide adequate public facilities and services; balance economic growth with quality of life issues; and avoid unmanageable concentrations or dispersal of population.

BASTROPTX
Heart of the Lost Pines / Est. 1832

September – October Activity Matrix

	September - October	FYTD
Counter Visits	218	2,293
Permits Issued	63	1,080
Permit Applications	63	1,079
Pre-Application Meetings	11	182
Pre-Development Meetings	1	3

BASTROPTX
Heart of the Lost Pines / Est. 1832

New Certificate of Occupancy

- Good Shepherd Lutheran – 202 HWY 71 East
- Preserve Apartments Clubhouse – 210 Hunters Crossing

BASTROPTX
Heart of the Lost Pines / Est. 1832

Ongoing Commercial Projects

- Seton Hospital – 630 HWY 71 W
  - Estimated Completion November 2019 – 80% complete



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Heart of the Lost Pines / Est. 1832

Ongoing Commercial Projects

- 365 Mini Storage – 510 HWY 71 W
  - Estimated Completion December 2019 – 50% complete



BASTROPTX
Heart of the Lost Pines / Est. 1832

Ongoing Commercial Projects

- Lost Pines Professional Building – 711 Old Austin Highway
  - Estimated Completion October 2019 – 90% complete



BASTROPTX
Heart of the Lost Pines / Est. 1832

Residential Projects

- Pecan Park
  - 282 lots
- Piney Creek Bend
  - 77 lots
- The Preserve at Hunter's Crossing
  - 140 units

BASTROPTX
Heart of the Lost Pines / Est. 1832

Events

- I-Code Development Community Open House
- B^3 Open House
- Bastrop County Planning Breakfast



BASTROPTX
Heart of the Lost Pines / Est. 1832

Training and Certifications

- **Allison Land attended a GIS Leadership Workshop**





BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

Questions or Comments?

BASTROPTX
Heart of the Lost Pines / Est. 1832

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 6B

TITLE:
Receive Presentation and Update from the YMCA of Austin/Bastrop Branch.

STAFF REPRESENTATIVE:
Terry Moore, YMCA of Austin/Bastrop Branch Executive Director
James K. Altgelt, Assistant City Manager of Public Safety & Community Support

BACKGROUND/HISTORY:
On September 24, 2019, City Council approved a Community Support Service Agreement with the YMCA of Austin/Bastrop Branch (YMCA) to provide recreational services and operate the Bastrop State Park Pool in the amount of Seventy-Nine Thousand Eight Hundred and 00/100 Dollars ($79,800) for FY 2019-2020. The Community Support Service Agreement requires that the YMCA attend a regular meeting of the City Council on a quarterly basis to make a public presentation on their progress related to the Scope of Services identified in the agreement.

The Bastrop YMCA provides quality recreational programs for the community in partnership with the City of Bastrop. The FY 2019-2020 Community Support Service Agreement requires that recreational programs and activities be designed to benefit and include persons of all backgrounds. The following services are required to be provided during this agreement period:

- Minimum of six (6) youth sports seasons such as soccer, tennis, and volleyball
- Various enrichment programs monthly, such as art, Youth & Government, and nutrition
- Weekly Health & Wellness programs for all ages
- Operate and manage the State Park Pool with aquatic activities including swim lessons, water fitness, open and public swim, and youth job opportunities
- Family park events, including but not limited to Safety Month, Field Days, Halloween Bash, Happy Healthy New Year's Bash, and Movies in the Park
- Outreach programs such as youth summer programming, pickleball, teen events, and senior programming

POLICY EXPLANATION:
The City Council's focus areas of Economic Vitality, Fiscal Responsibility, Organizational Excellence, and Unique Environment are supported through this partnership for recreational services and through the programs offered to our customers by the YMCA. The services outlined in the Community Support Service Agreement with the YMCA also support the following goals and objectives of the City of Bastrop Comprehensive Plan 2036:

- **Goal 3.1:** *Provide adequate and appropriate public facilities and services to maintain the safety and quality of life of residents, visitors, and workers in Bastrop*
- **Goal 3.3:** *Engage in partnerships with other public entities to maximize the utility of, and access to public buildings and grounds.*

    - *Objective 3.3.1:* Maintain and/or engage in inter-local agreements with other public or nonprofit entities to enable joint program development
- **Goal 7.3:** *Meet future recreational demand through adjustments to the City's operational capacity*

ATTACHMENT(S):

- PowerPoint Presentation



FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

4th QUARTER REPORT

EVERYBODY GETS TO PLAY AT

2019 MEMBERSHIP

- Jul-Sept is up 62% over 2018/ 65% over 2017
- Membership as of 9/30/19 is at 411 Units

OUTREACH

- Hands Up High Ministry – Movie Night



Membership For All - Financial Assistance Program

At the Y, strengthening community is our cause. Every day, we work side-by-side with our neighbors to make sure that everyone, regardless of age, income or background, has the opportunity to learn, grow and thrive. Each year, we provide over two million dollars in financial assistance locally, thanks to generous gifts from our members and donors through our annual giving campaign, grants and special events.

TEAMWORK
COLLABORATION
FELLOWSHIP

BIG GAME DAY
MOVIES IN THE PARK
BACK TO SCHOOL BASH
WELCOME WEEK







PLAY
LEARN
GROW





- SUMMER MINI CAMPS
- GYMNASTICS
- BALLET
- FITNESS-YOGA, BODY PUMP, AOA, AQUATIC, CIRCUT
- SWIM LESSONS
- SCIENCE EXPLORERS
- YOUTH & GOVERNMENT
- QUICK COOK
- SAVVY TOOLS





HAVING FUN TOGETHER

- SUMMER SOCCER CLINICS
- SUMMER TRACK
- TENNIS CLINIC
- WATER AEROBICS









WORKING FOR THE FUTURE



HALLOWEEN BASH
GREAT TRANSIT ADVENTURE
WOMEN'S SELF DEFENSE
VOLLEYBALL
FLAG FOOTBALL
MATTER OF BALANCE
TODDLER PROGRAMMING
FAMILY FOCUSED ACTIVITIES



Alone, we can do so little; together, we can do so much" – Helen Keller.

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 6C

TITLE:
Receive Presentation and Update from the Bastrop Opera House.

STAFF REPRESENTATIVE:
Lisa Holcomb, Bastrop Opera House Executive Director
James K. Altgelt, Assistant City Manager of Public Safety & Community Support

BACKGROUND/HISTORY:
On September 24, 2019, City Council approved a Community Support Service Agreement with the Bastrop Opera House to provide services associated with operating, marketing, and providing cultural art and theater services in the amount of One Hundred Twenty-Six Thousand and 00/100 Dollars ($126,000) for FY 2019-2020. The Community Support Service Agreement requires that the Bastrop Opera House attend a regular meeting of the City Council on a quarterly basis to make a public presentation on their progress related to the Scope of Services identified in the agreement. Those services include:

- Presenting an annual season of theater performances and productions designed to enrich the authentic Bastrop experience
- Increase overnight visitation by appealing to out of town visitors.

POLICY EXPLANATION:
Chapter 351.101 of the Texas Local Government Code authorizes the use of Hotel Occupancy Tax (HOT) revenue for the encouragement, promotion, improvement, and application of the arts. The statute also allows for advertising and conducting of promotional programs to encourage tourists to visit preserved historic sites. The services outlined in the Community Support Service Agreement with the Bastrop Opera House also support the following goals and objectives of the City of Bastrop Comprehensive Plan 2036:

- **Goal 8.1:** *Leverage existing downtown assets to spur additional business activity*
  - *Objective 8.1.4:* Create multiple downtown destination events that rely on Bastrop's cultural assets
- **Goal 8.3:** *Bolster family and heritage tourism assets*
  - *Objective 8.3.1:* Diversify family-orientated tourism offerings
  - *Objective 8.3.3:* Solicit support for historical structures and landmarks

ATTACHMENT(S):
- PowerPoint Presentation

Bastrop Opera House Fourth Quarterly Report









Disney NEWSIES The Broadway Musical

July 12th-27th

1,225 Tickets sold













Summer Musical Theatre Camp 2019

Doctor Dolittle July 29-August 9









The Award-Winning Production of

HELIUM

August 23rd-September 1st







Country Music and Friends
September 27-29

Ticket Sales June-August 2019: 1,969

Total tickets sold from September 2018 – August 2019 : 7,513

Total Tickets sold to patrons from outside of Bastrop: 4,507

- Volunteer Hours June-August 2019
- 520 Volunteer Hours

- Includes:
- Box office/concession
- Tech/Lights /Sound
- Stage Managing/Set Design

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 6D

TITLE:
Receive Presentation and Update from the Bastrop County Historical Society.

STAFF REPRESENTATIVE:
Kaye Sapikas, Bastrop County Historical Society Director
James K. Altgelt, Assistant City Manager of Public Safety & Community Support

BACKGROUND/HISTORY:
On September 24, 2019, City Council approved a Community Support Service Agreement with the Bastrop County Historical Society to provide services associated with operating, marketing, and staffing a historical museum and providing visitor center services in the amount of One Hundred Sixty-Nine Thousand One Hundred Twenty-Four and 00/100 Dollars ($169,124) for FY 2019-2020. The Community Support Service Agreement requires that the Bastrop County Historical Society attend a regular meeting of the City Council on a quarterly basis to make a public presentation on their progress related to the Scope of Services identified in the agreement. The funds were awarded to the Bastrop County Historical Society according to the different functions the organization provides, as outlined in the Scope of Services. Those services and amounts include:

- $109,752 for the operation of the Bastrop County Historical Society Museum and Visitor Center
- $34,928 for historic preservation and promotion efforts
- $24,444 for tours and Rendezvous Public Gala

POLICY EXPLANATION:
Chapter 351.101 of the Texas Local Government Code authorizes the use of Hotel Occupancy Tax (HOT) revenue for the operation of visitor information centers as well as historical preservation activities and promotional programs to encourage tourist visits. The services outlined in the Community Support Service Agreement with the Bastrop County Historical Society also support the following goals and objectives of the City of Bastrop Comprehensive Plan 2036:

- **Goal 8.1***: Leverage existing downtown assets to spur additional business activity*
  - *Objective 8.1.3:* Enhance the offerings available at the Bastrop Museum and Visitor Center
  - *Objective 8.1.4:* Create multiple downtown destination events that rely on Bastrop's Cultural Assets
- **Goal 8.3:** *Bolster family and heritage tourism assets*
  - *Objective 8.3.1:* Diversify family-orientated tourism offerings
  - *Objective 8.3.3:* Solicit support for historical structures and landmarks

ATTACHMENT(S):

- PowerPoint Presentation

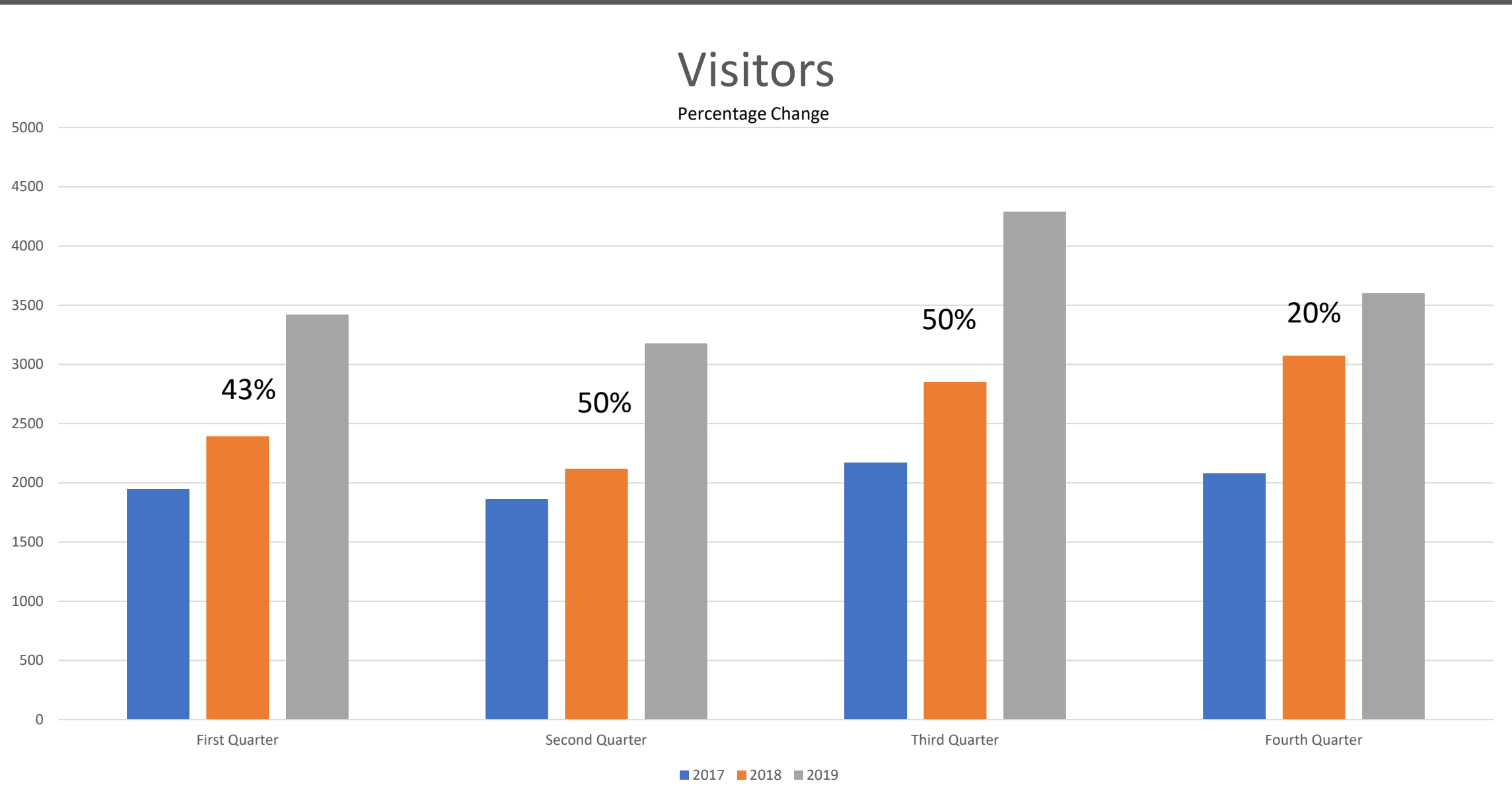


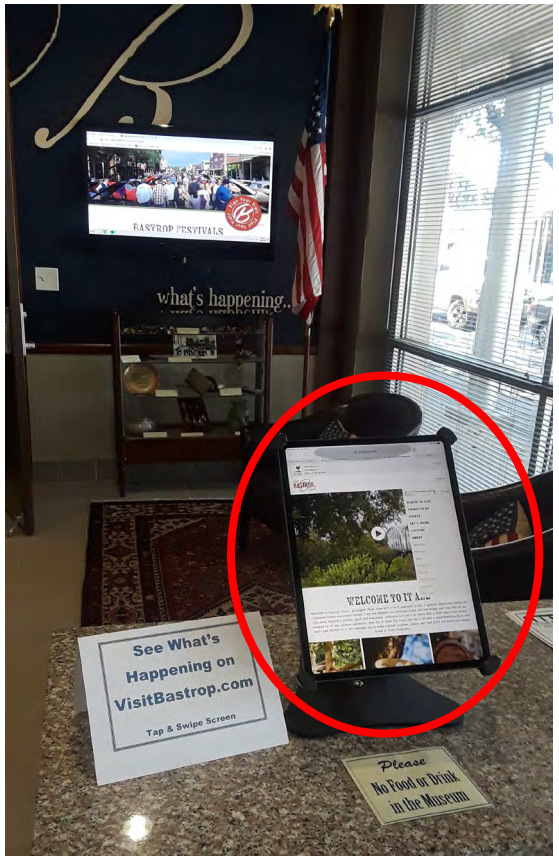
HOT Fund Presentation

Bastrop City Council – October 2019

What a year!

Total Visitors			
	2017	**2018**	**2019**
First Quarter	1948	2392	3422
Second Quarter	1864	2117	3179
Third Quarter	2172	2851	4289
Fourth Quarter	2081	3074	3687
Annual Totals	8,065	10,434	14,577


Visitors
Percentage Change
5000
4500
4000
3500
3000
2500
2000
1500
1000
500
0
43%
50%
50%
20%
First Quarter
Second Quarter
Third Quarter
Fourth Quarter
2017
2018
2019







Visitor Center –
2019 Highlights









Community Support

- Veterans Day Car Show
- Music Festival
- Popup event
- We Are Austin – Bastrop Promo

Community Support

- Hosting Bastrop Cultural Arts Master Plan Open House
- Table on Main
- Lost Pines Christmas Photo Op
- First Fridays











Volunteer Hours

- Visitor Center
  - 752

- Dollar Value = $17,296 ($23 hr.)











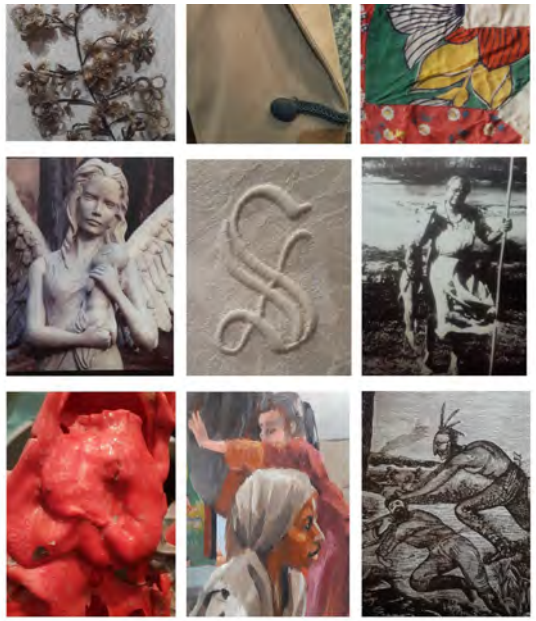
Special Exhibits

Museum – 2019 Highlights

Endings & Beginnings, Holiday Dolls and Other Fun Things, Maps, Calvary Episcopal Church 150 years, Freedom Colonies of Bastrop County


HOSE WAGON
Please Do Not Climb On the Fire Truck





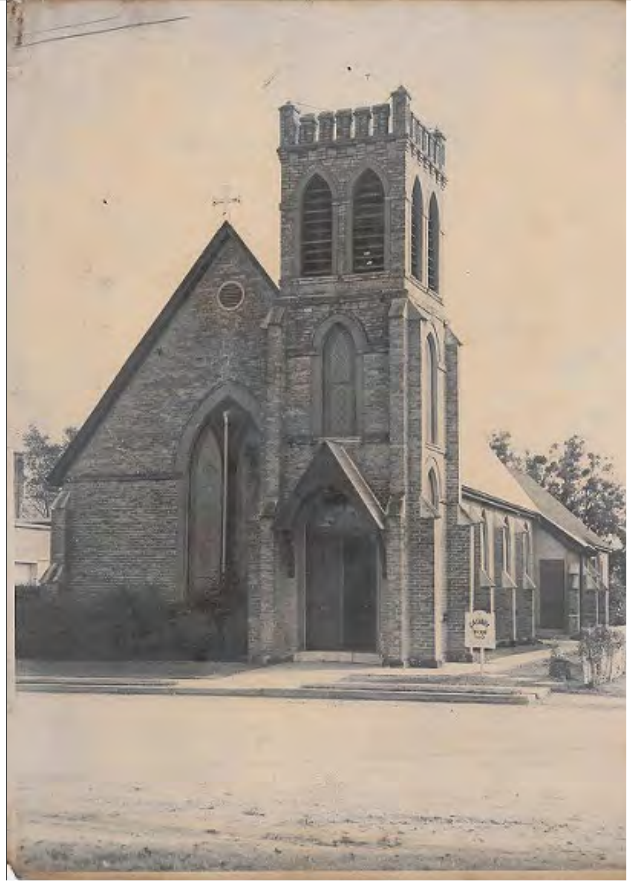

Bastrop History IS
Texas History

Final Permanent Exhibit – Coal Mines










Quarterly Speaker Meetings

Genealogy Meets DNA (October), Research Success Stories (January), Episcopal Church (April), Toys of Yesteryear

160
Volunteers



COMMUNITY-WIDE GARAGE & ESTATE SALE

Raised
$37,871




Holiday
Homes Tour












I UNDERSTAND
THE CONCEPT OF
COOKING...
APPLIES TO ME

Homes Tour

467 attendees

6 homes

1 church

92 Docents






2018
Holiday
RENDEZVOUS
Bastrop Museum & Visitor Center of the Bastrop County Historical Society
With
us on...
Saturday December 8th
HOLIDAY HOMES TOUR • LIGHTED CHRISTMAS PARADE
THE RENDEZVOUS DINNER AND DANCE
Make your plans to bring in the Holidays with your neighbors and friends during this one-of-a-kind unique Bastrop Holiday event!
RENDEZVOUS...
at the Bastrop Convention Center. Prepare for a fun-filled evening hosted by the Bastrop County Historical Society. This event will include a full buffet dinner, a host bar and live music from the "Honky-Tonk Piano Man" Frank Cavitt and his band. Dress will be holiday/casual. Also, this is an adults only event and tickets may be purchased online or at the Visitor Center/Museum.
WHERE: 1408 Chestnut
TIME: Doors open at 7:00 pm
Dinner at 8:00 pm
COST: $80 Per Ticket
BASTROPTX
Heart of the Lost Pines / Est. 1832
For more information, call 512-303-0057 or visit online at www.bastropcountyhistoricalsociety.com/rendezvous





Rendezvous

- 150 attendees
- Convention Center
- Live Music
- Great Food

Raised over $27,000

Research Library (numbers through August)

- An increase of 676 pieces all to be added to the museum's searchable database and available to Bastropians, visitors , historians, students, researchers and genealogists.
- So far this year nearly 130 individuals have reached out to the library in search of information about those who came before them.
- In addition, we have provided assistance with Imagine the Possibilities.

Volunteer Hours

- Museum
  - 1,483*
- Dollar Value = $34,109



*These do not include the hours contributed by garage sale volunteers, our dedicated Board of Trustees, or Museum Curator throughout the year.

2020

- Continue to build new and nurture existing partnership
- Increase awareness of our service through activities that allow people to experience Bastrop's history
  - Quarterly meetings, family events, special presenters, lecture series
- Host 3 to 4 special exhibits
- Scale up our tour program: docent-led (add additional days), walking (to include October), step-on bus (build base of guides)
- Creatively participate in all First Fridays
- Be accessible to visitors and residents during various city activities

2020

- Continue to catalog and preserve archival items
- Continue to assist with research
- Increase broader range of input on special exhibits
- Possibly research catalogue lost communities
- Continue to collect, transcribe and make available oral histories
- Develop a Junior Historian program
- Implement traveling trunk program
- Broaden our membership base



THANK YOU!

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 6E

TITLE:
Receive Quarterly Report on the Bastrop Convention & Exhibit Center.

STAFF REPRESENTATIVE:
Kathy Danielson, Bastrop Convention & Exhibit Center Director
James K. Altgelt, Assistant City Manager of Public Safety & Community Support

BACKGROUND/HISTORY:
Opened in the Spring of 2011, this full-service facility has changed directional courses over the last 18 months. Available to host conventions, trade shows, corporate meetings, weddings, concerts, art events, or banquets, the 26,000 square foot Bastrop Convention & Exhibit Center (BCEC) can accommodate up to 750 banquet-style seating or 800 theater-style seating in the flexible Main Ballroom. In October of 2017, the once standalone BCEC became a part of the Hospitality and Downtown Department. Since becoming a part of the Hospitality & Downtown Department, the BCEC provides City Council with a quarterly report discussing their occupancy / booking rates, revenue, and past / upcoming events.

POLICY EXPLANATION:
The Bastrop Convention and Exhibit Center revised its mission and vision statements in FY 2018 to align with the City Council's focus areas and strategic focus. As outlined in this year's Organizational Work Plan, the following projects are underway:

- FY 2020 Work Plan Fiscal Responsibility #4: Evaluate Convention Center rental rates based on rental history and actual costs of service. (Comp. Plan – 8.3.2)
- Continuation of FY 2019 Work Plan Economic Vitality #3: Continue increasing rental revenue of Convention Center by supporting local businesses, small conventions, and conferences. (Comp. Plan – 8.3.2)

FUNDING SOURCE:
N/A

ATTACHMENTS:

- PowerPoint Presentation

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 7

TITLE:

CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the City Secretary prior to the beginning of the Citizens' Comment portion of the Council meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Staff for research and possible future action.

To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the start of the meeting.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 8A

TITLE:
Consider action to approve City Council minutes from October 8, 2019, Regular meeting.

STAFF REPRESENTATIVE:
Lynda Humble, City Manager
Ann Franklin, City Secretary

BACKGROUND/HISTORY:
N/A

POLICY EXPLANATION:
Section 551.021 of the Government Code provides as follows:

(a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.
(b) The minutes must:
1. State the subject of each deliberation; and
2. Indicate the vote, order, decision, or other action taken.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve City Council minutes from October 8, 2019, Regular meeting.

ATTACHMENTS:
- October 8, 2019, DRAFT Regular Meeting Minutes

BASTROP CITY COUNCIL
October 8, 2019

The Bastrop City Council met in a Regular Meeting on Tuesday, October 8, 2019, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder, Mayor Pro Tem Nelson and Council Members Jackson, Ennis, Rogers and Peterson. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin and City Attorney Alan Bojorquez.

CALL TO ORDER
At 6:30 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

PLEDGE OF ALLEGIANCE
Alex Holder and Paulina Valencia, NJROTC led the pledges.

INVOCATION
Cliff Sparks, Police Chaplain gave the invocation.

PRESENTATIONS

4A. Mayor's Report

4B. Councilmembers' Report

4C. City Manager's Report

4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing October 20-26, 2019, as National Friends of Libraries Week.
The proclamation was read into record by Mayor Schroeder and received by Executive Director of the Bastrop Public Library, Becca Sexton.

4E. A proclamation of the City Council of the City of Bastrop, Texas recognizing the month of October as Domestic Violence Awareness Month.
The proclamation was read into record by Mayor Schroeder and received by Multi Media Group and Bernie Jackson of the Family Crises Center.

INDIVIDUAL CONSIDERATION

9C. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-47 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit for the expansion of a church use for Friendship Bible Baptist Church in Friendship Bible Subdivision, located at 1903 Pecan Street, within the city limits of Bastrop, Texas, as attached in Exhibit A and Exhibit B; setting out conditions, including a severability clause; and establishing an effective date and move to include on the October 22, 2019 Consent Agenda.
Presentation was made by Assistant Director of Planning and Development, Jennifer Bills.

A motion was made by Mayor Pro Tem Nelson to approve the first reading of Ordinance No. 2019-47, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 7:01 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

10A. City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code to deliberate the acquisition of outstanding easements on Main Street.

10B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding status of Building Bastrop Codes.

The Bastrop City Council reconvened at 8:08 p.m. into open (public) session.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION
No action taken.

WORK SESSION/BRIEFINGS

5C. Discuss Bastrop Building Block Codes, Technical Manual, and Pattern Book.

SPEAKERS

Mark Sumrall
3505 Montopolis Dr.
Austin, Texas 78744
52-730-8919

INDIVIDUAL CONSIDERATION CONTINUED

9F. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-51 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block (B3) Code, as attached in Exhibit A; providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; proper notice and meeting; and move to include on the October 22, 2019 agenda for a second reading.
Public Hearing was opened.

SPEAKERS

Joe Grady Tuck
906 Main
Bastrop, TX 78602
512-321-4944

Sandra Van Wyk
1305 Wilson St.
Bastrop, TX 78602
956-371-2824

Karol Rice
1406 Wilson St.
Bastrop, TX 78602
512-565-6912

Public Hearing was closed.

A motion was made by Council Member Ennis to postpone the first reading of Ordinance No. 2019-51 to October 22, 2019, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

9E. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-50 of the City Council of the City of Bastrop, Texas amending the 2036 Comprehensive Plan by amending Chapter 5, of the Transportation Master Plan, as attached in Exhibit A; and providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting and move to include on the October 22, 2019 agenda for a second reading.
Public Hearing was opened.

Public Hearing was closed.

A motion was made by Mayor Pro Tem Nelson to postpone the first reading of Ordinance No. 2019-50 to October 22, 2019, seconded by Council Member Jackson, motion was approved on a 5-0 vote.

9G. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-52 of the City Council of the City of Bastrop, Texas adopting the Authentic Bastrop Pattern Book, as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; proper notice and meeting; and move to include on the October 22, 2019 agenda for a second reading.
Public Hearing was opened.

Public Hearing was closed.

A motion was made by Council Member Rogers to postpone the first reading of Ordinance No. 2019-52 to October 22, 2019, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

9H. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-53 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block Technical Manual("B3TM"), as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement;

establishing an effective date; and move to include on the October 22, 2019 agenda for a second reading.
Public Hearing was opened.

Public Hearing was closed.

A motion was made by Council Member Ennis to postpone the first reading of Ordinance No. 2019-53 to October 22, 2019, seconded by Council Member Jackson, motion was approved on a 5-0 vote.

9I. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-54 of the City Council of the City of Bastrop, Texas adopting a development manual in compliance with Bastrop Building Block (B3) Code – enacting purpose, authority and jurisdiction, as attached in Exhibit A; establishing a repealing clause; providing severability; providing an effective date; and move to include on the October 22, 2019 agenda for a second reading.
Public Hearing was opened.

Public Hearing was closed.

A motion was made by Council Member Jackson to postpone the first reading of Ordinance No. 2019-54 to October 22, 2019, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

9J. Consider action to approve the first reading of Ordinance No. 2019-49 of the City Council of the City of Bastrop, Texas amending Construction Standards Technical Manual dated January 2012, amending Chapter 1 – Section II References, Abbreviations and Definitions and adding Street Typical Street Cross-Sections, as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting and move to include on the October 22, 2019 agenda for a second reading.
A motion was made by Council Member Rogers to postpone the first reading of Ordinance No. 2019-49 to October 22, 2019, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

9K. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-55 of the City Council of the City of Bastrop, Texas adopting the 2036 Comprehensive Plan as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting; and move to include on the October 22, 2019 agenda for a second reading.
Public Hearing was opened.

Public Hearing was closed.

A motion was made by Council Member Ennis to postpone the first reading of Ordinance No. 2019-55 to October 22, 2019, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

9L. Consider action to approve the first reading of Ordinance 2019-57 of the City Council of the City of Bastrop, Texas adopting Schedules of Uniform Submittal Dates for 2019/2020 for Neighborhood Regulating Plans as shown as Exhibit A, in order to comply with Texas Local Government Code Chapter 212, which requires Neighborhood Regulating Plans to be reviewed within thirty (30) days of submittal or deemed approved; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

A motion was made by Council Member Ennis to postpone the first reading of Ordinance No. 2019-57 to October 22, 2019, seconded by Council Member Jackson, motion was approved on a 5-0 vote.

WORK SESSION/BRIEFINGS CONTINUED

(5C CONTINUED)

5C. Discuss Bastrop Building Block Codes, Technical Manual, and Pattern Book.
Presentation was made by Director of Planning and Development, Matt Jones.

5A. Receive update on FY 2020 funding request for various park projects to the Bastrop Economic Development Corporation.
This item was postponed to October 22, 2019.

5B. Receive a presentation on the City of Bastrop 2020 and 2021 Election Calendars.
This item was postponed to October 22, 2019.

STAFF AND BOARD REPORTS - NONE

CITIZEN COMMENTS - NONE

CONSENT AGENDA

A motion was made by Mayor Pro Tem Nelson to approve Item 8A listed on the Consent Agenda after being read into the record by Mayor Schroeder. Seconded by Council Member Peterson, motion was approved on a 5-0 vote.

8A. Consider action to approve City Council minutes from September 24, 2019, Regular meeting and September 30, 2019, Joint Council and Planning and Zoning Commission meeting.

INDIVIDUAL CONSIDERATION CONTINUED

9D. Consider action to approve Resolution No. R-2019-90 of the City Council of the City of Bastrop, Texas, approving the Financial Management Policy, attached as exhibit A; providing for a repealing clause and establishing an effective date.
This item was postponed to October 22, 2019.

9A. Consider action to approve Resolution No. R-2019-105 of the City Council of the City of Bastrop, Texas; nomination of individuals to serve on the Bastrop County Appraisal District's Board of Directors; and establishing an effective date.

A motion was made by Council Member Jackson to approve Resolution No. R-2019-105, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

9B. Consider action to approve Resolution No. R-2019-103 of the City Council of the City of Bastrop, Texas, approving an Encroachment Agreement with Energy Transfer Fuel, LP and Bastrop County in the City's Mayfest Park allowing for the construction of a parking lot for a Community Center to be built by Bastrop County; as attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause, and establishing an effective date.
Presentation was made by Assistant City Manager of Development Services, Trey Job.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-103, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

ADJOURNMENT

Adjourned at 9:56 p.m. without objection.

APPROVED: ATTEST:

_____ _____

Mayor Connie B. Schroeder City Secretary Ann Franklin

The Minutes were approved on October 22, 2019, by Council Member motion, Council Member second. The motion was approved on a vote.

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 8B

TITLE:
Consider action to approve the second reading of Ordinance No. 2019-47 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit for the expansion of a church use for Friendship Bible Baptist Church in Friendship Bible Subdivision, located at 1903 Pecan Street, within the city limits of Bastrop, Texas, as attached in Exhibit A and Exhibit B; setting out conditions, including a severability clause; and establishing an effective date.

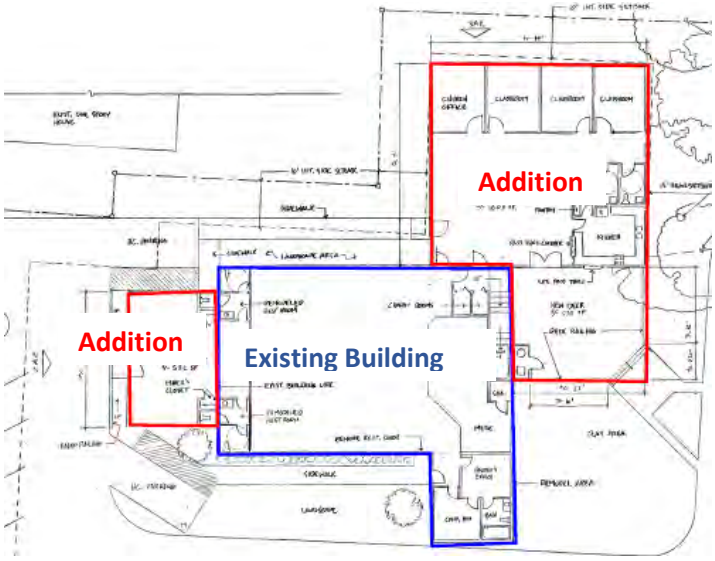
STAFF REPRESENTATIVE:
Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

ITEM DETAILS:

Site Address:	1903 Pecan Street (Exhibit A)
Total Acreage:	0.615 acres
Legal Description:	Friendship Bible Subdivision, Lot 1
Property Owner:	Friendship Bible Baptist Church/Mary Butler
Applicant Contact(s):	Jeff Jack
Existing Use:	Church
Existing Zoning:	SF-7, Single-Family 7 (Attachment 3)
Future Land Use:	Neighborhood Residential

BACKGROUND/HISTORY:
The Friendship Bible Baptist Church is requesting a Conditional Use Permit to expand the existing building and to add a formal parking lot. The new structure will provide classrooms, office, and common space for the church's educational and enrichment programming (Exhibit B).

The applicant has already gone through the platting process to combine all of the property into one lot to eliminate internal setbacks. Once a Conditional Use Permit is approved, the applicant will be required to submit a Drainage Plan, Site Development Plan, and Building Permits before starting construction.



This application was submitted prior to notice of the B³ Code. Under the new codes, the property is proposed to be zoned as P-CS, Civic Space.

POLICY EXPLANATION:
The purpose of a conditional use permit is to allow certain uses in districts that under some circumstances would not be compatible with other permitted uses but may be compatible if certain conditions and development restrictions are met. A Conditional Use Permit (CUP) is adopted by Ordinance, similar to a standard zoning request, with public hearings at Planning & Zoning Commission and City Council meetings, as well as two ordinance readings at separate City Council meetings.

Section 33.2 of the Zoning Ordinance states that the Planning and Zoning Commission may consider the following criteria when approving a CUP:

i. The use is harmonious and compatible with surrounding existing uses or proposed uses;

The surrounding land use is single-family residential. The Future Land Use Plan designates this area a Neighborhood Residential. The church has operated in this location for many years and the proposed expansion is adding office and classroom space that is secondary to the main sanctuary.

ii. The activities requested by the applicant are normally associated with the permitted uses in the base district;

Religious uses are an allowed use with a Conditional Use Permit to mitigate any area impacts.

iii. The nature of the use is reasonable;

The requested use is to expand an existing church that has operated in this location for many years. The proposed building is single-story and is in scale with the surrounding neighborhood.

iv. Any negative impact on the surrounding area has been mitigated;

There are two proposed additions to the structure. The larger addition will be located behind the front façade line (not in front of the structure) and within all required setbacks on the property. This addition houses the classroom and office space. The other addition is an extension of the front foyer. The foyer will add architectural interest to the Pecan Street entrance. The parking lot is located adjacent to existing streets, not existing residential homes.

v. Any additional conditions specified [to] ensure that the intent of the district purposes are being upheld.

No other conditions other than the standard are recommended by staff.

PUBLIC COMMENTS:
Property owner notifications were mailed to 17 adjacent property owners on September 11, 2019. At the time of this report, no responses have been received. (Attachment 3).

PLANNING & ZONING RECOMMENDATION:
At the regular meeting on September 26, 2019, after holding a public hearing, the Commission recommended approval of the Conditional Use Permit by a vote of 8-0.

RECOMMENDATION:
Consider action to approve the second reading of Ordinance No. 2019-47 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit for the expansion of a church use for Friendship Bible Baptist Church in Friendship Bible Subdivision, located at 1903 Pecan Street, within the city limits of Bastrop, Texas, as attached in Exhibit A and Exhibit B; setting out conditions, including a severability clause; and establishing an effective date.

Section 33.2
Standard Conditions:

1. Construction shall be in conformance with the City of Bastrop regulations.
2. All necessary permits for the proposed development shall be acquired prior to occupying the building.
3. A Building Permit shall be applied for and secured within one year from the date the Conditional Use Permit is granted (second reading of the ordinance).

.

ATTACHMENTS:

- Ordinance
- Exhibit A: Location Map
- Exhibit B: Conceptual Site Plan
- Attachment 1: Letter from the Applicant
- Attachment 2: Property Owner's Notification
- Attachment 3: Zoning Map

ORDINANCE 2019-47

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE EXPANSION OF A CHURCH USE FOR FRIENDSHIP BIBLE BAPTIST CHURCH IN FRIENDSHIP BIBLE SUBDIVISION, LOCATED AT 1903 PECAN STREET, WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AS ATTACHED IN EXHIBIT A AND EXHIBIT B; SETTING OUT CONDITIONS; INCLUDING A SEVERABLILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Friendship Bible Baptist Church (the "Applicant") submitted a request for a Conditional Use Permit (CUP) for a church use in Friendship Bible Subdivision, located at 1903 Pecan Street, within the City limits of Bastrop, Texas, hereinafter referred to as "the Property"; and

WHEREAS, a location map is attached hereto as Exhibit "A" (the "Property); and

WHEREAS, a conceptual site plan has been provided to depict the proposed expansion of the building and parking lot, attached hereto as Exhibit "B"; and

WHEREAS, the Property is currently zoned as Single-Family 7 (SF-7); and

WHEREAS, pursuant to Section 10.4 of the City's Zoning Ordinance, notice of the CUP was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the CUP request on September 26, 2019; and

WHEREAS, after notice and hearing, the Planning and Zoning Commission, by a unanimous vote, recommended approval of the proposed request; and

WHEREAS, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds by a majority vote of all members that it is in the public interest to approve the CUP.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

Section 1: A Conditional Use Permit for a church use, situated in Friendship Bible Subdivision, located at 1903 Pecan Street, within the city limits of Bastrop, Texas as more particularly shown on Exhibit "A", and Exhibit "B" shall be and is hereby approved with the following conditions to:

a. Construction shall be in conformance with the City of Bastrop regulations.

b. All necessary permits for the proposed development shall be acquired prior to occupying the building.
c. A Building Permit shall be applied for and secured within one year from the date the Conditional Use Permit is granted (second reading of the ordinance).

Section 2: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 3: This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ and ACKNOWLEDGED on First Reading on the 8th day of October 2019.

READ and APPROVED on the Second Reading on the 22nd day of October 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

Exhibit A
Location Map



BASTROPTX
Heart of the Lost Pines
Est. 1832

0 15 30 60
Feet

1903 Pecan St
Friendship Bible Baptist Church
Conditional Use Permit

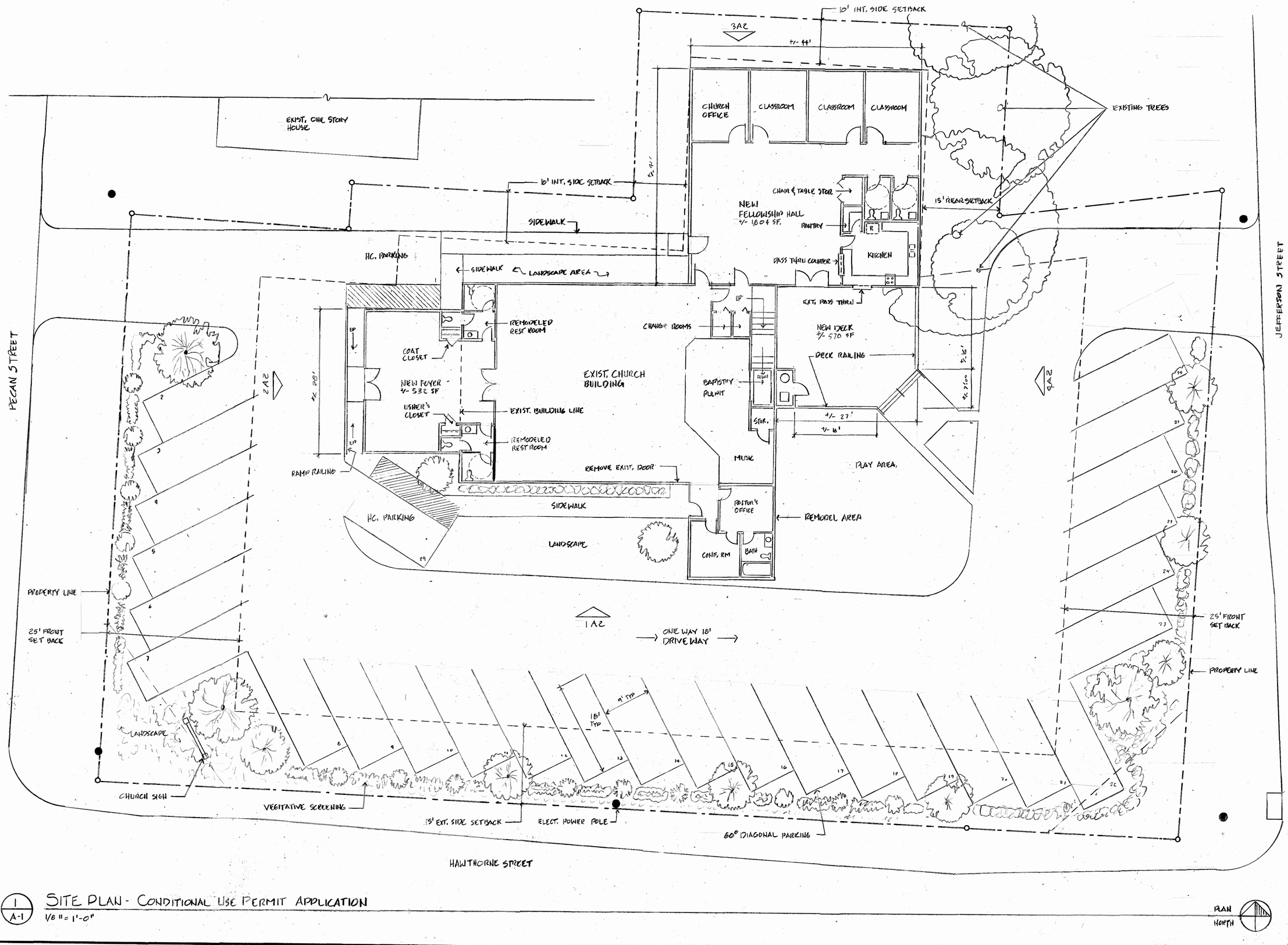
1 inch = 50 feet

N

Date: 9/11/2019

The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liablity or responsibility for the accuracy, completeness or usefullness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Exhibit B



1 / A-1 SITE PLAN - CONDITIONAL USE PERMIT APPLICATION

1/8" = 1'-0"

Jeff Jack
Architect
2008 B Rabb Glen
Austin Texas 78704

(512) 447-5877 (O)
(512) 970-0884 (C)
2jeffjack@gmail.com

REGISTERED ARCHITECT JAMES JEFF JACK 17196 STATE OF TEXAS
8-19-19

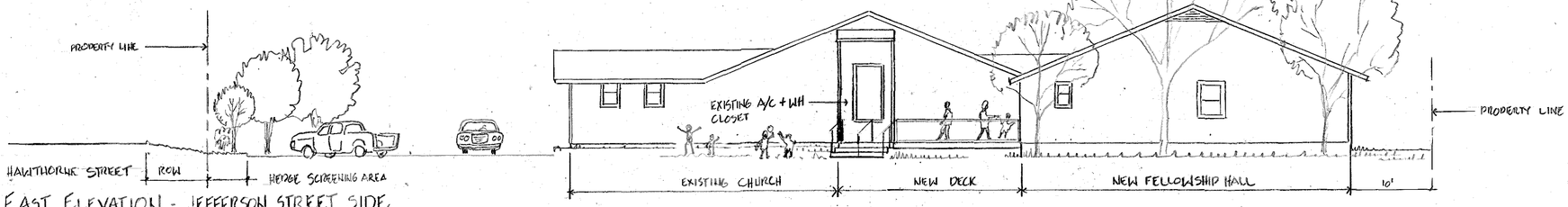
Friendship Bible Baptist Church
1903 North Pecan Street, Bastrop Texas 78602

PROJECT # 16 FBBC	
ISSUE DATES	
7/10/19	PREVIEW
7/22/19	COB MTG.
8/19/19	CUP APP.

CUP SITE PLAN

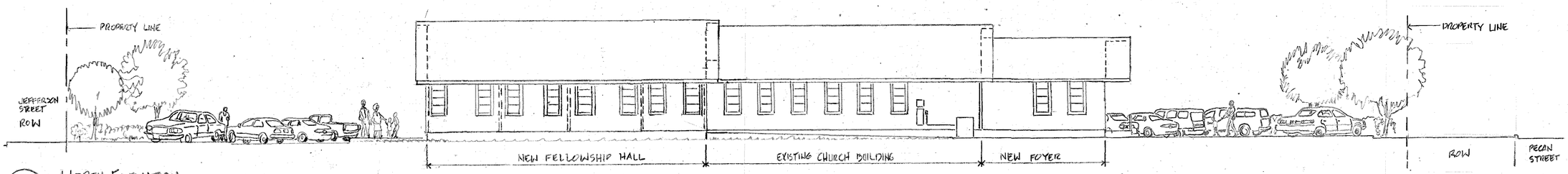
A-1 & A-2 | 1 OF 2

A-1



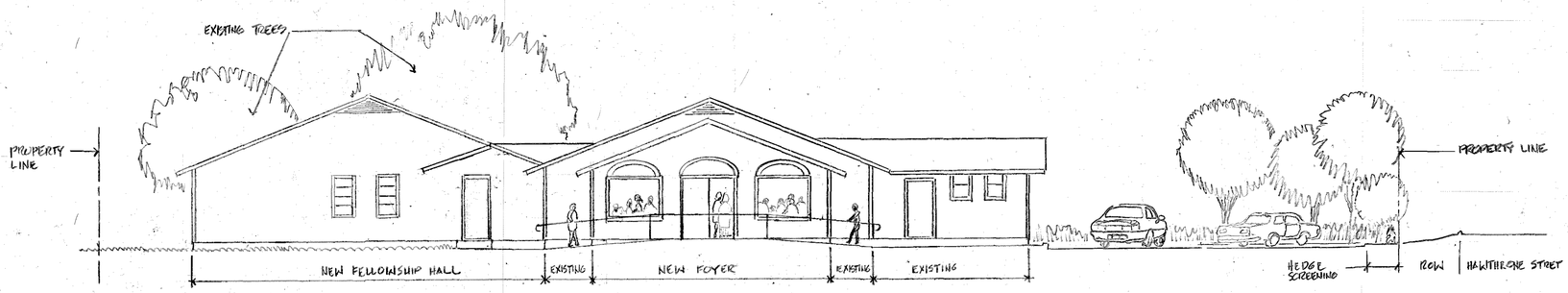
4 / A-2 EAST ELEVATION - JEFFERSON STREET SIDE

1/8"=1'-0"



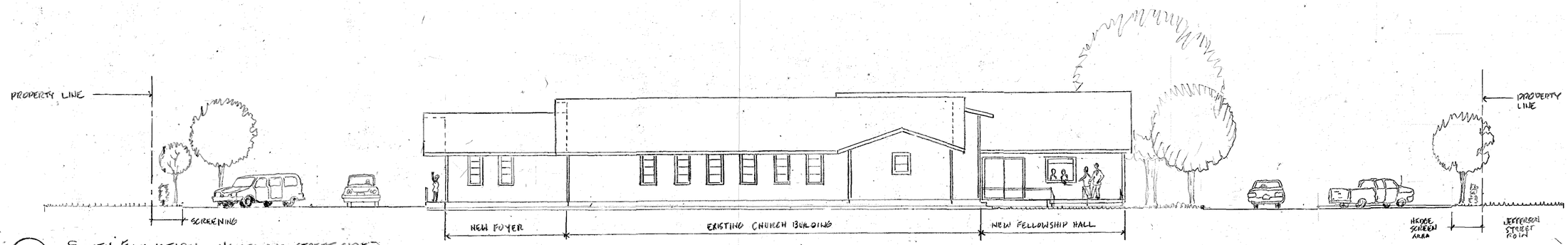
3 / A-2 NORTH ELEVATION

1/8"=1'-0"



2 / A-2 WEST ELEVATION - PECAN STREET SIDE

1/8"=1'-0"



1 / A-2 SOUTH ELEVATION - HAWTHORNE STREET SIDE

1/8"=1'-0"

Jeff Jack
Architect
2008 B Rabb Glen
Austin Texas 78704

(512) 447-5877 (O)
(512) 970-0884 (C)
2jeffjack@gmail.com

REGISTERED ARCHITECT JAMES JEFF JACK 17198 STATE OF TEXAS

8-19-19

Friendship Bible Baptist Church
1903 North Pecan Street, Bastrop Texas 78602

PROJECT # 16 FBBC	
ISSUE DATES	
7/10/19	REVIEW
7/22/19	COB MTG
8/19/19	CUP/AP

C.U.P. ELEVATIONS

A-2 OF A-2 | 2 OF 2

A-2



1 / A-1 SITE PLAN - CONDITIONAL USE PERMIT APPLICATION

1/8" = 1'-0"

Jeff Jack
Architect
2008 B Robb Glen
Austin Texas 78704
(512) 447-5877 (O)
(512) 970-0884 (C)
Zjeffjack@gmail.com

8-19-19

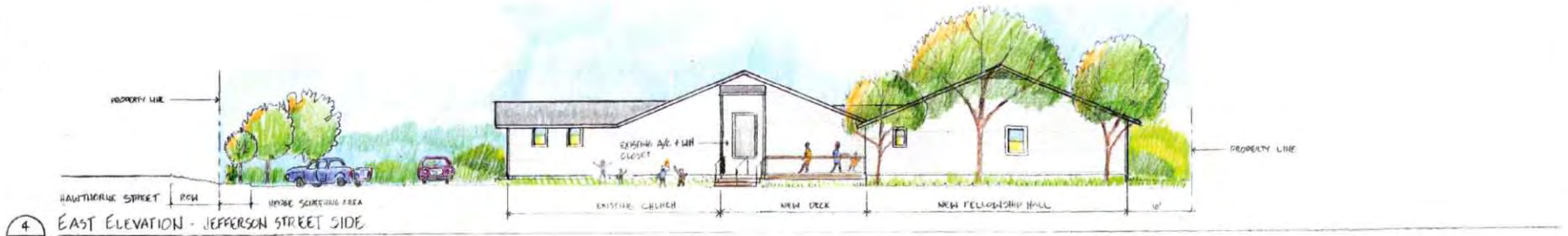
Friendship Bible Baptist Church
1903 North Pecan Street, Bastrop Texas 78602

PROJECT # 16 FBSC	
ISSUE DATES	
7/10/19	REVIEW
7/22/19	CUP SUB.
8/19/19	CUP APP.

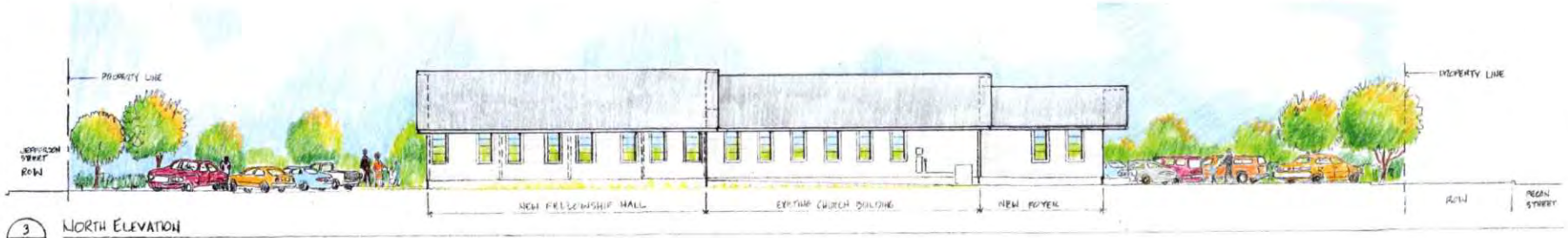
CUP SITE PLAN

A-1 of A-2 | 1 of 2

A-1



4 / A-2 EAST ELEVATION - JEFFERSON STREET SIDE
1/8" = 1'-0"



3 / A-2 NORTH ELEVATION
1/8" = 1'-0"



2 / A-2 WEST ELEVATION - PECAN STREET SIDE
1/8" = 1'-0"



1 / A-2 SOUTH ELEVATION - HAWTHORNE STREET SIDE
1/8" = 1'-0"

Jeff Jack
Architect
2008 B Robb Glen
Austin Texas 78704
(512) 447-5877 (O)
(512) 970-0844 (C)
2jeffjack@gmail.com

8-14-19

Friendship Bible Baptist Church
1903 North Pecan Street, Bastrop Texas 78602

PROJECT # 16 FBBC	
ISSUE DATES	
7/10/19	REVIEW
7/22/19	CCB HPO
8/14/19	CLOSE

C.U.P. ELEVATIONS
A-2 OF A-2 2 OF 2

A-2

Jeff Jack **Architect**
2008 B Rabb Glen Austin Texas, 78704 Fax & Tel (512-447-5877)
2jeffjack@gmail.com

City of Bastrop
Planning and Development Department
c/o Matt Jones, Planning Director
1311 Chestnut Street
Bastrop, Texas 78602

August 15, 2019

Re: Application for a Conditional Use Permit for
Friendship Bible Baptist Church
1903 North Pecan Street
Bastrop, Texas 78602

Director Jones

I have been engaged by Friendship Bible Baptist Church to develop a conceptual plan for the Church's proposed expansion. The Church has recently completed the re-plating of the two adjacent lots into one lot. This minor plat revision has now allowed the Church to develop a conceptual plan utilizing the combined lots.

The scope of the proposed expansion includes:

1. A foyer addition which will provide for the congregation to visit before services. This addition will also allow for the remodeling of the existing small rest rooms into current ADA/TAS compliant restrooms.

2. A fellowship hall addition that will provide needed Sunday School classrooms, Church office space and a new kitchen area to allow the church to expand it's community free meals program. This addition will also include an outdoor deck area for the use of the congregation for overflow activities and congregational meals.

3. These additions will then allow for the current small kitchen area to be remodeled into the Pastor's office and a conference room. In addition, this will allow for the pulpit area to be expanded to allow for more musical programs related to the church services.

The existing Church has been an integral part of this neighborhood for decades and this expansion will allow the Church to continue and expand its service programs for the community. The additions will all be one story and consistent with the current Church building which is compatible with the surrounding residential neighborhood.

Attached is the following information provided in support of the Conditional Usw Permit application

1. Completed Application form.
2. Application fee check from the Church
   Staff has indicated that the Park Land Fee is not required.
3. Sheriff's Deed for the Hawthorne Street parcel newly acquired by the Church
4. Warranty Deed for the existing Church property at 1903 North Pecan St.
5. Copy of current tax certificate showing taxes have been paid
6. Survey of the combined lots by Registered Professional Land Surveyor
   Richard Ralph, 116, Tahitian Drive, Bastrop Texas
7. Conceptual site plan indicating expansion and remodeling areas
8. Conceptual building elevations showing character of the additions

If any additional information is needed for the processing of this application, please let me know. I appreciate the staff meeting with me several times to discuss what is needed for this application. The Church sincerely appreciates their help in moving this applicant forward.

Sincerely

Jeff Jack
Architect

CC Pastor Mary Butler

Notice of Pending Conditional Use Permit Approval
City of Bastrop
Planning & Zoning Commission
And City Council

Dear Property Owner:

The **Planning and Zoning Commission** will conduct a public hearing on **Thursday, September 26, 2019 at 6:00 p.m.** and the **City Council** will conduct a public hearing (first reading) **Tuesday, October 8, 2019 at 6:30 p.m.** in the **City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas** on the request to approve the ordinance for a Conditional Use Permit to allow an additional structure for Friendship Bible Baptist Church on Friendship Bible Subdivision, Lot 1 (0.615 acres) at 1903 Pecan Street, an area zoned SF-7, Single Family Residential-7, within the City Limits of Bastrop.

Applicant/Owner: Friendship Bible Baptist Church

Address: 1203 Pecan Street

Legal Description: Friendship Bible Subdivision, Lot 1 (0.615 acres)

The site location map, conceptual site plan, and a letter from the property owner is attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances CUP Regulations. For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, plan@cityofbastrop.org, or visit the office at 1311 Chestnut Street, Bastrop, Texas. For additional information, please visit or call the Planning & Development offices.

✂----------

PROPERTY OWNER'S RESPONSE

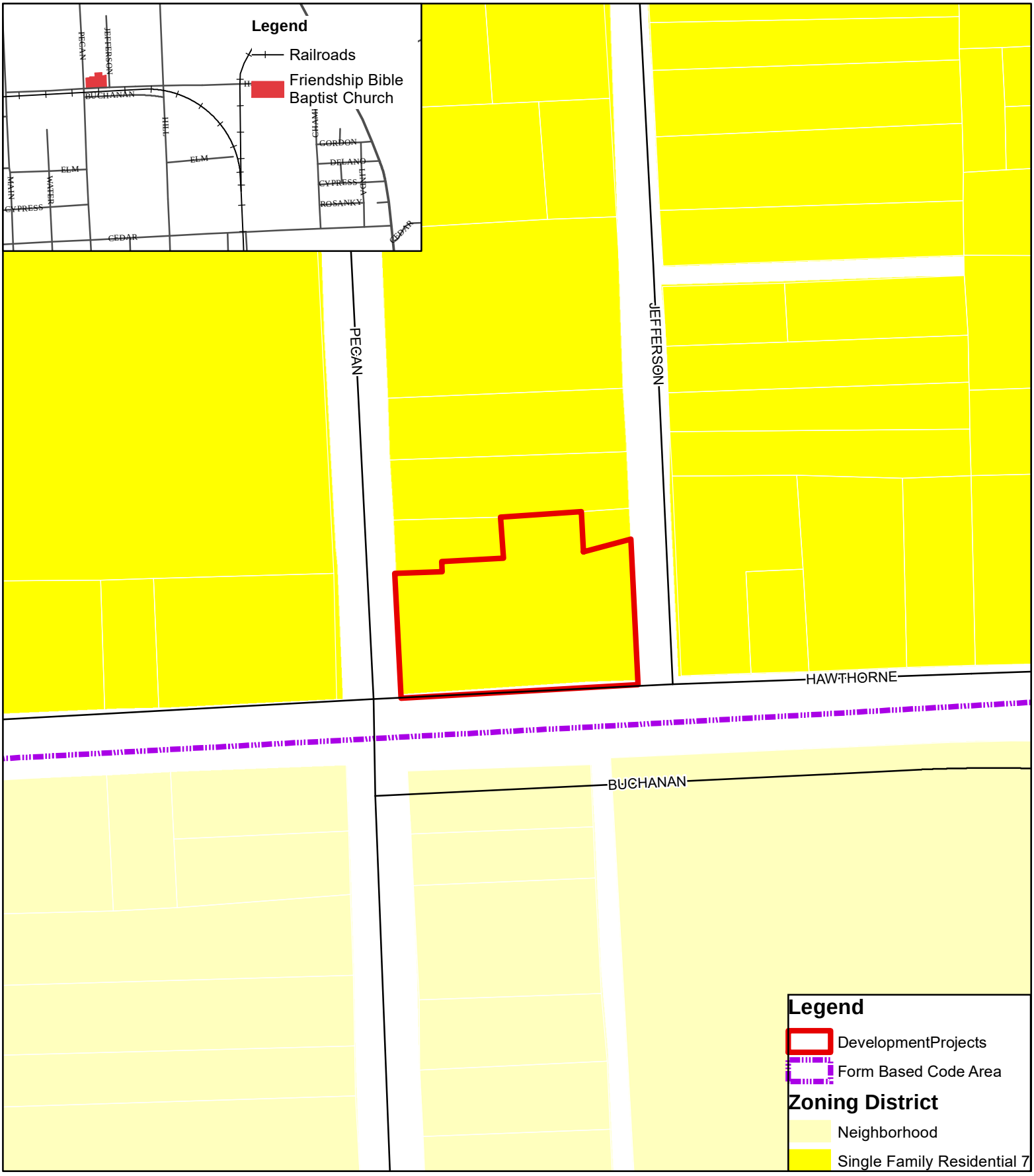
As a property owner within 200': (please check one)

- ☐ I am in favor of the request.
- ☐ I am opposed to the request.
- ☐ I have no objection to the request.

Property Owner Name: _____
Property Address: _____
Phone (optional): _____
Mailing Address:_____
Email (optional): _____
Property Owner's Signature: _____

Comments: (Optional)

Please provide reply to the address below, via fax (512) 332-8829, or email:
plan@cityofbastrop.org



BASTROPTX
Heart of the Lost Pines
Est. 1832

1 inch = 110.98 feet

Attachment 3 - Zoning Map
Conditional Use Permit Request
1903 Pecan Street

Date: 9/18/2019

N

The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liablity or responsibility for the accuracy, completeness or usefullness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 8C

TITLE:
Consider action to approve the second reading of Ordinance No. 2019-46 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code Of Ordinances, Chapter 3, Article 3.01 – "General Provisions," Section 3.01.002 "Bond And Insurance Requirements"; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

STAFF REPRESENTATIVE:
Lynda Humble, City Manager
Matt Jones, Director of Planning & Development

BACKGROUND/HISTORY:
As a part of overhauling the development process, Staff has interacted with various local contractors to discuss what is and is not working well. The existing bond requirements add an expense to the cost of obtaining building permits, which can make small jobs economically unfeasible. Cities typically require bonds as a way to ensure "reputable" companies do business in the City. However, staff has no history of ever "calling a bond." But, staff does have history of filing on a company's insurance.

POLICY EXPLANATION:

Staff recommends that the bond provision be eliminated, but change the wording of the insurance requirements to include all contractors and subcontractors, not just electrical, mechanical, or plumbing, when obtaining a permit from the City.

Sec. 3.01.002 - ~~Bond and~~ insurance requirements for contractors and subcontractors.

(a) ~~No contractor and/or subcontractor not specifically listed in subsection (b) below, who is required to obtain a permit from the city, shall be eligible to work within the corporate limits or utility service area of the city without first providing a bond in the amount of $10,000 and executed by a surety company satisfactory to the city, and conditioned that the individual or firm shall faithfully perform its duties and in all things comply with the provisions of this chapter, including all amendments thereto, pertaining to the license or permit applied for.~~ Removed.

(b) No contractor and/or subcontractor, including electrical, mechanical or plumbing contractor or subcontractor, who is required to obtain a permit from the city shall be eligible to work within the corporate limits or utility service area of the city without first providing a certificate of insurance, satisfactory to the city, that provides for commercial general liability insurance of at least $200,000 combined for property damage and bodily injury, $200,000 aggregate

and $200,000 aggregate for products and completed operations, which policy covers all employees and/or subcontractors.

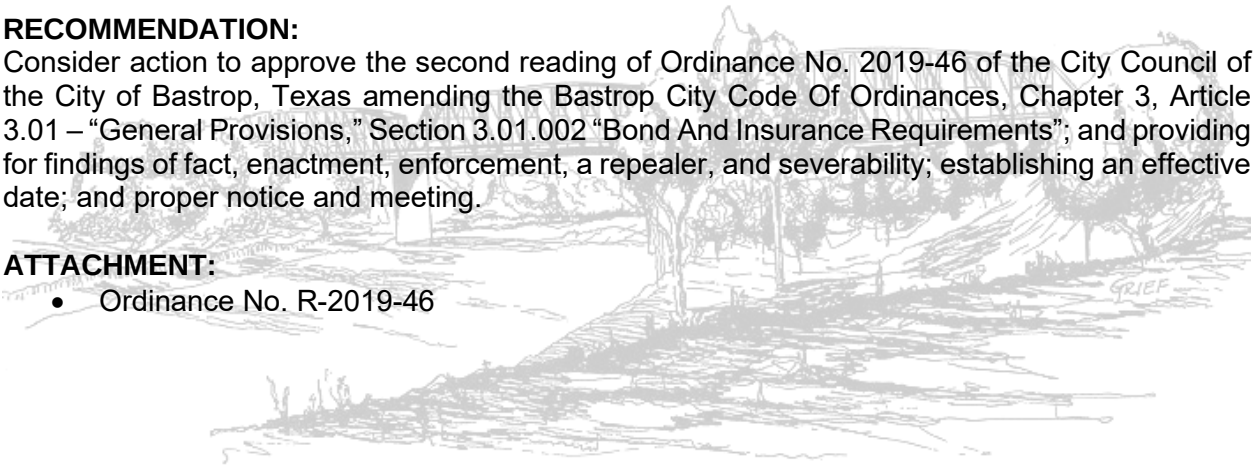
(c) The terms "contractor" and "subcontractor" as used in this section shall mean individuals or firms who have contracted or agreed, as "independent contractors," to perform construction, excavation, electrical, plumbing, mechanical, roofing, or other construction work on real property owned by persons or entities other than the contractor or subcontractor. Property owners, or their employees, may obtain permits for work that is to be completed by the property owners or their employees on real property owned by them without providing the bonds or insurance required as set out above. The city may require proof of property ownership and/or employment status from individuals or entities seeking to qualify for this exemption.

(d) Consulting services fees and related charges incurred by the city shall be paid in accordance with the fees set forth in section A3.01.002 of appendix A

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve the second reading of Ordinance No. 2019-46 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code Of Ordinances, Chapter 3, Article 3.01 – "General Provisions," Section 3.01.002 "Bond And Insurance Requirements"; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

ATTACHMENT:
- Ordinance No. R-2019-46



ORDINANCE NO. 2019-46

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING THE BASTROP CITY CODE OF ORDINANCES, CHAPTER 3, ARTICLE 3.01 – "GENERAL PROVISIONS," SECTION 3.01.002 "BOND AND INSURANCE REQUIREMENTS"; AND PROVIDING FOR FINDINGS OF FACT, ENACTMENT, ENFORCEMENT, A REPEALER, AND SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council reviews its codes from time to time and identifies regulatory provisions that could create unnecessary fees to be passed on to citizens and businesses; and

WHEREAS, all contractors and/or subcontractors obtaining a permit from the city must be able to provide commercial general liability insurance as required by Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ENACTMENT That Chapter 3 of the Bastrop Code of Ordinances, Article 3.01 "General Provision", Section 3.01.002 "Bond and Insurance Requirements" shall be amended in its entirety to read as follows:

Sec. 3.01.002 - ~~Bond and~~ Insurance requirements for contractors and subcontractors.

(a) ~~No contractor and/or subcontractor not specifically listed in subsection (b) below, who is required to obtain a permit from the city, shall be eligible to work within the corporate limits or utility service area of the city without first providing a bond in the amount of $10,000 and executed by a surety company satisfactory to the city, and conditioned that the individual or firm shall faithfully perform its duties and in all things comply with the provisions of this chapter, including all amendments thereto, pertaining to the license or permit applied for.~~ Removed.

(b) No contractor and/or subcontractor, including electrical, mechanical or plumbing contractor or subcontractor, who is required to obtain a permit from the city shall be eligible to work within the corporate limits or utility service area of the city without first providing a certificate of insurance, satisfactory to the city, that provides for commercial general liability insurance of at least $200,000 combined for property damage and bodily injury, $200,000 aggregate and $200,000 aggregate for products and completed operations, which policy covers all employees and/or subcontractors.

(c) The terms "contractor" and "subcontractor" as used in this section shall mean individuals or firms who have contracted or agreed, as "independent contractors," to perform construction, excavation, electrical, plumbing, mechanical, roofing, or other construction work on real property owned by persons or entities other than the contractor or subcontractor. Property owners, or their employees, may obtain permits for work that is to be completed by the property owners or their employees on real property owned by them without providing the bonds or insurance required as set out above. The city may require proof of property

ownership and/or employment status from individuals or entities seeking to qualify for this exemption.

(d) Consulting services fees and related charges incurred by the city shall be paid in accordance with the fees set forth in section A3.01.002 of appendix A

SECTION 3. REPEALER In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 4. SEVERABILITY If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE This Ordinance shall be effective immediately upon passage and publication.

SECTION 7. OPEN MEETINGS It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ and APPROVED on First Reading on the 24th day of September 2019.

READ and ADOPTED on Second Reading on the 22nd day of October 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 8D

TITLE:
Consider action to approve Resolution No. R-2019-90 of the City Council of the City of Bastrop, Texas, approving the Financial Management Policy, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.

STAFF REPRESENTATIVE:
Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:
This policy was last adopted on September 26, 2017. This policy is to be reviewed annually, as a part of the budget, and adopted by the City Council each year as a part of that process.

City Council reviewed the Financial Management Policy at the September 17, 2019 City Council Meeting and provided feedback for final adoption.

The policy was bought to the City Council on September 24, 2019 for adoption and there was further discussion regarding additional language for the City's request for funding from our partner agencies (ie. Bastrop Economic Development Corp. and Visit Bastrop).

Staff has added the additional language in the policy and is bringing if forward for adoption.

POLICY EXPLANATION:
This policy should be reviewed administratively by the City Manager at least annually, prior to preparation of the operating budget.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve Resolution No. R-2019-90 of the City Council of the City of Bastrop, Texas, approving the Financial Management Policy, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.

ATTACHMENTS:
- Resolution 2019-90
- Financial Policy

RESOLUTION NO. R-2019-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE FINANCIAL MANAGEMENT POLICY, WHICH IS ATTACHED AS EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the responsibility of local government to ensure that public funds are managed in a prudent and financially sound manner; and

WHEREAS, the City of Bastrop Financial Management Policy was last adopted by Council in September 2017; and

WHEREAS, financial policies provide guidelines for managing risk and assisting the City in complying with established public management best practices, while ensuring compliance with federal, state and local laws and reporting requirements; and

WHEREAS, at the September 17, 2019 Council Meeting, staff presented the Financial Management Policy for annual review by the City Council; and

WHEREAS, the City Council requests that the Financial Management Policy be reviewed and adopted annually by Council as a part of the budget adoption process to ensure this policy is current with State Law and appropriately addresses operational needs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

SECTION 1: The City Council hereby approves the City of Bastrop Financial Management Policy, which is attached as Exhibit A, and requests that it be reviewed and adopted annually as a part of the Budget adoption process.

SECTION 2: Any prior resolution of the City Council in conflict with the provisions contained in this resolution are hereby repealed and revoked.

SECTION 3: Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 4: This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop, Texas on the 22nd day of October 2019.

CITY OF BASTROP, TEXAS

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

EXHIBIT A

BASTROPTX
Heart of the Lost Pines
Est. 1832

> Financial policies provide guidelines for managing risk and assisting the City in complying with established public management best practices, while ensuring compliance with federal, state and local laws and reporting requirements.



Financial Policy

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I. Purpose Statement

The overriding goal of the Financial Management Policies is to enable the city to achieve a long- term stable and positive financial condition while conducting its operations consistent with the Council-Manager form of government established in the City Charter. The watchwords of the city's financial management include integrity, prudent stewardship, planning, accountability, and full disclosure.

The purpose of the Financial Management Policies is to provide guidelines for the financial management staff in planning and directing the city's day-to-day financial affairs and in developing recommendations to the City Manager.

The scope of the policies spans accounting, auditing, financial reporting, internal controls, operating and capital budgeting, revenue management, cash management, expenditure control and debt management.

II. Accounting, Auditing, And Financial Reporting

A. Accounting – The City of Bastrop finances shall be accounted for in accordance with generally accepted accounting principles as established by the Governmental Accounting Standards Board. The fiscal year of the City shall begin on October first of each calendar year and shall end on September thirtieth of the following calendar year. This fiscal year shall also be established as the accounting and budget year. Governmental fund types use the modified accrual basis of accounting, revenues are recognized when susceptible to accrue (i.e., when they are measurable and available. Expenditures are recognized when the related funds liability is incurred, if measurable, except for principle and interest on general long- term debt, which are recorded when due.

Proprietary fund types are accounted for on a full accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred

B. Funds – Self-balancing groups of accounts are used to account for city financial transactions in accordance with generally accepted accounting principles. Each fund is created for a specific purpose except for the General Fund, which is used to account for all transactions not accounted for in other funds. Governmental funds are used to account for the government's general government activities and include the General, Special Revenue, Debt Service and Capital Project funds.

C. External Auditing – The city will be audited annually by outside independent auditors. The auditors must be a CPA firm of national reputation and must demonstrate that they have the breadth and depth of staff to conduct the city's audit in accordance with generally accepted auditing standards, generally accepted government auditing standards, and contractual requirements. The auditors' report on the city's financial statements including any federal grant single audits will be completed within 120 days of the city's fiscal year end, and the auditors' management letter will be presented to the city staff within 150 days after the city's fiscal year end. An interim management letter will be issued prior to this date if any materially significant internal control weaknesses are discovered. The city staff and auditors will jointly review the management letter with the City Council within 60 days of its receipt by the staff.

D. External Auditors Responsible to City Council - The external auditors are accountable to the City Council and will have access to direct communication with the City Council if the city staff is unresponsive to auditor recommendations or if the auditors consider such communication necessary to fulfill their legal and professional responsibilities.

E. External Auditor Rotation – The city will not require external auditor rotation, but will circulate requests for proposal for audit services periodically, normally at five-year intervals or less.

F. External Financial Reporting – The city will prepare and publish a Comprehensive Annual Financial Report (CAFR). The CAFR will be prepared in accordance with generally accepted accounting principles and may be presented annually to the Government Finance Officers Association (GFOA) for evaluation and possibly awarding of the Certification of Achievement for Excellence in Financial Reporting. The CAFR will be published and presented to the City Council within 180 days after the end of the fiscal year. City staffing and auditor availability limitations may preclude such timely reporting. In such case, the Chief Financial Officer will inform the City Manager and the City Manager will inform the City Council of the delay and the reasons therefore.

III. Internal Controls

A. Written Policies & Procedures – The Finance Department is responsible for developing city-wide written policies & procedures on accounting, cash handling, and other financial matters. The Policies will be reviewed by the City Manager and approved by the City Council. The procedures will only need approval by the City Manager.

The Finance Department will assist department managers as needed in tailoring these written procedures to fit each department's requirements.

B. Internal Audit – The Finance Department may conduct reviews of the departments to determine if the departments are following the written procedures as they apply to the departments.

Finance will also review the written policies and procedures on accounting, cash handling and other financial matters. Based on these reviews Finance will recommend internal control improvements as needed.

C. Department Managers Responsible – Each department manager is responsible to the City Manager to ensure that good internal controls are followed throughout his or her department, that all guidelines on accounting and internal controls are implemented, and that all independent and internal control recommendations are addressed.

IV. Operating Budget

A. Preparation – The city's "operating budget" is the city's annual financial operating plan. It consists of governmental and proprietary funds, including the general obligation debt service fund. The budget is prepared using the same basis of accounting as the audited financial statements. The budget is prepared by the City Manager with the assistance of the Chief Financial Officer and cooperation of all city departments. The City Manager transmits the document to the City Council thirty (30) days prior to the commencement of the fiscal year per the City Charter. The budget should be enacted by the City Council prior to the fiscal year beginning. The operating budget may be submitted to the GFOA annually for evaluation and possible awarding of the Award for Distinguished Budget Presentation.

The budget document presented to Council will be in compliance with Article VI Section 6.02 of the City Charter.

A copy of the proposed budget shall be filed with the City Secretary, at the Public Library and available on the City's website when it is submitted to the City Council in accordance with the provisions of the City Charter Article VI Section 6.03.

At the Council meeting at which time the budget is submitted, the Council shall, in conformance with the requirements of state

law, shall cause to be published the date, time and place of a Public Hearing. At this hearing, interested citizens may express their opinions concerning items of expenditure, giving reasons for wishing to increase or decrease any such items. This is in accordance with the provisions of the City Charter Article VI Section 6.04.

After public hearing, the Council shall analyze the budget, making any additions or deletions considered appropriate, and shall, at least three (3) days prior to the beginning of the fiscal year, adopt the budget by a favorable vote. This in accordance with the provisions of the City Charter Article VI Section 6.05.

On final adoption, the budget shall be in effect for the budget year. Final adoption of the budget by Council shall constitute the official appropriations of proposed expenditures for the year and shall constitute the basis of the official levy of the property tax as the amount of tax to be assessed and collected for that tax year. This in accordance with City Charter Article VI Section 6.06.

B. Balanced Budgets – An operating budget will be balanced, with current revenues, inclusive of beginning resources, greater than or equal to current operating expenditures/expenses.

C. Planning – The budget process will begin with a Staff Budget Retreat followed by a Council Budget Workshop to provide direction to the City Manager on goals of the organization. From Jan. – April, each Department Director will enter their line item budgets into the budget software. ~~submitting Expanded Level of Service (ELS) forms accompanied by a summary form ranking their requests by priority. The Chief Financial Officer will use the current budget as a base line and enter all ELS requests into the accounting system.~~ Meetings are scheduled with the City Manager, Chief Financial Officer and Department Directors, to review their draft budgets. A summary of this draft budget is presented to City Council by the City Manager, at a Budget workshop There will be several more Council budget workshops as the City Manager and staff work through estimating revenue and making the necessary expense cuts to prepare a balanced budget for final approval.

D. Reporting – Periodic financial reports are available within INCODE to enable the department managers to manage their budgets and to enable the Finance Department to monitor and control the budget as approved by the City Council. Summary monthly financial reports will be presented to the City Council within 45 days after the end of each month, if council meetings do not interfere with reporting requirement. Such reports will include current year revenue and expenditure budgets and year-to-date actual figures for all major funds.

E. Control – Operating Expenditure Control is addressed in another section of the Policies.

F. Performance Measures – Where appropriate, performance measures and productivity indicators will be used as guidelines and reviewed for efficiency and effectiveness. This information will be included in the annual budgeting process.

V. Capital Budget

A. Preparation – The city's capital budget will be included in the city's operating budget. The capital budget will be prepared by the City Manager with assistance from the Finance Department and involvement of all required city departments.

B. Appropriation – An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned

C. Control – All capital project expenditures must be appropriated in the capital budget. Finance must certify the availability of

resources so an appropriation can be made before a capital project contract is presented by the City Manager to the City Council for approval.

D. Alternate Resources – Where applicable, assessments, impact fees, or other user-based fees should be used to fund capital projects which have a primary benefit to certain property owners.

E. Debt Financing – Recognizing that debt is usually a more expensive financing method, alternative financing sources will be explored before debt is issued. When debt is issued, it will be used to acquire major assets with expected lives that equal or exceed the average life of the debt issue. The exceptions to this requirement are the traditional costs of marketing and issuing the debt, capitalized labor for design and construction of capital projects, and small component parts which are attached to major equipment purchases.

F. Reporting – Financial reports will be available to enable the department managers to manage their capital budgets and to enable the finance department to monitor the capital budget as authorized by the City Manager.

VI. Revenue Management

A. Simplicity – The city will strive to keep the revenue system simple which will result in a decrease of compliance costs for the taxpayer or service recipient and a corresponding decrease in avoidance to pay.

B. Certainty – An understanding of the revenue source increases the reliability of the revenue system. The city will ~~try to~~ understand its revenue sources and enact consistent collection policies so that assurances can be provided that the revenue base will materialize according to budgets and plans.

C. Equity – The city will strive to maintain equity in the revenue system structure. It is recognized that public policy decisions may lead to subsidies in certain circumstances, e.g., Over 65 property tax exemptions.

D. Administration – The benefits of revenue will exceed the cost of producing the revenue. The cost of collection will be reviewed annually for cost effectiveness as a part of the indirect cost, and cost of services analysis.

E. Revenue Adequacy – The city will require that there be a balance in the revenue system. That is, the revenue base will have the characteristic of fairness and neutrality as it applies to cost of service, willingness to pay, and ability to pay.

F. Cost/Benefit of Abatement – The city will use due caution in the analysis of any tax, fee, or water and wastewater incentives that are used to encourage development. A cost/benefit (fiscal impact) analysis will be performed as a part of such analysis and presented to the appropriate entity considering using such incentive.

G. Diversification and Stability – In order to protect the government from fluctuations in revenue source due to fluctuations in the economy, and variations in weather (in the case of water and wastewater), a diversified revenue system will be sought.

H. Non-Recurring Revenues – One-time revenues will not be used for ongoing operations. Non-recurring revenues will be used only for non-recurring expenditures. Care will be taken not to use these revenues for budget balancing purposes.

I. Property Tax Revenues – **For every annual budget, the City shall levy two property tax rates: Maintenance/Operations and Interest/Sinking (debt service). The debt service levy shall be sufficient for meeting all principle and interest payments associated with the City's outstanding general debt obligations for that budget year. The debt service levy and related**

debt service expenditures shall be accounted for in the Debt Service Fund. The maintenance and operations levy shall be accounted for in the General Fund. The City will adhere to state law when calculating these tax rates. Property shall be assessed at 100% of the fair market value as appraised by the Bastrop Central Appraisal District. Reappraisal and reassessment shall be done regularly as required by State law. A 97% collection rate will serve as a minimum goal for tax collection, with the delinquency rate of 4% or less. The 97% rate is calculated by dividing total current year tax collections for a fiscal year by the total tax levy for the fiscal year.

All delinquent taxes will be pursued as part of the collection contract the City has with the Bastrop County Tax Assessor/Collector. ~~aggressively pursued by being turned over to an attorney, and a penalty assessed to compensate the attorney as allowed by State law, and in accordance with the attorney's contract.~~

J. User-Based Fees – For services associated with a user fee or charge, the direct and indirect costs of that service will be offset by a fee where possible. There will be an annual review of fees and charges to ensure that fees provide adequate coverage of costs and services.

K. General and Administrative Charges – A method will be maintained whereby the General Fund can impose a charge to the enterprise/ proprietary funds for general and administrative services (~~indirect costs~~overhead allocation) performed on the funds' behalf. The details will be documented and said information will be maintained in the Finance Department.

L. Utility Rates – The city will strive to review utility rates annually and, if necessary, adopt new rates to generate revenues required to fully cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide for an adequate level of working capital needs. This policy does not preclude drawing down cash balances to finance current operations. However, it is best that any extra cash balance be used instead to finance capital projects.

M. Interest Income – Interest earned from investment of available monies that are pooled will be distributed to the funds monthly in accordance with the claim on cash balance of the fund from which monies were provided to be invested.

N. Revenue Monitoring – Revenues actually received will be regularly compared to budgeted revenues and variances will be investigated. This process will be summarized in the appropriate budget report.

VII. Expenditure Control

A. OPERATING EXPENDITURES - Shall be accounted, reported and budgeted for in the following categories:

1. **Personnel Costs**
2. **Supplies and Materials**
3. **Maintenance and Repairs**
4. **Occupancy**
5. **Contractual Serives**
6. **Other Charges**
7. **Contingency**

B. Appropriations – The level of budgetary control is the department level budget in all Funds. Transfers between expenditure accounts within a department may occur with the approval of the ~~Chief Financial Officer~~Department Director. City Manager approval is required if transferring from a personnel or capital accounts within a department. When budget adjustments (i.e., amendments), are required between departments and/or funds, these must be approved by the City Council through an Ordinance

~~B~~**C. Vacancy Savings/Contingency Account –** The General Fund Contingency

Account will be budgeted at a minimal amount ($35,000). The contingency account balance for expenditures may be increased quarterly by the amount of available vacancy savings.

~~C~~D. **Contingency Account Expenditures** – The City Council must approve all contingency account expenditures over $50,000. The City Manager must approve all other contingency account expenditures.

~~D~~E. **Central Control** – Significant vacancy (salary) and capital budgetary savings in any department will be centrally controlled by the City Manager.

~~E~~F. **Purchasing Control** – All purchases shall be made in accordance with the city's Purchasing Policy. Authorization levels for appropriations previously approved by the City Council are as follows: below Directors $1,000 (Directors can request to have this amount raised by submitting a written request to the Finance Department), for Directors up to $9,999, for Chief Financial Officer up to $14,999, and with any purchases exceeding $15,000 to be approved by the City Manager.

~~F~~G. **Professional Services** – Professional services will generally be processed through a request for proposals process, except for smaller contracts. The City Manager may execute any professional services contract less than $50,000 provided there is an appropriation for such contract.

~~G~~H. **Prompt Payment** – All invoices will be paid within 30 days of receipt in accordance with the prompt payment requirements of State law. Procedures will be used to take advantage of all purchase discounts where considered cost effective. However, payments will also be reasonably delayed in order to maximize the city's investable cash, where such delay does not violate the agreed upon terms.

VIII. Asset Management

A. Investments – The city's investment practices will be conducted in accordance with the City Council approved Investment Policies.

B. Cash Management – The timing and amount of cash needs and availability shall be systematically projected in order to maximize interest earnings from investments.

C. Investment Performance – A quarterly report on investment performance will be provided by the Chief Financial Officer to the City Council.

D. Fixed Assets and Inventory – These assets will be reasonably safeguarded properly accounted for, and prudently insured. The City will perform an annual inventory of all assets with a value greater than $1,000. Asset control will be conducted in accordance with the City Council approved Purchasing Policy Sec. IV.

IX. Financial Condition and Reserves

A. No Operating Deficits – Current expenditures should be paid with current revenues. Deferrals, short-term loans, or one-time sources should be avoided as budget balancing technique. Reserves will be used only for emergencies on non-recurring expenditures, except when balances can be reduced because their levels exceed guideline minimums.

B. Operating Reserves – Failure to meet these standards will be disclosed to the City Council as soon as the situation is recognized and a plan to replenish the ending resources over a reasonable time frame shall be adopted.

1. The General Fund ending fund balance will be maintained at an amount up to three months' worth of estimated expenditures or at a level of 25% of

budgeted operating expenditures.

2. The Enterprise/ Proprietary Funds will be maintained at a minimum level of 35% of budgeted operating expenditures.

3. Fund balances which exceed the minimum level established for each fund may be appropriated for non-recurring capital projects.

C. Risk Management Program – The city will aggressively pursue every opportunity to provide for the public's and city employees' safety and to manage its risks.

D. Loss Financing – All reasonable options will be investigated to finance losses. Such options may include risk transfer, insurance and risk retention. Where risk is retained, reserves will be established based on a calculation of incurred but not reported claims, and actuarial determinations and such reserves will not be used for any purpose other than for financing losses.

E. Enterprise/ Proprietary Fund Self-Sufficiency – The city's enterprise funds' resources will be sufficient to fund operating and capital expenditures. The enterprise funds will pay (where applicable) their fair share of general and administrative expenses, in- lieu-of-property taxes and/or franchise fees. If an enterprise fund is temporarily unable to pay all expenses, then the City Council may waive general and administrative expenses, in- lieu-of-property taxes and/or franchise fees until the fund is able to pay them.

F. Hotel Occupancy Tax Fund – This fund has a long-term effect on the City's economy and the reserve level needs to be sufficient to allow the fund to operate if a downturn in the economy occurred. Sufficient level of reserves should be a minimum of one year of expenditures to allow the City to ensure continuity of the organizations promoting tourism. Policy makers will need to determine priorities and funding levels should the economic downturn be expected to exceed the current adopted budget plus one-year reserves.

X. Debt Management

A. Self-Supporting Debt – When appropriate, self-supporting revenues will pay debt service in lieu of tax revenues.

B. Analysis of Financing Alternatives – The city will explore all financing alternatives in addition to long-term debt including leasing, grants and other aid, developer contributions, impact fees, and use of reserves or current monies.

C. Voter Authorization – The city shall obtain voter authorization before issuing General Obligation Bonds as required by law. Voter authorization is not required for the issuance of Revenue Bonds and Certificates of Obligation. However, the city may elect to obtain voter authorization for Revenue Bonds.

D. Bond Debt – The City of Bastrop will attempt to maintain base bond ratings of AA2(Moody's Investors Service) and AA (Standard & Poor's) on its general obligation debt, and AA- on its revenue bonds. In an attempt to keep the debt service tax rate flat, retirement of debt principal will be structured to ensure constant annual debt payments when possible.

E. IRS Compliance – The City will have a written policy for monitoring compliance with IRS laws and regulations for tax exempt debt.

XI. Staffing and Training

Adequate Staffing – Staffing levels will be adequate for the fiscal functions of the city to function effectively. Overtime shall be used only to address temporary or seasonal demands that require excessive hours. Workload scheduling alternatives will be explored before adding staff.

Training – The city will support the continuing education efforts of all financial staff including the investment in time and materials for maintaining a current perspective concerning financial issues. Staff will be held accountable for communicating, teaching, and sharing with other staff members all information and training materials acquired from seminars, conferences, and related education efforts.

XII. Grants/Funding Requests Financial Management

A. Grant Solicitation – Each department is responsible for researching and applying for grants that support needs within their department. The purpose of this policy is to ensure grant funding is solicited with prior approval of the City Manager. The grant application should only be made with input from pertinent departments. ~~The City Manager will be informed about available grants by the departments. The City Council will have final approval Over which grants are applied for~~. The grants should be cost beneficial and meet the city's objectives. Communication will be made with City Council to keep them informed on what grants are being solicited.

B. Grant Acceptance – All grants awarded to the City of Bastrop must be accepted by action of the City Council. If the grant opportunity is identified early enough for inclusion in the annual budget, is shall be identified and budgeted in revenue and expenditure accounts. If the grant is accepted but has not been included in the annual budget, a budget amendment shall be requested to reflect the revenues and expenditures associated with the grant.

~~B~~C.Responsibility – Departments will oversee the day to day operations of grant programs, will monitor performance and compliance, and will also keep the Finance Department informed of significant grant-related plans and activities. Finance Department staff members will serve as liaisons with grantor financial management personnel, will prepare invoices, and will keep the books of account for all grants.

D. Funding Requests from Partner Organizations – These organizations are identified as the Bastrop Economic Development Corporation and Visit Bastrop. The City Council will be informed of a funding request from a Partner Organization through an agenda item at a public meeting.

XIII. Annual Review and Reporting

A. Annual Review - These Policies will be reviewed administratively by the City Manager at least annually, prior to preparation of the operating budget.

B. Reporting - The Chief Financial Officer will report annually to the City Manager on compliance with these policies.

_____
Lynda Humble, City Manager

_____
Tracy Waldron, CFO

History of Financial Policies:
Previously Approved 9/23/14
Previously Approved 10/25/16
Previously Approved 5/9/17
Previously Approved with Budget 9/25/18

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 9A

TITLE:
Consider action to approve Resolution No. R-2019-107 of the City Council of the City of Bastrop, Texas confirming a board appointment of the Mayor, as required in Section 3.08 of the City's Charter, and establishing an effective date.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager

BACKGROUND/HISTORY:
Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council.

POLICY EXPLANATION:
Mayor Connie Schroeder has appointed Patrick Connell to Place 5 of the Bastrop Zoning Board of Adjustment. The approval of this Resolution will provide confirmation of this appointment by Council as required by the Charter.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve Resolution No. R-2019-107 of the City Council of the City of Bastrop, Texas confirming a board appointment of the Mayor, as required in Section 3.08 of the City's Charter, and establishing an effective date.

ATTACHMENTS:

- Resolution

RESOLUTION NO. R-2019-107

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS CONFIRMING A BOARD APPOINTMENT OF THE MAYOR, AS REQUIRED IN SECTION 3.08 OF THE CITY'S CHARTER; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council; and

WHEREAS, Mayor Connie Schroeder has appointed Patrick Connell to Place 5 on the Bastrop Zoning Board of Adjustment; and

WHEREAS, City Council must confirm this appointment as required by the City Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: That Mayor Connie Schroeder has appointed Patrick Connell to Place 5 on the Bastrop Zoning Board of Adjustment.

Section 2: That the City Council of the City of Bastrop confirms Mayor Schroeder's appointment of Patrick Connell to Place 5 on the Bastrop Zoning Board of Adjustment.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 22nd day of October, 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 9B

TITLE:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-50 of the City Council of the City of Bastrop, Texas amending the 2036 Comprehensive Plan by amending Chapter 5, of the Transportation Master Plan, as attached in Exhibit A; and providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting and move to include on the November 12, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:
Matt Jones, Director of Planning and Development

BACKGROUND/HISTORY:
Building Bastrop launched on August 15, 2018 to create a new set of tools that will support the community in a responsible manner for generations to come. Building Bastrop is all about connecting people to policy. It is about humanizing an otherwise complicated and mundane process of rewriting the City's land-use regulations. The City of Bastrop is taking a journey, weaving together its history and the philosophies that define authentic Bastrop. It is about love, community pride, and defining the City's way of life. It's about Building Bastrop together, honoring our authentic past, and planning for our sustainable future.

City Council adopted a purpose statement and policy statement for Building Bastrop Codes at their February 26, 2019 regularly scheduled meeting. The purpose statement is as follows:

> ***"Create a fiscally sustainable, timeless community through land-use regulations that are locally made (authentic Bastrop), geographically sensitive, and fiscally sustainable."***

Building upon the purpose statement, the Council approved a policy statement (attached) to offer an explanation on key concepts that must be utilized for all development related codes to ensure clarity and consistency. The Building Bastrop Policy Statement provides clarity and consistency to all code revisions and rulemaking procedures that impact development in the City of Bastrop. The policy statement covers the following:

- What is Building Bastrop.
- Why Building Bastrop is important.
- Building Bastrop Purpose Statement.
- What the Purpose Statement means.
- What the elements of Fiscally Sustainable are.

Farm Lots and Building Blocks are the foundation for development in Bastrop. The 1920 Map of Bastrop Texas by George S. Iredell (Iredell Map) established the grid pattern of the streets using the Spanish measurement of varas under which the town was established. This resulted in Farm Lot lengths of 722.22 feet (260 varas) and block lengths of 333.33 feet (120 varas). This building block pattern has become the basis of the Bastrop Building Block (B^3) Code. Following the authentic Bastrop pattern, the attached Street Grid lays out the mandatory street grid for the entire City Limits and Statutory Extraterritorial Jurisdiction, at the Farm Lot level. As new and infill development occurs, developers will be required to choose street types and arrange the Building Blocks within the parameters set by the Street Grid.

Chapter 6 of the Comprehensive Plan includes the Major Thoroughfare Plan map and references the Transportation Master Plan, which includes the details of the development of the Major Thoroughfare Plan and a description of the roadway classification system. The Street Grid map will detail the local street grid and will be added to the Comprehensive Plan in Chapter 6 – Transportation and to the Transportation Master Plan, Chapter 5 – Thoroughfare Plan.

POLICY EXPLANATION:
The Home Rule Charter, Section 12.02 states that the Planning & Zoning *"shall provide a recommendation for a comprehensive plan for the physical development of the City."* The recommendation will be forwarded to City Council for their consideration during the adoption of the plan amendments.

FUNDING SOURCE:
N/A

PLANNING AND ZONING RECOMMENDATION:
At the regular meeting on September 26, 2019, after holding a public hearing, the Commission recommended approval of the Bastrop Transportation Master Plan, Chapter 5, Thoroughfare Plan by a vote of 8-0.

RECOMMENDATION:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-50 of the City Council of the City of Bastrop, Texas amending the 2036 Comprehensive Plan by amending Chapter 5, of the Transportation Master Plan, as attached in Exhibit A; and providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting and move to include on the November 12, 2019 agenda for a second reading.

ATTACHMENTS:
- Ordinance
- Transportation Master Plan Street Grid
- Transportation Master Plan, Chapter 5 - Thoroughfare Plan draft
- Typical Cross Sections
- Building Bastrop Policy Statement

ORDINANCE 2019-50

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING THE 2036 COMPREHENSIVE PLAN BY AMENDING CHAPTER FIVE OF THE TRANSPORTATION MASTER PLAN, AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, ADOPTION, ENFORCEMENT, A REPEALER, AND SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Bastrop, Texas ("City") is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Bastrop City Council ("City Council"), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations were not designed to address; and

WHEREAS, the City Charter of the City of Bastrop, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development, and beautification of the City and its extraterritorial jurisdiction; and

WHEREAS, the City Council of the City of Bastrop adopted the 2036 Comprehensive Plan by Resolution No. R2016-32; and

WHEREAS, Chapter 213 of Local Government Code, Comprensive Plans, states that a Comprehensive Plan shall be adopted by Ordinance; and

WHEREAS, the Transportation Master Plan, as part of the Comprehensive Plan, guides roadway improvements, construction of new facilities, outlines and implements the City's transportation goals and serves as the basis for compliance with State and Federal transportation planning bodies' policies; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally-sustainable and environmentally responsible manner that honors the City's rich heritage and unique ecological makeup; and

WHEREAS, on February 26, 2019, City Council adopted a policy statement to ensure clarity and consistency for all revisions and additions to the City's land-use regulations; and

WHEREAS, the City has hosted a Transportation and Drainage Rodeo public engagement event on April 10, 2019; and

WHEREAS, the Planning and Zoning Commission held a public hearing and recommended approval of the Transportation Master Plan amendment on September 26, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ADOPTION AND AMENDMENT

The City Council hereby amends the Transportation Master Plan, as attached in Exhibit A.

SECTION 3. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 4. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

SECTION 7. OPEN MEETINGS

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ & ACKNOWLEDGED on First Reading on the 22nd day of October 2019.

READ & APPROVED on the Second Reading on the 12th day of November 2019.

APPROVED:

by _____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

City of Bastrop
Transportation Master Plan Street Grid

DRAFT May 2019

TMP Classification

- State Highway System
- Primary Multimodal Street
- Local Connector Street
- Potential Connection
- Existing Streets
- Railroads
- Rivers
- City Limits
- ETJ

N

0 500 1,000 2,000 Feet

1209
969
1441
95
21
71
150
20
304
SAYERS
OLD PERKINS
MAIN
MESQUITE
BLAKEY
OLD AUSTIN
HASLER
HUNTERS POINT
SHILOH
LOVERS

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



5

Thoroughfare Plan

Thoroughfare Network, Functional Classification, and Cross-Sections

STREET NETWORK PLAN

An important element of the Transportation Master Plan is a Street Network Plan that establishes a long-range vision for a highly connected, multimodal street system throughout the City of Bastrop. The plan is designed to advance the goals of the City's Comprehensive Plan, meet the future travel needs of the City, and support sustainable development patterns by identifying the preferred level of connectivity within the City and the ETJ. This street network plan supports a level of flexibility in land uses and high degree of mobility and route choices.

Traditional thoroughfare planning practices in recent decades have often resulted in communities developed around widely spaced, large arterials fed by smaller roadways that often do not connect with each other. This type of roadway system causes vehicle traffic to be dependent on a limited number of major thoroughfares for most trips and limits opportunities for alternate routes. This causes trip lengths to be longer and indirect and is especially problematic for people who might walk, bike, or use public transportation. Well-designed, connected streets make travel more efficient by providing choice not only in modes, but also in routes.

One of the core transportation goals of the Comprehensive Plan is to enhance transportation system connectivity. Recommended objectives to achieve this goal include enhancing east-west connectivity through Bastrop, identifying and prioritizing gaps in the road network, prioritizing pedestrian and bicycling connectivity, and promoting connectivity through development regulations. This Street Network Plan directly addresses this connectivity goal and provides a guide for use by City officials and staff, developers, business owners, and residents to better achieve the City's vision for its street and roadway system.

Purpose

This Street Network Plan promotes a connected network inspired by the original Iredell grid network plan of 1920 that established the development pattern in Downtown Bastrop and surrounding areas between the Colorado River and State Highway 95. These streets, with shorter blocks and multiple route options, are a prime example of connections that support a mix of uses, activities, and trip types.

This plan recommends a grid-like pattern of primary and local streets, with major block spacing based on the traditional Bastrop farm lot (approximately 715 feet by 715 feet). This transportation planning approach not only benefits route choice, but also minimizes congested roadway corridors. A hierarchical street system typically funnels traffic onto just a few major arterial roadways for most trips, and these arterials can become overly congested during peak travel times. This connected Street Network Plan can mitigate concentrated traffic congestion by dispersing traffic and offering travel options. This mapped grid network is considered the minimum required level of connectivity and provides a high degree of flexibility for development types within the street pattern. Development is encouraged to provide additional connectivity within the mandatory grid that may include additional local streets, trails, or pedestrian pathways.

Street Types and Multimodal Networks

This Thoroughfare Plan addresses both existing and proposed streets and roadways and is intended to support the connectivity of all road users. In addition to defining a thoroughfare network, a basic classification system is assigned to area roadways based on intended route function. With a well-connected grid network, a complex hierarchy of arterials and collectors is not necessary. However, it is important that the Street Network Plan identify certain routes for logical and efficient routing of cross-city travel. These routes are intended to address some of the known transportation constraints in the Bastrop area, which include limited crossing options across the Colorado River, areas with significant topography or environmental constraints, and the current reliance on State Highway 71 for most east-west travel.

Map 5.1: 2040 Major Thoroughfare Map, City of Bastrop TMP

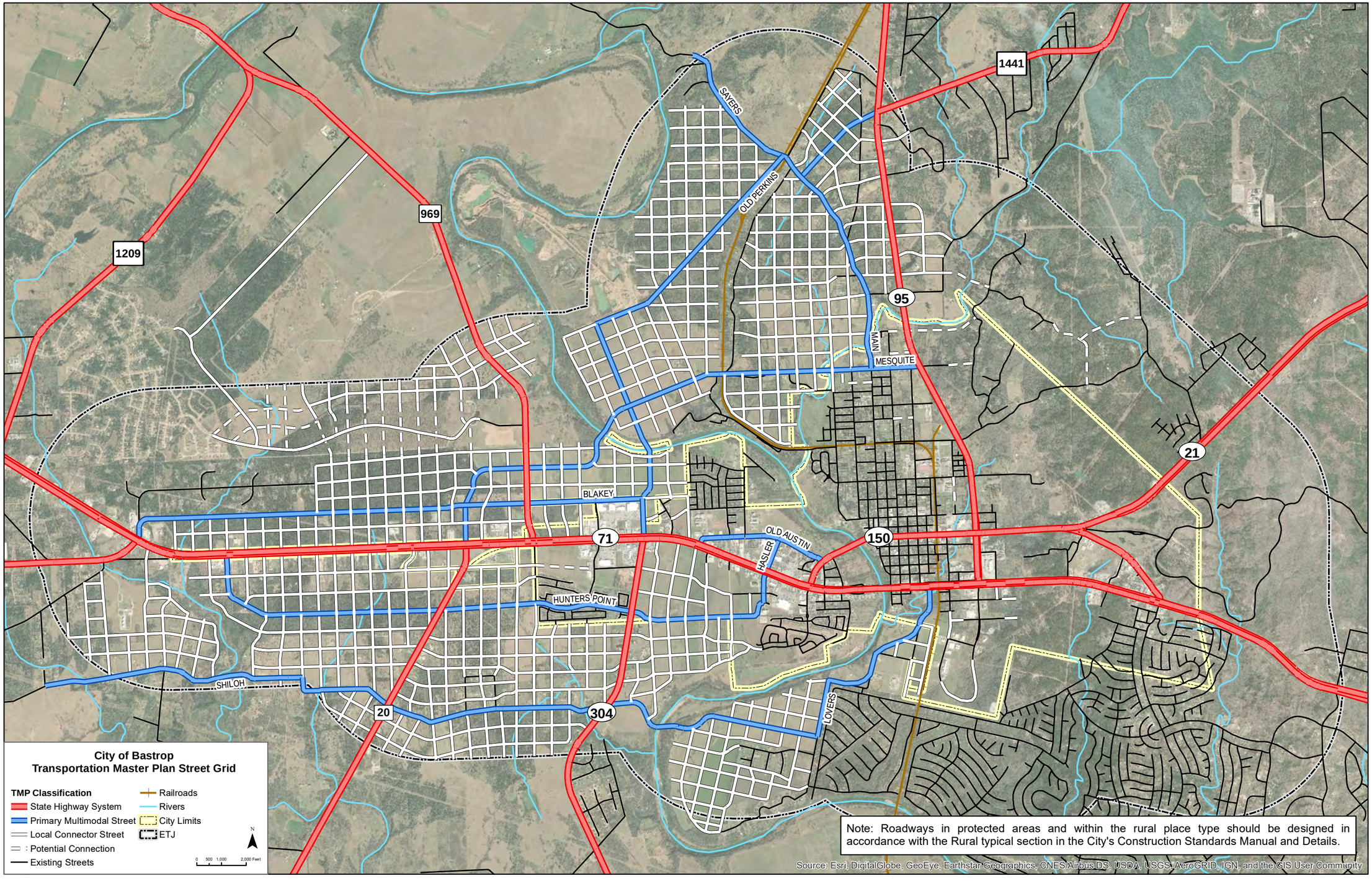


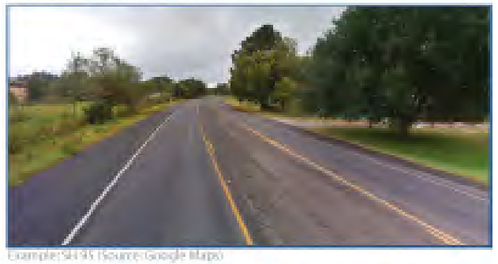
Figure 5.1: Street Network Plan

State Highway



Example: Loop 150 (Source: Google Maps)

Primary Multimodal



Example: SH 95 (Source: Google Maps)

Local Collector



Example: Pecan St. (Source: Google Maps)

Rural



Functional Classifications

The Street Network Plan uses the following classifications:

State Highway System

The State Highway System are routes built and maintained by the Texas Department of Transportation (TxDOT) and are intended to provide regional connectivity between Bastrop and neighboring communities. Major routes within Bastrop include State Highways 71, 21, 95, and 304, as well as Farm to Market Roads 969 and 20. These routes are intended to collect local trips from the grid network and serve higher traffic volumes and longer-distance trips. Design of these roadways can range from freeways with limited access (e.g. State Highway 71) to urban arterials with direct access to cross streets and adjacent development. As improvements to this system is necessary, the City should coordinate with TxDOT to ensure that roadway design improvements include a context-sensitive approach that takes into account the compatibility of the thoroughfare with surrounding land uses.

Primary Multimodal Streets

Primary Multimodal Streets are intended to provide a higher degree of mobility than most of the grid network by serving travel between major destinations or activity centers, as well as providing local cross-city route alternatives to the major highway routes. However, different than the State Highway System which may prioritize capacity and flow of motor vehicles, Primary Multimodal Streets are intended to provide a higher level of "person capacity" regardless of vehicle type. These streets should be designed as walkable, low-to-moderate speed thoroughfares that carry both through and local traffic, pedestrians, and bicyclists. These streets are also important connections for primary goods movement and emergency response routes. These streets will often require additional right-of-way than a typical grid connector, either for additional through travel lanes or for dedicated pedestrian and bicycle facilities.

Local Connector Streets

The remainder of the mandatory grid network is made up of Local Connector Streets which provide a higher degree of direct access to abutting property. These streets should be designed as walkable, low-speed streets that connect different development districts and residential neighborhoods with each other. The Local Connector street network should provide continuous, connected links to distribute local travel patterns. Due to the diversity of land uses these streets serve, a variety of street design elements and cross sections may be appropriate to serve adjacent land use contexts. This includes potential accommodations for higher pedestrian, bicyclist, or on-street parking demand.

Rural Streets

Rural Streets are intended to provide local access to protected areas and rural development types primarily characterized by large lots or open space. Due to environmental protections, rolling terrain, and low-density development context, a rural cross section and design elements are recommended. This street design typically includes two travel lanes, ribbon curbs, and pedestrian trails.

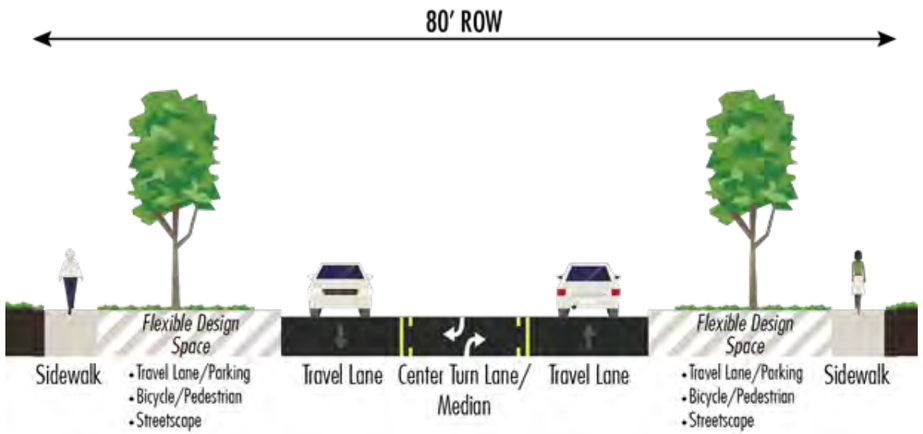
Multimodal Connections (Trails and Shared-Use Paths)

Walking is the most basic form of transportation, and long, indirect routes either discourage pedestrian trips or force pedestrians to use roads not designed for their comfort. The planned connected street grid and continuous sidewalk accommodations will significantly increase pedestrian connectivity and safety. However, even when roads are connected, there may still be a need for additional connections specifically to support the walking and bicycling networks. Where a proposed street segment is not feasible or practical, such as in areas with topography or floodplain constraints, a shared-use pathway may be a suitable alternative to maintain overall network connectivity. Additionally, the Street Network Plan is intended to create an interconnected, layered mobility network with the City's planned trail system to minimize disconnected streets and dead-ends.

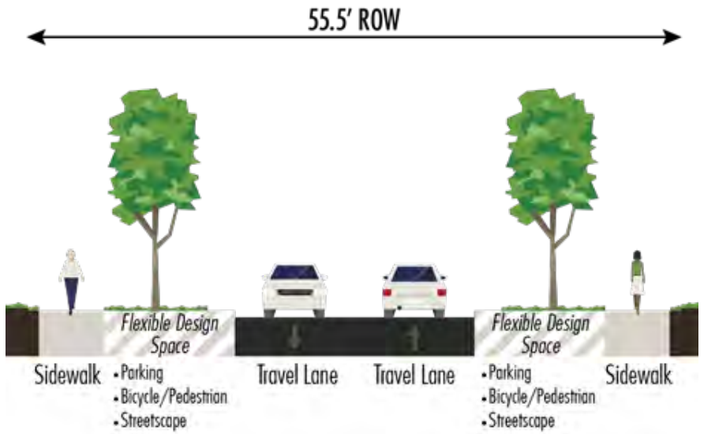
TYPICAL CROSS SECTIONS

The following typical cross sections are intended as conceptual frameworks for dedication of minimum necessary right-of-way and to facilitate the planning process of future street improvements. These typical sections are intended to support design flexibility to meet the needs of various multimodal and context-sensitive priorities. Specific engineering requirements and design guidelines for implementation of roadways are contained in the City's standard specifications and B3 Technical Manual. The engineering and design of specific facilities must be carried out in collaboration with and under the review of the City Engineer.

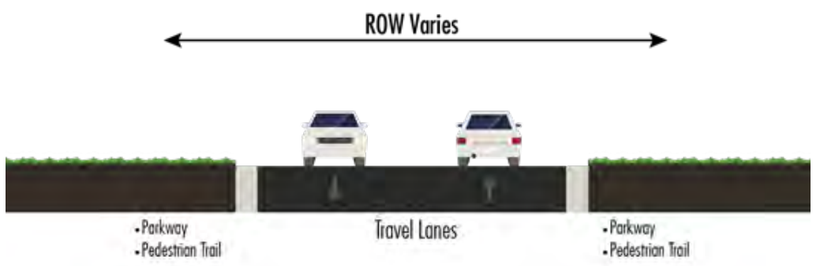
Primary Multimodal Street (80' ROW)



Local Connector Street (55.5' ROW)



Rural Street (ROW Varies)



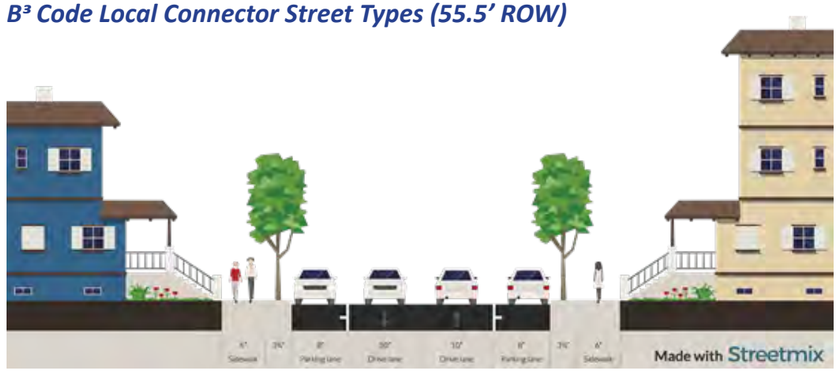
B³ Code Primary Multimodal Street Types (80’ ROW)

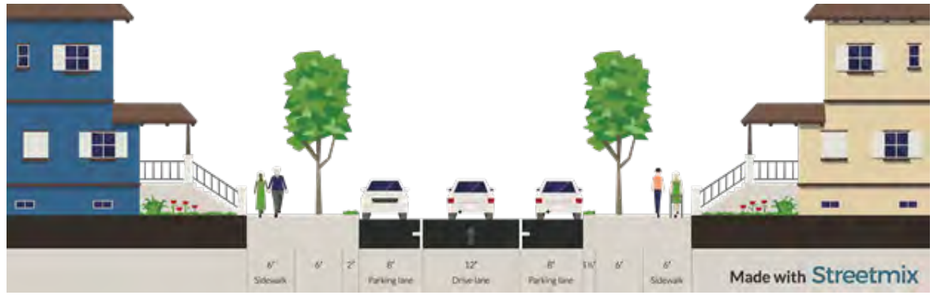


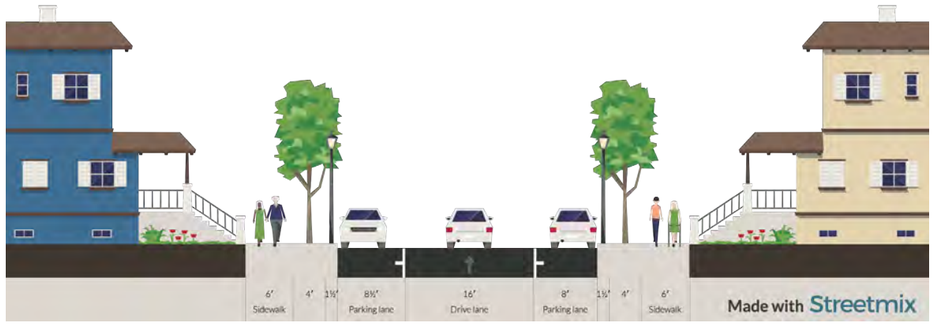


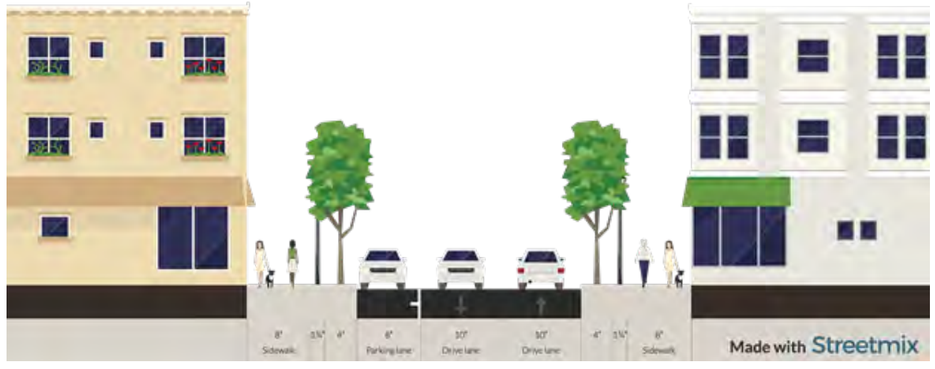


B³ Code Local Connector Street Types (55.5’ ROW)

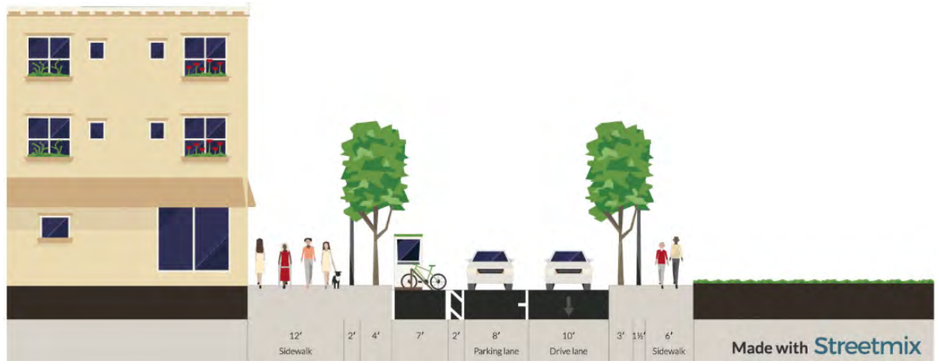






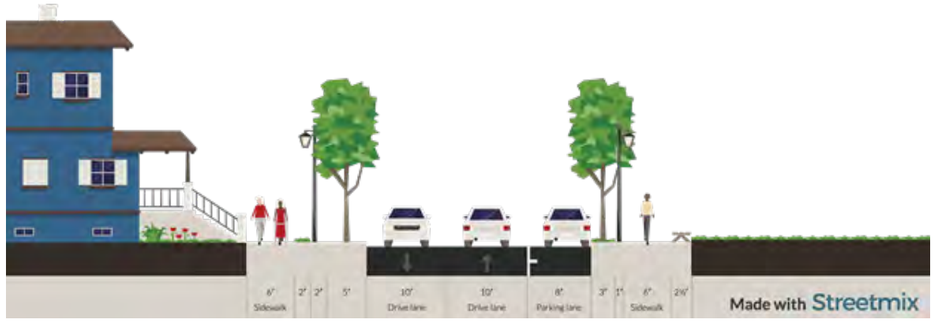


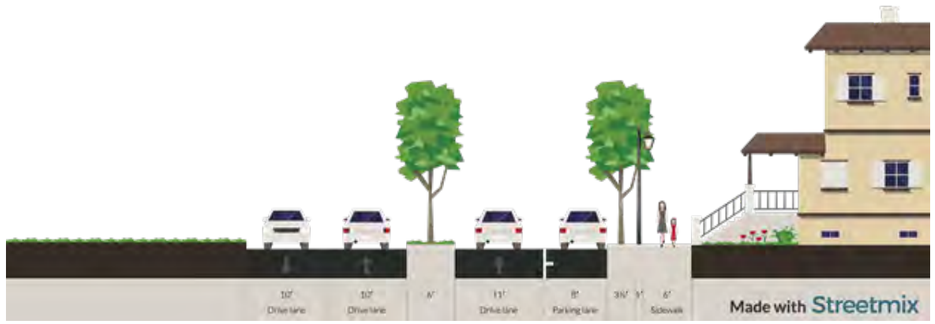
B³ Code Local Connector Street Types (55.5’ ROW) Continued











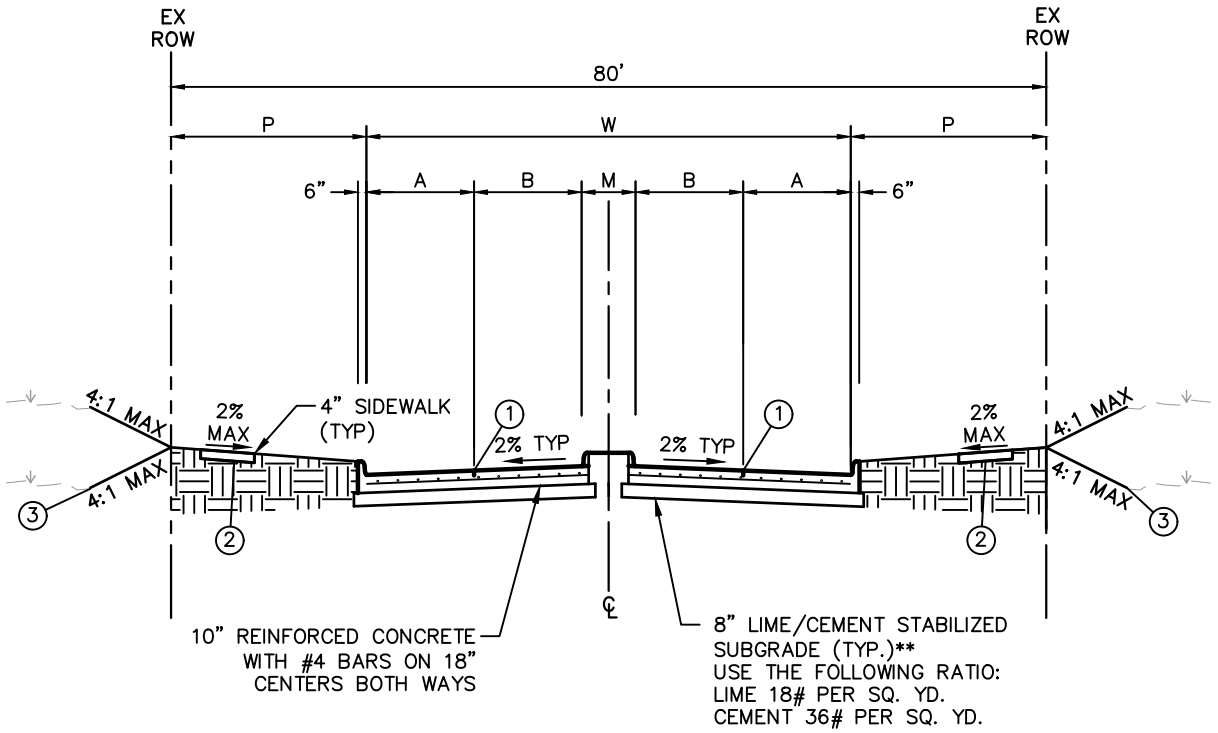
IMPLEMENTING THE STREET NETWORK

This plan serves as the primary tool to enable the City to preserve future corridors and the necessary right-of-way to establish appropriate thoroughfare corridors as development occurs and to improve the existing street system as the need arises. The Transportation Master Plan locates and classifies streets for desired connectivity and capacity for through traffic, access to adjacent land uses, and compatibility with each street’s development character. This plan provides the ability to better integrate networks of other mode choices, including walking, bicycling, and transit. The plan guides future investments and provides the public and the development community with information about the long-term plan for the road network. Simply put, the TMP is the community’s blueprint for a safe, efficient, and sustainable transportation system. It seeks to create and sustain a system that balances local and regional priorities and existing and future conditions, to steer the community toward its vision for the future.

Improvements to Bastrop’s transportation system will include both the construction of new roadways to serve future development, as well as enhancement of existing facilities to further support the mobility and economic vitality of the established community. These improvements are intended to not only provide improved vehicular connectivity as the City grows, but also provide increased options for alternative modes of transportation. Funding and implementation of the planned street network will require contributions from multiple sources for design, right-of-way acquisition, and construction of various thoroughfare projects. In many cases, new thoroughfare connections and street expansions that the plan anticipates will require right-of-way or easements as part of the development of property. However, the City may need to address priority transportation needs through capital improvement funding or project partnership with regional transportation agencies for funds administered at the county or regional level. The City may also consider alternate funding mechanisms to fund public infrastructure necessitated by new development.

BASTROPTX

Heart of the Lost Pines / Est. 1832



1. INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.
2. SIDEWALK CROSS SLOPE 2% MAX. SIDEWALK WIDTH VARIES.
3. SLOPE EXCEEDING 4:1 ONLY ALLOWED WITH STABILITY ANALYSIS
4. CURB HEIGHT AND WIDTH SHALL BE 6" OR AS SPECIFIED BY CITY.

**SUBGRADE (MIN. REQUIREMENTS – UNLESS OTHERWISE APPROVED BY CITY ENGINEER). SUBGRADE UNDER ALL PAVEMENT SHALL BE INITIALLY MIXED 8" THICK AND RE-MIXED 6" THICK AND SHALL BE STABILIZED WITH 6% MIN. BY WEIGHT OF HYDRATED LIME (GENERALLY ±40 # PER SY) AND COMPACTED TO A DENSITY NOT LESS THAN 95% STANDARD PROCTOR DENSITY. ALTERNATIVE SUBGRADES, SUPPORTED BY LABORATORY TESTS. MAY BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.

STREET TYPE	STREET WIDTH (W)	A	B	MEDIAN WIDTH (M)	R.O.W. WIDTH	PARKWAY WIDTH (P)	MAX PAVING THICKNESS
BOULEVARD	54'	8'	11'	24'	80'	VARIES	10"
AVENUE	60'	8'	11'	22'	80'	10'	10"
REGIONAL COMMERCIAL	36'	8'	10'	0'	80'	22'	10"

5. ALL DIMENSIONS TO BACK OF CURB AND IN FEET UNLESS OTHERWISE SHOWN.
6. REFERENCE CONSTRUCTION STANDARDS MANUAL FOR MORE DETAILS. REFERENCE B3TM FOR MORE INFORMATION ON PARKWAY AND OUTSIDE OF R.O.W.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS

APPROVED

XX-XX-XX

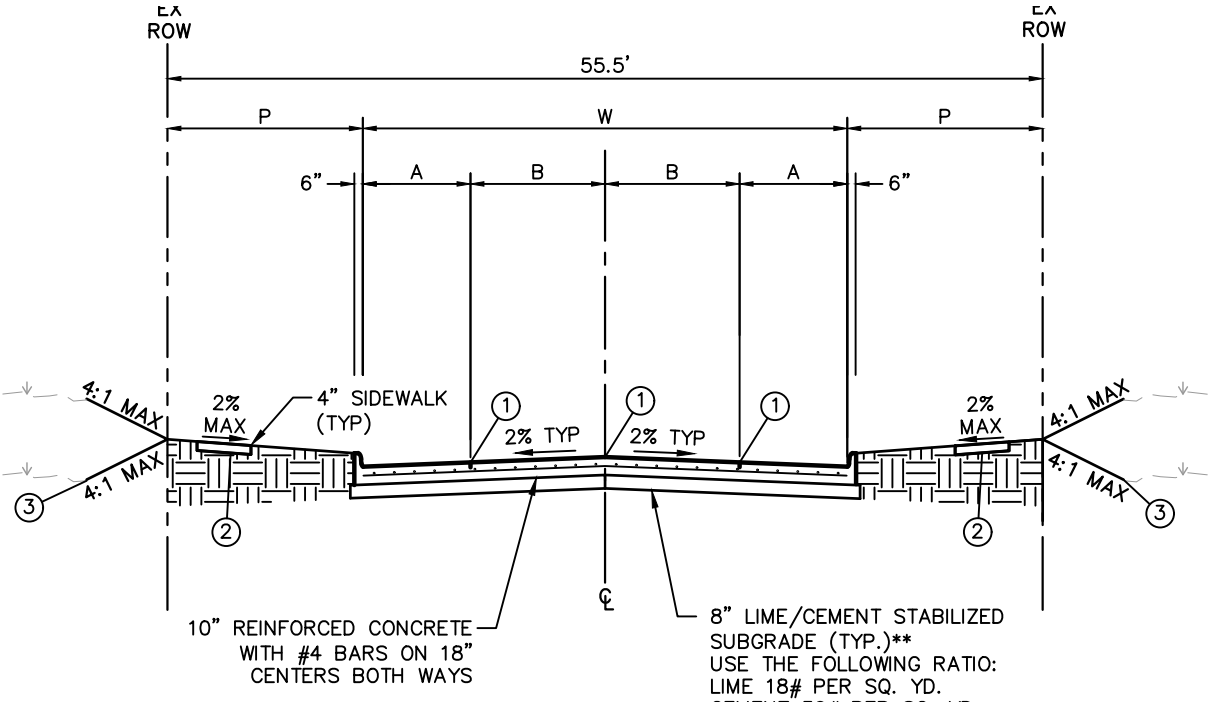
DATE

THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.

CITY OF BASTROP

80' RIGHT-OF-WAY TYPICAL SECTION

DRAWING NO: XX-XX



1. INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.
2. SIDEWALK CROSS SLOPE 2% MAX. SIDEWALK WIDTH VARIES.
3. SLOPE EXCEEDING 4:1 ONLY ALLOWED WITH STABILITY ANALYSIS. BUILDINGS MAY BE LOCATED ON BACK OF R.O.W., IN THIS CASE TIE INTO BUILDING AS DIRECTED BY THE CITY.
4. CURB HEIGHT AND WIDTH SHALL BE 6" OR AS SPECIFIED BY CITY.

**SUBGRADE (MIN. REQUIREMENTS – UNLESS OTHERWISE APPROVED BY CITY ENGINEER). SUBGRADE UNDER ALL PAVEMENT SHALL BE INITIALLY MIXED 8" THICK AND RE-MIXED 6" THICK AND SHALL BE STABILIZED WITH 6% MIN. BY WEIGHT OF HYDRATED LIME (GENERALLY ±40 # PER SY) AND COMPACTED TO A DENSITY NOT LESS THAN 95% STANDARD PROCTOR DENSITY. ALTERNATIVE SUBGRADES, SUPPORTED BY LABORATORY TESTS. MAY BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.

STREET TYPE	STREET WIDTH (W)	A	B	R.O.W. WIDTH	PARKWAY WIDTH (P)	MAX PAVING THICKNESS
CONNECTOR	36'	8'	10'	55.5'	14'	10"

5. ALL DIMENSIONS TO BACK OF CURB AND IN FEET UNLESS OTHERWISE SHOWN.
6. REFERENCE CONSTRUCTION STANDARDS MANUAL FOR MORE DETAILS. REFERENCE B3TM FOR MORE INFORMATION ON PARKWAY AND OUTSIDE OF R.O.W.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS

APPROVED

XX-XX-XX

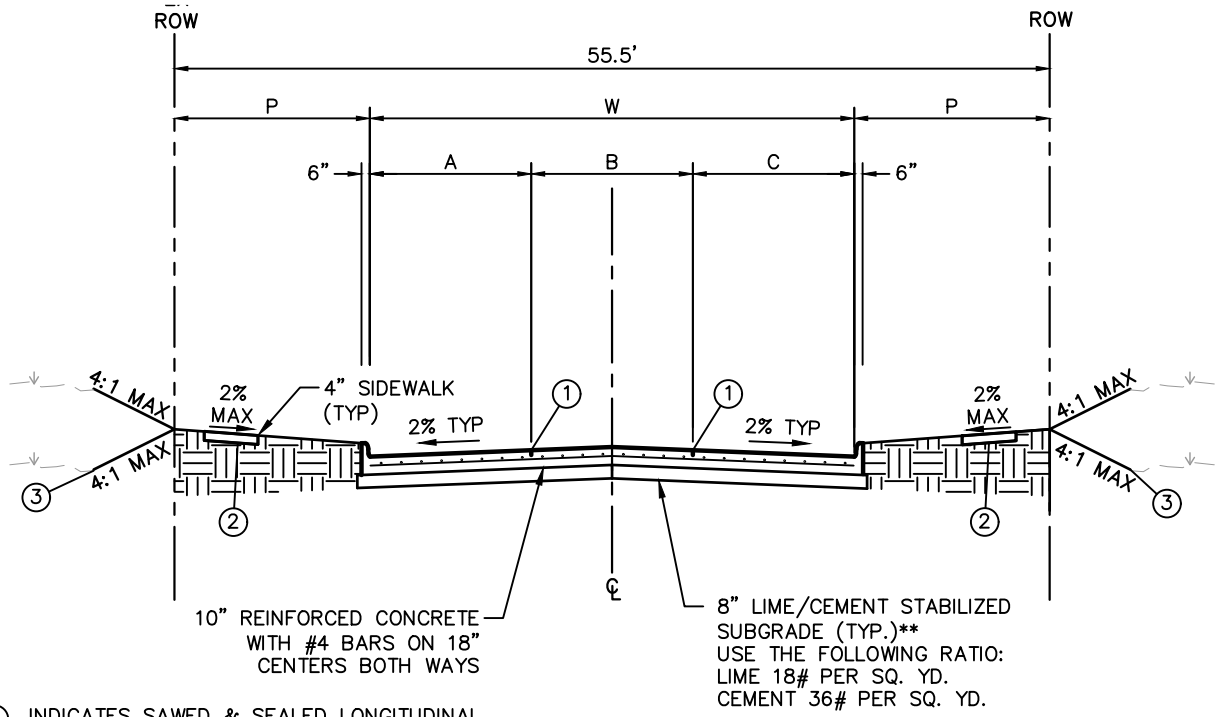
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THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.

CITY OF BASTROP

DRAWING NO: XX-XX

55.5' RIGHT-OF-WAY 4-LANE CONCRETE PAVING SECTION



1. INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.
2. SIDEWALK CROSS SLOPE 2% MAX. SIDEWALK WIDTH VARIES.
3. SLOPE EXCEEDING 4:1 ONLY ALLOWED WITH STABILITY ANALYSIS
4. CURB HEIGHT AND WIDTH SHALL BE 6" OR AS SPECIFIED BY CITY.

**SUBGRADE (MIN. REQUIREMENTS – UNLESS OTHERWISE APPROVED BY CITY ENGINEER). SUBGRADE UNDER ALL PAVEMENT SHALL BE INITIALLY MIXED 8" THICK AND RE-MIXED 6" THICK AND SHALL BE STABILIZED WITH 6% MIN. BY WEIGHT OF HYDRATED LIME (GENERALLY ±40 # PER SY) AND COMPACTED TO A DENSITY NOT LESS THAN 95% STANDARD PROCTOR DENSITY. ALTERNATIVE SUBGRADES, SUPPORTED BY LABORATORY TESTS. MAY BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.

STREET TYPE	STREET WIDTH (W)	A	B	C	R.O.W. WIDTH	PARKWAY WIDTH (P)	MAX PAVING THICKNESS
NEIGHBORHOOD STREET A	28'	8'	12'	8'	55.5'	VARIES	10"
NEIGHBORHOOD STREET B	32.5'	8.5'	16'	8'	55.5'	11.5'	10"
LOCAL COMMERCIAL	28'	8'	10'	10'	55.5'	13.75'	10"
COURT STREET	29'	9'	8'	12'	55.5'	VARIES	10"
SLIP STREET	19'	0'	11'	8'	55.5'	10.5'	10"
PARK DRIVE	28'	10'	10'	8'	55.5'	VARIES	10"
BOARDWALK	28'	8'	10'	10'	55.5'	VARIES	10"
PEDESTRIAN STREET	29'	12'	12'	5'	55.5'	VARIES	10"

5. ALL DIMENSIONS TO BACK OF CURB AND IN FEET UNLESS OTHERWISE SHOWN.
6. REFERENCE CONSTRUCTION STANDARDS MANUAL FOR MORE DETAILS. REFERENCE B3TM FOR MORE INFORMATION ON PARKWAY AND OUTSIDE OF R.O.W.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS

APPROVED

XX-XX-XX

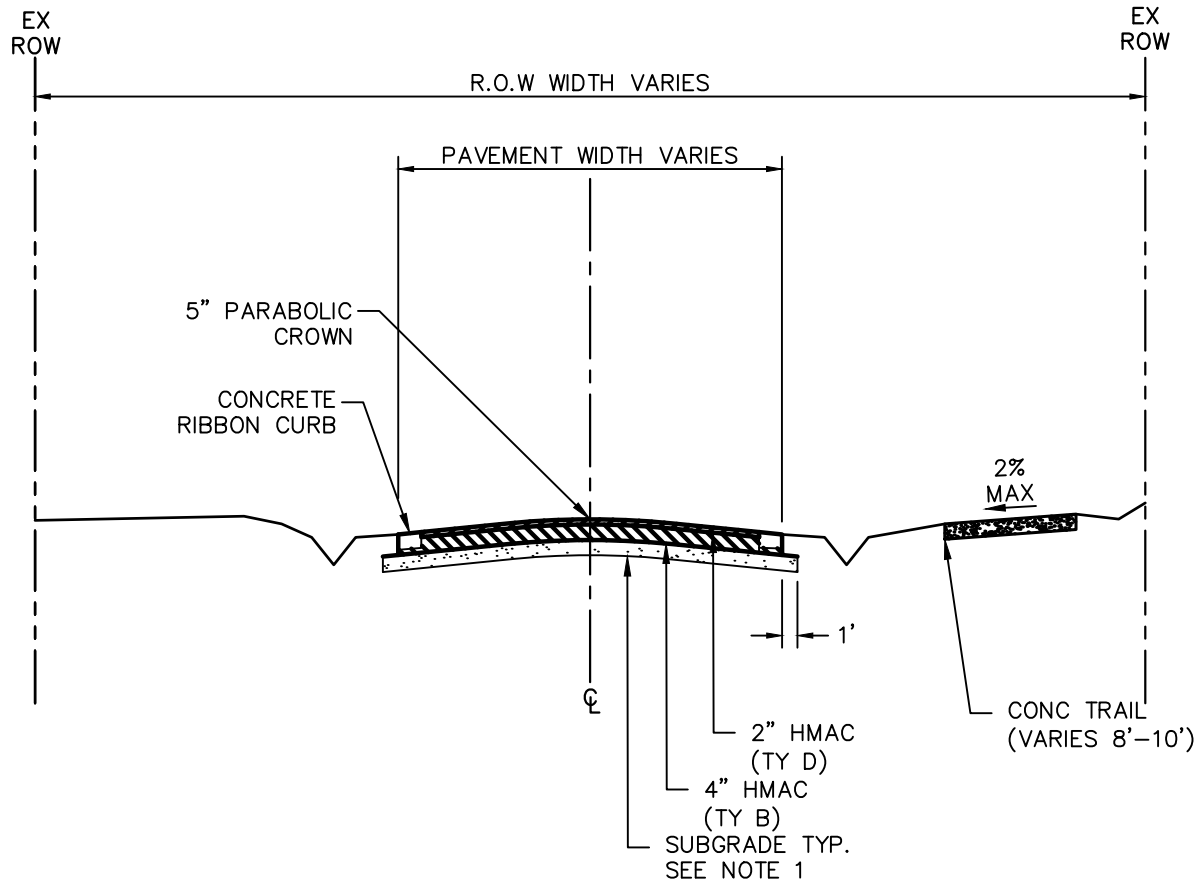
DATE

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CITY OF BASTROP

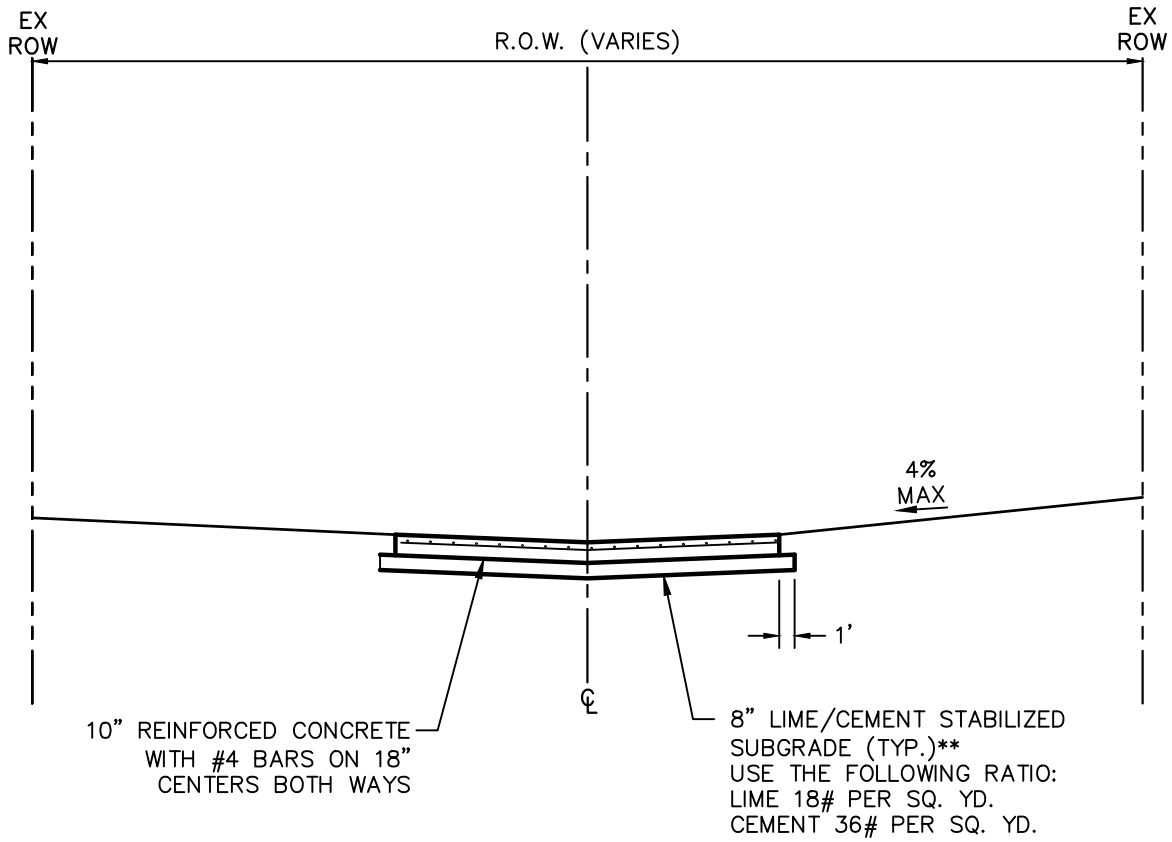
DRAWING NO: XX-XX

55.5' RIGHT-OF-WAY 3-LANE CONCRETE PAVING SECTION



1. SUBGRADE (MIN. REQUIREMENTS – UNLESS OTHERWISE APPROVED BY CITY ENGINEER). SUBGRADE UNDER ALL PAVEMENT SHALL BE INITIALLY MIXED 8" THICK AND RE–MIXED 6" THICK AND SHALL BE STABILIZED WITH 6% MIN. BY WEIGHT OF HYDRATED LIME (GENERALLY ±40 # PER SY) AND COMPACTED TO A DENSITY NOT LESS THAN 95% STANDARD PROCTOR DENSITY. ALTERNATIVE SUBGRADES, SUPPORTED BY LABORATORY TESTS. MAY BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS APPROVED XX–XX–XX DATE THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.	CITY OF BASTROP RURAL ASPHALT PAVING SECTION	DRAWING NO: XX–XX



1. MINIMUM PAVEMENT STRENGTH SHALL BE CLASS "C", OR AS SPECIFIED BY THE CITY.

**SUBGRADE (MIN. REQUIREMENTS – UNLESS OTHERWISE APPROVED BY CITY ENGINEER). SUBGRADE UNDER ALL PAVEMENT SHALL BE INITIALLY MIXED 8" THICK AND RE-MIXED 6" THICK AND SHALL BE STABILIZED WITH 6% MIN. BY WEIGHT OF HYDRATED LIME (GENERALLY ±40 # PER SY) AND COMPACTED TO A DENSITY NOT LESS THAN 95% STANDARD PROCTOR DENSITY. ALTERNATIVE SUBGRADES, SUPPORTED BY LABORATORY TESTS. MAY BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS APPROVED XX-XX-XX DATE THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.	# CITY OF BASTROP ALEXY PAVING SECTION	DRAWING NO: XX-XX

BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

Building Bastrop Policy Statement:

A Purpose Statement and Explanation for all development related code revisions and rulemaking procedures to ensure clarity and consistency.

What is Building Bastrop?

The City of Bastrop launched **Building Bastrop** on August 15, 2018 to create a new set of tools that will support the community in a responsible manner for generations to come. It is all about connecting people to policy. It is about humanizing an otherwise complicated and mundane process of rewriting the City's land-use regulations. It is about the journey that the City of Bastrop has taken to get to this point, weaving together its history and the philosophies that define authentic Bastrop. It is about love, community pride, and defining the City's way of life. It's about Building Bastrop together. Honoring our authentic past. Planning for our sustainable future.

Why is Building Bastrop Important?

Planning for the Next 100 Years: Bastrop, Texas, established on June 8, 1832 making it one of the oldest towns in Texas, will celebrate its 187th birthday in 2019. Bastrop will celebrate 200 years as a city in 2032, just 13 years in the future. The original settlers of Bastrop discovered a lush landscape where several geographies of Texas collide along the banks of the Colorado River. They set out to build a unique and lovely place for the future. Using the tools they had at the time to plan a logical path for growth going forward, they laid the foundation for a resilient community. The geography of the area, the development pattern of the land, and the organization of the buildings established a pure and authentic Texas town. How the City uses the information, gifted from the founders, to guide Bastrop's future is the journey the City must afford itself to take, today, especially since existing codes and regulations would prevent such development from occurring today.

Comprehensive Plan Goals: The City updated its Comprehensive Plan in 2016 with significant participation from the community. Known as Comprehensive Plan 2036, it provides an innovative vision for all aspects of the community including transportation and land-use. This plan also recognized the detrimental effects of sprawl development. The Comprehensive Plan 2036 defines sprawl on Page 2-7 as "a spatial development pattern or condition that occurs when large tracts of land are devoted to a single use (single-use zoning); where individual buildings take up increasingly large portions of land (low-density development); and the only way to navigate from one area to another is by automobile (auto-dependency)."

Aging Infrastructure: Bastrop's infrastructure is aging, drainage and land-use regulations are outdated, and flooding is frequent and damaging. Traffic is increasing, and development, while following current regulations, is not indicative of a fiscally responsible, resilient city. Bastrop's position is not unique; many vulnerable cities throughout Texas and the U.S. are confronting similar issues resulting from decades-old policies and land use regulations.

Significant Growth: Year after year, Central Texas continues to top the charts as one of the fastest growing regions in the nation. The ever-growing industries and influx of people moving to the area create substantial opportunities and challenges for the cities in the metro area. Austin's high housing costs, unresolvable traffic congestion, and limited room for growth, created a shortage of attainable housing in Austin proper. Furthermore, its complicated and outdated development code and process further exacerbate the problems. The development patterns in these cities are on a scale, which is out of compliance with the way cities were historically built. There are many serious challenges associated with the pattern of development, referred to as sprawl. They range from the scale, speed, and cost of the streets to the separation of land uses, housing types, and isolation of schools, businesses and civic facilities. Terms often associated with suburban sprawl are placeless places, generic neighborhoods, or anywhere America.

The Need to Get Development Right: Bastrop is facing significant growth, and like most communities, has one shot to get it right! Bastrop currently lies just east of the rapid sprawling growth. It may not be long before the massive growth pressures arrive. As the growth heads eastward, it is imperative Bastrop understand its options and defines the path for its future or it too, could be a place run over with placeless characteristics. As the City of Bastrop prepares to take an eye-opening journey of planning a resilient City for the generation of today, and ones of the future, a connection must be made to understand and respect the history that shaped its past, while planning for a sustainable future.

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Building Bastrop Purpose Statement Adopted by Bastrop City Council:

Create a fiscally sustainable community through land-use regulations that are locally made (Authentic Bastrop) and geographically sensitive.

What does this Purpose Statement Really Mean?

Fiscally sustainable is the ability of a government to sustain its current spending, tax, and other policies in the long-run without threatening government solvency or defaulting on some of its liabilities or promised expenditures. In recent years, local governments have come to understand that suburban sprawl will never lead to fiscal sustainability.

All infrastructure is built as a part of a new development and typically paid for by the developer. The developer pays for the installation one time. The City pays to maintain and/or replace the infrastructure in perpetuity. Yet, the revenue generated from "sprawl" development does not cover the cost of the maintenance and/or replacement of its infrastructure leaving a deficit for the community to have to cover through other sources of revenue or risk letting their infrastructure decline to the point of catastrophic failure.

The City of Bastrop cannot fix the aging infrastructure it has, much less take on any additional infrastructure. Rather than play the "blame game," City Council is playing the "responsibility game." Recognizing that you cannot solve a problem with the same level of thinking that creating it, the City Council is changing the way the City addresses development through the creation and adoption of fiscally sustainable development standards, as noted in the Comprehensive Plan 2036.

Goal 2.1.1.2 of the Comprehensive Plan states "Prepare and utilize a fiscal impact analysis tool when determining the value of annexing property, or when reviewing proposed planned developments or other development proposals". The City of Bastrop hired Verdunity, Inc. to develop a fiscal sustainability model, which will do two (2) things. First, determine how unsustainable existing development is in Bastrop. Second, provide a mechanism to ensure all development built in the future IS fiscally sustainable.

Long term, fiscally sustainable development has to be a win-win for both the City of Bastrop and the development community. The development standards must be economically viable for the developer to build, while generating sufficient revenue for the City of Bastrop to maintain and replace the required infrastructure in perpetuity.

Locally made is another way of saying **Authentic Bastrop**. Authentic means being so in fact, genuine, not fraudulent or counterfeit. In order to be authentic, every development principle, philosophy, etc. that is included in any development related code revision or rulemaking procedure must meet the Building Bastrop Purpose Statement. There cannot be a "cut, copy, and paste" mindset using another city as a model when writing regulations. Every principle, philosophy, etc. included must have a proven history of meeting the elements required in the Purpose Statement, specifically tailored to fit Bastrop.

Geographically sensitive recognizes the differences in geography that exist in Bastrop, which can affect development. For example, part of Bastrop is located on a bluff. Part of Bastrop is flat. Part of Bastrop has clay soil. Part of Bastrop has various sandy soils. There is significant floodplain in Bastrop created from the Colorado River, Gils Branch, and Piney Creek. State Highway 71, a four-lane highway running east/west through Bastrop, creates a physical barrier challenging non-automobile related transportation. Union Pacific Railroad runs through the middle of the community with twelve (12) crossings. The Lost Pines Forest is a unique 13-mile belt of loblolly pines in the City of Bastrop, its extraterritorial jurisdiction (ETJ), and the County. A portion of Bastrop is included in the Lost Pines Conservation Area for the Houston Toad, an endangered species. Therefore, all codes must acknowledge the environment rather than taking a "one-size-fits-all" approach that can lead to the creation of detrimental development.

What are the Elements of Fiscally Sustainable?

In October 2018, SimpleCity Design presented a report on Bastrop DNA Analysis, an in-depth analysis of Downtown Bastrop's anatomy and how it functions as a complete neighborhood. The analysis serves a starting point to inform the conversation as the City plans for implementing new development standards mentioned within the Comprehensive Plan, not just Downtown, but city-wide. The DNA analysis quantified various elements of the original city fabric and captured the patterns of the built environment, which will inform the future of the City through integration into new locally made development standards.

The configuration of streets, buildings, and infrastructure have served Downtown Bastrop patrons, residents, and businesses for hundreds of years, and the value of the built environment continues to rise. The day the buildings were built Downtown was the lowest value they have ever had. The flexibility in design allows market trends to shift with little to no change to the built environment or street network.

Grid. Downtown Bastrop is laid out in an almost perfect series of small gridded blocks that are 330' X 330'. The gridded network of streets is a fundamental element, which creates the most effective and efficient structure for cities to be walkable, flexible, and timeless.

The grid creates flexible blocks. A block could be used as a farm lot, a series of small houses, main street buildings, or even a skyscraper, without reconfiguring the network of streets. The blocks provide a variety of density levels, lot sizes, and organization to fit what the market supports at that time in history.

Streets are sized appropriately to the scale of the buildings and lot makeup. Infrastructure is gridded and provides a series of intersections for redundancy. A natural hierarchy of streets are

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determined by building forms and land uses. Bike routes from existing infrastructure can be created based on the use and the design of existing streets. The navigable design makes it easy to move around on food, bike, skateboard or car with endless options for routes.

Diverse building types throughout Downtown Bastrop create fiscally viable options for small businesses and residents, with a variety of income levels. The integration of small buildings, located alongside larger buildings and small houses, located adjacent to larger homes, support a mix of options for people looking to move or open a business in Bastrop.

Walkable Place. Downtown Bastrop was built with clear and logical intentions, from the layout of the streets, the location along the waterfront, the orientation of the buildings, to the variety of building scales and types. The makeup of the original town functioned well for the population then and functions well for the population now. Downtown functions as a complete neighborhood, providing easy access to a wide range of services, housing types, office space, and parks and civic space with a comfortable walk, bike ride, or drive away. The arrangement of the small gridded network of streets further enhances the options provided to the people in Downtown.

It is important to note that Americans walk about a ¼ of a mile or a five (5) minute walk to services or places of interest. However, when the environment is comfortable, shaded and welcoming, they will walk about ½ of a mile. Bastrop's gridded tree-lined streets make it easy to access nature, services and restaurants all within a close proximity creating real opportunities for a walkable neighborhood.

Timeless place. The overall organization of the built environment Downtown Bastrop is timeless. It has already proven to withstand the test of time related to the introduction of cars, new market demands, new housing trends, how services are delivered, and how people choose to live in the modern world.

Key elements, which make Downtown Bastrop timeless and fiscally sustainable, include:

- the continuous rows of buildings and how they address the street;
- flexible space and building types to support a range of businesses and housing options;
- existing resources, infrastructure, and buildings are easily adaptable for modern trends;
- the blocks provide a variety of density levels, lot sizes, and organization to fit what is supported at that time in history;
- the shopfronts and ground floor characteristics at the street edge;
- upper story space to house offices, residents, or artists/creative spaces;
- awnings and street trees shading wide sidewalks;
- parks and civic spaces integrated into the built form of the City;
- human scale signs informing people what comes next;
- products spilling into the sidewalks from nearby storefronts;
- incremental development and lack of uniformity creates an inherit visual interest; and
- the people who live, work, and own shops and businesses Downtown.

Golden ratio, also known as Fibonacci sequence. Timeless, walkable places must be visually appealing, comfortable, and built to scale. The golden ratio, also known as divine proportion, appears in art, nature, and science including flower petals, pinecones, shells, trees, and storms. Utilizing the golden ratio into development standards provides a mathematical equation for creativity, when most architects and engineers of today's era have experience in "suburban sprawl" development techniques.

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STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 9C

TITLE:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-51 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block (B3) Code, as attached in Exhibit A; providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:
Matt Jones, Director of Planning and Development

BACKGROUND/HISTORY:
Building Bastrop launched on August 15, 2018 to create a new set of tools that will support the community in a responsible manner for generations to come. Building Bastrop is all about connecting people to policy. It is about humanizing an otherwise complicated and mundane process of rewriting the City's land-use regulations. The City of Bastrop is taking a journey, weaving together its history and the philosophies that define authentic Bastrop. It is about love, community pride, and defining the City's way of life. It's about Building Bastrop together, honoring our authentic past, and planning for our sustainable future.

City Council adopted a purpose statement and policy statement for Building Bastrop Codes at their February 26, 2019 regularly scheduled meeting. The purpose statement is as follows:

> ***"Create a fiscally sustainable, timeless community through land-use regulations that are locally made (authentic Bastrop), geographically sensitive, and fiscally sustainable."***

Building upon the purpose statement, the Council approved a policy statement (attached) to offer an explanation on key concepts that must be utilized for all development related codes to ensure clarity and consistency. The Building Bastrop Policy Statement provides clarity and consistency to all code revisions and rulemaking procedures that impact development in the City of Bastrop. The policy statement covers the following:

- What is Building Bastrop.
- Why Building Bastrop is important.
- Building Bastrop Purpose Statement.
- What the Purpose Statement really means.
- What the elements of Fiscally Sustainable are.

The patterns of the built and natural environment of Bastrop, the Comprehensive Plan, the Iredell Map, and the DNA of Downtown captured in the DNA Report were used to inform and shape the

standards of the B^3 Code. Public input was captured through a series of Rodeos, focusing on city design, and the B^3 Code specific standards. The Rodeos provided a fun, open platform for participation and for real conversations to be held in many public forums. The standards that makeup the basic Building Blocks of Bastrop were formulated during the process. Code Standards are meant to be flexible and adjustable with the new ideas being produced for modern construction.

Bastrop welcomes development through:

- The B^3 Code standards;
- The B^3TM specifications; and
- The Pattern Book's guidance.

The alignment of the vision, mission, purpose statement, and the plans of the City have been brought together into a series of standards, technical specifications, and unique patterns. The use of these standards supports the creative culture and heritage that makes Bastrop authentic.
While the foundational characteristics of the City have been coded into these documents, they must be maintained to ensure they remain as best practices and relevant to the ever-changing City.

POLICY EXPLANATION:
Section 10 - Changes and Amendments to all Zoning Ordinances and Districts, and Administrative Procedures, 10.2 Authority to Amend Ordinance, states that:

"The City Council may from time to time, after receiving a final report thereon by the Planning and Zoning Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts specified on the Zoning Map. Any Ordinance regulations or Zoning District boundary amendment may be ordered for consideration by the City Council, be initiated by the Planning and Zoning Commission, or be requested by the owner of real property, or the authorized representative of an owner of real property."

FUNDING SOURCE:
N/A

PLANNING AND ZONING RECOMMENDATION:
At the regular meeting on September 26, 2019, after holding a public hearing, the Commission recommended approval of the Bastrop Building Block Codes by a vote of 6-2 with the following recommendations:

1. All properties receive "like to like" classification – no individual requests considered at this time.
2. All properties along Main St. receive "like to like" classification – no "upzoning" to P4.

B3 CODE MODIFICATION LIST:
Matt Lewis prepared a list of modifications that were made to the final draft after it was delivered to Planning & Zoning Commission and City Council on September 20, 2019. This document is attached as an exhibit to this report.

RECOMMENDATION:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-51 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block (B3) Code, as attached in Exhibit A; providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

ATTACHMENTS:

- Ordinance
- B^3 Code
- B^3 Code Modification List
- Building Bastrop Policy Statement
- PowerPoint Presentation

ORDINANCE 2019-51

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ADOPTING THE BASTROP BUILDING BLOCK (B3) CODE, AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, ADOPTION, REPEALER, SEVERABILITY, AND ENFORCEMENT; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Bastrop, Texas ("City") is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Bastrop City Council ("City Council"), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations were not designed to address; and

WHEREAS, the City Council finds that the City has been actively and diligently engaged in its assessment of the City's subdivision ordinance, zoning codes, and the uniformity of its permitting process and goals for consistent and dynamic land uses; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214 and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally-sustainable and environmentally responsible manner that honors the City's rich heritage and unique ecological makeup; and

WHEREAS, the City will change drastically if unlimited growth and development should occur under the City's existing Code of Ordinances, which no longer adequately address concerns about the effect of development on the City; and

WHEREAS, the City Council favors the development of construction projects in accordance with current regulations that are based on modern standards and state-of-the-art technology; and

WHEREAS, the City Council seeks to apply up-to-date regulatory systems to projects to the extent reasonably possible and within the confines of the law; and

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, on February 26, 2019, the City Council adopted a policy statement to ensure clarity and consistency for all revisions and additions to the City's land-use regulations; and

WHEREAS, on August 14, 2018, the City Council adopted a temporary moratorium on new development that would be detrimental to the citizens of the City and ETJ based on current land-use regulations; and

WHEREAS, on April 23, 2019, the City Council repealed the temporary moratorium and adopted an Enhanced Permit Review process and an updated Stormwater Drainage Design Manual to streamline new development while protecting the citizens of the City and the ETJ from detrimental development; and

WHEREAS, the City has hosted several events in the community to share future development plans and solicit community input on future development: on April 10, 2019, the City hosted a Transportation and Drainage Rodeo; on May 9, 2019, the City hosted a Code Update Rodeo to preview elements of the new draft code; on June 8, 2019, the City hosted a Pop-Up Street Project; and on June 26, 2019, the City hosted a Community Open House; and

WHEREAS, the draft Bastrop Building Block (B3) Code, the draft Bastrop Building Block Technical Manual, and the draft pattern book were released for public review and comment on May 24, 2019; and

WHEREAS, a Technical Manual Review Meeting was held on August 22, 2019, to solicit public comments on the Bastrop Building Block Technical Manual; and

WHEREAS, the Bastrop Building Block Code was approved by the Planning and Zoning Commission on September 26, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ADOPTION AND AMENDMENT

The City Council hereby adopts the Bastrop Building Block (B3) Code, as attached in Exhibit A.

SECTION 3. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 4. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

SECTION 7. OPEN MEETINGS

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ & ACKNOWLEDGED on First Reading on the 22nd day of October 2019.

READ & APPROVED on the Second Reading on the 12th day of November 2019.

APPROVED:

by _____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

BASTROP BUILDING BLOCK (B^3) CODE



CITY OF BASTROP, TEXAS
ADOPTION: November 2019

simplecity.design

THE CITY OF BASTROP, TEXAS

BASTROP CITY COUNCIL

Connie Schroeder, Mayor
Lyle Nelson, Mayor Pro Tem
William “Bill” Lewis Peterson
Drusilla Rogers
Bill Ennis
Dock Jackson
Past Council Members:
Deborah Jones

BASTROP PLANNING & ZONING COMMISSION

Debbie Moore, Chair
Cheryl Lee
Tom Dawson
Cynthia Meyer
Matt Lassen
Greg Sherry
Pablo Serna
Glenn Johnson
Ishmael Harris
Past Commission Members:
Patrick Connell, Vice Chair
Richard Gartman

CITY STAFF

Lynda Humble, City Manager
James Altgelt, Assistant City Manager
Trey Job, Assistant City Manager
Alan Bojorquez, City Attorney
Matt Jones, Director of Planning & Development
Jennifer Bills, Assistant Planning Director
Andres Rosales, Fire Chief

SIMPLECITY DESIGN TEAM

Matt Lewis, CEO
Jordan Feldman, City Designer
John Foreman, Planner
Milosav Cekic, Architect
Dede Christopher, Architect & Illustrator
Contributors :
Howard Blackson
Geoff Dyer
Dan Bartman
Buie & Co.
Kimley-Horn and Associates

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EXECUTIVE SUMMARY

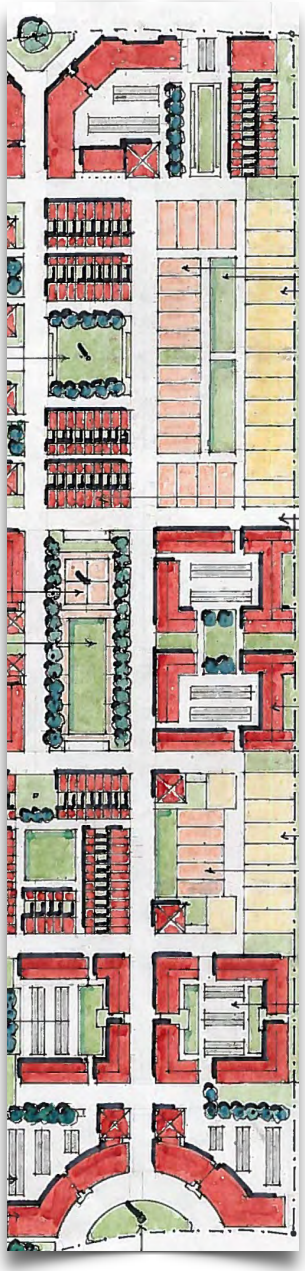
The creation of the Bastrop Building Block (B^3) Code was guided by the following City Council purpose statement:

"To create a fiscally sustainable community through land-use Standards that are authentically Bastrop and geographically sensitive."

Recognizing the importance of retaining Bastrop's unique character and timeless charm, the community decided to take a journey. The journey began with a mission to repair and maintain existing Bastrop, then plan and design for the City's future and finally, turn the goals, vision, and mission of the community into the required expectations for growth. The Bastrop City Council initiated a temporary moratorium on new development to halt potential detrimental development from developing under the current outdated land-use regulations. The journey began in the summer of 2018, with an initiative called Building Bastrop. Building Bastrop became the initiative to guide responsible development that honors Bastrop's authentic past and prepares for the City's sustainable future.

To move forward with purpose and clarity, we must understand the historic development patterns Bastrop has and how they were created. Work began quickly by SimpleCity Design to extract the characteristics of the downtown, study the Standards and outcomes of current codes, and finally, create the Standards in this Code to govern the City into the future.

The patterns of the built and natural environment of Bastrop, the Comprehensive Plan, the Iredell Map, and the DNA of Downtown captured in the DNA Report were used to inform and shape the Standards of the B^3 Code. Public input was captured through a series of Rodeos, focusing on City design, and the B^3 Code specific Standards. The Rodeos provided a fun, open platform for participation and for real conversations to be held in many public forums. The Standards that makeup the basic Building Blocks of Bastrop were formulated during the process.



The Standards provide this Code with an element of flexibility and adjustability that can accommodate new ideas that come with modern Construction while maintaining the qualities that are essential to the community.

Bastrop welcomes development through:

-B³ Code Standards;

-B³ Technical Manual specifications;

-Pattern Book guidance;

-City of Bastrop Construction Manual; and

-City of Bastrop Development Manual

The alignment of the vision, mission, purpose statement, and the plans of the City have been brought together into a series of Standards, technical specifications, and unique patterns. The use of these Standards supports the creative culture and heritage that makes Bastrop authentic.

While the foundational characteristics of the City have been coded into these documents, they must be maintained to ensure they remain as best practices and relevant to the ever-changing City.

B³ CODE INTENT

The intent of the Code is to establish the Standards that enable, encourage, and ensure the community achieves:

- ✓ Fiscal Sustainability
- ✓ Geographically Sensitive Developments
- ✓ Perpetuation of Authentic Bastrop

The intent section is organized into three categories, from largest scale to smallest:

1. The City
2. The Neighborhoods
3. The Building Blocks & Buildings

THE CITY

THE CITY OF BASTROP WILL:

- Adopt Standards and processes that result in fiscally sustainable development and promote Incremental development with intentional character by focusing on the intersection of the Public and Private Realms;
- Retain its natural infrastructure and visual character derived from topography, woodlands, farmlands and waterways;
- Encourage Infill and redevelopment growth strategies along with new neighborhoods;
- Facilitate development of Infill properties contiguous to an existing built environment in the pattern of Traditional Neighborhood Development (TND) or Village Center Development (VCD) and be integrated with the existing grid pattern;
- Promote development of properties non-contiguous to an existing built environment organized in the pattern of Traditional Neighborhood Development (TND), Cluster Land Development (CLD), or Village Center Development (VCD);
- Plan and reserve Transportation Corridors in coordination with land development;
- Define and connect the built environment with trails and greenways; and
- Create a framework of transit, Pedestrian, and bicycle systems that provide alternatives to the automobile.

THE NEIGHBORHOOD

THE CODE PROMOTES:

- Complete neighborhood developments, not Residential subdivisions;
- Choosing Traditional Neighborhood Development as the preferred development pattern where the natural landscape allows;
- Developing along the frontage of the Colorado River, using the natural topography as a public amenity;
- Allowing independence to those who do not drive by having ordinary activities of daily living within walking distance of most dwellings;
- Interconnecting networks of Streets designed to disperse traffic and reduce the length of automobile trips;
- Building and maintaining a range of housing types and price levels within neighborhoods to accommodate diverse ages and incomes;
- Mixing Civic, institutional, and Commercial activities, not isolating them in remote single-use complexes;
- Enabling children to walk or bike to schools that are sized correctly and located nearby; and,
- Distributing a range of Civic Spaces including parks, squares, plazas, and playgrounds throughout the City.

THE BUILDING BLOCK AND THE BUILDING

WITHIN THE CODE:

- The Building Block scale is key to creating walkable, timeless places that can evolve with shifting trends;
- Buildings and landscaping contribute to the physical definition of Streets as Civic Spaces;
- Development adequately accommodate automobiles while respecting the Pedestrian in the Public Frontage;
- The design of Streets and buildings reinforce safe environments, but not at the expense of accessibility;
- Architecture and landscape design grow from local climate, topography, history, and building practice;
- Public gathering places provide as locations that reinforce community identity and ownership;
- Civic Buildings are distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the City; and,
- The Preservation and renewal of historic buildings must be facilitated, to affirm the continuity and evolution of the City.

EXPLANATION OF THE CODE

The B³ Code is organized in a hierarchal structure from the highest scale, Citywide planning, to the smallest scale, the Lot and Building. This Code builds neighborhoods inclusive of all Place Types necessary to live in close proximity to services, a variety of housing types, and close access to nature. The location of a Place Type is handled by geographically determined Standards. The Place Types, align with the Street Types, the Frontage types, and Building Types to ensure all the components of the neighborhood work together in harmony. Each section of the Code provides Standards that guide development to be holistic to each Building, Street, Block, and neighborhood.

B³ DEVELOPMENT TABLES

The following B³ Development Tables contain the details necessary to develop using the Code. The text of the Code explains the Standards and how they are applied. They work together to create complete neighborhoods in a variety of forms and patterns.

	P1	P2	P3	P4	P5	EC
BLOCKS - *SEC. 7.4.002*						
BLOCK LENGTH MAX.	UNLIMITED	720 FT	330 FT	330 FT	330 FT	720 FT
BLOCK PERIMETER MAX.	UNLIMITED	2,880 FT	1,320 FT	1,320 FT	1,320 FT	2,880 FT
STREETS - *ARTICLE 7.2*						
BOULEVARD	NP	NP	NP	P	P	P
AVENUE	NP	NP	P	P	P	P
CONNECTOR	NP	P	P	P	P	P
NEIGHBORHOOD STREET I	NP	P	P	P	NP	NP

BLANK= BY WARRANT P = PERMITTED NP = NOT PERMITTED

	P1	P2	P3	P4	P5	EC
NEIGHBORHOOD STREET II	NP	P	P	P	NP	NP
COMMERCIAL STREET I	NP	NP	NP	NP	P	P
COMMERCIAL STREET II	NP	NP	NP	NP	P	P
COURT STREET	NP	NP	P	P	P	P
SLIP STREET	NP	NP	P	P	P	P
PARK DRIVE	P	P	P	P	P	NP
BOARDWALK	NP	NP	NP	NP	P	P
PEDESTRIAN STREET	NP	NP	P	P	P	NP
PEDESTRIAN SHEDS						
PLACE TYPE ALLOCATION PER PED SHED*	Varies	Varies	10-35%	25-75%	5-20%	

* Place Type allocation for Traditional Neighborhood Development.

CIVIC SPACE - *ARTICLE 7.5*						
PARK	P	P	P	NP	NP	NP
GREEN	NP	NP	P	P	P	P
SQUARE	NP	NP	NP	P	P	P
PLAZA	NP	NP	NP	NP	P	P
PLAYGROUND	P	P	P	P	P	P
COMMERCIAL PLACE	NP	NP	NP	P	P	P
POCKET PARK	NP	NP	P	P	P	P

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	P1	P2	P3	P4	P5	EC
COURT	NP	NP	P	P	P	P
CLOSE	NP	NP	P	P	P	P
BUILDING TYPES - *ARTICLE 6.5*						
REARYARD						
COMMERCIAL	NP	NP	NP	NP	P	P
APARTMENT	NP	NP	NP	P	P	P
ROWHOUSE	NP	NP	NP	P	P	P
SIDEYARD						
SIDEYARD	NP	NP	NP	P	P	P
COURTYARD						
COURTYARD HOUSE	NP	NP	NP	P	P	P
EDGEYARD						
RANCH HOUSE, VILLA	NP	P	P	NP	NP	NP
HOUSE	NP	P	P	P	NP	NP
DUPLEX	NP	P	P	P	NP	NP
TRIPLEX, FOURPLEX	NP	NP	NP	P	NP	NP
ENCROACHMENT TYPES - *SEC. 6.5.002*						
PORCH	NP	P	P	P	NP	NP

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	P1	P2	P3	P4	P5	EC
DOORYARD	NP	NP	NP	P	P	P
TERRACE	NP	NP	NP	P	P	P
STOOP	NP	P	NP	P	P	P
LIGHTWELL	NP	NP	NP	P	P	P
GALLERY	NP	NP	NP	P	P	P
ARCADE	NP	NP	NP	NP	P	P
LOT OCCUPATION - *SEC. 6.3.008*						
LOT COVERAGE		40% max	60% max	70% max	80% max	80% max
BUILDING FRONTAGE AT BUILD-TO-LINE		40% min	40% min	60% min	80% min	80% min
BUILD-TO-LINE		10 ft - no max	10 ft - 25 ft*	5 ft - 15 ft	2 ft - 15 ft	
BUILDING HEIGHT IN STORIES - *SEC. 6.5.003*						
PRINCIPAL BUILDING	NP	2 max	2 max	3 max	5 max / 3 max Downtown	5 max
ACCESSORY DWELLING UNIT	NP	2 max	2 max	2 max	2 max	
FIRST LAYER ENCROACHMENTS - *SEC. 6.5.002*						
OPEN PORCH	NP	50% max	50% max	80% max	NP	

* Lots exceeding 1/2 acre may extend Build-to-Line up to 60 ft from the Frontage Line.

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	P1	P2	P3	P4	P5	EC
BALCONY AND/OR BAY WINDOW	NP	25% max	25% max	50% max	100% max	
STOOP, LIGHTWELL, TERRACE OR DOORYARD	NP	NP	NP	100% max	100% max	
R.O.W. ENCROACHMENTS - *SEC. 6.5.002*						
AWNING, GALLERY, OR ARCADE				to within 2 ft. of the Curb		
ENCROACHMENT DEPTHS - *SEC. 6.5.002*						
PORCH		5 ft min	8 ft min	8 ft min	NP	
GALLERY		NP	NP	10 ft min	10 ft. min.	
ARCADE		NP	NP	NP	12 ft. min.	
PARKING LOCATION - *SEC. 6.3.006*						
SECOND LAYER		P	P	NP	NP	
THIRD LAYER		P	P	P	P	
SIGNAGE - *CH. 8*						
ADDRESS SIGN	P	P	P	P	P	
AWNINGS & SIGNS	NP	NP	NP	P	P	
BAND SIGNS	NP	NP	NP	P	P	
BLADE SIGNS	NP	NP	NP	P	P	

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	P1	P2	P3	P4	P5	EC
MARQUEE SIGNS	NP	NP	NP	NP	P	
NAME PLATE SIGNS	NP	NP	NP	P	P	
OUTDOOR DISPLAY CASE	NP	NP	NP	P	P	
SIDEWALK SIGNS	NP	NP	NP	P	P	
WINDOW SIGNS	NP	NP	NP	P	P	
YARD SIGNS	NP	NP	NP	P	NP	
MONUMENT SIGN	NP	NP	NP	NP	P	
PUBLIC LIGHTING TYPES - *SEC. 7.5.005*						
COBRA HEAD	P	P	NP	NP	NP	
PIPE	P	P	P	P	P	P
POST		P	P	P	P	P
COLUMN			P	P	P	P
DOUBLE COLUMN				P	P	P

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B³ CODE DEVELOPMENT ELEMENTS

Character Districts - Character Districts are the largest regulating geographic boundary in the Code. They are informed by the natural landscape and geography of the community and by existing Civic Spaces and neighborhoods. They identify and represent the authenticity of Bastrop.

Development Patterns - The physical landscape lends itself to supporting a range of human settlement patterns. There are three distinct development patterns introduced in the Code: Traditional Neighborhood Development (TND), Cluster Land Development (CLD) and Village Center Development (VCD). Development patterns are geographically sensitive and regulated by the Character Districts.

Place Types- Place Types are the transition of places from natural to urban, through the use of specific Standards. Place Types replace conventional zoning districts with identifiable characteristics that represent seven arrangements of places. Place Types Standards were inspired by the DNA of the Bastrop community.

P1 - Nature	P4 - Neighborhood Mix	CS - Civic Space
P2 - Rural	P5 - Core	
P3 - Neighborhood	EC - Employment Center	

Street Types - Streets serve as the public spaces connecting places and people. They transition from natural to urban form. All modes of transportation and settlement patterns are supported by the variety of Street Types presented in the Code.

Block Types- Blocks are the foundation for development in Bastrop. The gridded network of Streets formed by the Bastrop Building Block has been proven to support each Place Type and all associated Standards in the Code. Block Types match the level of intensity of development they are serving. The Block Types will vary from rural to urban, becoming more formal as the urbanity increases. See the Pattern Book for more examples of Block Types.

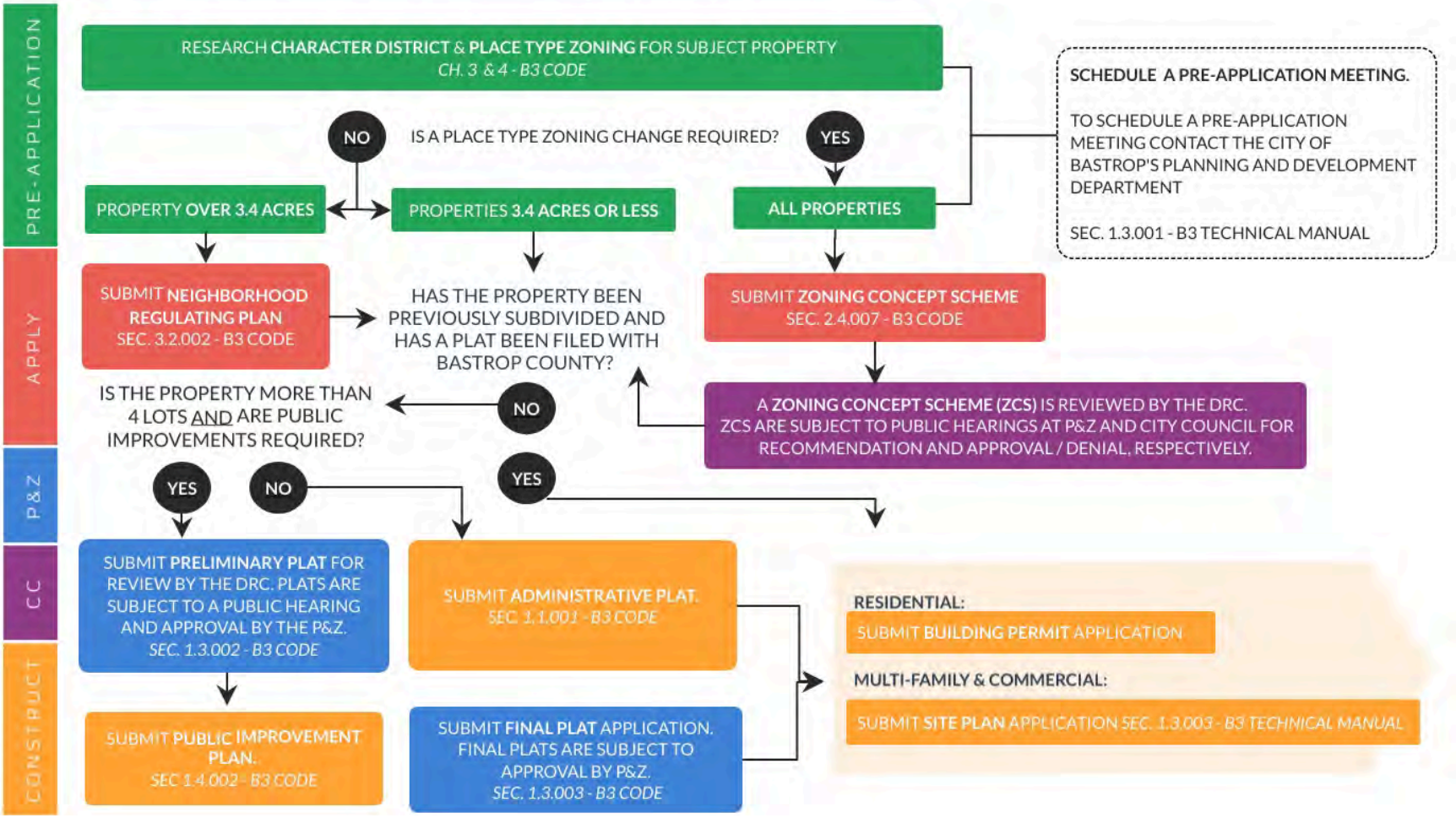
Building Types- Building Types correspond to the Place Types and Street Types. Building Types are contained within each Place Type to confirm the intensity of development aligns with the infrastructure and building forms to support the wide variety of Building Types.



Block Examples for illustrative purposes

See Chapter 10 - Definitions for defined terms. All defined terms are capitalized throughout this document.

B³ CODE FLOWCHART



DRC - DEVELOPMENT REVIEW COMMITTEE **CC - CITY COUNCIL** **P&Z - PLANNING & ZONING COMMISSION**

CHAPTER 1: SUBDIVISIONS

This chapter is the City of Bastrop's (City's) Subdivision Ordinance. It assist design professionals and Applicants in preparing Plats and reports needed for Plat recordation. It identifies requirements for preparing Standard Plats, Administrative Plats, Preliminary Plats, and Final Plats for the purpose of creating developable lots. The procedures of the Subdivision Chapter are authorized under the authority granted by Texas Local Government Code Chapter 212 and the City's Charter.



ARTICLE 1.1 PROVISION APPLICABLE TO ALL PLATTING PROCEDURES

SEC. 1.1.001 GENERAL PLATTING PROCEDURES

These Standards shall govern every person, firm, entity, association or corporation owning any tract of land within the City Limits or extraterritorial jurisdiction (ETJ) who proposes to:

(a) Divide the tract into 2 or more parts for the purpose of:

(2) Laying out any Subdivision of land or any addition to the City, or

(3) Laying out lots, Streets, alleys, parks or other portions of property intended for public use, or

(4) Using lots fronting thereon or adjacent thereto, by purchasers [or] owners of such lots or property.

(b) Modify any instrument previously adopted for any of the purposes noted herein.

There are two types of processes available through the City by that one may subdivide or modify prior subdivisions. They are:

(c) **Standard Plat** - Generally applicable for initial platting and modifications of plats and the criteria for an Administrative Plats are not met;

(d) **Administrative Plat** - Generally applicable for initial platting and minor modifications where no more than 4 lots are involved and that do not require the extension of public infrastructure and other criteria set by the City are met.

SEC. 1.1.002 DORMANT FINAL SUBDIVISION PLATS

(a) Expiration of Dormant Final Plats: Council approval of a Final Plat expires at the end of 365 days from the date of Planning & Zoning Commission approval, unless:

(1) The Final Plat has been recorded with the Bastrop County Clerk; or

(2) In the sole discretion of the Director of Planning & Development, substantial progress has been made on the development.

(3) The Planning & Zoning Commission may, if written request from the Applicant is received prior to the end of the 365-day period, in accordance with the uniform submittal schedule, so that the item can be placed on a Planning & Zoning Commission agenda prior to expiration. An extension for up to 180 additional days, may be granted. Only one such extension shall be granted. If any major changes are requested by the Applicant and/or are required by the Planning & Zoning Commission, the Planning & Zoning Commission may require submission of a new preliminary and/or a new Final Plat.

ARTICLE 1.2 PURPOSE, AUTHORITY, JURISDICTION

SEC. 1.2.001 AUTHORITY

The procedures of the Subdivision Chapter are authorized under the authority granted by Texas Local Government Code Chapter 212 and the City's Charter. The provision of this Subdivision Chapter expressly extends to all areas inside the City Limits and throughout the City's ETJ.

SEC. 1.2.002 PURPOSE

The provisions of the Subdivision Chapter are intended to provide for the orderly development of the City through the creation of neighborhoods that provide for light, air, recreation, transportation, water, Drainage, wastewater and other facilities by assuring compliance of land divisions and development with certain Drainage Standards contained in the City's Drainage Manual, the Subdivision requirements and Standards contained in this Code prior to site preparatory activities on individual lots, tracts or parcels.

SEC. 1.2.003 APPLICABILITY

The portions of this Subdivision Chapter applies to any non-exempt division or development of land within the City Limits of the City and within its ETJ.

SEC. 1.2.004 PERMITTING

Street numbers and/or Building permits shall not be issued for the Construction of any Building on any piece of property subdivided after April 20, 1981, unless the property has been subdivided in accordance with this Code, and all required Streets, utilities, Drainage, and other required improvements have been completed and submitted for approval by the City Engineer.

SEC. 1.2.005 EXCEPTIONS

A recorded Subdivision or development Plat is required prior to the issuance of a building permit with the following exceptions:

(a) Permits for an Accessory Building not connected to wastewater service.

(b) Permits for repair or remodeling of an existing Structure that involves no increase in square footage.

(c) Demolition permits, or permits for Removal of a Structure from a parcel or tract.

(d) Permits for new Construction or expansion, if all the following criteria are met:

(1) The current boundaries of the property existed in the same configuration on April 20,1981; and

(2) The Director of Planning & Development has determined there is no need for additional easements or right-of-way dedication.

(e) Exceptions for Infill Development:

(1) For the purposes of this Subdivision Chapter, an Infill property is land that has been previously developed and/or cleared land within existing neighborhoods.

(2) Exceptions to platting in these areas are for:

A. Construction of a Residential Dwelling and related Accessory Structures.

B. Permits for the expansion of existing Building up to a maximum of 50% of the original floor area.

SEC. 1.2.006 DEVELOPMENT MANUAL

The Development Manual dated October 22, 2019 is hereby adopted by reference as if set forth in full. The Development Manual shall contain specifications and policy guidance necessary to comply with the Texas Local Government Code Chapters 211 and 212 and the City's Subdivision and Zoning Ordinances. The Development Manual may be amended administratively from time to time by the Director of Planning & Development to maintain compliance with state law provisions and the City's Charter.

SEC. 1.2.007 BASTROP BUILDING BLOCK TECHNICAL MANUAL

The B^3 Technical Manual is hereby adopted by reference as if set forth in full. The B^3 Technical Manual shall contain specifications and policy guidance necessary to comply with the Texas Local Government Code Chapter 212 and the Standards of this Code.

ARTICLE 1.3 PLATTING PROCEDURES

SEC. 1.3.001 STANDARD PROCEDURE - PLATTING

(a) **Plat Required:** Refer to Texas Local Government Code Chapter 212, Subchapter A. Regulations of Subdivisions, Section 212.004 – Plat Required. All plats shall meet the requirements of the B^3 Code. Additional, all plats shall meet the requirements of Ordinance No. 2019-27, Enhanced Permit Review Process, as a condition prior to submitting a plat to the City.

(b) **Delegation of Approval Responsibility:** The City Council hereby delegates approval authority to the Director of Planning & Development in accordance with Texas Local Government Code Chapter 212, Subchapter A. Regulations of Subdivisions, Section 212.0065.

(c) **Vacating Plat:** Refer to Texas Local Government Code Chapter 212, Subchapter A. Regulations of Subdivisions, Section 212.013 – Vacating Plat.

(d) **Replat:** Refer to Texas Local Government Code Chapter 212, Subchapter A. Regulations of Subdivisions, Section 212.014 – Replatting without Vacating Preceding Plat; Section 212.0145 – Replatting without Vacating Preceding Plat: Certain Subdivisions; Section 212.015 – Additional Requirements for Certain Replats.

(e) **Amending Plat:** Refer to Texas Local Government Code Chapter 212, Subchapter A. Regulations of Subdivisions, Section 212.016 - Amending Plat.

(f) Refer to the City of Bastrop Development Manual for checklists and timelines, the B^3 Technical Manual for public notification and Plat submission requirements, and the Uniform Submittal Schedule for specific submittal dates.

SEC. 1.3.002 PRELIMINARY PLAT

(a) A Preliminary Plat is required if a property is being subdivided into 4 or more lots, right-of-way dedication with roadway improvements are required, and any public infrastructure is required.

(b) The purpose of a Preliminary Plat is to determine the general layout of the proposed Subdivision in order to facilitate review by the Planning & Zoning Commission of the proposed Subdivision's Streets and Drainage system, easements, utilities, Building lots, and other lots including Open Space.

(c) Preliminary plats shall be submitted for approval in accordance with this Section and submission requirements within the B3 Technical Manual and the City of Bastrop Development Manual and prior to the approval of Construction plans or a Final Plat.

(d) A Preliminary Plat is not a Permit, but is a procedural precursor necessary for the issuance of a Plat, which is a Permit.

(e) No Application will be deemed administratively complete and Filed on the next Uniform Submittal Date until the steps below are taken.

(1) **Step 1: Pre-Development Meeting.** In order to submit a Preliminary Plat, a Pre-Development Meeting is required.

A. To schedule a Pre-Development Meeting, Applicants shall be required to submit:

i. A Sketch Drawing of lots, blocks, and Street layout;

ii. A concept Drainage plan, as required in Section 2.B.3 of the Stormwater Drainage Design Manual; and

iii. A completed Pre-Development Meeting Application.

B. Staff will review applications for compliance with all existing and applicable state law and City requirements and provide written feedback to the Applicant within 5 business days of the conclusion of the meeting.

(2) **Step 2: Preliminary Drainage Plan.** A preliminary Drainage plan, as required in Section 2.B.4 of the Stormwater Drainage Manual, shall be submitted for approval by the City Engineer along with a geotechnical report by a qualified professional testing laboratory to determine the engineering characteristics of soil, rock and/or fill material such that a geotechnical engineer can then determine and design the type of foundations, earthworks, Drainage infrastructure design, and/or pavement subgrades required for the intended man-made Structures to be built. Once Step 2 is completed, the Applicant can proceed to Step 3.

(3) **Step 3: Infrastructure Plan.** A schematic Infrastructure Plan shall be submitted to the City Engineer for approval in accordance with Section 1.4.001 - Infrastructure Plan. Once Step 3 is completed, the Applicant can proceed to Steps 4 - 6.

(4) **Step 4: TxDOT.** All TxDOT requirements in Section 3.2.1 Administration and Review of the B^3 Technical Manual must be met and all required TxDOT permits shall be obtained and submitted to the City as a part of the Preliminary Plat submittal.

(5) **Step 5: Lost Pines Habitat Conservation Area.** If the Preliminary Plat is for property located in the Lost Pines Habitat Conservation Area, a copy of an approved Certification of Participation to Landowners from Bastrop County shall be obtained and submitted to the City as a part of the Preliminary Plat submittal.

(6) **Step 6: Temporary Construction Easements.** Temporary Construction easements for all infrastructure shall be acquired and submitted to the City as a part of the Preliminary Plat submittal.

SEC. 1.3.003 FINAL PLAT

A Final Plat provides detailed geographic information and associated text indicating property boundaries, easements, Streets, utilities, Drainage, and other information required for the maintenance of public records of the Subdivision of land. A Standard Final Plat shall be submitted for approval to the Planning & Zoning Commission, in accordance with this Code, the B3 Technical Manual, and the Bastrop Development Manual only after a Preliminary Plat is submitted and approved by the Planning & Zoning Commission and all requirements of Article 1.4- Standard Division Design Requirements are met. The Preliminary Plat must be valid at the time the Final Plat is submitted to the City for consideration by the Planning & Zoning Commission.

SEC. 1.3.004 PLAT REQUIREMENTS

See the City of Bastrop Development Manual for timelines, applications, and checklists.

See the B^3 Technical Manual for submission requirements and Plat details.

SEC. 1.3.005 WARRANTS AND VARIANCES

(a) The Development Review Committee (DRC) has the discretion to approve any Neighborhood Regulating Plan, Public Frontage submittal, Administrative Plat, Site Development, and/or building permit that deviates less than 5% from any specific standard prescribed in the Code.

(b) If not approved or the deviation is greater than 5%, the Applicant may request a Warrant or a Variance, The type of Application is determined by the DRC.

(c) The DRC shall have the authority to approve or disapprove administratively a request for a Warrant.

(d) An Appeal of a Warrant denial by the DRC shall be heard by the Planning & Zoning Commission for action. An Appeal of the Historic Landmark Commission's decision can be made in writing to the City Council within 10 business days of the Historic Landmark Commission's decision.

(e) Variances processes are further defined in Section 2.4.003(f) Zoning Board of Adjustment.

SEC. 1.3.006 LOTS OF RECORD

(a) A Lot of Record Verification is a document provided by the City acknowledging whether a particular tract of land was created lawfully. A legal or lawful division of land is one that was done in compliance with, or prior to, applicable Subdivision regulations which were adopted April 20, 1981. A parcel boundary used for property taxation or conveyed by deed to transfer ownership or title is not necessarily indicative of a lawfully created division of land. A Lot of Record Verification does not make claims as to ownership, title, or boundary locations.

(b) No Street number and no building permit shall be issued for the Construction of any Building on any piece of property subdivided after April 20, 1981, unless said property has been subdivided in accordance with this Code, and all required Streets, utilities, Drainage, and other required improvements have been completed and approved by the City Engineer.

(c) A Lot of Record will be recognized if the property:

(1) Was created by a Subdivision procedure; or

(2) Is currently in the same size, shape, and configuration as it was prior to April 20, 1981, as established by a comparison of property descriptions found in deeds or property transfer documents.

(3) Is greater than 5 acres with access to a public road and municipal utilities.

(d) Legal Lot of Record Determination:

(1) A Lot of Record Determination is a document provided by the City acknowledging whether a particular tract of land was created lawfully. A parcel boundary used for property taxation or conveyed by deed to transfer ownership or title is not necessarily indicative of a lawfully created division of land. A Lot of Record Verification does not make claims as to ownership, title, or boundary locations.

(2) A request for Legal Lot of Record determination may be submitted to the Director of the Planning and Development.

(3) The Legal Lot Determination form can be found in the Development Manual.

(e) Existing Lot of Record

(1) Existing lots of record may continue in the same configuration without the requirement to Plat until:

A. Any infrastructure extensions or upgrades are required to serve the Lot.

B. A Building expansion, renovation or Addition is being made over 50% of the assessed valuation of the existing Building or Structure.

C. A change of use to a more intense use or a use from Residential to any other use.

ARTICLE 1.4 STANDARD DIVISION DESIGN REQUIREMENTS

SEC. 1.4.001 INFRASTRUCTURE PLAN

(a) **Format**. Drawings shall be 22"x 34"sheets at generally accepted horizontal and vertical engineering scales.

(b) **Content**. An Infrastructure Plan shall be submitted for approval to the City Engineer as required below. Technical specifications are in the B3 Technical Manual.

(c) Prior to submitting a request for a Preliminary Plat, as noted in Sec. 1.3.002, the Infrastructure Plan shall be drawn to scale and shall contain the required information in the City of Bastrop Development Manual Infrastructure Plan Checklist.

(d) **Submittal**. An Infrastructure Plan Submittal shall contain the following:

(1) Completed and signed Planning Application.

(2) Agent Authorization Letter.

(3) 8 copies of the Infrastructure Plan in compliance with Section 1.4.002 - Development Review Committee.

(4) 8 prints of the approved preliminary Drainage study by the City Engineer as required in Section 1.3.002 (b) - Step 2.

(e) **Incomplete Submissions.** All Infrastructure Plan submittals shall be reviewed for completeness and must be deemed administratively complete to be considered Filed. All incomplete submissions will be returned to Applicant. A request for a Plat will not be considered a Filed Application unless an approved Infrastructure Plan is submitted before or at the time of the submission of the request for a Plat.

(f) **Approval.** Within 30 days of the date that all required information has been accepted for review, the City Engineer shall approve or disapprove the Infrastructure Plan in compliance with the requirements of this Code.

SEC. 1.4.002 PUBLIC IMPROVEMENT PLAN REQUIREMENTS

Public Improvement Plans shall consist of detailed specifications and diagrams illustrating the location, design, and composition of all improvements identified in the Preliminary Plat phase and required by this chapter and other applicable City ordinances, codes and policies. Public Improvement Plans shall be submitted to the City for approval by the City Engineer. In addition, any Project that necessitates the Construction, Reconstruction or modification of existing City infrastructure shall also be submitted to the City for approval. The plans shall be kept by the City as a permanent record of required improvements in order to:

(a) Provide sufficient records that facilitate the operation and maintenance of, and any future modifications to existing City infrastructure.

(b) Provide data for evaluation of materials, methods of Construction and design.

(c) Provide documentation of approved public improvements to ensure that all such improvements are built to City Standards and specifications as required by the B3 Technical Manual

(d) No Construction activities shall commence, until such time as Construction plans completely describing the on-site and off-site improvements required by this chapter and other applicable City ordinances and codes have been approved by the City Engineer and Notice to Proceed as been granted.

(1) **Format.** Drawings shall be on 22"x34" sheets at generally accepted horizontal and vertical engineering scales.

(2) **Content.** Public Improvement Plans shall include all on- and off-site improvements required to serve the proposed Development as indicated on the approved Preliminary Plat and in compliance with applicable ordinances, codes, Standards and policies of the City, and other applicable governmental entities. All Public Improvement Plans shall be signed and sealed by a licensed Professional Engineer, licensed to practice in the State of Texas, in compliance with Section 1.4.013 - Engineering Seal. The Public Improvement Plan shall be submitted for approval by the City Engineer, in accordance with Section 1.4.002 - Public Improvement Plan Requirements - of this Code after complying with Step 1 and 2 below:

A. **Step 1:** A final Drainage plan, as required in Section 2.B.5 of the Stormwater Drainage Manual, shall be submitted for approval to the City Engineer along with a geotechnical report by a qualified professional testing laboratory to determine the engineering characteristics of soil, rock and/or fill material such that a geotechnical engineer can then determine and design the type of foundations, earthworks, Drainage infrastructure design, and/or pavement subgrades required for the intended man-made Structures to be built. Once Step 1 is completed, the Applicant can proceed to Step 2.

B. **Step 2:** A Public Improvement Plan Submittal shall contain the following:

i. Completed and signed Planning Application.

ii. Agent Authorization Letter.

iii. 8 copies of the Public Improvement Plan in compliance with Section 1.4.002 - Public Improvement Plan Requirements - a and b.

iv. 8 prints of the approved final Drainage study by the City Engineer as required in Section 1.3.002(b) - Preliminary Plat - Step 2.

(e) See the City of Bastrop Development Manual for Public Improvement Plan submittal requirements and plan notes.

(f) **Incomplete Submissions.** All Public Improvement Plan submittals shall be reviewed for completeness and must be deemed administratively complete to be considered Filed. All incomplete submissions will be returned to Applicant on the date listed for completeness checks on the Uniform Submittal Dates adopted annually by City Council.

(g) **Approval.** Within 30 days of the date that all required information has been accepted for review, the City Engineer shall approve, approve with conditions or disapprove in compliance with Texas Local Government Code Chapter 212.009.

SEC. 1.4.003 PUBLIC IMPROVEMENT PLAN AGREEMENT (PIPA)

Prior to the scheduling of a Pre-Construction Meeting, a Public Improvement Plan Agreement (PIPA) shall be submitted to the Planning and Development Department for review. The submittal shall be 20 days prior to the desired City Council meeting date. Incomplete agreements will not be accepted by the Planning and Development Department. Within 6 days of the submission the Director of Planning & Development will determine if the agreement is complete. The Director of Planning & Development shall either place the PIPA on the next available regularly scheduled City Council meeting agenda for consideration or deny the submittal for incompleteness. Any deviation, omission, or inaccurate information of required elements on the City of Bastrop standard PIPA shall cause the Director of Planning & Development to deny the submittal. The PIPA shall be approved by the City Council prior to the scheduling of a Pre-Construction Meeting or the issuance of a Notice to Proceed. See the City of Bastrop Development Manual for a standard PIPA format.

SEC. 1.4.004 PRE-CONSTRUCTION MEETING

Prior to a Pre-Construction Meeting being conducted by the City Engineer, the following must first occur:

(a) approval of the Public Improvement Plan has been given by the City Engineer;

(b) a Public Improvement Plan Agreement has been approved by the City Council; and,

(c) requirements of the Public Improvement Plan Agreement have been satisfied.

No public improvements shall be installed or Construction activities commence prior to a Pre-Construction Meeting or the issuance of a Notice to Proceed. The City Engineer will be responsible for setting the Pre-Construction Meeting Agenda and notifying all required representatives of the meeting.

SEC. 1.4.005 NOTICE TO PROCEED

A Notice to Proceed Letter will be issued by the City Engineer after the approval of the Public Improvement Plan has been given by the City Engineer, a Public Improvement Plan Agreement has been approved by the City Council, and a Pre-Construction Meeting has been conducted by the City Engineer.

SEC. 1.4.006 INFRASTRUCTURE ACCEPTANCE

Once Construction of public infrastructure is completed, a walk-through will be conducted by the City Engineer with authorized representative(s). During the inspections, a punch-list will be created and must be completed. At the completion of all items on the punch-list, a 2 year maintenance bond must be Filed in accordance with approved Public Improvement Plan Agreement. A letter shall be submitted to the City from the Applicants engineer certifying that the improvements were built in accordance with the approved Public Improvement Plan. A letter of concurrence will be issued by the City Engineer stating that the improvements were built in accordance with the approved Public Improvement Plan, after which a Final Plat can be submitted to the City in accordance with Section 1.3.003 - Final Plat. Approval of a Final Plat constitutes acceptance of the infrastructure by the City.

SEC. 1.4.007 RECORD DRAWINGS

Record Drawings, or as-builts shall include the full set of Construction plans with the improvements shown as it was constructed. The record drawings shall reflect the original Site Plans modified to reflect the actual Construction. The plans shall include grading, entrance locations, pavement layout, striping, Curb and gutter, storm sewers in plan and profile, Building location(s), etc. Detention facilities grading

and outlet works shall be shown with a certification that the pond complies with the original design. A digital copy of the record drawing plans shall also be submitted in a format and coordinate system compatible with the City's geographic information system. Record drawing plans shall be submitted along with an engineer's concurrence letter prior to final acceptance

SEC. 1.4.008 EXPIRATION DATE

(a) A Public Improvement Plan shall expire 2 years from the date such plan was approved if substantial progress has not been made towards completion of the Project, pursuant to Section 245.005 of the Texas Local Government Code, as amended.

(b) Any Project, as defined under Chapter 245 of the Texas Local Government Code, as amended, shall expire if not substantially completed on the fifth (5) anniversary of the date the first permit Application was Filed for the Project, pursuant to Section 245.005 of the Texas Local Government Code, as amended.

SEC. 1.4.009 CHANGES IN APPROVED PLAN AND SPECIFICATIONS

After approval by the City Engineer, any changes in the plans and specifications shall be in compliance with the Preliminary Plat. If not, an amendment to the Preliminary Plat shall require the approval of the Planning & Zoning Commission on the same timeline and procedure as the original Preliminary Plat. Any changes in the plans and specifications, requiring an amended Preliminary Plat are subject to approval of the City Engineer.

SEC. 1.4.010 FEES

All fees shall be paid at the time of the submittal in accordance with the Code of Ordinances, Appendix A – Fee schedule.

SEC. 1.4.011 TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) PERMIT REQUIRED

No person, firm or corporation shall construct, reconstruct, alter or repair, remove or replace any Sidewalk, drive approach, or any concrete work on any TxDOT right-of-way within the City Limits without first obtaining an approved TxDOT permit. A copy of the approved TxDOT permit is required before a Preliminary Plat Application may be submitted for any Project with frontage on TxDOT right-of-way.

SEC. 1.4.012 REQUIREMENT FOR ENGINEERING LICENSE IN THE STATE OF TEXAS

The Applicant shall retain the services of an Professional Engineer, licensed in the State of Texas, whose seal shall be placed on each sheet of the drawings, and who shall be responsible for the design and inspection of the Drainage, roads and Streets, wastewater and sewer and water facilities within the subdivision. The services performed by the Engineer shall be designated in the most current issue of "Manual of Professional Practice – General Engineering Service," published by the Texas Society of Professional Engineers, and shall include both design and inspection as defined therein.

SEC. 1.4.013 ENGINEERING SEAL

The engineering seal used by an Professional Engineer licensed in the State of Texas must be in compliance with Texas Board of Professional Engineers.

CHAPTER 2: ZONING PROCEDURES



ARTICLE 2.1 GENERAL

SEC. 2.1.001 FEES FOR REVIEW OF ZONING CHANGE APPLICATIONS

(a) Fees shall be as provided for in the fee schedule. See adopted Fee Schedule in Appendix "A" in the City of Bastrop Code of Ordinances.

(b) An Application is not administratively complete until all applicable fees have been paid.

SEC. 2.1.002 FEES FOR REVIEW OF VARIANCE REQUEST OR APPEAL OF SITE PLAN

(a) Fees shall be as provided for in Appendix "A" in the City of Bastrop Code of Ordinances.

(b) An Application is not administratively complete until all applicable fees have been paid.

ARTICLE 2.2 ZONING ORDINANCE

Due to the nature of the Zoning Ordinance and the technicalities involved in adopting or amending it, such ordinance is printed herein as enacted, with only non-substantive formatting and style changes. Capitalization, punctuation and numbering of articles, sections and subsections have been retained as enacted. Subsequent amendments will be inserted in their proper place and denoted by a history note following the amended provisions. The absence of a history note indicates the material is unchanged from the original. Obvious misspelled words have been corrected without notation. Any other material added for purposes of clarification is enclosed in brackets.

ARTICLE 2.3 ENACTING PROVISIONS

SEC. 2.3.001 PURPOSE

(a) As authorized by Chapter 211 of the Texas Local Government Code, the Place Type Zoning Standards and Districts, as herein established, have been made in accordance with an adopted Comprehensive Plan for the purpose of promoting the public health, safety, morals and general welfare, and protecting and preserving places and areas of historical, cultural or architectural importance and significance in the City.

(b) Standards have been designed to lessen the congestion in the Streets; to secure safety from fire, and other dangers; to ensure adequate light and air; to prevent the overcrowding of land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, wastewater treatment, schools, parks, and other public requirements.

(c) The Standards for building neighborhoods require distribution of Place Types, to provide lifestyle and living variation that define distinct physical environments of varying degrees of urbanity and Development intensity. The "P" designation represents each Place Type's relative place on a continuum of low intensity to high intensity Development, from rural-to-urban, with the character and associated Standards of "P5" being more urban than those of "P4".

SEC. 2.3.002 COMPLIANCE REQUIRED

(a) All land, buildings, Structures or appurtenances thereon located within the City Limits that are hereafter occupied, used, constructed, erected, removed, placed, demolished, or converted shall be occupied, used, erected, altered, removed, placed, demolished or converted in conformance with the zoning Standards prescribed for the applicable Place Type Zoning District that such land or Building is located as hereinafter provided or subject to penalties as per Section 2.5.003 - Action and Penalties for Violations - of this Code. All of the Standards prescribed herein shall be considered as the minimum requirement unless explicitly stated otherwise.

(b) No uses shall be allowed that are prohibited by state law or that operate in excess of state or national environmental or pollution Standards as determined by the U.S. Environmental Protection Agency, Texas Air Control Board, Texas Department of State Health Services, or Texas Commission on Environmental Quality, or successor agency.

SEC. 2.3.003 ZONING UPON ANNEXATION

All territory hereinafter annexed to the City of Bastrop shall be classified as "P2" Rural until other Place Type Zoning is established by the City Council. The procedure for establishing Zoning other than "P2" if or [on] annexed territory shall conform to the procedure set forth in Chapter 2 of this Code.

(a) Following annexation, the Director of Planning & Development shall schedule public hearings to zone the recently annexed land.

(b) In an area classified as "P2" Rural:

(1) No permit for the Construction of a Building or use of land shall be issued by the Building Official other than a permit that will allow the Construction of a Building permitted in the "P2" District, unless and until such territory has been classified in a Place Type Zoning District other than the "P2" District.

(2) An Application for a building permit for any proposed use other than those specified in the "P2" District must be made to the Director of Planning & Development. If the Applicant shows that plans and other preparation for developing the property commenced prior to annexation by the City, as established by the Texas Local Government Code Chapter 43, City Council shall authorize the Construction of the Project by a majority vote.

SEC. 2.3.004 ANNUAL ADOPTION OF SCHEDULE OF UNIFORM SUBMITTAL DATES FOR SITE PLANS AND PLACE TYPE ZONING CHANGES

City Council will annually meet in September to adopt a Schedule of Uniform Submittal Dates in order to comply with Texas Local Government Code Chapter 211 for Zoning Changes, and Site Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, when the Planning & Zoning Commission will meet, and/or when Administrative decisions by the Director of Planning & Development will occur.

ARTICLE 2.4 ADMINISTRATION

SEC. 2.4.001 NONCONFORMING USES AND STRUCTURES

(a) Intent of Provisions

(1) Within the districts established by this Code or amendments thereto, exist lots, Structures, uses of land, and characteristics of use that were lawful before this Code was enacted, amended or otherwise made applicable to such lots, Structures or uses, but that do not now conform to the Standards of the Code where they are located. It is the intent of this Code to permit such nonconforming lots, Structures or uses to continue, as long as the conditions within this Section and other applicable sections are met.

(2) It is further the intent of this ordinance that nonconforming uses shall not be enlarged upon, expanded or extended, intensified and not be used as a basis for adding other Structures or uses prohibited elsewhere in the same district.

(3) Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.

(b) Nonconforming Status

(1) Any use, platted Lot, or Structure that does not conform with the Standards of the Place Type Zoning District description where it is located shall be deemed a nonconforming use or Structure when:

A. The use, platted Lot, or Structure was in existence and lawfully operating on the time of the passage of the previous Code passed September 14, 1999, and has since been in regular and continuous use; or

B. The use, platted Lot, or Structure is a lawful use at the time of the adoption of any amendment to this Code but by such amendment is placed in a district wherein such use, platted Lot, or Structure is not otherwise permitted and has since been in regular and continuous use; or

C. The use, platted Lot, or Structure was in existence at the time of annexation to the City and has since been in regular and continuous use.

(c) Continuing Lawful Use of Property & Existence of Structures

(1) The lawful use of land or lawful existence of Structures at the time of the passage of this Code, although such do not conform to the provisions hereof, may be continued; but if said nonconforming use or Structure is discontinued for a period of 6 months or longer, a rebuttable presumption is created that the nonconforming use was intended to be abandoned, any future use of said Premises shall be in conformity with the provisions of this Code.

(2) Discontinuance of a nonconforming use or Structure shall commence on the actual act or date of discontinuance. Abandonment of a nonconforming Structure shall commence on the act or date of abandonment.

(3) When a nonconforming use or Structure that does not meet the Development Standards in this Code ceases to be used for a period of 6 months or longer, such use shall not be resumed and proof of such event shall constitute prima facie evidence of an act of abandonment. Any nonconforming use that does not involve a permanent type of Structure or operation and that is moved from the Premises shall be

considered to have been abandoned. Manufactured homes and mobile homes may be replaced once per the Texas Occupations Code.

(4) No nonconforming use or Structure may be expanded, reoccupied with another nonconforming use, or increased as of the effective date of this Code, unless authorized by the ZBA.

(5) Conforming Residential uses on platted lots approved prior to this Code, that may now be nonconforming due to stricter Standards, shall be deemed in conformance with this Code as long as the use of the Lot is allowed in the respective district.

(6) Any existing vacant Lot platted prior to the adoption of this Code, that was legally conforming, shall be deemed a conforming Lot subject to the provisions applicable to Lots of Records as defined in Sec. 1.3.013.

(d) Changing Nonconforming Use:

(1) An expansion of a nonconforming Structure is allowed in accordance with the following:

A. A nonconforming use located within a Building may be extended throughout the existing Building, provided:

   i. No structural alteration over 50% the total appraised value as determined by the Bastrop County Central Appraisal District, may be made on or in the Building except those required by law to preserve such Building in a structurally sound condition.

   ii. No nonconforming use within a Building may be extended to occupy any land outside the Building.

B. Buildings or Structures that have been vacant or abandoned for more than 6 months and do not meet the Standards of this Code shall be allowed to be reoccupied if compliant with ICC, adopted Bastrop County Health District, and Fire Code and allowed by the Place Type, as determined by the ZBA.

C. Where a conforming use is located in a nonconforming Structure, the use may be changed to another conforming use by the process outlined in 2.4.001(f) - Completion of Structure. A

nonconforming use may not be changed to another nonconforming use.

(e) Restoration of Nonconforming Structure:

(1) If a Structure occupied by a nonconforming use is destroyed by fire, the elements, or other cause, it may not be rebuilt except to conform to the provisions of this Code. In the case of partial destruction of a nonconforming Structure not exceeding 50% of its total appraised value as determined by the Bastrop County Central Appraisal District, Reconstruction will be permitted, but the existing square footage or function of the nonconforming use cannot be expanded.

(f) Completion of Structures:

(1) Nothing herein contained shall require any change in the plans, Construction, or designated use of:

A. Buildings or Structures that a building permit has been issued or a Site Plan approved prior to the effective date of the adopted B3 Code, or

B. A Building or Structure for which a complete Application for a building permit was accepted by the Building Official on or before the effective date of these Standards, provided however that such building permit shall comply with all applicable Codes of the City effective on the date such Application was Filed.

SEC. 2.4.002 PLANNING & ZONING COMMISSION

(a) General:

The Planning & Zoning Commission shall function according to the following criteria that establishes membership and operating procedures.

(b) Created Membership, Officers and Alternates:

(1) There is hereby created, in accordance with Subchapter 211.007 of the Texas Local Government Code and the City's Charter, a Planning & Zoning Commission that shall consist of 9 citizens who reside in the City Limits. Members shall be appointed by the Mayor and confirmed by City Council for a term of 3 years. Terms of 1/3 of the Planning & Zoning Commission shall expire each year upon September 30th, or until a successor is appointed. Vacancies and unexpired terms of members shall be filled by the appointment of the Mayor and confirmed by City Council. These appointments shall be for the remainder of the term.

(2) Members may be removed from office at any time by a majority vote of the City Council for any reason. All members serve without compensation.

(3) Attendance requirements for the Planning & Zoning Commission members are set forth in the Code of Ordinances, Section 1.02.002(b), et seq.

(4) The City staff shall keep minutes of all meetings held by the Planning & Zoning Commission and full record of all recommendations to be made by the Planning & Zoning Commission to the City Council. Minutes shall constitute a report and record of all Planning & Zoning Commission meetings, including hearings.

(5) A Chair and Vice-chairman shall be elected by the Planning & Zoning Commission from its membership, each to hold office for 1 year or until replaced by a majority vote of the Planning & Zoning Commission.

(6) Alternates may be appointed by the Council when it's deemed necessary, and occurs in the same manner as the appointment of members.

(c) Quorum and Voting:

(1) Five members of the Planning & Zoning Commission shall constitute a quorum, and all members, including the presiding chairman, shall have the right of 1 vote each, a quorum being present.

(2) All actions by the Planning & Zoning Commission shall be by a majority vote of those members present and an affirmative vote of 5 members shall be necessary for the passage of any recommendation to the City Council.

(3) If any member has a conflict of interest, as defined by Chapter 171 of Local Government Code, in review of any item on the Planning & Zoning Commission's agenda, the member shall state such for the record and abstain from any discussion and from voting on the matter.

(d) Meetings:

(1) The Planning & Zoning Commission shall convene for regular meetings on the last Thursday of January through October, and on the last Thursday prior to Thanksgiving and Christmas holidays in November and December.

(2) The meetings shall be in the City Hall or other specified locations as may be designated by the Chair or Vice Chair, in the absence of the Chair. Special meetings shall be held at such intervals as may be necessary to orderly and properly transact the business of the Planning & Zoning Commission as called by the Chair or the Director of Planning & Development.

(e) Powers and Duties:

(1) The Planning & Zoning Commission shall be an advisory body to the City Council and shall make recommendations regarding amendments to the Comprehensive Plan, changes of Place Type Zoning and shall be the final authority for certain plats, as specified in Chapter 1, and they may review and recommend other planning related matters.

(2) The Planning & Zoning Commission shall conduct an annual review of the City's Comprehensive Plan and the B3 Code and be prepared to make such recommendations to the City Council as deemed necessary to keep the City's Comprehensive Plan and B3 Code current with the needs and uses of the City. The Planning & Zoning Commission shall serve in an advisory capacity on any planning related item(s) in the City.

(f) Procedure on Place Type Zoning Hearings:

(1) The procedure and process for Place Type Zoning changes and/or amendments shall be completed in accordance with Section 2.4.005 - Changes & Amendments to All Zoning Ordinances and Districts, and in accordance with Chapter 211 of Local Government Code.

SEC. 2.4.003 ZONING BOARD OF ADJUSTMENTS (ZBA)

(a) Creation:

There is hereby created and established a Board to be called the City of Bastrop Zoning Board of Adjustment (ZBA). The ZBA shall hear Appeals from Administrative decisions regarding Zoning, and in appropriate cases, subject to appropriate conditions and safeguards, may authorize Variances from the terms of City of Bastrop B3 Code.

(b) Membership; Terms of Office:

(1) The ZBA shall consist of 5 regular members and 2 alternate members who shall be appointed by the Mayor and confirmed by the City Council, in accordance with state law.

(2) Members of the ZBA shall regularly attend meetings and public hearings of the ZBA and shall serve without compensation. Attendance requirements for the ZBA members are set forth in the Bastrop Code of Ordinances, Section 1.02.002(b).

(3) Members may be removed by majority vote of the members of the City Council, for cause on a written charge after a public hearing. ZBA members may be appointed to succeed themselves.

(4) Any vacancy of a regular member shall be filled by an alternate member only for the unexpired term of the member whose term becomes vacant.

(c) Authority of Board:

(1) The ZBA has the authority, subject to the Standards established in Sections 211.008 to 211.011 of the Texas Local Government Code and those established herein, to exercise the following powers and perform the following duties:

A. Hear and decide an Appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this Code;

B. Authorize the expansion or continuation of a nonconforming use or Structure; and

C. Authorize in specific cases a Variance from the terms of this Code.

D. In exercising its authority under "A" above, the ZBA may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an Appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the ZBA has the same authority as the administrative official.

(2) The concurring vote of 75% of the members of the ZBA is necessary to:

A. Reverse an order, requirement, decision, or determination of an administrative official;

B. Decide in favor of an Applicant on the proposed expansion of a nonconforming use or Structure; or

C. Authorize a Variance from the terms of this B3 Code.

(d) Limitations on Authority of the ZBA:

(1) The ZBA cannot grant a Variance authorizing a use or Building type other than those permitted in the Place Type Zoning district unless it is a nonconforming use or Structure.

(2) The ZBA cannot to grant a Place Type Zoning amendment. In the event that a request for a Place Type Zoning amendment is pending before the Planning & Zoning Commission or the City Council, the ZBA shall neither hear nor grant any variances with respect to the subject property until final disposition of the Place Type Zoning amendment.

(3) The ZBA cannot grant a Variance for any parcel of property or portion thereof that a Site Plan, Preliminary Plat, or Final Plat, where required, is pending on the agenda of the Planning & Zoning Commission and, where applicable, by the City Council. All Administrative remedies available to the Applicant shall have been exhausted prior to hearing by the ZBA.

(4) If a proposed Site does not conform to the Place Type Zoning District Standards and a Variance has been requested, the Planning & Zoning Commission and/or the City Council may defer its actions until the ZBA has acted on the Variance requests.

(e) Quorum and Voting:

Each case before the ZBA must be heard by at least 75% of its members or alternate members. Meetings of the ZBA are held at the call of the presiding officer or the Director of Planning & Development. All meetings of the ZBA shall be open to the public. The ZBA shall keep minutes of its proceedings that indicate the vote of each member. The minutes and records of the ZBA shall be filed promptly in the City Secretary's Office and are public records.

(f) Variances:

(1) The ZBA may authorize a Variance from these Standards when, in its opinion, undue hardship will result from requiring strict compliance. In making the findings hereinafter required, the ZBA shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, and the probable effect of such Variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.

(2) In order to grant a Variance from these zoning Standards, the ZBA must make written findings that undue hardship exists, using the following criteria:

A. Special circumstances or conditions exist that affect the land involved such that the strict application of the provisions of this Code would deprive the Applicant of the reasonable use of the land.

B. The Variance is necessary for the preservation and enjoyment of a substantial property right of the Applicant.

C. Granting of the Variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area, and the spirit of the ordinance will be observed. Variances shall be granted only when in harmony with the general purpose and intent of this Code.

D. Granting of a Variance is consistent with the Comprehensive Plan and will not have the effect of preventing the orderly use of other land in the area in accordance with the provisions of this Code.

E. Granting of a Variance must be predicated on a finding that the Applicant's practical difficulties or unnecessary hardship arise from unusual conditions or circumstances, including topography or the exceptional irregularity of the land involved, that are not shared generally by other parcels in the neighborhood or district.

F. A Variance is to be denied if conditions or circumstances relied on for a Variance were created by a person having an interest in the property.

G. Financial hardship to the Applicant, standing alone, shall not be deemed to constitute a hardship.

H. The Applicant bears the burden of proof in establishing the facts justifying a Variance, which shall be documented in the record.

(g) Nonconforming Uses and Structures:

(1) The ZBA shall have the authority to authorize the expansion or enlargement of a nonconforming use, or the expansion, enlargement or structural Alteration to a Structure containing a nonconforming use, when such an expansion, enlargement or Alteration would not tend to prolong the life of the nonconforming use. Upon review of the facts, the ZBA may establish a specific period of time for the occupancy to revert to a conforming use; and

(2) To authorize the Reconstruction and occupancy of a nonconforming Structure, or a Structure containing a nonconforming use, where such Structure has been damaged by fire, the elements, or other cause to the extent of more than 60%, but less than the total, of the replacement cost of the Structure on the date of the damage. Such action by the ZBA shall have due regard for the property rights of the person or persons affected, and shall be considered regarding the public welfare, character of the area surrounding such Structure, and the conservation, Preservation and protection of property; and

(3) ZBA shall have the authority to authorize the enlargement, expansion, or repair of a nonconforming Structure in excess of 60% of its current value. In such instance, current value shall be established at the time of Application for a hearing before the ZBA.

A. If such expansion or enlargement is approved by the ZBA, all provisions of the district that the Structure is located shall apply to the new Construction on the Lot or parcel.

(4) To authorize a change of use from one nonconforming use to another nonconforming use, provided that, if such change is to a use of a more restrictive classification, the Building or Structure containing such nonconforming use shall not revert to the former lower or less restricted classification. The ZBA may establish a specific period of time for the conversion of the occupancy to a conforming use. Any change of a nonconforming use consistent with this section shall

be in accordance with the provisions of Section 7 of this Code.

(5) To authorize the occupancy of an abandoned nonconforming Structure. Such action by the ZBA shall have due regard for the Comprehensive Plan, the property rights of the person or persons affected and shall be considered in regard to the public welfare and safety, character of the area surrounding such Structure, and the conservation, Preservation and protection of property.

(h) Procedure for Variances:

(1) An Application for a Variance shall be made in writing in a form prescribed by the ZBA and shall be accompanied by the required fee in compliance with Appendix A – Fee Schedule, a Site Plan and additional information may be requested in order to properly review the Application. Such information may include, but is not limited to an existing Plat and Site Building plans.

(2) The Director of Planning & Development or other authorized official shall visit the Site and the surrounding area where the proposed Variance will apply and shall report their findings to the ZBA.

(3) The ZBA shall hold a public hearing no later than 45 days after the date the Application for action or an Appeal is filed. Notice of a public hearing shall be provided to all property owners within 200 feet of the affected property within 10 days prior to the public hearing and also published in the official local newspaper within 10 days prior to the public hearing.

(4) The ZBA shall not grant a Variance unless it finds, based on competent evidence, that each of the conditions in requirements for granting the Variance has been established. The ZBA's findings, together with the specific facts that the findings are based, shall be incorporated into the official minutes of the ZBA meeting that the Variance is granted or denied.

(5) The ZBA may impose such additional conditions, limitations and safeguards as it deems appropriate upon the granting of any Variance. Violation of any such condition, limitation or safeguard shall constitute a violation of this Code.

(6) Any rights authorized by a Variance that are not exercised within 1 year from the date of granting such Variance shall lapse and may be reestablished only after Application and a new hearing in accordance with this Code.

(i) Appeals of Administrative Decisions:

(1) Any of the following persons may appeal to the ZBA a decision made by an administrative official that is related to a specific Application, address, or Project:

A. A person who:

i. Filed the Application that is the subject of the decision;

ii. is the owner or representative of the owner of the property that is the subject of the decision; or

iii. is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or

iv. any officer, department, board, or bureau of the municipality affected by the decision.

(2) The appellant must file with the ZBA and the official against whom the Appeal is taken a written notice of Appeal specifying the grounds for the Appeal within 20 days after the decision has been rendered. The officer to whom the Appeal is made shall immediately transmit to the ZBA all papers constituting the record of the action that is appealed.

(3) An Appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the Appeal is taken certifies in writing to the ZBA that facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the ZBA or a court of record on Application, after notice to the official, if due cause is shown.

(4) The appellant party may appear at the Appeal hearing in person or by agent or attorney.

(5) If the ZBA finds that the administrative official made an error in the Application or interpretation of the Code in a particular instance, the ZBA may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision or determination that an Appeal is taken, and make the correct order, requirement, decision, or determination.

(f) Judicial Review of Board Decisions:

(1) Pursuant to Local Government Code, Section 211.011, "Judicial Review of Board Decision," persons aggrieved by a decision of the ZBA may present to a court of record a verified petition stating that the decision of the ZBA is illegal in whole or in part and specifying the grounds of the alleged illegality.

(2) Pursuant to state law, any such petition complaining of the ZBA's decision must be filed with a district court, county court, or county court at law within 10 days after the date of the ZBA's decision is filed in the Planning & Development Department.

(k) Fees:

(1) Fees shall be as provided for in the Fee Schedule. See adopted Fee Schedule in Appendix "A" in the City of Bastrop Code of Ordinances.

(2) A – Fee schedule. See adopted Fee Schedule in Appendix "A" in the City of Bastrop Code of Ordinances.

SEC. 2.4.004 DEVELOPMENT REVIEW COMMITTEE

(a) Purpose:

The Development Review Committee (DRC) shall be organized to generally ensure compliance by the Applicant with all applicable codes, regulations, laws, ordinances, and plans and to coordinate examination of Development proposals to ensure that all City requirements, established by ordinance, resolution or policy, have been met without conflict. The Development Review Committee shall have all the power and duties specifically provided for herein.

(b) Organization and Membership. The Development Review Committee shall consist of City staff, those being representatives from:

(1) Planning & Development/Building Inspections.

(2) Engineering Department

(3) Public Works/Parks/Water/Wastewater.

(4) Utility Department

(5) Fire Department

(6) City Manager's Office.

(c) Powers and Duties:

(1) Provide a series of technical reviews and analysis of each Project in a holistic manner to provide quick turnaround reviews, reduce comment conflicts, provide consistent feedback to each Applicant and Project, and ensure all recommendations for disapproval have clear and convincing evidence to meet the requirements state law and this Code.

(2) Approve applications that meet the intent, Standards, and requirements, if no public hearing is required by state law or by the City's Charter.

(3) Recommend approval or disapproval of exceptions or waivers to Planning & Zoning Commission in accordance with the City's Code of Ordinances and B^3 Technical Manual, or other Standards.

(4) In May of each year, conduct annual review of all technical manuals and provide a consolidated list of recommendations for City Council considerations, if needed.

SEC. 2.4.005 CHANGES & AMENDMENTS TO ALL ZONING ORDINANCES & DISTRICTS

(a) Declaration of Policy and Review Criteria:

The City declares the enactment of these Standards governing the use and Development of land, buildings, and Structures as a measure necessary to the orderly Development of the community. Therefore, no change shall be made in these Standards or the boundaries of the Place Types Zoning districts except:

(1) To correct any error in the Standards or map.

(2) To recognize changed or changing conditions or circumstances in a particular area of the City.

(3) To recognize changes in technology, the style of living, transportation, utilities, law, the economy, or manner of conducting Business.

(4) To change the property to uses in accordance with the approved Comprehensive Plan.

(b) In making a determination regarding a requested Place Type Zoning change, the Planning & Zoning Commission and City Council shall consider the following factors:

(1) Whether the Place Type characteristics permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.

(2) Whether the proposed change is in accord with the Comprehensive Plan, any existing or proposed plans for providing public schools, Streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.

(3) The amount of vacant land currently classified for similar Development in the vicinity and elsewhere in the City, and any special circumstances that may make a substantial part of such vacant land unavailable for Development.

(4) The recent rate that land is being developed in the same Place Type classification as the request, particularly in the vicinity of the proposed change.

(5) How other areas designated for similar Development will be, or are unlikely to be, affected if the proposed amendment is approved.

(6) Any other factors that will substantially affect the public health, safety, or general welfare.

(c) Authority to Amend Ordinance:

(1) The City Council may from time to time, after receiving a final report by the Planning & Zoning Commission and after public hearings required by law, amend, supplement, or change the Standards herein provided or the boundaries of the Place Types Zoning Districts specified on the Place Type Zoning Map. Any Ordinance Standards or Place Type Zoning District boundary amendment may be ordered for consideration by the City Council, be initiated by City, the Planning & Zoning Commission, or be requested by the owner of the property, or the authorized representative of an owner of the property.

(2) Consideration for a change in any district boundary line or special zoning standard may be initiated only with written consent of the property owner, or by the Planning & Zoning Commission or City Council on its own motion when it finds that public benefit will be derived from consideration of such matter. In the event the ownership stated on an Application and that shown on the City records are different, the Applicant shall submit proof of ownership.

(3) No person who owes delinquent taxes, delinquent paving assessments, impact fees, or any other

delinquent debts or obligations to the City of Bastrop, and that are directly attributable to a piece of property requested for zoning shall be allowed to submit a Place Type Zoning request until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the Applicant's responsibility to provide evidence or proof that the taxes have been paid.

SEC. 2.4.006 PLACE TYPE EC - EMPLOYMENT CENTER STANDARDS AND PROCESS

(a) The default Development Standards for properties designated as Place Type EC are the P5 Development Standards as defined in Article 3.2 - Place Type Development Standards.

(1) P5 Building Types, Article 6.5 - Building Types, are not applicable in EC; and,

(2) Lot Occupancy is determined by the Applicant and submittal for approval to the DRC.

(b) New Place Type Zoning change requests to EC:

(1) The Applicant shall submit a Zoning Concept Scheme with all proposed Development Standards as required for a complete Application for a Zoning Concept Scheme submittal.

(2) Work collaboratively with the City to determine the appropriate Standards and Development parameters for the property if P5 Standards conflict with the Project.

A. The determinations for Standards shall follow the sequences as stated in Section 3.2.001.b.;

B. EC will only be permitted in the Character Districts that allow EC Place Types;

C. When determining the base Standards, the treatment of the Public Frontage shall align with the intent of this Code and B^3 Technical Manual Standards.

D. This process will require public hearings in accordance with state law before the Planning & Zoning Commission and City Council.

SEC. 2.4.007 ZONING CONCEPT SCHEME

(a) Application:

(1) Each Application for a Place Type Zoning change or for an amendment or change to the existing provisions of this Place Type Zoning Ordinance shall be made in writing on an Application form available at the City, Filed with the City and shall be accompanied by payment of the appropriate fee as established by the City of Bastrop, Texas fee schedule. See adopted Fee Schedule in Appendix "A" in the City of Bastrop Code of Ordinances.

(2) Any Application for a Place Type Zoning or for an amendment or change shall require a Zoning Concept Scheme. The Zoning Concept Scheme shall be submitted by the Applicant at the time of the Place Type Zoning request. The Zoning Concept Scheme shall show the Applicant's intent for the use of the land within the proposed area in a graphic manner, as required, and supported by written documentation of proposals and Standards for Development. The City may prepare Application form(s) that further describe and explain the below requirements.

(3) See Development Manual for the Zoning Concept Scheme checklist and B^3 Technical Manual for Application requirements.

(b) Public Hearing and Notice:

(1) Prior to making its report to the City Council, the Planning & Zoning Commission shall hold at least one public hearing on each Application as applicable by state law (Texas Local Government Code Chapter 211, as amended). Written notice of all public hearings on proposed changes in district boundaries shall be sent to all owners of property, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed, within not less than 10 days before such hearing is held. Such notice may be served by using the last known address as listed on the latest approved tax roll and depositing the notice, postage paid, in the United States mail.

(2) Notice of hearings on proposed changes in the text of the Zoning Ordinance shall be accomplished by one publication not less than 15 days prior thereto in the official newspaper of the City. Changes in the ordinance text that do not change Place Type Zoning

district boundaries do not require written notification to individual property owners.

(c) Failure to Appear:

(1) Failure of the Applicant or their representative to appear before the Planning & Zoning Commission or City Council for more than one hearing without an approved delay by the City Manager shall constitute sufficient grounds for the Planning & Zoning Commission or the City Council to table or deny the Application unless the City is notified in writing by the Applicant at least 72 hours prior to the hearing. If the City receives written notification at least 72 hours prior to the hearing, the City shall reschedule consideration of the item for the next regular meeting.

(d) Planning & Zoning Commission Consideration and Report:

(1) The Planning & Zoning Commission, after the public hearing is closed, shall prepare its report and recommendations on the proposed change stating its findings, its evaluation of the request and of the relationship of the request to the Comprehensive Plan. The Planning & Zoning Commission may defer its report for not more than 45 days from the time it is posted on the agenda or until it has had an opportunity to consider other proposed changes that may have a direct bearing thereon unless a postponement is requested by the Applicant. If the Planning & Zoning Commission has not acted, the request shall be sent to the City Council as a recommendation to deny.

(e) Denial:

(1) If the Planning & Zoning Commission recommends denial of the Place Type Zoning change request, it shall offer reasons to the Applicant for the denial.

(f) City Council Consideration:

(1) Applications Recommended for Approval by the Planning & Zoning Commission

A. Every Application that is recommended for approval by the Planning & Zoning Commission shall be automatically forwarded to the City Council for setting and holding of the public hearing. No change, however, shall become effective until after the adoption of an ordinance.

(2) Applications Recommended for Denial by the Planning & Zoning Commission:

A. When the Planning & Zoning Commission makes a recommendation that an Application should be denied, the request, in its original form, will automatically be placed on the City Council agenda unless requested not to by the Applicant within10 business days of such action.

(g) Resubmission of Applications:

(1) No applications for a change of Place Type Zoning classification shall be accepted if a similar Application for the same property has been denied by the City Council within the preceding 12 month period. However, the City Council may, if requested in writing, reconsider an Application previously denied within a period of 30 days from such denial if such denial was based upon erroneous or omitted information or if substantial new information is presented that was not reasonably available at the time of the original Application submission. Such reconsideration shall only be heard if agreed by 4 or more members of the City Council. No previous denial shall be overturned except by a majority vote of the City Council.

(2) Written notice of any such reconsideration shall be given by U.S. mail to all property owners within 200 feet of the subject property at least 10 days prior to any reconsideration hearing. All costs of such notices shall be paid by the Applicant for reconsideration prior to any vote on the matter.

(h) City Council Hearing and Notice for Zoning Changes:

(1) Notice of the City Council public hearing shall be given by publication in the official newspaper of the City, stating the time and place of such hearing, that shall be at least 15 days after the date of publication.

(i) Three-Fourths Vote:

(1) A favorable vote of three-fourths of all members of the City Council shall be required to approve any change in zoning when written objections are received from 20% of the owners of the area within the required notification area of the adjacent landowners that comply with the provisions of Section 211.006 of theTexas Local Government Code of the, commonly (referred to as the “20% rule”).

(2) If a protest against such proposed amendment, supplement or change has been Filed with the City

Secretary, duly signed and acknowledged by the owners of 20% or more, either of the area of the lots included in such a proposed change or those immediately adjacent to the area thereof extending 200 feet therefrom or of those directly opposite thereto extending 200 feet from the Street frontage of such opposite lots, such amendments shall not become effective except by a three-fourths vote of the City Council.

(3) When the Planning & Zoning Commission makes a recommendation(s) that a proposed Place Type Zoning change be denied, the request (in its original form) shall require a three-fourths majority vote from City Council for it to be approved.

(j) Final Approval and Ordinance Adoption:

(1) Upon approval of the Place Type Zoning request by the City Council, the Applicant shall submit all related material with revisions, if necessary, to the City for the preparation of the amending ordinance.

(2) The Place Type Zoning request shall be approved by the City Council in a Public Hearing and may approve rezoning with conditions.

(k) Joint Public Hearings:

(1) As authorized in Section 211.007(d) of the Texas Local Government Code, the City Council prescribes the type of notice to be given of the time and place of a public hearing held jointly by the City Council and Planning & Zoning Commission for consideration of a Place Type Zoning change shall be the same as for any other type of hearing on a proposed zoning change.

(l) Procedure for Newly Annexed Land:

(1) As soon as reasonable, after an annexation ordinance is approved by the City Council, the Director of Planning & Development shall prepare an Application for zoning the newly annexed land from “P2 " Rural to a more permanent Place Type Zoning District. The Application shall be placed on the Planning & Zoning Commission's agenda. All procedures as set forth in this section shall apply.

(m)Fees:

(1) Fees shall be as provided for in the Fee Schedule. See adopted Fee Schedule in Appendix “A” in the City of Bastrop Code of Ordinances.

ARTICLE 2.5 PENALTIES

SEC. 2.5.001 EFFECT OF INTERPRETATION

(a) Applying Provisions:

In interpreting and applying the provisions of this Code, applications shall be held to the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, or general welfare. It is not intended by this Code to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this Code imposes a greater restriction upon the use of buildings or Premises or upon height of buildings, or requires larger Open Spaces than are imposed or required by agreements, the provisions of this Code shall govern.

SEC. 2.5.002 ACTIONS AND PENALTIES FOR VIOLATIONS

(a) Stop Work Order:

The Director of Planning & Development, or other duly authorized City official may order all work, including Site clearing or other Site preparation, stopped on any Site where a significant violation of this Code is found.

(b) Legal Action:

The City Council may direct the City Attorney to initiate injunction, mandamus, abatement or any other action available in law or equity to prevent, enjoin, abate correct or remove such unlawful Structure, use or work. The City Attorney is hereby authorized to unilaterally initiate legal action under this section when deemed an urgent necessity to preserve the public health, safety, or welfare. When initiating such legal action without the City Council's prior approval, the City Attorney shall report to the City Council at or before the next regular City Council meeting.

(c) Fines for Violations:

Any person or corporation violating any of the provisions of this Code shall, upon conviction, be fined any sum not exceeding $2,000.00 and each and every day that the provisions of this Code are violated shall constitute a separate and distinct offense. In addition to the said penalty provided for, the right is hereby conferred and extended upon any property owner owning property in any district, where such property owner may be affected or invaded, by a violation of the terms of the Ordinance, to bring suit in such court or courts having jurisdiction thereof and obtain such remedies as may be available at

law and equity in the protection of the rights of such property owners.

SEC. 2.5.003 VALIDITY

(a) Effect of Invalid Sections:

If any section, paragraph, Subdivision, clause, phrase, or provision of this Code shall be adjudged invalid or held unconstitutional, the same shall be deemed severable and shall not affect the validity of this Code as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

CHAPTER 3: PLACE TYPE ZONING DISTRICTS



ARTICLE 3.1 PLACE TYPE ZONING DISTRICTS

SEC. 3.1.001 GENERAL

The establishment of Place Types in the City of Bastrop, Texas, are intended to promote compatible patterns of land use and Site Development consistent with the City's adopted Comprehensive Plan.

SEC. 3.1.002 PLACE TYPES ESTABLISHED

The City of Bastrop is hereby divided into 7 Place Types that are established in Section 3.1.005. All land within the City Limits shall be classified into one of the following Place Type Zoning Districts in Section 3.1.005.

(a) A summary of the Standards of the Place Type Zoning Districts is included in 3.2 Place Type Standards, Article 6.5, Building Types, and Article 6.7 Building Standards by Place Type.

(b) Place Types form the foundation of how Building intensities will be distributed throughout new neighborhoods and Infill Development.

(c) Place Types establish areas from rural to urban and provide for the creation of holistic human settlements.

SEC. 3.1.003 PLACE TYPE ZONING MAP

The boundaries of Place Type districts set out herein are delineated upon a Place Type Zoning Map of the City, adopted as part of this Code as fully as if the same were set forth herein in detail.

(a) One original of the Place Type Zoning Map shall be Filed in the office of the City Secretary. This copy shall be the official Place Type Zoning Map and shall bear the signature of the Mayor and attestation of the City Secretary. This copy shall not be changed in any manner. In case of any question, this copy, together with amending ordinances, shall be controlling.

(b) A copy of the original Place Type Zoning Map shall be placed in the office of the Director of Planning & Development. The copy shall be used for reference and shall be maintained up-to-date by posting thereon all subsequent amendments. Reproductions for informational purposes may be made of the official Place Type Zoning Map or this copy.

SEC. 3.1.004 PLACE TYPE ZONING MAP BOUNDARIES

(a) The district boundary lines shown on the Place Type Zoning Map are usually along Streets, alleys, property lines, or extensions thereof. Where uncertainty exists as to the boundaries of districts as shown on the official Place Type Zoning Map:

(1) Boundaries indicated as approximately following the centerline of Streets, highways or alleys shall be construed to follow such centerline.

(2) Boundaries indicated as approximately following platted Lot lines shall be construed as following such Lot lines.

(3) Boundaries are indicated as approximately following City Limits shall be construed as following the City Limits.

(4) Boundaries indicated as following railroad lines shall be construed to be midway between the right-of-way lines.

(5) Boundaries indicated as following the centerline of all creeks, streams or Drainage-ways shall be construed to follow such centerline, and in the event of change in the centerline, shall be construed to move with such centerline.

(6) Boundaries indicated as parallel to or extensions of features indicated in Subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the official zoning maps shall be determined by the scale of the map.

(7) Whenever any Street, Alley, or other public way is vacated by official action of the City Council or whenever such area is franchised for building purposes, the Place Type Zoning District line adjoining each side of such Street, Alley, or other public way shall be automatically extended to the centerline of such vacated Street, Alley, or way and all areas so involved shall then and henceforth be subject to all Standards of the extended districts.

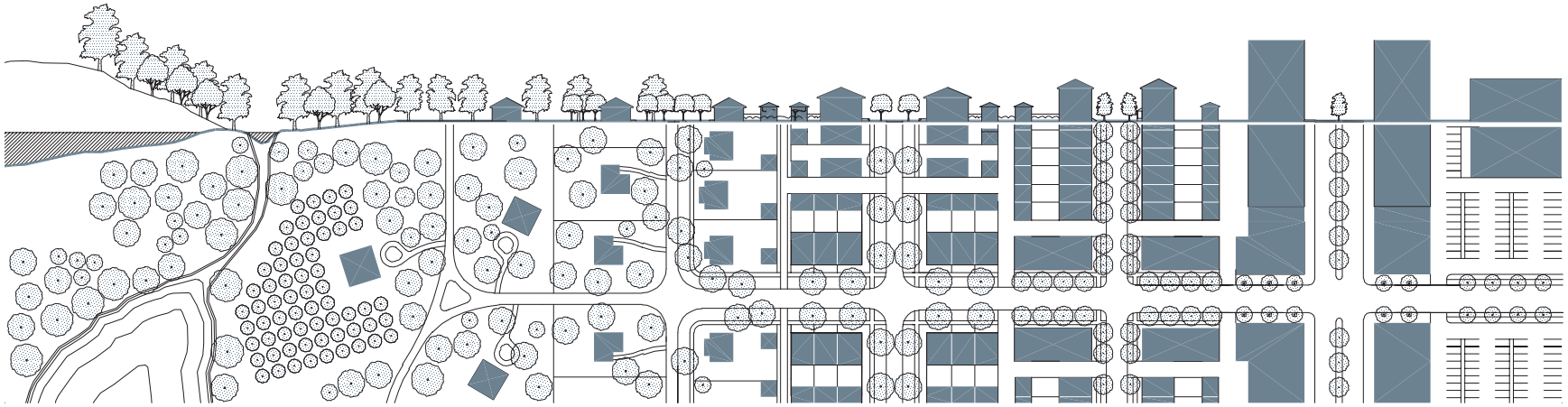
(8) The zoning classification applied to a tract of land adjacent to a Street shall extend to the centerline of the Street, unless as a condition of zoning approval, it is stated that the zoning classification shall not apply to the Street.

(9) Where physical features on the ground are at Variance with information shown on the official zoning district

map or when there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of Subsections 1 through 8, the property shall be considered as classified, "P2" Rural, in the same manner as provided for newly annexed territory.

(10) Valid zoning changes made between April 30, 1991 and the date of the passage of this Code, are indicated in approximate locations on the Place Type Zoning Map. For exact legal descriptions, refer to adopting ordinances for each particular zoning change.

SEC 3.1.005 PLACE TYPE ZONING DISTRICTS TABLE





P1- Nature

Lands in a natural state or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation. P1 is intended to preserve areas that contain sensitive habitats, active or passive Open Spaces, parks and limited agriculture uses.



P2: Rural

Rural living and sparsely settled lands to be located in a manner that does not cause a nuisance to a more intensely inhabited areas. P2 consists of sparsely settled lands in open or cultivated states that may include food production.



P3: Neighborhood

Low density Residential areas. P3 is adjacent to higher Place Types that have some mixed use buildings. Planting is naturalistic and setbacks vary from relatively deep to shallow. The roads and blocks may be irregular to accommodate natural conditions.



P4: Mix

More intense Building Types that provide more lifestyle choices. It provides for a mix of Residential Building Types. Commercial and Office uses are allowed in this District only in House form Structures. Because P4 is a transition area, the Street Types consists of multimodal Streets, but are primarily Residential urban fabric.



P5: Core

Higher density mixture of Building Types that accommodate commercial, retail, offices, row houses, and apartments. It has a tight network of Streets, with wide sidewalks, steady Street Tree plantings, and buildings set close to the sidewalks. P5 is a highly walkable area. A continuous line of buildings is critical to define the Public Frontage and allow for visible activity along the Street edge.



CS: Civic Space/Civic Building

Civic Spaces and/or Civic Buildings serve as community features appropriate to their Place Types. Civic Spaces provide relief from the urban environment inside each neighborhood.



EC: Employment Center

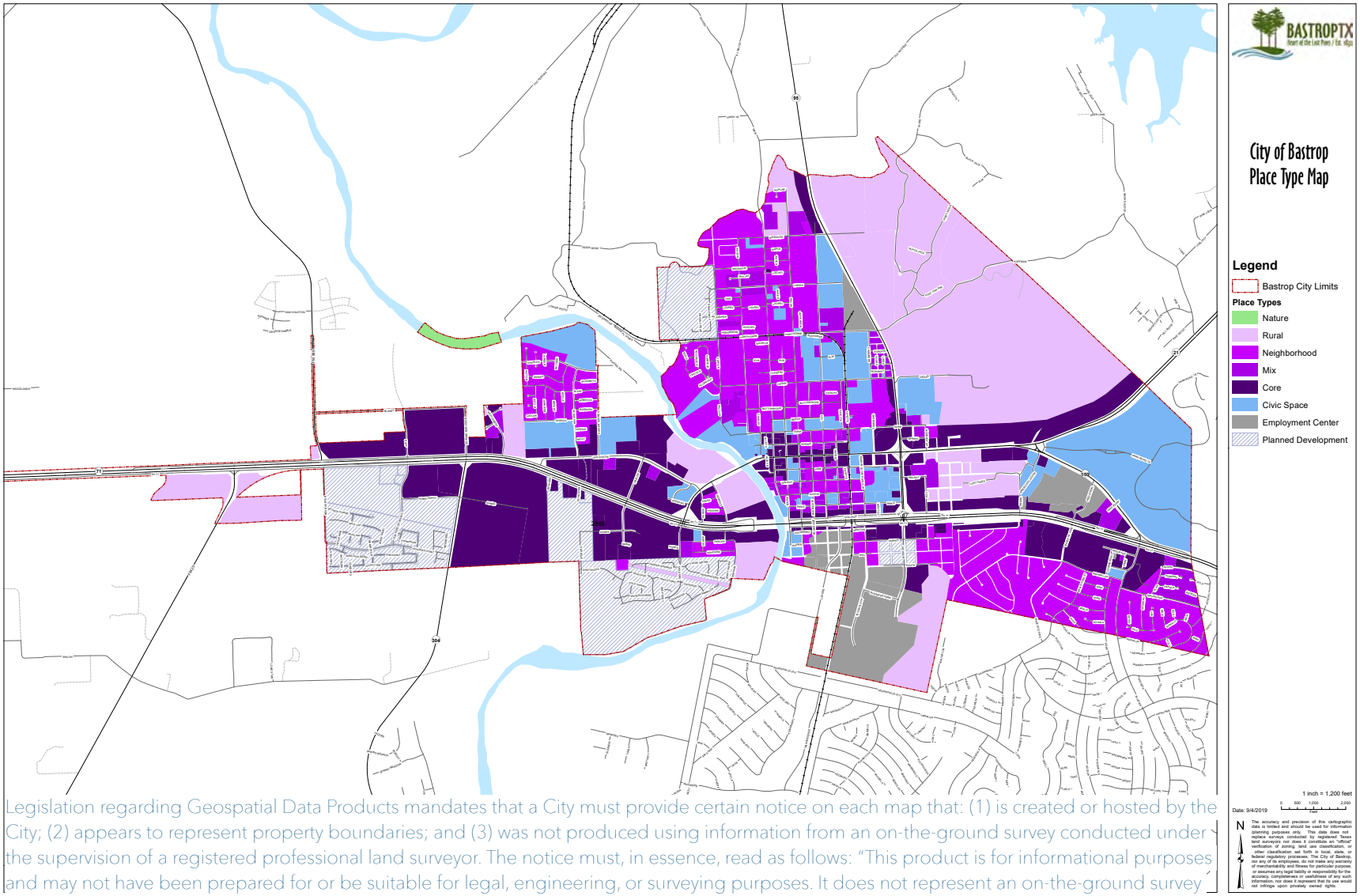
Areas that by their function, deposition, or configuration cannot, or should not, conform to one or more of the Place Types. EC shall be used for job creation centers and Building forms that do not fit within the character of the Place Types.



PDD: Planned Development Districts

Planned Development Districts are existing master planned developments created under previous Codes that allow a mix of land uses and design Standards. Each area has specific concept and Development plans that determine Street connectivity, Lot layout, and Building design.

SEC 3.1.006 PLACE TYPE ZONING MAP



Legislation regarding Geospatial Data Products mandates that a City must provide certain notice on each map that: (1) is created or hosted by the City; (2) appears to represent property boundaries; and (3) was not produced using information from an on-the-ground survey conducted under the supervision of a registered professional land surveyor. The notice must, in essence, read as follows: "This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries." Tex. Gov't Code §2051.102

ARTICLE 3.2 PLACE TYPE STANDARDS

SEC 3.2.001 ALLOCATION & SEQUENCE OF PLACE TYPE DETERMINATION

(a) Determination of Place Type designations shall be made based on the the following factors considered in the following sequence:

(1) Geographically sensitive Development Patterns;

(2) The existing Streets and Master Thoroughfare Plan Mandatory Street Network;

(3) Proximity to existing Place Types (built or entitled);

(4) Size of new Development; and

(5) Pedestrian Shed Distribution.

(b) The City of Bastrop shall have the following assigned percentages of each Pedestrian Shed allocated to the established Place Types. Before preparing a Neighborhood Concept Scheme the Applicant must review permitted Development Patterns and the associated Standards. Place Type percentage allocation per Pedestrian Shed as described in Article 3.3:

P1- Nature	Varies
P2- Rural	Varies
P3 - Neighborhood	10-35%
P4 - Mix	25-75%
P5 - Core	5 - 20%
CS - Civic Space	10% min.
EC - Employment Center	No min.

SEC 3.2.002 NEIGHBORHOOD REGULATING PLAN

(a) All areas within the City of Bastrop more than 3.4 acres that do not require Place Type Zoning changes will require a Neighborhood Regulating Plan. Place Types shall be assigned through the creation of a Neighborhood Regulating Plan.

(b) The process for creating a Neighborhood Regulating Plan is described in the B[3] Technical Manual Article 2.3 - Neighborhood Regulating Plan.

(c) Neighborhood Regulating Plans must provide the Street Types, location and sizes of proposed Streets consistent with the Mandatory Street Network, and the Block requirements of this Code. It must contain Place Type allocation as defined in Section 3.2.001.b and be reflective of Section 4.2.001 Character District Descriptions & additional Standards.

(d) A Neighborhood Regulating Plan must adhere to the Pedestrian Shed Map, Sec. 3.3.001, and must be reviewed and comply with the percentages of 3.2.002(b).

SEC 3.2.003 NEIGHBORHOOD REGULATING PLAN EXEMPTIONS

(a) All areas within the City of Bastrop over 3.4 acres on a platted Lot not seeking to develop.

ARTICLE 3.3 PEDESTRIAN SHED

(a) In TND developments, every 1/4 mile radius or "Pedestrian Shed," i.e. approx. 80 acres or 6 Farm Lots, is to contain a mix/allocation of Place Types that reflect the Character District. Measuring Development by the Pedestrian Shed will ensure walkable neighborhoods are created.

(b) The Pedestrian Shed is the area encompassed by the walking distance from a town or neighborhood center. They are often defined as the area covered by a 5-minute walk (about 0.25 miles or 1,320 feet) from the center.

(c) Pedestrian Sheds in VCD or CLD Development Patterns vary in size and are prescribed in Article 5.2 Development Patterns Standards.

SEC. 3.3.001 CITY OF BASTROP MASTER PEDESTRIAN SHED MAP



Legislation regarding Geospatial Data Products mandates that a City must provide certain notice on each map that: (1) is created or hosted by the City; (2) appears to represent property boundaries; and (3) was not produced using information from an on-the-ground survey conducted under the supervision of a registered professional land surveyor. The notice must, in essence, read as follows: "This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries." Tex. Gov't Code §2051.102

New Neighborhood Regulating Plan
Pedestrian Shed Example

For Illustrative Purposes Only



B3 Code Requirements

P1- Nature	no minimum
P2- Rural	no minimum
P3 - Neighborhood	10-35%
P4 - Mix	25-75%
P5 - Core	5-20%
CS - Civic Space	10% min

Neighborhood 1

P2	P3	P4	P5	CIVIC	EC	Total
25.9	16.9	19.7	8.1	6.1	0.0	76.8
34%	22%	26%	11%	8%	0%	100%

Neighborhood 2

P2	P3	P4	P5	CIVIC	EC	Total
11.2	17.8	26.3	7.0	5.8	0.0	68.0
16%	26%	39%	10%	9%	0%	100%

Neighborhood 3

P2	P3	P4	P5	CIVIC	EC	Total
13.0	9.7	22.6	11.9	19.5	18.7	95.3
14%	10%	24%	12%	20%	20%	100%

Total

P2	P3	P4	P5	CIVIC	EC	Total
50.1	44.4	68.3	27.0	31.4	18.7	240.0
21%	18%	29%	11%	13%	8%	100%

Legislation regarding Geospatial Data Products mandates that a City must provide certain notice on each map that: (1) is created or hosted by the City; (2) appears to represent property boundaries; and (3) was not produced using information from an on-the-ground survey conducted under the supervision of a registered professional land surveyor. The notice must, in essence, read as follows: "This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries." Tex. Gov't Code §2051.102

CHAPTER 4: CHARACTER DISTRICT



ARTICLE 4.1 GENERAL

SEC. 4.1.001 INTENT OF CHARACTER DISTRICTS

(a) Intent:

(1) Character Districts are the largest regulating geographic boundary in the Code. The boundaries are intended to have Standards that align with the natural landscape and the patterns of Development established on the land. Development Patterns, Place Types, and Streets Types are localized and represented in the Standards.

(2) This Article governs the preparation of a Character District Map that allocates identity and special Standards to areas within the City of Bastrop.

(3) Character Districts shall integrate the largest practical geographic area, overlapping property lines, as necessary, and municipal boundaries, if possible.

SEC. 4.1.002 CHARACTER DISTRICTS ESTABLISHED

(a) Generally:

(1) The City Council hereby adopts the City of Bastrop Character District Map (hereafter referred to as the "Character District Map"), that is on file with the Director of Planning & Development. The Character District Map is hereby incorporated into this Code by reference as though it were fully included here.

(b) B^3 Character Districts Established:

(1) The location and boundaries of the districts in this Article are hereby established, and will be shown on the Character District Map.

(c) Interpretation of District Boundaries:

(1) The Planning and Development Director will be initially responsible for interpretations of the official Character District Map. The following Standards will govern the interpretation of District Boundaries:

A. Boundaries indicated as approximately following the centerlines or right-of-way lines of Streets, highways, Alley, railways, or public utility easements will be construed to follow such lines.

B. Boundaries indicated as approximately following platted Lot or tract lines will be construed as following such lines, whether public or private.

C. Boundaries indicated as approximately following the City Limit line will be construed to follow such City Limit line.

D. Boundaries indicated as approximately following the center, mean high water mark, or shoreline of streams, rivers, canals, lakes, marsh areas, or other bodies of water, lowland, or tidal areas, will be construed to follow such boundaries.

(d) Record Keeping:

The original and all revised versions of the Character District Map will be certified as such by the signature of the Director of Planning & Development, and will be kept on file, in either hardcopy or digital form, in the office of the Department of Planning & Development Services.

(e) Public Access:

Copies of the Character District Map will be made available for public inspection in the office of the Department of Planning & Development Services during normal business hours.

ARTICLE 4.2 GENERAL

SEC. 4.2.001 CHARACTER DISTRICTS DESCRIPTIONS & ADDITIONAL STANDARDS

(a) Intent:

(1) The Character District descriptions and Standards are guiding Development recommendations that coordinate with the individual Character District for each other corresponding Development Patterns, Place Types, Street Types, Building and Block Types.

(b) Descriptions and Additional Standards:

(1) **Bastrop State Park** - Development in this district blends seamlessly into the natural environment. Preservation of urban wild lands and cultural history are the forefront of all design. Road networks and buildings focus attention toward scenic views and harmonize with nature.

(2) **Cattleman's District** - Ranching has been a cornerstone of the Texas economy for the last 300 years. The northwestern edge of the City and beyond continues to honor the long tradition of the cattle industry. The open range of the Cattleman's District

lends itself to village centers. A mix of retail, restaurant and office Buildings, that incorporate Residential around community agriculture, open fields, and water features being reminiscent of meandering streams and stock tanks that once served livestock.

(3) **Cultural Arts District** - Arts and culture are the centerpiece of this district. Located in one of the oldest parts of the City, this district will pay homage to the rich culture of Bastrop by providing a physical landscape to share the human experience. A sophisticated mix of theater, music, and art will blend with a mix of housing, while also providing shopping and dining opportunities. Situated along two state highways, this district will be a destination for tourists and locals alike sharing a cultural experience.

(4) **District 71** - District 71 promotes regional trade and easy vehicular access from major Thoroughfares. Developments become destinations unto themselves, with parking areas nearby for visitor access. Elements within the Public Realm encourage walk- or bike-ability bringing large developed areas back to the human scale.

(5) **Downtown District** - Downtown Bastrop is laid out in an almost perfect series of small gridded blocks. The gridded network of Streets is a fundamental element that creates the most effective and efficient structure for cities to be walkable, flexible and timeless. It contains human scale Streets and buildings organized in a uniform manner. Parks and Civic Spaces integrated into the built form of the City. The shopfronts and ground floor characteristics at the Street edge are made up of glass and directly relate to the Street. The Residential Lot sizes, House sizes, housing types, and setbacks vary throughout the district.

(6) **Ferry District** - This district follows the east side of the Colorado River north of SH 71. People may seamlessly access both riverine resources and shopfronts. Shopfronts directly interact with the Street where topography allows or are clustered into accessible destinations along the river providing entertainment in scenic setting. Walkable trail connections to other districts, with shade from mature trees and structural features of the Public Realm, are key elements of Development.

(7) **Historic Highway District** - As one of the oldest towns in Texas, Bastrop has served travelers going from Austin to Houston for over 100 years. The Historic

Highway District demonstrates a pattern of Development that provided Commercial and retail Business for both residents and travelers. As Bastrop continues to be a destination for out of town visitors, this area provides a route that parallels State Highway 71 and leads to Historic Downtown Bastrop.

(8) **Lost Pines District** - The Lost Pines has special geographic features, such as the stand of Loblolly Pines that is more than 100 miles from similar forests. Additionally, the towering trees and sandy soil in this district provides an optimal environment for the Houston Toad. The rolling hills provide breathtaking vistas and deep valleys that provide an opportunity for clustered developments that will preserve the natural environment while allowing urban neighborhoods to interact with nature.

A. Development must comply with the Standards and processes within the Lost Pines Habitat Conservation Plan, as amended.

(9) **Mayfest Hill District** - Anchored by Civic Space, Mayfest Hill provides a gateway into town where drivers are treated to a glimpse of Bastrop's geographically sensitive design and views of the Colorado River Basin. Residential roads and buildings are tucked away into the hills, providing a tranquil space between the major roadways. The Civic Spaces pull neighborhood and area residents together into lively events and gatherings, utilizing the available road network.

(10) **The Meadows District** - Large rolling meadows still dominate the landscape as Bastrop extends towards the west. The natural landscape is an open canvas creating an integrated community of assorted retail, service, and Residential with Walkability as a main feature. Civic Spaces and meandering trails are easily incorporated to connect the community to the Colorado River to the south.

(11) N**ew Addition District** - Just west of Historic Downtown Bastrop, you will find the "New" Addition. Nestled between the banks of the Colorado River and the historic residences of Downtown, this district is primarily Residential in nature. Bound by the winding river to the west, you will find similar curvilinear Streets and winding trails within this district. Neighborhood markets and boutique services will be mixed into the Residential fabric providing a true community feeling.

(12) **North End District** - The North End is defined by the distinct geographical boundaries of Union Pacific

Railroad, State Highway 95, and Piney Creek. Originally laid out in the pattern of Farm Lots, Residential growth has happened incrementally, creating a diverse mix of Lot sizes and housing styles. The addition of neighborhood Commercial along established Streets and the inclusion of housing type variation will add to the vitality and timeless nature of the community. Continued Development should focus on establishing additional east/west connectivity to continue the Building Block pattern originally established in Downtown Bastrop.

(13)**Old Town District** - Old Town has a rich history based on the Building Block and Farm Lot configuration of the 1920 Iredell Map. The gridded Street network is well connected, and a variety of Lot types, setbacks, and Building Types are present. Human scale and tree shaded Streets encourage comfortable multimodal connectivity to the surrounding neighborhoods, while discrete and rural-style infrastructure functions steadily.

(14)**PDD District** - Planned Development Districts are existing master planned developments created under previous Codes that allow a mix of land uses and design Standards. Each area has specific concept and Development plans that determine Street connectivity, Lot layout, and Building design.

(15)**Pine Village District** - Characterized by scenic vistas of the Colorado River, this district is positioned along the rolling hills of the Lost Pines. The natural geography in the district provides both opportunity for commerce and Residential neighborhoods. The built environment will harmoniously integrate with the natural environment, creating inviting Open Spaces with storefronts and residences.

(16)**River District** - The Colorado River serves as the focal point of this district. Ample Commercial and Residential opportunities are present, interacting with the natural environment, giving an uptown feel along the banks of the river. Open space, Civic Spaces, and trails will bring people to the district while they enjoy dining, retail, and entertainment opportunities. The natural geography will inform the Building pattern blending the urban and natural form.

(17)**Riverside Grove District** - Situated between a City Park and a Commercial corridor, Riverside Grove provides a classic opportunity to connect people to places. Mobility is promoted via the tree-lined Streets in a semi-grid pattern that allow multiple modes of

transportation. A trail system further encourages Pedestrian traffic and provides connectivity between the Park, residences, and retail opportunities.

(18)**South River District** - This district follows the Colorado River south of SH 71. People may freely and seamlessly access both riverine resources and shopfronts. Shopfronts directly interact with the Street where topography allows or are clustered into accessible destinations along the river providing entertainment in scenic setting. Walkable trail connections to other districts with shade from mature trees and structural features of the Public Realm are key elements of Development. This district is geographically sensitive to the confluence of Gill's Branch and the Colorado River.

(19)**The Vista District** - The Vista District is a collection of people and places that provides an urban lifestyle. Capitalizing on its location along two major Transportation Corridors , this district will be an eclectic blend of shops, office spaces, residences, and entertainment venues. Its diverse mix of uses creates a true live, work, and play environment for the community. Civic Spaces anchor the Public Frontage and storefronts are scattered throughout the walkable Street grid, producing an inviting built environment.

SEC. 4.2.002 CHARACTER DISTRICT DEVELOPMENT PATTERNS

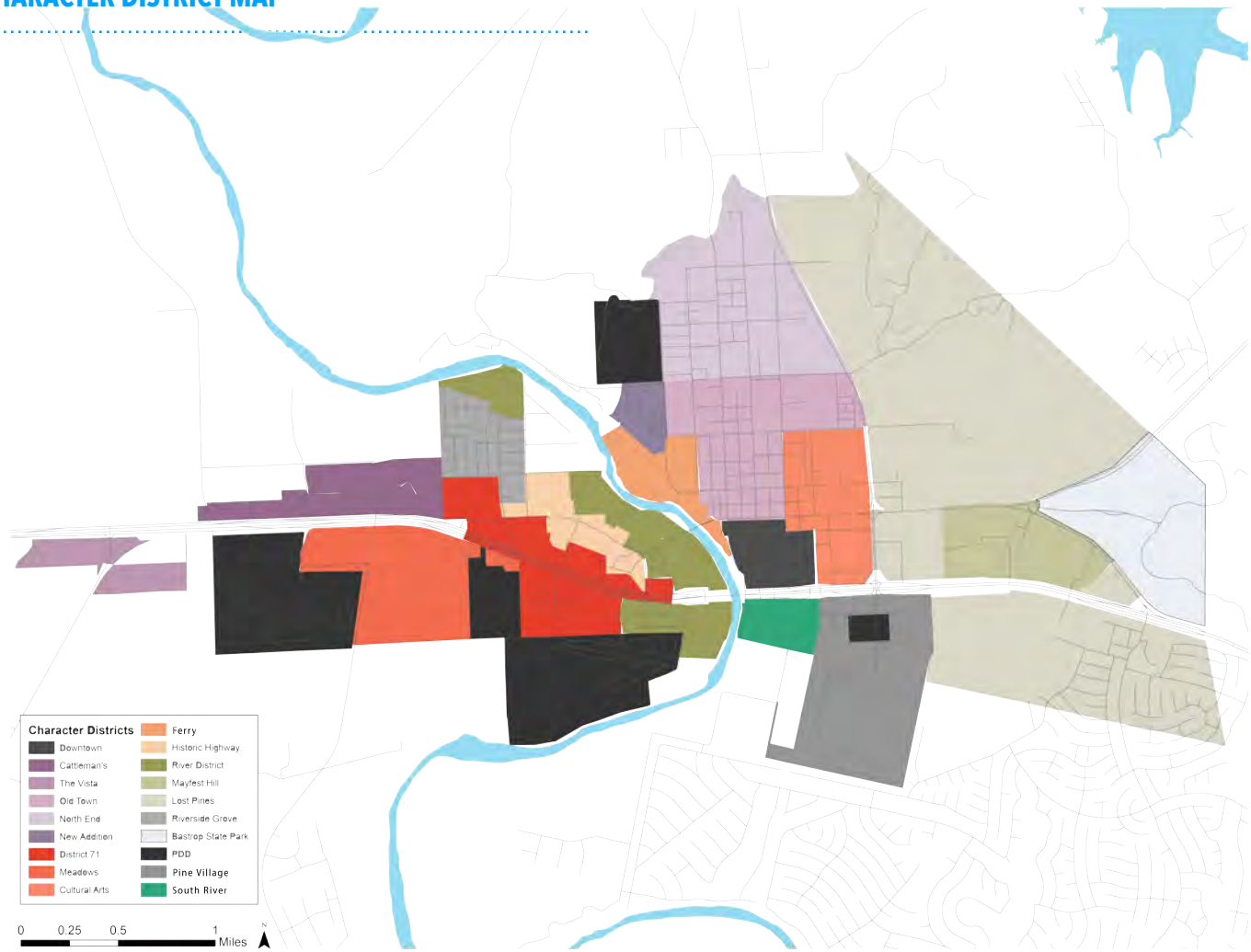
Each Character District is comprised of different natural environments, built pattens, and have a wide range of other physical and topographic attributes that add to their district nature. To protect and enhance these natural and existing features, each character district allows for different Development Patterns as defined in Article 5.2.

SEC. 4.2.003 NEIGHBORHOOD REGULATING PLAN BY CHARACTER DISTRICT

(a) Multiple Place Type change requests submitted at one time within each Character District shall be reviewed collectively.

(b) Multiple Neighborhood Regulating Plans submitted at one time shall be reviewed collectively to evaluate phasing, infrastructure demands, public safety and Drainage impacts.

ARTICLE 4.3 CHARACTER DISTRICT MAP



Legislation regarding Geospatial Data Products mandates that a City must provide certain notice on each map that: (1) is created or hosted by the City; (2) appears to represent property boundaries; and (3) was not produced using information from an on-the-ground survey conducted under the supervision of a registered professional land surveyor. The notice must, in essence, read as follows: "This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries." Tex. Gov't Code §2051.102

CHAPTER 5: DEVELOPMENT PATTERNS



Renderings by Geoff Dyer

ARTICLE 5.1 INTENT OF DEVELOPMENT PATTERNS

(a) Development Patterns are the manner in which a neighborhood is configured. Different geographies accept different Development Patterns. To accommodate Bastrop's wide range of landscapes, there are 3 Development Patterns that provide adequate facilitation of Development.

(b) The Development Pattern type will be used to guide the creation of the Zoning Concept Scheme and Neighborhood Regulating Plan (see Article 2-3 Neighborhood Regulating Plans in B^3 Technical Manual) configurations suitable for different geographies and Character Districts.

(c) The B^3 Code is a tool that guides the form of the built environment in order to create Development Patterns that are compact and walkable with a variety of Place Types. The Code supports a connected network of Streets to relieve traffic congestion and preserves open lands in ecologically sensitive locations.

(d) The Character Districts each permit one or more of the three Development Patterns:

(1) Cluster Land Development (CLD)

(2) Traditional Neighborhood Development (TND)

(3) Village Center Development (VCD).

(e) See the Development Pattern Table, Section 5.2.007 for permitted Development Patterns within each Character District.

ARTICLE 5.2 DEVELOPMENT PATTERN STANDARDS

SEC. 5.2.001 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND)

(a) Intent:

TND may occur in Infill areas and involve adaptive reuse of existing buildings, or can be created as new Construction on previously undeveloped land.

(b) TND characteristics include the continuation of the Grid as the basic platform of arrangement of the Neighborhood Regulating Plans and Zoning Concept Schemes. They contain a range of housing types, a network of well-connected Streets and blocks, well defined public spaces, and have amenities such as stores, schools, and Third Places within walking distance of residences.

(c) TND is the preferred and default Development Pattern in the City of Bastrop.

SEC. 5.2.002 TND STANDARDS

(a) Location: The TND is located within a Character District that allows for the Development Pattern.

(b) 1,320' preferred max Block perimeter.

(c) 330' x 330' preferred Block size.

(d) If Block dimensions exceed the preferred Block perimeter and size, a 20' Pedestrian Walkway shall be included at mid-Block.

(e) Smaller blocks are allowed By Right.

(f) In the P4 Mix, a minimum Residential mix of three Building Types (not less than 20%) shall be required.

(g) A TND shall be structured by one standard or Linear Pedestrian Shed (see Article 3.2.2 Place Types by Pedestrian Shed) and shall be no fewer than 13.6 acres and no more than 160 acres.

(h) A TND shall include Place Types as allocated in Section 3.2.002.b.

(i) Sites larger than 80 circular acres or 160 linear acres shall be designed and developed as multiple Neighborhood Regulating Plans. Each Neighborhood Regulating Plan is subject to the individual Place Type requirements for its Development Pattern as allocated Section 3.2.002.b or associated Standards.

SEC. 5.2.003 CLUSTER LAND DEVELOPMENT (CLD)

(a) Intent: CLD offers a compulsory alternative to conventional neighborhoods for the purpose of:

(1) Encouraging the use of land in accordance with its character and adaptability;

(2) Assuring the permanent preservation of Open Space, agricultural lands, and other natural resources through land reservations or Conservation Easements;

(3) Allowing innovation and greater flexibility in the design of Residential developments to ensure the same overall amount of Development normally permitted with the conventional home Lot size;

(4) Facilitating the Construction and maintenance of Streets, utilities, and public services in a more economical and efficient manner increasing affordability and reducing the cost of building and maintaining infrastructure;

(5) Ensuring compatibility of design and use between neighboring properties; and,

(6) Encouraging a less sprawling form of Development, thus preserving Open Space as undeveloped land.

SEC. 5.2.004 CLD STANDARDS

(a) See Section 5.2.007 Development Patterns by Character District to determine if Cluster Land Development is an allowed Development Pattern.

(b) A CLD shall be structured by one standard Pedestrian Shed and shall consist of no fewer than 30 acres and no more than 80 acres or 160 linear acres.

(c) A CLD shall include Place Types as allocated in Section 3.2.002.b. A minimum of 50 % of the Neighborhood Regulating Plan or Zoning Concept Scheme shall be permanently allocated to P1 Nature and/or P2 Rural Place Types.

(d) The dedicated P1 lands shall be deemed Civic or Open Space and will be set aside by the Applicant through an irrevocable Conservation Easement or similarly determined method, as approved by the City Council.

(e) Areas not consideredCivic or Open Space:

(1) The area of any Street right-of-way proposed to be dedicated to the public.

(2) Any submerged land area.

SEC. 5.2.005 VILLAGE CENTER DEVELOPMENT (VCD)

(a) Intent: A VCD is a series of small Streets lined with buildings at the Street edge creating a unique village style community.

(b) Description: VCD consists of a small dense grouping of predominately P4 and P5 Building serving as Residential, live/ work and Commercial and office buildings organized in a vernacular, curvilinear grid, or grid network of blocks and Streets. The Streets are small and serve as shared Streets. Vehicles are kept on the exterior of the developments. Buildings are located directly to the Street edge.

SEC. 5.2.006 VCD STANDARDS

(a) See Section 5.2.007 Development Patterns by Character District to determine if Village Center Development is an allowed Development Pattern.

(b) Streets Types are narrow and serve as shared Streets in the Development.

(c) Vehicles are kept on the exterior of the key areas of developments to create plazas and Civic Spaces throughout the Development;

(d) Buildings are located directly to the Street edge at the Frontage Line and occupy 80% to 100% of the Lot Frontage; and

(e) Parking shall be located in the Third Layer of the Lot.

(f) Vehicle access shall be kept in the rear of the property served by alleys or the rear lanes.

(g) P3 shall be limited to 10% of the Development.

(h) P1 and CS shall be more than 40% of the Development.

(i) P4 and P5 shall make up the remaining 50% of the Development.

(j) A VCD shall be structured by one Long Pedestrian Shed or Linear Pedestrian Shed and shall consist of no fewer than 13.6 acres and no more than 80 acres.

SEC. 5.2.007 DEVELOPMENT PATTERNS PERMITTED PER CHARACTER DISTRICT

	TND	CLD	VCD
Cattleman's	P	NP	P
Cultural Arts District	P	NP	NP
District 71	P	NP	P
Downtown	P	NP	NP
Ferry	P	NP	P
Historic Highway	P	NP	NP
Lost Pines	NP	P	P
Mayfest Hill	P	P	P
Meadows	P	NP	P
New Addition	P	NP	NP
North End	P	NP	NP
Old Town	P	NP	NP
Pine Village	P	NP	NP
River	P	P	P
Riverside Grove	P	NP	NP
South River	P	NP	NP
Vista	P	NP	P

P = PERMTTED NP = NOT PERMITTED * Districts not included: Bastrop State Park & PDD

CHAPTER 6: PRIVATE REALM DEVELOPMENT STANDARDS



ARTICLE 6.1 GENERAL

SEC. 6.1.001 INTENT

The Private Realm is intended to support the Public Realm with its Standards. The configuration of the Private Realm contains endless opportunities based on the minimum use Standards, Lot requirements, and with a wide variety of Building Types. Character Districts and Place Types determine the intensity of Building Types that can occur on the private lots.

SEC. 6.1.002 INSTRUCTIONS

(a) Lots and buildings located in the Private Realm within the City of Bastrop shall be subject to the requirements of this section.

(1) Lots and buildings shall be regulated according to the Building Type, Lot Occupation, Building placement, Building height, Private Frontage, use, parking spaces, parking placement, landscaping and signage Standards.

(b) Regulatory terminology related to private lots used in this section is diagrammed for illustrative purposes only.

(1) Building Types diagrammed are provided for illustrative purposes only.

(c) Development Process

The Development processes for all Application types is demonstrated in the B^3 Flowchart within the Introduction of this Code.

ARTICLE 6.2 PERMITTING REQUIREMENTS

(a) Building or Construction permits shall not be issued for Development or redevelopment of private lots prior to the approval of a Building or Site Plan drawn to scale with the following details:

(1) For preliminary Site and Building plan approval:

A. See B^3 Technical Manual for Site Plan Review requirements.

B. See the Bastrop Development Manual for review timeline and Site Plan Checklists.

(2) Individual home applications in P3 shall be exempt from the Site Plan process.

(3) Building and Site Plans submitted under this Code shall be prepared by the Applicant and shall be submitted for Administrative Approval once all Code Standards are met.

ARTICLE 6.3 GENERAL LOT STANDARDS

SEC. 6.3.001 LOT DIMENSIONS

(a) Lot width is measured between the side Lot lines at the Street Setback line.

(b) Lots may have multiple Frontages as illustrated on Table 6.1. One Frontage Line is designated the Primary Frontage Line and all remaining Frontage Lines are designated as Secondary Frontage Lines.

(c) Lots shall be divided into regulatory Layers as illustrated on Table 6.1 and Table 6.2. Standards for the second and third Layers pertain only to the Primary Frontage. Standards for the First Layer pertain to both Frontages.

(1) The First Layer is the area of a Lot from the Frontage Line to the Facade of the Principal Building.

(2) The Second Layer is the area of the Lot set behind the First Layer to a depth of 20 feet in all Place Types.

(3) The Third Layer is the area of a Lot set behind the Second Layer and extending to the rear Lot Line.

A. The location of the Build-to-Line, on Infill properties, is established on Section 6.5.003 Building Standards per Place Type, and, for new neighborhoods, on the Neighborhood Regulating Plan or Zoning Concept Scheme.

(d) All buildings and Structures must be located at or behind the side or rear International Building Code (IBC) separation line.

SEC. 6.3.002 LOT LAYERS & FRONTAGE LINES

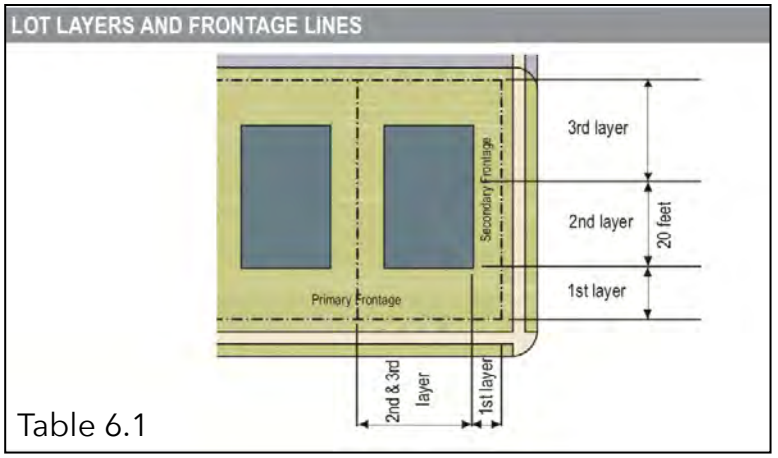


Table 6.1

SEC. 6.3.003 BUILDING PLACEMENT

(a) Principal buildings shall be positioned on a Lot in accordance with Section 6.5.003 Building Standards per Place Type.

(1) The First Layer is the area of land between the Frontage Line and the Build-to-Line. The First Layer is measured from the Frontage Line.

(2) The required Build-to-Line is the minimum percentage of the front Building Facade that must be located within the First Layer, measured based on the width of the Building divided by the width of the Lot.

(3) A Building Facade must be placed within the First Layer for the first 30 feet along the Street extending from any Block corner.

A. All Structures and encroachments customarily allowed on the Lot are permitted in the First Layer, with the exception of parking.

SEC. 6.3.004 PROTECTED & HERITAGE TREES

(a) Tree Determinations: Protected or heritage tree designations are determined by measuring at the height of the tree at 4.5 feet above the ground or Diameter at Breast Height (DBH), for various tree species for purposes of applying the Standards of this section. Multi-trunk trees are to be measured with the largest trunk counting for full DBH inches plus 50 percent of the DBH sum of the additional trunks, if the tree is classified as protected or heritage.

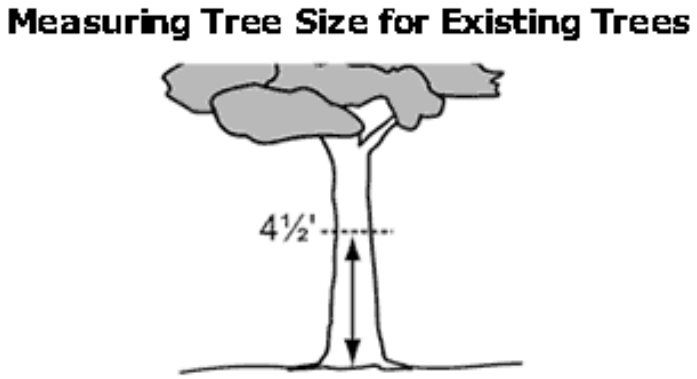


Figure 6.3A

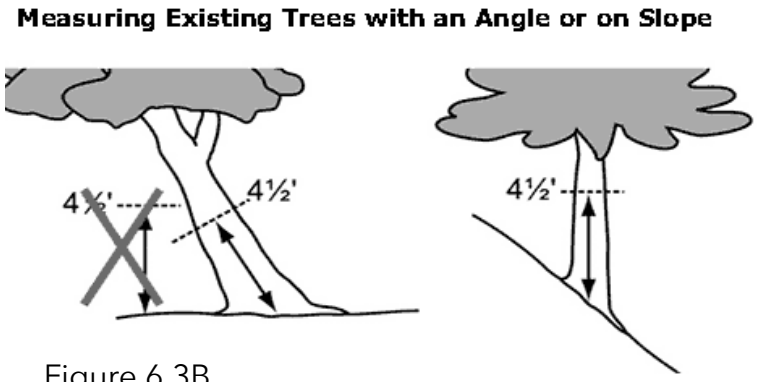


Figure 6.3B

(b) When the trunk branches or splits less than 4.5 feet from the ground, measure the smallest circumference below the lowest branch. See Figure 6.3B. If the tree has a branch or a bump at 4.5 feet, it is better to measure the diameter slightly below or above the branch/bump.

(c) Protected Trees:

(1) Tree species listed in the Preferred Plant List in the B3 Technical Manual with a 13 caliper inch diameter or greater measured at the DBH.

(2) Protected trees must be preserved, protected, and integrated in the Development of the property.

(3) Proposed Removal of healthy protected trees must be submitted for approval to the DRC.

(4) Granted Removal of protected trees shall be replaced by planting trees from the Preferred Plant List on the property equal to the total caliper inches of the trees removed, measured at 12 inches in height from the ground.

(5) Alternative compliance may be submitted to the DRC for approval or a fee in lieu shall be paid if the Site can not meet the Standards of this section. See the City Fee Schedule for tree replacement cost.

(d) Heritage Trees:

(1) Tree species listed in Preferred Plant List in the B^3 Technical Manual with a 24 caliper inch circumference or greater measured DBH.

(2) Heritage trees must be preserved, protected, and integrated in the Development of the property.

(3) Proposed Removal of healthy heritage trees must be submitted for approval to the DRC.

(4) Granted Removal of heritage trees shall be replaced by planting trees from the Preferred Plant List in the B^3 Technical Manual, on the property equal to the total caliper inches removed, measured at 12 inches in height from the ground.

(5) Alternative compliance may be submitted to the DRC for approval or a fee in lieu shall be paid if the Site can not meet the Standards of this section. See the City Fee Schedule for tree replacement cost.

(e) Exempt Trees:

(1) Any protected or heritage trees determined to be diseased, overly-mature, dying or dead, by a certified arborist are exempted from the Standards of this Code.

SEC. 6.3.005 BUILDING SEPARATION

(a) Fences and screening walls may extend into the IBC Building separation line and Alley Setback.

(b) Side and rear Building separation will be determined by the IBC as adopted by the City.

SEC. 6.3.005 ALLEYS & DRIVEWAY LOCATIONS

(a) Intent: Building walkable cities means that while vehicles are part of modern life, they should have minimal disruption to the Public Realm. The Standards of the Code intend to ensure all modes of Transportation are respected.

(b) The preferred means of vehicular access to lots is through the use of Alleys. Alleys provide a location to hide unsightly functions of our communities such as garages, garbage cans, transformers, electric meters, and telephone equipment

(c) Other benefits of Alleys include:

(1) Alleys make it possible for rear accessed lots to be created, preserving the public frontages from interruptions of driveways and Curb-cuts.

(2) Safety as sidewalks and pedestrians become separated from the access requirements of vehicles.

(3) They create a more casual neighborhood space adjacent to backyard activity centers leaving the front of the House as a more formal community space.

(d) Driveways:

(1) Where Alleys are present, all vehicular access shall be provided from the Alley.

(2) Where a Lot does not have access to an Alley, driveways are allowed in accordance with this section.

(3) For corner lots, all driveways shall be located at the Secondary Frontage.

(4) Driveways shall be located as far from the adjacent public Street intersection as practical to achieve maximum available corner clearance, with consideration of property limits, adjacent Curb cuts, topography, and existing Drainage facilities. Non-Alley loaded driveways may intersect a Street no closer than

twenty (20) feet from the intersection of 2 Street rights-of-way in P1, P2, and P3, and forty (40) feet in P4 and P5.

(5) Mid-Block lots greater than 40' in width at the Frontage are allowed one Driveway with a maximum width of 24' for two-way and 12' for one-way driveways.

(6) In P4 and P5, driveways accessing up to 80 feet wide of Street right-of-way must be spaced 200 feet apart centerline to centerline, and driveways accessing more than an 80 feet wide Street right-of-way must be spaced 300 feet apart centerline to centerline.

(7) Nothing in this section shall prevent all Site access to any property.

SEC. 6.3.006 PARKING

(a) Intent: Parking shall not be the driver of Site planning. The Standards in the Code support this notion through limited and eliminating parking. The intent of building a walkable, bikeable, and an easily navigable City means all mode of transportation are available to reduce the reliance on the car.

(b) The location of the parking shall be established and shown on the Neighborhood Regulating Plan, Zoning Concept Scheme, and/or Site Plan:

(1) Shared parking is available and determined with the Site Plan in P2, P4, and P5. Lot coverage shall not exceed the Place Type Standards.

(2) Parking requirements in P3 will be market driven. Lot coverage shall not exceed the Place Type Standards.

(3) Parking in EC shall be recommended by the DRC and part of the submittal package submitted for approval and handled through a public consultation process.

(4) P5 shall establish parking maximums based on the market demands per use as determined by the DRC at the time of Application.

(5) On-site surface parking must be located in the Second Layer or Third Layer of each Lot as defined by the Place Types Standards.

(6) Residential garage access is permitted from the public Street or from an Alley. Access may be taken from the Street or corner lots, in which case the garage doors may face the side street.

(7) Residential garage front facades must begin in the Third Layer.

(8) Open parking areas shall be masked from the Frontage by building or Street screening and will be regulated in size by Lot cover requirements of the Place Type.

(9) Parking spaces provided internal to a Lot shall be located entirely behind the minimum rear Setback as specified by Building Type and Place Type.

SEC. 6.3.007 CROSS ACCESS CONNECTIONS

(a) Cross-access easements and connections to adjoining properties shall be required to connect driveways and parking lots where no Alley is present.

(b) Internal vehicular circulation areas shall be designed and installed to allow for cross-access between abutting lots;

(c) In the event these conditions cannot be met without undue hardship or if such connections would create undesirable traffic flow, the DRC may waive the connection requirement.

(d) Where a parking lot connection is required, an easement for ingress and egress to adjacent lots shall be recorded on the Plat or by separate instrument as appropriate.

(e) Additional Standards shall be found in the B^3 Technical Manual.

SEC. 6.3.008 LOT OCCUPATION

(a) In P2-P4, three buildings may be built on each Lot, one Principal Building and two Accessory Units or Accessory Dwelling Units as generally illustrated on Article 6.4 Lot Structure Description & Diagram.

(b) Lot coverage by buildings (i.e. impervious surface requirements) are specified in Section 6.5.003.A.

(c) For Building height see standard by Place Type and Character District. If the Building height is undefined in the B^3 Code see the International Building Code as adopted by the City of Bastrop.

(d) Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial Building, which shall be a minimum of 11 feet with a maximum of 25 feet.

(e) In the 100-year Floodplain, a first level Residential or lodging shall be raised a minimum of 2 feet from the Base Flood Elevation.

SEC. 6.3.009 PRIVATE FRONTAGE

(a) Permitted Encroachments into the First Layer of any Lot are specified in Section 6.5.002, Permitted Encroachments per Place Type. Terminology used to identify these elements is diagrammed for illustrative purposes only.

(b) The Facade of the Principal Building shall be built parallel to the Frontage Line or to the tangent of a curved Frontage Line of a Lot, and along a minimum percentage of the Frontage width at the Build-to-Line as specified as Facade Buildout in Section 6.5.003, Building Standards per Place Type.

(c) All Facades shall be glazed with clear glass not less than 20% of the first Story. Glazing shall be calculated as the total combined area of window glazing (lights or panes within each window's casing) divided by the total area of the Facade for the target Story of a Building.

(d) Buildings with a first floor Commercial Use shall be glazed with clear glass no less than 70% of the first Story.

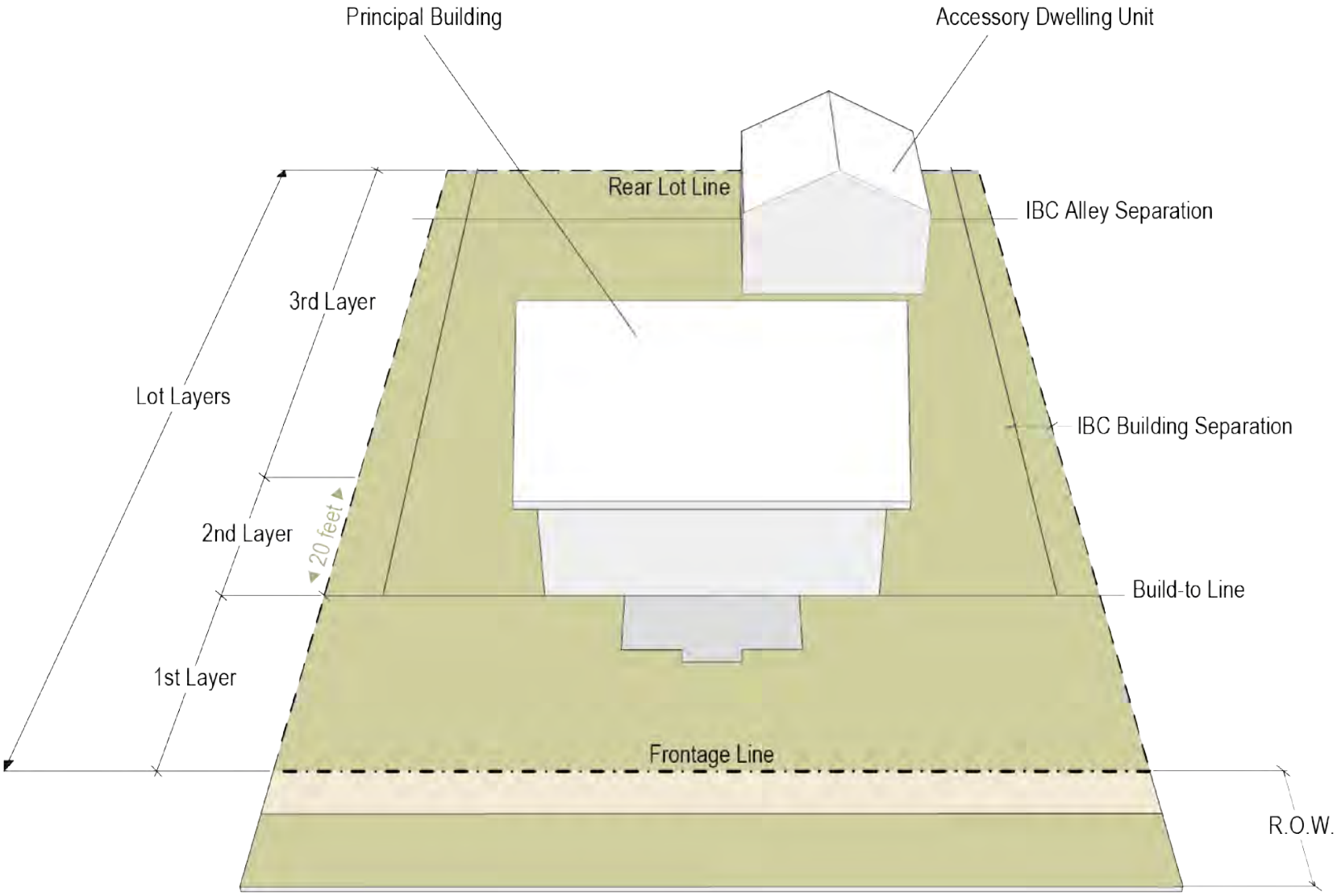
(e) Openings above the first Story shall not exceed 50% of the total Building wall area, with each Facade being calculated independently.

(f) All opening, including porches, galleries, Arcades, and windows, with the exception of shopfronts, shall be square or vertical in proportion.

ARTICLE 6.4 LOT STRUCTURE DESCRIPTION & DIAGRAM

BUILDINGS	
Principal Building	The main Building on a Lot.
Accessory Structures	A secondary Building usually located toward the rear of the same Lot as a Principal Building such as a garage, carport, or workshop and may include a dwelling unit, but no more than two per Lot.
LOT LAYERS	
First Layer	The area of a Lot from the Frontage Line to the Facade of the Principal Building.
Second Layer	The area of a Lot set behind the First Layer to a depth of 20 feet in all Place Types.
Third Layer	The area of a Lot set behind the Second Layer and extending to the rear Lot Line.
LOT	
Build-to-Line	The minimum percentage of the front Building Facade that must be located within the First Layer.
Lot Width	The length of the Principal Frontage Line of a Lot.
Frontage Line	Where the Property Line meets R.O.W.
Rear Lot Line	Where the Property Line meets Alley R.O.W. or an adjoining side/ rear property line.

LOT STRUCTURE DIAGRAM

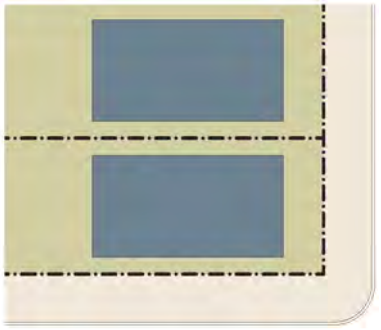


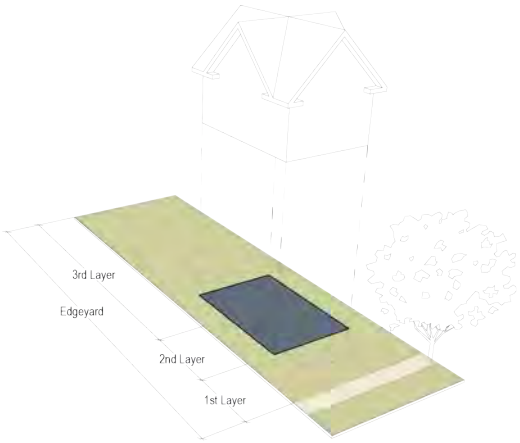
(a) EDGEYARD

The placement of a Building within the boundaries of its Lot to create an Edgeyard around the Building, with IBC separation on all sides. This is the least urban of types as the front yard sets the Building back from the Public Frontage, while the side yards weaken the spatial definition of the Thoroughfare in front of the Building.

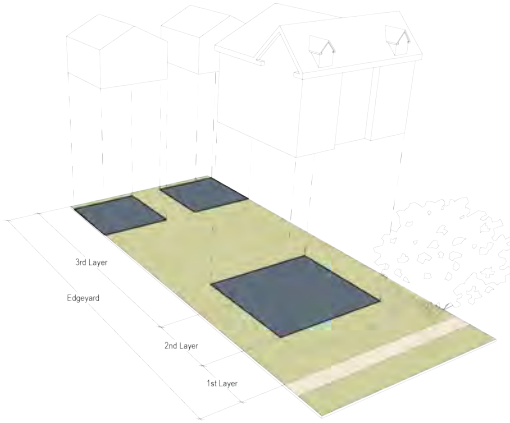
Variants:, House, Duplex, Triplex, Fourplex

GENERAL PLACEMENT





HOUSE



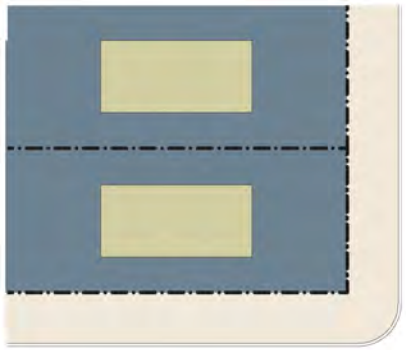
DUPLEX, TRIPLEX, FOURPLEX

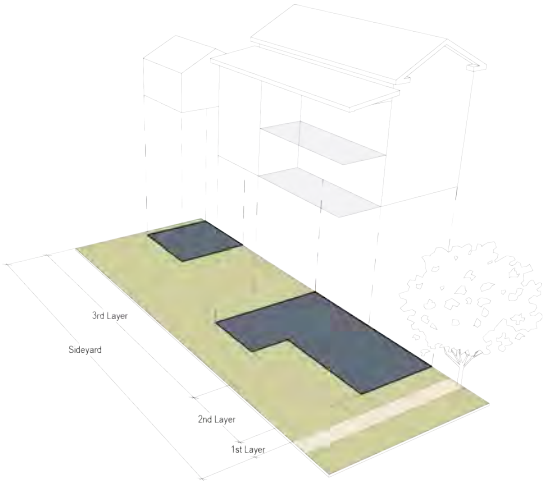
(b) SIDEYARD

The placement of a Building within the boundaries of its Lot to create a private Sideyard, with a Setback to one side. A shallow Front Setback defines a more urban condition. If the adjacent Building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation response to the sun or the breeze. If a Sideyard House abuts a neighboring Sideyard House, the type is known as a twin or double House.

Variants: Courtyard House, Courtyard Apartment House

GENERAL PLACEMENT





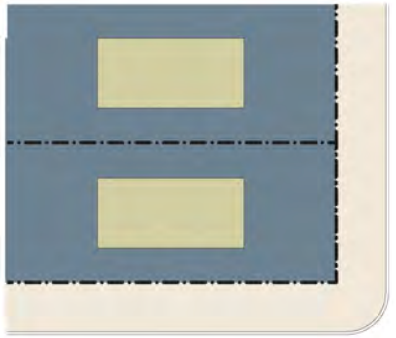
SIDEYARD

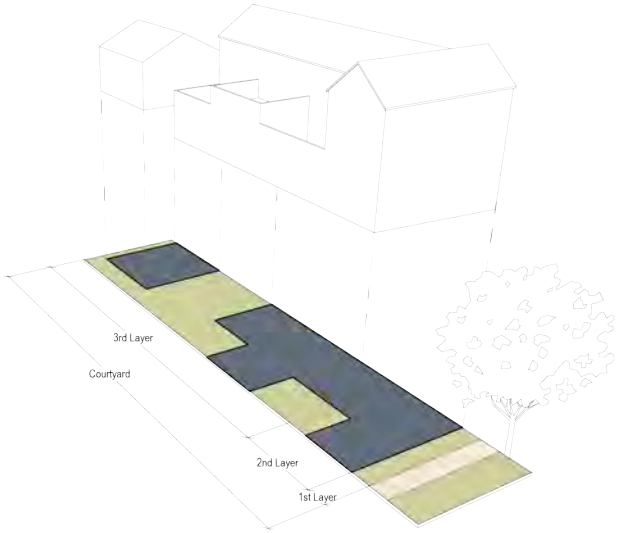
(c) COURTYARD

A Building placed within the boundaries of its Lot to create a private Courtyard, while internally defining one or more private patios. Common walls shared with adjacent buildings create a continuous Facade along the Frontage Line that steadily defines the public Thoroughfare in front of the Building. This is the most urban of types, as it is able to shield the Private Realm from all sides.

Variants: Courtyard House, Courtyard Apartment Building

GENERAL PLACEMENT





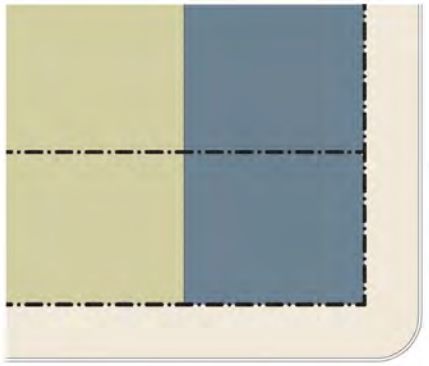
COURTHOUSE

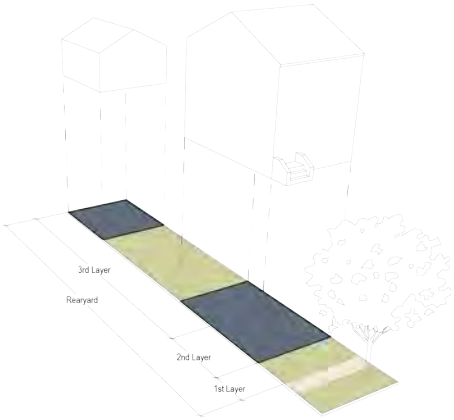
(d) REARYARD

The placement of a Building within the boundaries of its Lot to create a Rearyard, leaving the rear of the Lot as private space or available for dedicated parking in its Commercial form. Common walls shared with adjacent buildings create a continuous Facade along the Frontage Line that steadily defines the pubic Thoroughfare in front of the Building. Rear elevations may be articulated for functional purposes.

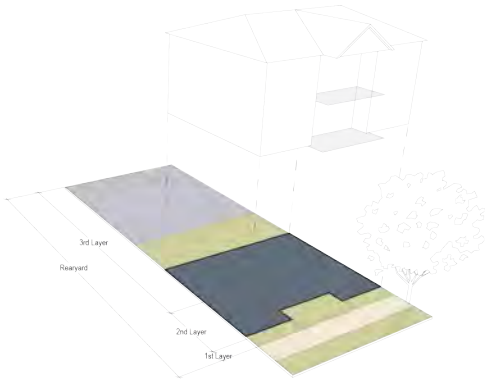
Variants: Rowhouse, Apartment Building (5+ Units), Commercial Building, Live-Work Building, Mixed-Use Building,

GENERAL PLACEMENT

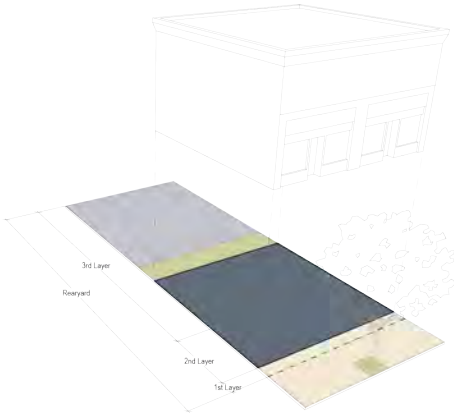




ROWHOUSE



APARTMENT BUILDING



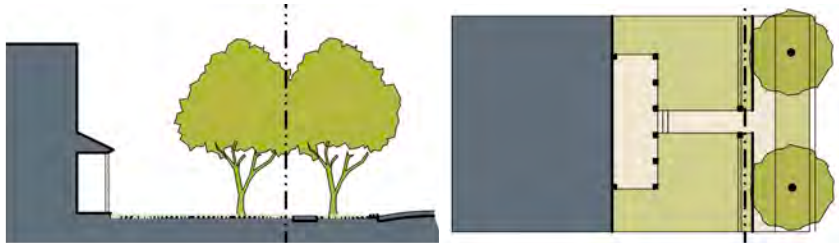
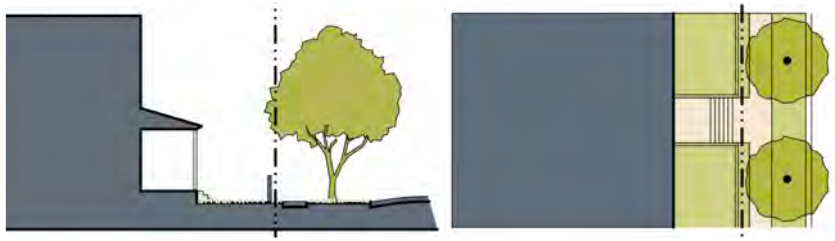
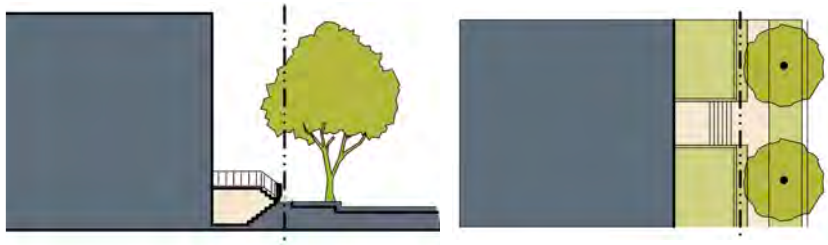
COMMERCIAL BUILDING

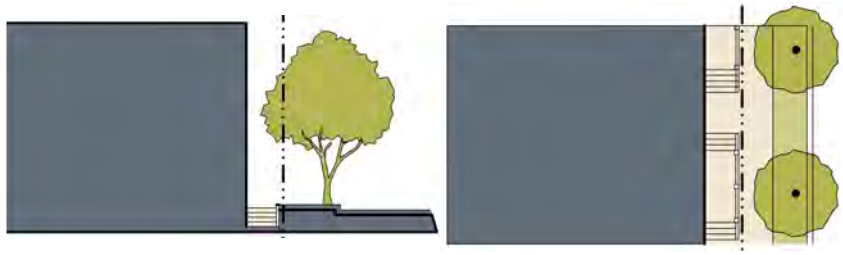
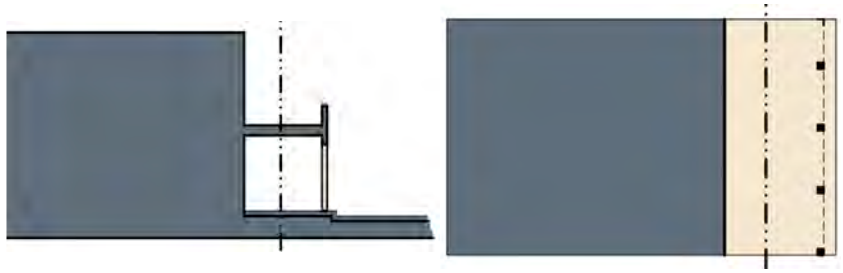
SEC 6.5.001 PERMITTED BUILDING TYPES PER PLACE TYPE

	P1	P2	P3	P4	P5
A: REARYARD					
COMMERCIAL BUILDING	NP	NP	NP	NP	P
APARTMENT BUILDING	NP	NP	NP	P	P
ROWHOUSE	NP	NP	NP	P	P
B: SIDEYARD					
SIDEYARD	NP	NP	NP	P	P
C: COURTYARD					
COURTYARD HOUSE	NP	NP	NP	P	P
D: EDGEYARD					
RANCH HOUSE, VILLA	NP	P	P	NP	NP
HOUSE	NP	P	P	P	NP
DUPLEX	NP	P	P	P	NP
TRIPLEX, FOURPLEX	NP	NP	NP	P	NP

P = PERMTTED NP = NOT PERMITTED

SEC. 6.5.002 PERMITTED ENCROACHMENTS PER PLACE TYPE

	Private Realm | Public Realm	P3	P4	P5	DESCRIPTION
PORCH/ COMMON YARD		P	P	NP	A porch covered raised platform at the entrance to a building.
PORCH & FENCE		NP	P	P	An elevated front yard extending to the Frontage Line, buffering it from Pedestrian activity of the Sidewalk.
TERRACE		NP	P	P	An elevated, paved patio or veranda at the entrance to a Building. This type is suitable for first floor Commercial Uses as outdoor seating space.
STOOP		NP	P	P	An exterior stair and landing leading to an elevated first Story of a Building.

	Private Realm | Public Realm	P3	P4	P5	DESCRIPTION
LIGHTWELL		NP	P	P	An exterior stair and landing leading to a below grade Story of a Building.
GALLERY		NP	P	P	An attached cantilevered shed or a lightweight colonnade extending from a Building Facade to overlap the sidewalk.
ARCADE		NP	NP	P	Colonnade supported upper stories of a Building projecting over the Sidewalk, where the Facade of the first Story remains or behind the Frontage Line.

P = PERMTTED NP = NOT PERMITTED

SEC. 6.5.003 BUILDING STANDARDS PER PLACE TYPE

Place Types	P1	P2	P3	P4	P5
A. LOT OCCUPATION					
Lot Coverage		40% max	60% max	70% max	80% max
Facade Buildout at Build-to-Line		40% min	40% min	60% min	80% min
Build-to-Line		10 ft - no max	10 ft - 25 ft*	5 ft - 15 ft	2 ft - 15 ft
* Lots exceeding 1/2 acre may extend the 1 Layer of the Lot up to 60 ft from the Frontage Line.					
B. BUILDING HEIGHT (STORIES)					
Principal Building		2 max	2 max	3 max	5 max / 3 max*
Accessory Dwelling Unit		2 max	2 max	2 max	2 max
* CD Downtown/ Old Town					
C. ENCROACHMENTS					
First Layer Encroachments					
Open Porch		50% max	50% max	80% max	n/a
Balcony and/or Bay Window		25% max	25% max	50% max	100% max
Stoop, Lightwell, Terrace or Dooryard		NP	NP	100% max	100% max
R.O.W. Encroachments * **					
Awning, Gallery, or Arcade		NP	NP	to within 2 ft. of the Curb	to within 2 ft. of the Curb

Place Types	P1	P2	P3	P4	P5
First Layer Encroachment Depths					
Porch		5 ft min	8 ft min	8 ft min	n/a
Gallery		NP		10 ft min	10 ft. min.
Arcade		NP			12 ft. min.
D. PARKING LOCATION					
Second Layer		P	P	NP	NP
Third Layer		P	P	P	P
*** Required to go through an Encroachment process					

ARTICLE 6.6 OUTDOOR LIGHTING

(a) Public Lighting is intended to illuminate the Public Realm with the appropriate Lumen per Place Type. The Standards of this section are intended to provide adequate Lumen output to safely light sidewalks, Streets, and Civic Spaces or other Public Realm features. Dark skies are a key part of Bastrop's authentic nature. The Lighting Standards promote a future dark sky for the community.

SEC. 6.6.001 SCOPE

(a) This article applies within the City Limits.

(1) Nothing herein shall be construed as preventing or limiting the City from applying this article to the ETJ through agreements with property owners, or as a term affixed to a conditional approval (such as a Variance).

SEC. 6.6.002 EXEMPTION

(a) The following are exempt from the application of the Standards of this article:

(1) Lighting equipment required by law to be installed on motor vehicles; or

(2) Lighting required for the safe take-off and landing of aircrafts.

SEC. 6.6.003 PROHIBITION

(a) A person commits an offense by doing the following:

(1) Installs Outdoor Lighting contrary to this article.

(2) Fails to comply with any terms or conditions set forth in a permit issued under this article.

(3) Installs Outdoor Lighting without obtaining a permit when the total number of the Lumen outputs for all lights installed within any 90-day period is greater than 2,500 lumens.

SEC. 6.6.004 NEW LIGHTING

(a) General. All Outdoor Lighting shall be installed in conformance with the provisions of this article, applicable electrical codes, energy codes, and Building Codes, except as provided herein.

(b) Nonresidential. All Outdoor Lighting installed on Nonresidential properties shall conform to the Standards by this article, except as provided herein.

(c) Residential. All Outdoor Lighting installed on Residential properties that is affixed to a Construction Project that a building permit is required under this Code shall conform to the Standards established by this article.

SEC. 6.6.005 NONCONFORMING EXISTING LIGHTING

(a) All existing Outdoor Lighting that was legally installed before the enactment of this article which does not conform with the Standards specified imposed by this article shall be considered nonconforming. Nonconforming Outdoor Lighting is allowed to remain until required to be replaced pursuant to the terms of this article.

(b) If more than 50% of the total appraised value of a Structure (as determined from the records of the county's appraisal district), has been destroyed, the nonconforming status expires and the Structure's previously nonconforming Outdoor Lighting must be removed and may only be replaced in conformity with the Standards of this article.

(c) Nonconforming Outdoor Lighting shall be brought into conformance with this article as follows:

(1) Nonresidential Application. All existing Outdoor Lighting located on a subject property that is part of an Application for a rezoning Application, Subdivision approval, or a building permit for a major Addition is required to be brought into conformance with this article before final inspection, issuance of a Certificate of Occupancy, or Final Plat recordation, when applicable. For the following permits issued by the City, the Applicant shall have a maximum of 90 days from date of permit issuance to bring the Lighting into conformance: Site Development permit, Sign permit for an externally or internally illuminated outdoor Sign, initial alcoholic beverage permit, initial food establishment permit, and on-site sewage facility permit.

(2) Residential Addition or remodel. Nothing herein shall be construed to terminate a Residential property's nonconforming status as a result of an Addition or remodel.

(3) Abandonment of nonconforming. A nonconforming Structure shall be deemed abandoned if the Structure remains vacant for a continuous period of 6 months. In that instance, the nonconforming status expires and the Structure's previously nonconforming Outdoor Lighting must be removed and may only be replaced in conformity with the Standards of this article.

(d) It is unlawful to expand, repair or replace Outdoor Lighting that was previously nonconforming, but for which the prior nonconforming status has expired, been forfeited, or otherwise abandoned.

(e) Outdoor Lighting on property used for Commercial purposes that is not in conformance with this article shall be brought into conformance with this article within 10 years from the date of adoption of this article. For property annexed into the City Limits after the date of the adoption of this Code, the 10-year period established by this subsection shall commence upon the effective date of the annexation. Nothing in this subsection may be construed to allow Light Trespass or any other form of nuisance from Outdoor Lighting. A new purchaser of property may request a three-year extension to come into compliance if property is purchased within 10 years of the enactment of this article.

SEC. 6.6.06 SHIELDING & TOTAL OUTDOOR LIGHT OUTPUT STANDARDS

(a) City owned streetlights, if rated by the B-U-G classification system:

(1) Shall be rated and installed with the maximum backlight component limited to the values in Table 1 based on location of the light fixture where the property line is considered 5 feet beyond the actual property line.

Table 1	Governmental Owned Rating
Fixture is greater than 2 mounting heights from property line	B3
Fixture is 1 to less than 2 mounting heights from property line	B2
Fixture is -.5 to 1 mounting heights from property line	B1
Fixture is less than 0.5 mounting height to property line	BO

(2) Shall be rated and installed with the uplight component of zero (UO); and

(3) Shall be rated and installed with the glare component of no more than G1 unless four-sided external shielding is provided so that the Luminous Elements of the fixture are not visible from any other property. Mounting height or topography may cause the Luminous Elements of a G1 or G0 rated governmental owned streetlight to require additional shielding to reduce glare.

(b) Governmental owned streetlights, if not rated by the B-U-G classification system, shall meet the qualifications to be full cutoff fixtures. (See Figure C). Mounting height or topography may cause the Luminous Elements of a governmental owned streetlight to require additional shielding to reduce glare.

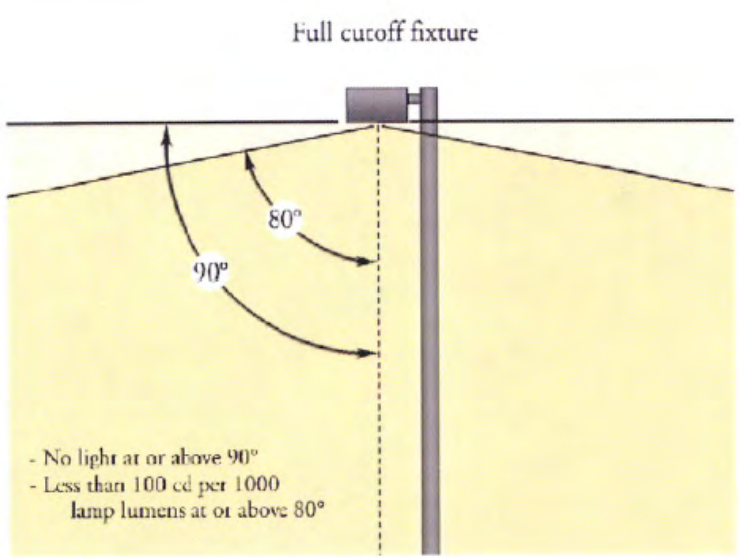


Figure C

Figure C: Full cutoff fixtures do not allow any light to be emitted above the fixture. The fixture limits the light output in the first 10 degrees below the horizontal, to less than 10% of the total light output.

(c) All Outdoor Lighting, except governmental owned streetlights, shall be shielded so that the Luminous Elements of the fixture are not visible from any other property. Mounting height or proximity to property lines may cause the Luminous Elements of a light fixture to require additional shielding (See Figure D and Figure E).

Figure D

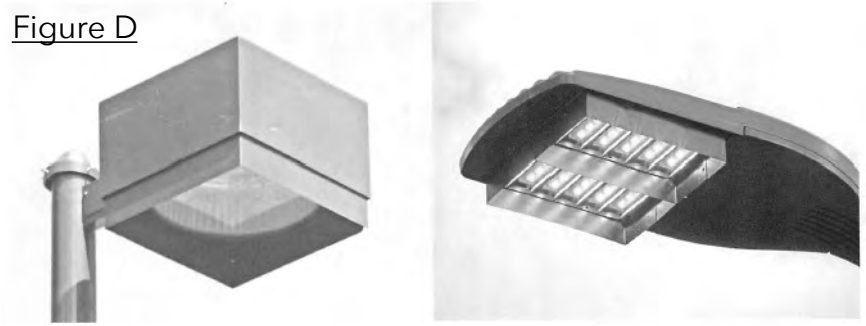




Figure E

(d) Nongovernmental light fixtures, if rated by the B-U-G classification system:

(1) Shall be rated and installed with the maximum backlight component limited to the values in Table 1 based on location of the light fixture where the property line is considered to be 5 feet beyond the actual property line;

(2) Shall be rated and installed with the uplight components of zero (U0), except for Uplighting covered in this article;

(3) Shall be rated and installed with the glare component no more than G0 unless four-sided external shielding is provided so that the Luminous Elements of the fixture are not visible from any other property; and

(4) Shall be shielded in accordance with this article.

(e) Outdoor Uplighting is prohibited, except in cases where the fixture is shielded by a roof overhang or similar structural shield and a licensed architect or engineer has stamped a prepared Lighting plan that ensures that the light fixtures(s) will not cause light to extend beyond the structural shield, and except as specifically permitted in this article.

(f) Outdoor Lighting fixtures, except Uplighting are not allowed to have light escape above a horizontal plane running through the lowest point of the luminous elements. (See Figure F and Figure G).

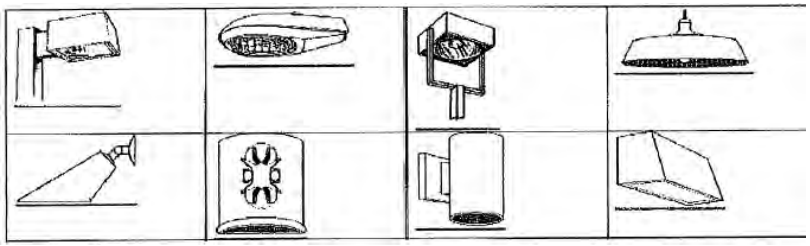


Figure F

Figure F: This figure shows examples of fixtures that may conform to the provision to not allow light to escape above a horizontal plane running through the lowest point of the Luminous Elements if they are closed on top and mounted such that the bottom opening is horizontal. Note that the mounting height and proximity to the property line, or internal optics may cause them to need additional shielding to prevent the Luminous Elements from being visible from any other property.

A practical way to determine if a light fixture will conform to the provision to not allow light to escape above a horizontal plane running through the lowest point of the luminous elements: the lamp or tube, any reflective surface or lens cover (clear or prismatic) must not be visible when viewed from above or the side.

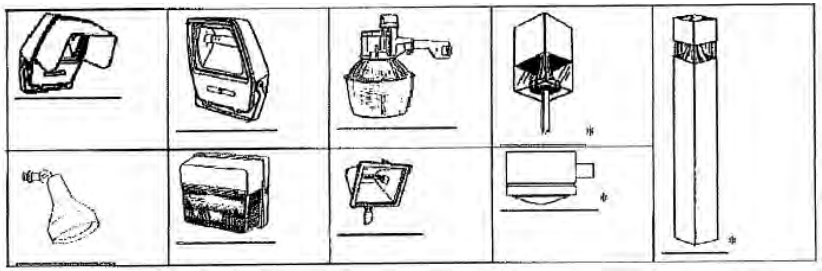


Figure G

Figure G: This figure illustrates examples of fixtures that do not conform to the provision to not allow light to escape above a horizontal plane running through the lowest point of the luminous elements.

**Note: Even though the lamps in these fixtures are shielded from direct view when viewed from the side or above, reflective surfaces within the fixtures and/or lens covers are directly visible from the side.*

(g) Total Outdoor Light Output (excluding governmental owned streetlights used for illumination of public rights-of-way and outdoor recreation facilities) of any Nonresidential property shall not exceed 100,000 lumens per net acre in any contiguous illuminated area. This Lumen per net acre value is an upper limit and not a design goal; design goals should be the lowest levels that meet the requirement of the task.

(h) Total Outdoor Light Output (excluding governmental owned streetlights used for illumination of public rights-of-way and outdoor recreation facilities) of any Residential property shall not exceed 25,000 lumens per net acre in any contiguous illuminated area.

SEC. 6.6.006 OUTDOOR RECREATION FACILITIES

(a) Lumen cap exemption.

(1) Outdoor recreational facilities are not subject to the lumens per net acre limit.

(2) Outdoor Lighting for sports facilities shall be designed to create minimum off-site spill, glare, and sky glow while honoring the guidelines for class IV play, as defined by the Illuminating Engineering Society of North America (IESNA) publication, IES RP-06 or guidelines of a recognized sports organization such as the Texas University Interscholastic League (UIL), Little League, or the United States Soccer League. To be considered a recognized sports organization, the City must first approve such organizations guidelines.

(3) Class IV levels of illumination, as defined by IESNA, are encouraged to be utilized during practices if the competition Lighting is established at a higher illumination level than class IV.

(4) Shielding. Fixtures used for non-aerial sports, such as track and field, shall be fully shielded. Fixtures used for aerial sports, such as baseball and softball shall be shielded to the full extent possible while also allowing the minimum of vertical illuminance needed by the players to track the ball as stated in writing by a sports Lighting engineer recognized by peers as being an expert in that field. The sports Lighting vendor must meet the guidelines for the specific sport and have the lowest available off-site spill, glare, and sky glow values.

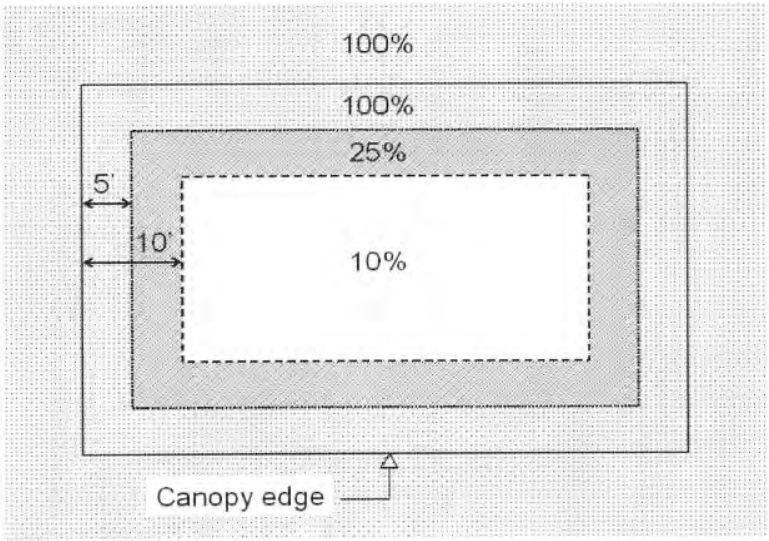


Figure I.

Figure I: Plan view of a canopy, showing fixture location and initial lamp output percentage counted toward total lumens.

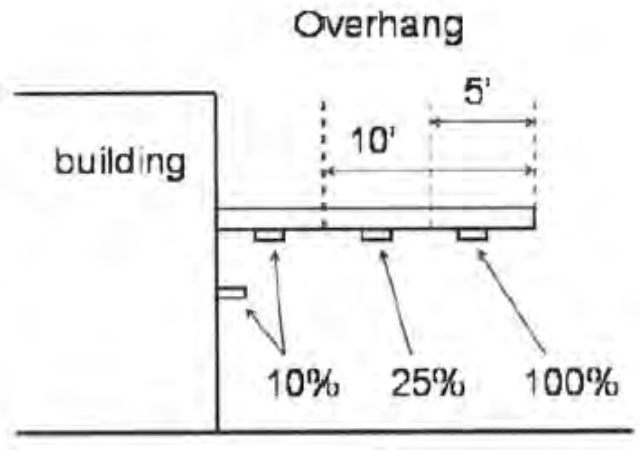


Figure J.

(b) Certification. Lighting systems for outdoor recreational facilities shall be designed and certified by an engineer registered in the state as conforming to all applicable restrictions of this Code before Construction commences. Further, after installation is complete, an engineer registered in the state shall certify that the Lighting system installation is consistent with the certified design.

(c) Curfew. No sports facility shall be illuminated between 10:30 p.m. and sunrise, except to conclude a scheduled recreational or sporting event in progress that began prior to 9:30 p.m. Lighting under canopies, Building overhangs, or roof eaves.

(d) All outdoor light fixtures located under canopies, under Building overhangs, or under roof eaves must conform to all provisions of this article.

(e) Outdoor light fixtures located under canopies, under Building overhangs, or under roof eaves where the center of the lamp or luminaire is located at 5 feet, but less than 10 feet from the nearest edge of the canopy or overhang are to be included in the Total Outdoor Light Output as though they produced only 1/4 of the lamp's rated Lumen output. (See Figure I and Figure J).

SEC. 6.6.007 NEON LIGHTING

(a) Neon Lighting is permitted, so long as Lumen calculations from such Lighting are included in the Total Outdoor Light Output calculations for the Site . Lumens are calculated on a per foot basis, rather than per "fixture." Such Lighting shall also be subject to the shielding requirements of this section, unless exempted under the Exemptions Section of this article.

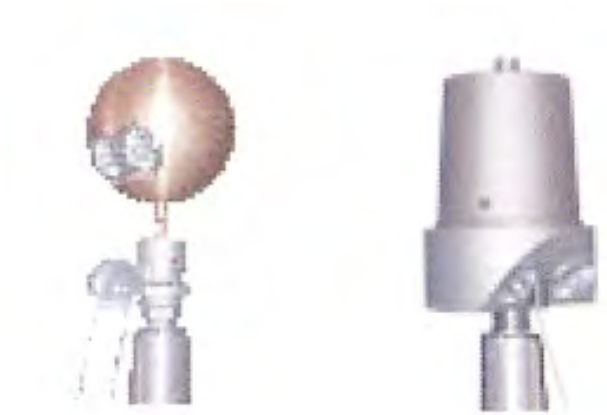


Figure K.

SEC. 6.6.008 FLAGPOLES

(a) If the flag of the United States of America is displayed during the hours of darkness, it should be illuminated as recommended in the Federal Flag Code.

(b) Lighting of up to a total of 2 flags per property is permitted with the following conditions:

(1) The flags must either be the flag of the United States of America, a flag of the state, a flag of a military branch of the United States of America or a flag of a branch of military of the state in order for illumination to be permitted.

(2) Flagpoles with a height greater than 20 feet above ground level shall be illuminated from above, if illuminated at all. This may be achieved by utilizing a light fixture attached to the top of the flagpole or a fixture mounted above the top of the flagpole on a Structure within 15 feet of the flagpole and must comply with all sections of this article except for lights such as the ones in Figure K. The total number of lumens initially output from any light fixture mounted on top of or above a flagpole is limited to 800.

(3) Flagpoles with a height equal to or less than 20 feet above ground level may be illuminated from below. They are to be illuminated with up to 2 spot type fixtures utilizing shields or diffusers to reduce glare, whose maximum combined Lumen output is 78 lumens per foot of pole height, measured from the light fixture to the top of the flagpole. The fixture is to be mounted so that the lens is perpendicular to the

flagpole and the light output points straight up at the flag.

(4) Lamps used for flagpole illumination shall be included in the Total Outdoor Light Output.

SEC. 6.6.009 LIGHTING CURFEWS

(a) Nonresidential Outdoor Lighting intended to be left on more than 30 minutes after closing or the completion of activities must be reduced to 25% or less of the Total Outdoor Light Output allowed.

(b) Motion sensor activation may be allowed to cause the light to resume Total Outdoor Light Output allowed only when activated and to be reduced back to 25% or less of Total Outdoor Light Output allowed within 5 minutes after activation has ceased, and the light shall not be triggered by activity off the property.

(c) The 75% reduction in illumination may be accomplished by dimming, by turning off 75% of the light fixtures, by a combination of the two, or by any other method that results in a Total Outdoor Light Output of no more than 25% of the Total Outdoor Light Output allowed.

(d) Illumination for all advertising Signs, both externally and internally illuminated, shall be turned off by the later of closing time or 10:00 p.m., provided, however, that such Signs may be turned back on prior to sunrise, but no more than one hour prior to opening.

(e) Street Lighting, other than at the intersection of roadways, shall utilize half night photocells or timers to turn off the lights halfway between dusk and dawn. Passive reflective roadway markings are encouraged.

(f) Outdoor recreational facilities must follow the curfew as defined in the Shielding and Total Outdoor Light Output Standards Section of this article.

(g) All Outdoor Lighting is encouraged to be turned off when no one is present to use the light.

SEC. 6.6.010 PROHIBITIONS

(a) The installation of any mercury vapor fixture or lamp for use as Outdoor Lighting is prohibited.

(b) Luminaries rated at more than 3000 Kelvin (K) are prohibited with the exception of luminaries installed prior to the enactment of this revised article rated no more than 4000K, that are shielded on every side so that the source of light is not visible from any other property and the combination of all such fixtures within any ten-foot by ten-foot area does not produce more than 4100 lumens for a

pole mounted fixture or 2050 lumens for a wall mounted fixture. Luminaries with a higher Kelvin rating are permitted if the Scotopic-to-Photopic (S/P) ratio is no greater than 1.2.

(c) The installation of any barn-light style fixture for use as Outdoor Lighting is prohibited unless the fixture includes a full opaque reflector instead of the standard translucent lens. An example of barn-light style with and without the required opaque reflector is shown in Figure L.

(d) The operation of searchlights for advertising purposes is prohibited.

Figure L: Acceptable shielding of barn-style light fixtures.



Figure L.

SEC. 6.6.011 SUBMISSION OF PLANS AND EVIDENCE OF COMPLIANCE

(a) All building permit applications must include an Outdoor Lighting plan that includes the following information:

(1) The location of all existing and proposed light fixtures (may be included on-Site Plan).

(2) A Lumen calculation sheet to determine lumens per net acre. It must include the square footage of the total area to be illuminated, the light fixture catalog descriptions or ordering number, lamp types (i.e., incandescent, low pressure sodium, compact fluorescent, LED, etc.), the Kelvin rating for the lamp, the B-U-G rating for the selected fixture (if available); the number of fixtures or lamps (use the same unit corresponding to the unit used to determine how many lumens are produced), fixture or lamp initial lumens, the location from the edge of a canopy (if applicable), and mounting height of all existing and proposed lamps.

(3) Manufacturer's specification sheets for all existing and proposed light fixtures.

(4) Elevations with notes where light fixtures are to be installed indoors that may be seen from the exterior.

(5) Site plan with specific measurements in feet for the area to be illuminated. A scale notation is not sufficient.

(6) Acknowledgement that the Applicant has received notification of the provisions of this article.

(b) Upon receipt of Residential building permit applications, City staff shall provide the homebuilder and/or Applicant with educational materials about this article. The City's submission of educational materials shall be prima facie evidence that the Applicant has received notification of the provisions of this article.

(c) Verification that a Residential or Commercial Construction Project requiring a building permit Application has complied with the provisions of this article shall occur during the final electrical inspection by the City building inspector.

(d) For the first 60 days after the enactment of this article, Residential building permit Applicants may postpone the submission of the plans and evidence of compliance defined in this section for a maximum of 30 business days after the submission of their building permit Application.

SEC. 6.6.012 EXEMPTIONS

(a) The following Lighting instances are exempt from this article:

(1) Outdoor light fixtures with a maximum output of 180 lumens per fixture, regardless of the number of bulbs, may be left unshielded provided the fixture has a diffuser installed, and the source of the light is not visible from any other property. The output from these fixtures shall not exceed 10% of the Total Outdoor Light Output allowed.

(2) Outdoor light fixtures with a maximum output of 360 lumens per fixture, regardless of the number of bulbs, that are shielded with a medium to dark tone lens provided said lens reduces the Lumen output approximately in half, and the source of the light is not visible from any other property. The output from these fixtures shall not exceed 10% of the Total Outdoor Light Output allowed.

(3) Outdoor Lighting that light is produced directly by the combustion of fossil fuels.

(4) Lighting required by law to be installed on motor vehicles.

(5) Lighting needed during activities of law enforcement, fire and other emergency services.

(6) Lighting employed during emergency repairs of roads and utilities may be unshielded provided the lights are positioned so they do not shine in the eyes of passing drivers.

(7) Lighting required for the safe operation of aircraft.

(8) Temporary Lighting required to save life or property from imminent peril provided the lights are positioned so they do not shine in the eyes of passing drivers.

(9) Festoon type low-output lamps are limited to small individual bulbs on a string with a maximum output of 56 lumens within any square foot. The bulbs must have a rating of no more than 2800 Kelvin, may not be located within 3 feet of a reflective surface such as a light colored or metal wall, and the bulbs may not be visible from any Residential property within 50 feet of the installed lights. The Lumen output from these lamps shall be doubled for inclusion in the Total Outdoor Light Output calculations and that doubled Lumen value shall not exceed 20% of the Total Outdoor Light Output allowed for the property.

(10) Low-intensity mini-lights or rope-type lights in amber, gold, yellow, cream, red, orange, or warm white wrapped on a tree, post, or other similar object provided the layers are at least 6 inches apart. The output from these mini-lights shall not exceed 2% of the Total Outdoor Light Output allowed for the property and will be included in the lumens calculation for the Total Outdoor Light Output allowed.

(11) Temporary Lighting for theatrical, television, performance areas, events, or Construction areas provided the lights are positioned so they do not shine in the eyes of passing drivers and the source of the illumination is shielded from any other property. This Temporary Lighting must not allow any light to be projected or reflect above the Structures or trees on the property.

(12) Lighting required by federal or state laws or Standards.

SEC. 6.6.013 CERTIFICATES OF OCCUPANCY AND COMPLIANCE

(a) Certificates of Occupancy shall be required for any of the following:

(1) Occupancy and use of a Building hereafter erected or structurally altered.

(2) Change in use of an existing Building to a use of a different classification.

(3) Change in the use of land to a use of a different classification.

(4) Change in occupant or Business within a Building.

(b) No such use or change of use shall take place until a Certificate of Occupancy has been issued by the Building Official. A fee shall be established by separate ordinance.

(c) Procedure for New or Altered Buildings:

(1) Written Application for a Certificate of Occupancy for a new Building or for an existing Building that is to be altered shall be made at the same time as the Application for the building permit for such Building. Said Certificate shall be issued after the Building Official orders the Building or Structure inspected and finds no violations of the provisions of this Code or other Standards that are enforced by the Building Official. Said Certificate shall be issued by the Building Official or their agent after the erection or Alteration of such Building or part thereof has been completed in conformity with the provisions of this Code.

(d) Procedure for vacant land or a change in Building use:

Written Application for a Certificate of Occupancy for the use of vacant land, a change in the use of land or a change in the use of a Building, or for a change from a nonconforming use to a conforming use shall be made to said Building Official or their agent. If the proposed use is a conforming use, as herein provided, written Application shall be made to said Building Official. If the proposed use is found to be in conformity with the provisions of this Code, the Certificate of Occupancy shall be issued after the Application for same has been made and all required inspections are completed for approval by the Building Official.

(e) Contents:

Every Certificate of Occupancy shall contain the following: 1) building permit number, 2) the address of the Building, 3) the name and address of the owner, 4) a description of that portion of the Building that the

Certificate is issued, 5) a statement that the described portion of the Building has been inspected for compliance with the requirements of the ICC Codes division of occupancy, 6) the name of the Building Official, 7) use (uses) allowed, and 8) issue date of Certificate of Occupancy.

(f) Posting:

The Certificate of Occupancy shall be posted in a conspicuous place on the Premises and shall not be removed except by the Building Official or their authorized agent.

(g) Revocation:

The Building Official may, in writing, suspend or revoke a Certificate of Occupancy issued under the provisions of this Code whenever the Certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the Building or Structure or portion thereof is in violation of any ordinance or standard or any of the provision of this Code or the Building Code and other codes adopted by the City, and any amendments thereto.

CHAPTER 7: PUBLIC REALM DEVELOPMENT STANDARDS



ARTICLE 7.1 STREETS & PUBLIC REALM

SEC. 7.1.001 INTENT

(a) The Public Frontage is the space where public investments and land is used to connect people to places.

(b) The Pedestrian comfort shall be the primary consideration for the design of Streets. Design conflicts between vehicular and Pedestrian movement shall be decided in favor of the Pedestrian.

(c) A diversity of Street Tree Species should be planted throughout the City of Bastrop to promote resistance to disease and insect blight.

(d) Street Trees should be planted to create a visually unified streetscape.

SEC. 7.1.002 GENERAL

(a) Development located within the City Limits shall be subject to the requirements of this Section. Development in the ETJ shall comply with the rules of Subdivision Chapter, Sign Chapter, and all environmental regulations as allowed by state law and the rules established by the Inter-local Agreement with Bastrop County.

(b) Streets are intended for use by vehicular and Pedestrian traffic and to provide access to lots and Civic Spaces.

(c) New Streets shall be required when shown on the City's adopted Master Thoroughfare Plan. In addition, each Farm Lot shall include internal Streets to create Building Blocks.

(d) Street Arrangement: The Bastrop Master Transportation Plan and Thoroughfare Master Plan establish the foundation for the Mandatory Street Network. Unless otherwise approved by the City Council, provision shall be made for the extension of Streets through any new neighborhood. Off-center Street intersections with Streets in adjacent neighborhoods shall be avoided. All Streets shall be continuous or in alignment with existing Streets unless variations are deemed advisable by the Council due to topography and requirements of traffic circulation.

(e) Street Design: To assure adequate and proper Streets, a soils evaluation report by a licensed Engineer shall be required. This report shall be submitted with the plans and specifications for Street improvements. Generally, all Streets shall be surfaced with one of the surfaces indicated below with Curb and gutter as set forth in and

built according to the current City of Bastrop Construction Standards Manual and Details.

(f) Street Widths: Major Streets serving Place Types P5 or EC shall have a minimum dedicated right-of way of 80 feet and a minimum paving width Curb to Curb of 32 feet. Connector Streets used to primarily serve neighborhoods and serving Place Types P3, P4, or P5 shall have a minimum dedicated right-of-way of 55.5 feet and a minimum (paving) width Curb to Curb of 28 feet. Neighborhood and Local Streets primarily serving Place Type P3 shall have a minimum dedicated right-of-way of 55.5 feet with a minimum paving width Curb to Curb of 28 feet. Streets in P2 and rural areas shall generally be constructed with concrete ribbon curbs and the right-of-way may vary.

(g) Intersections:

(1) All Streets, major, neighborhood connector or P3 Streets must intersect at a 90 degree angle, unless existing Site constraints will not allow for this alignment.

(2) Curbs at acute angle intersections, if approved, shall have 25 foot radii at acute corners.

(3) Each new Street intersection with, or extending to meet, an existing Street, shall be tied to the existing Street on center line.

(4) Minimum Curb radius at intersections:

A. Primary Multimodal Streets - 20 foot

B. Local Connector - 15 foot

C. Residential Streets - 10 foot

(h) Cul-De-Sacs:

(1) Dead-end Streets must be avoided unless approved due to geographically sensitive areas, topography, railroad tracts, or another physical barrier as approved by the DRC.

(2) Dead-end Streets may be platted where the land being divided adjoins property not being divided, in which case the Streets shall be carried to the boundaries thereof. Streets designed to be permanently dead-end shall not be longer than 500 feet and shall be provided at the closed end with a paved cul-de-sac at least 80 feet in diameter.

(3) Temporary turnarounds are to be used at the end of a Street more than 300 feet long that will be extended in the future.

(i) Partial or Half-Streets: Partial or half-Streets may be provided where the City Council believes that a Street should be located on a property line.

(j) Street Names: New Streets shall be named to provide continuity of name with existing Streets and to prevent conflict with identical or similar names in other parts of the City, as determined by the 911 coordinator for the City and/or County.

(k) Private Streets: To prevent future conflicts regarding Street maintenance, private Streets are prohibited, except where justified by special considerations. Private Streets may be permitted by approval of the City Council after evaluation of such considerations.

(l) Street Signs: Street Signs are required at all intersections. Signs will meet current City Sign Standards or match the existing Street Signs of the adjacent joining Streets.

(m) Alleys:

(1) Pavement Type: Alleys shall be paved with reinforced concrete conforming to Street paving requirements.

A. Alternative Construction methods may be approved by the Director of Engineering.

(2) Width: A minimum paved width of 16 feet and a minimum right-of-way of 20 feet shall be required for all alleys.

(3) Drainage: Adequate Drainage shall be provided with paved sections or by swales to drain all lots to Streets without Drainage easements through lots where possible. The depth of Swale shall be as required for Drainage with a minimum longitudinal slope of 1/2 of 1.5% percent toward a Street or Drainage easement.

(4) Streets and Alleys shall be designed by a register engineer meeting the specifications of this manual and the City of Bastrop Construction Standards Manual.

ARTICLE 7.2 NEW STREETS

SEC. 7.2.001 GENERAL

(a) The new Streets section establishes and documents the policies, procedures, and practices for how the City manages physical improvements in the Street right-of-way and on public property. It attempts to provide a

comprehensive resource for all procedures, Standards, and guidelines affecting physical changes in the Street right-of-way.

(b) The Streets section summarizes this Code requirements for Street and Alley improvements and presents specific criteria for design and installation.

SEC. 7.2.002 INTENT

(a) The intent of the new Street regulations is to provide a palette of Street typologies and design elements reflecting the character of different areas within the City.

(b) The new Street regulations provide adequate travel lanes for vehicles, cyclists, and pedestrians.

(c) The City supports the use of context sensitive design solutions and complete Streets and will review projects on a case-by-case basis for conformance with these concepts.

(d) The Street typical cross-sections displayed in this section provide a guide to balancing the needs of all modes of travel. Modifications to these typical cross sections may be made by the City Engineer.

(e) The appropriate Street typical cross-section will be selected by the City Engineer based on both engineering and land use context factors, including anticipated vehicle volumes.

(f) Administrative design adjustments approved by the Director of Planning & Development may be appropriate when an existing Building would impede roadway expansion; when transitioning from a different Street section; or where strict compliance with this Code would pose a safety hazard.

SEC. 7.2.003 STREET RIGHT-OF-WAY WIDTH

(a) Street right-of-way width for Thoroughfare Master Plan Streets must be dedicated as specified in the Transportation Master Plan.

(b) Alignments may be adjusted as approved by the DRC.

(c) Applicants must dedicate sufficient right-of-way to the City for Streets and sidewalks, in accordance with the Master Transportation Plan. Typical Street right-of way widths are illustrated in this Section.

(d) The City may require turn lanes and additional right-of-way beyond that shown in the applicable Street typical cross-section to accommodate turn lanes when warranted.

SEC. 7.2.004 MEASUREMENT OF STREETS & PUBLIC REALM

(a) Face of Curb. All measurements of parking spaces and lane widths are taken from the Face of Curb and are inclusive of the gutter.

(b) Pavement Markings. All measurements of parking spaces and lane widths are made to the center of pavement markings.

ARTICLE 7.3 STREET TYPES

(a) A range of Streets Types have been provided which correspond back to the built environment they serve. Street Types were created in conjunction with all other B^3 Code sections to promote long-term fiscal sustainability and a walkable environment. Each Street Type contains characteristics which correspond with the Place Types and Building Types in the B^3 Code.

(b) The following Street illustrations are to be used as a guide when designing Streets for Neighborhood Regulating Plans or Zoning Concept Schemes and Infill Street designs. The Streets types are separated into two categories:

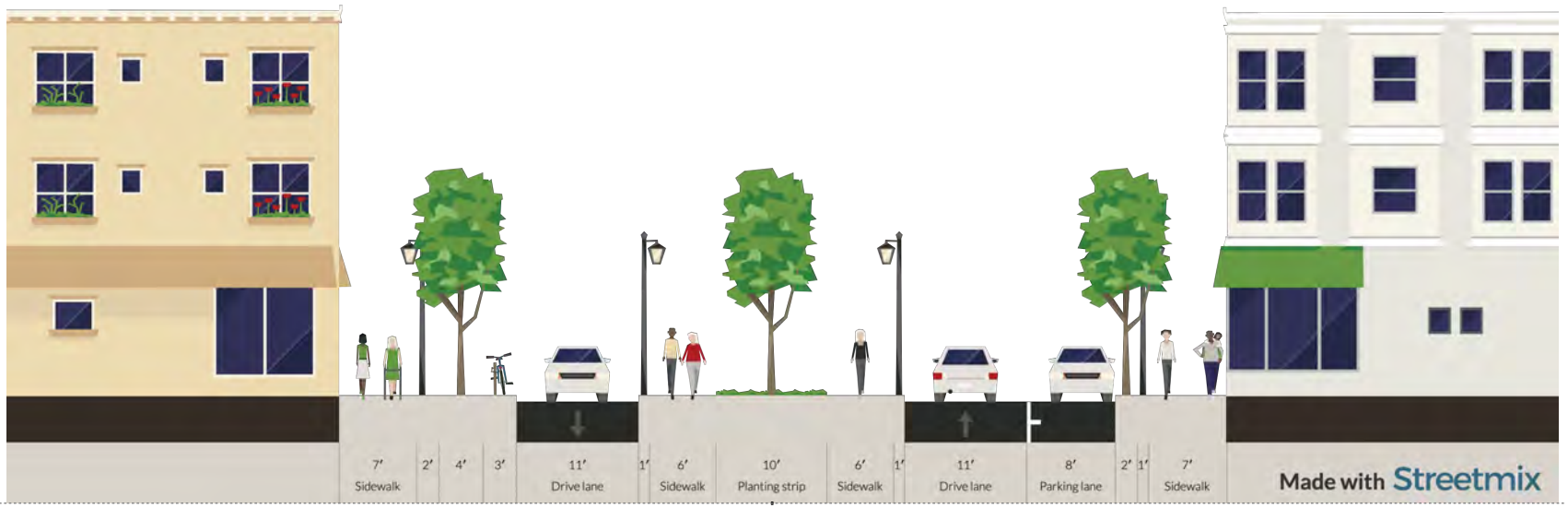
(1) **Primary Multimodal Streets** (80' R.O.W.) - provide a higher degree of mobility than most of the grid network by serving travel between major destinations or activity centers, as well as providing local cross-City route alternatives to the major highway routes. These Streets should be designed as walkable, low-to-moderate speed Thoroughfares that carry both through and local traffic, pedestrians, and bicyclists. These Streets are also important connections for primary goods movement and emergency response routes. These Streets will often require additional right-of-way than a typical grid connector, either for additional through travel lanes or for dedicated Pedestrian and bicycle facilities (Bastrop Master Transportation Plan).

(2) **Local Connector Streets** (55.5' R.O.W.) - provide a higher degree of direct access to abutting property. These Streets should be designed as walkable, low-speed Streets that connect different Development districts and Residential neighborhoods with each other. The Local Connector Street network should provide continuous, connected links to distribute local travel patterns. Due to the diversity of content in neighborhoods these Streets serve, a variety of Street design elements and cross sections may be appropriate to serve adjacent land use contexts. This includes potential accommodations for higher

Pedestrian, bicyclist, or on-Street parking demand (Bastrop Master Transportation Plan).

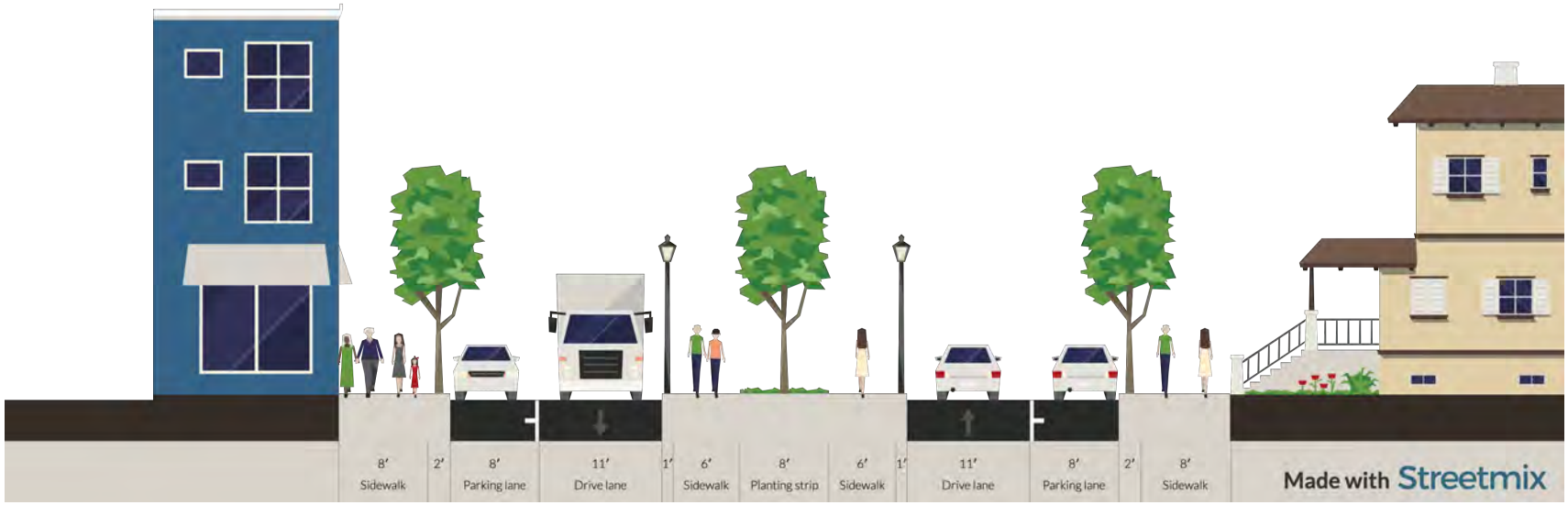
(3) **Rural Streets** (R.O.W. varies) – provide local access to rural areas primarily characterized by large lots, Farm Lot scale developments or Open Space. Due to environmental protections, rolling terrain, and low-density Development context, a rural cross section and design elements are recommended.

SEC. 7.3.001 PRIMARY MULTIMODAL STREET: BOULEVARD



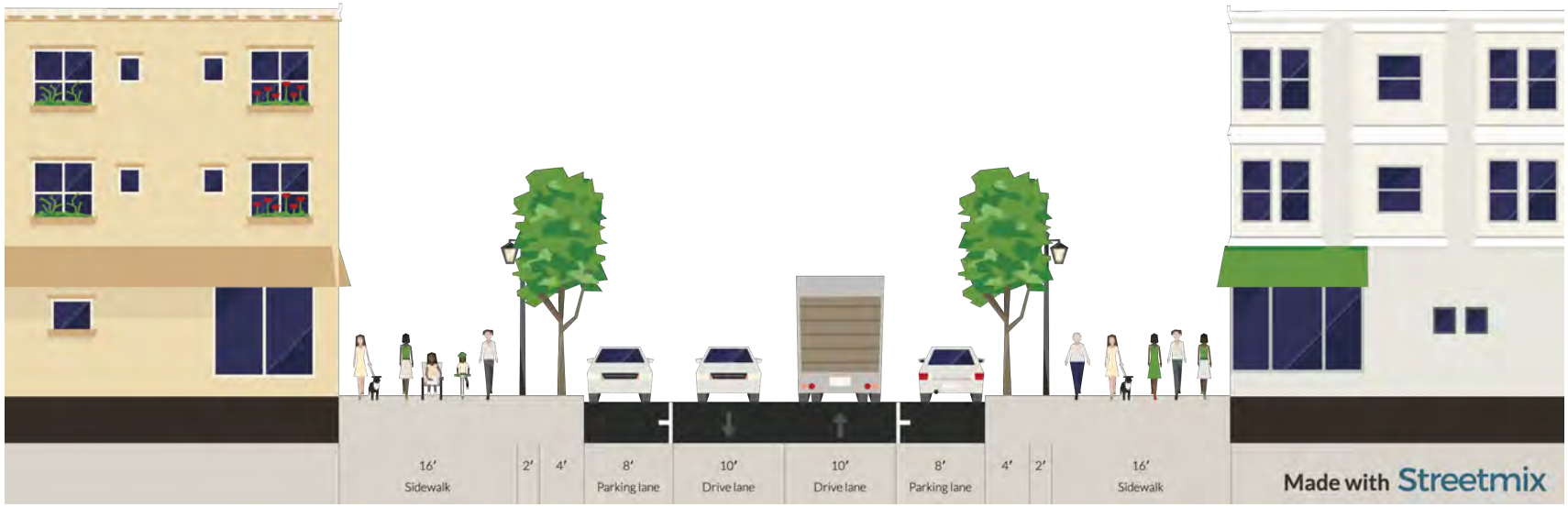
Street Type:	Boulevard is a two-way Street with a median, non-continuous parking on both sides, and multi-modal driving lanes	**Planter Type:**	Continuous planter
Right-of-Way Width:	80 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	30 feet	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	30 MPH	**Building Types Allowed:**	See B³ Code Sec. 6.5
Traffic Lanes:	Two lanes at 11 feet each	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Parking Lanes	Non-continuous parking on both sides with Curb Extensions at corners and mid-Block.	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Curb Radius	15 feet	**Street Lights:**	Shielded Post and Column type
Walkway Type	10-15 feet Sidewalk	**Place Types:**	P4, P5

SEC. 7.3.002 PRIMARY MULTIMODAL STREET: AVENUE



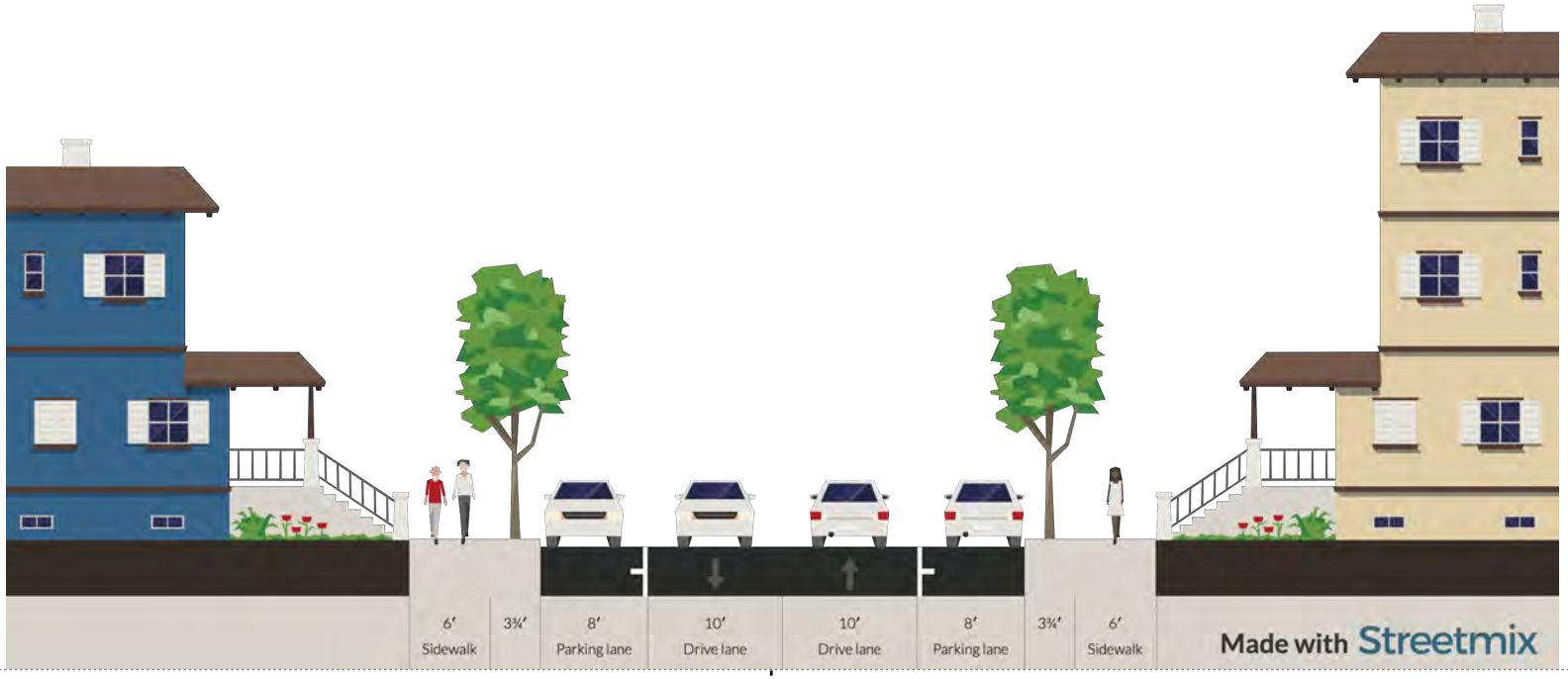
Street Type:	Two-way Street with Parking	**Planter Type:**	Continuous planter
Right-of-Way Width:	80 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	36 feet	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	30 MPH	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Traffic Lanes:	Two lanes at 11 feet each	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Parking Lanes	Both sides parallel at 8 feet, marked	**Street Lights:**	Shielded Post and Column type
Curb Radius	10 feet	**Place Type**	P3, P4, P5
Walkway Type	6-15 feet Sidewalk	**Building Types Allowed**	See B³ Code Article 6.5

SEC. 7.3.003 PRIMARY MULTIMODAL STREET: REGIONAL COMMERCIAL



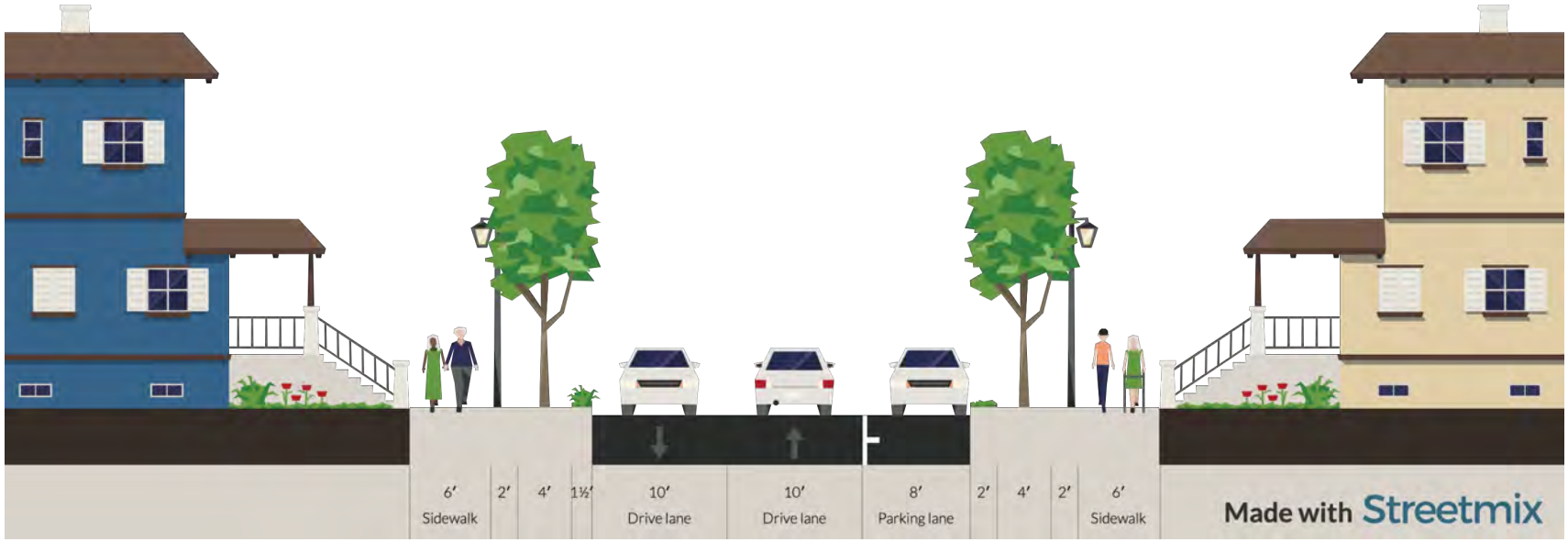
Street Type:	Two-way Street with parking	**Planter Type:**	Tree Well
Right-of-Way Width:	80 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	36 feet	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	25 MPH	**Building Types Allowed:**	See B^3 Code Article 6.5
Traffic Lanes:	Two lanes at 10 feet each	**Frontage Line Setback:**	See B^3 Code Sec. 6.5.003
Parking Lanes	Both sides parallel at 8 feet, marked	**Private Frontage Allowed:**	See B^3 Code Sec. 6.5.002
Curb Radius	15 feet	**Street Lights:**	Shielded Post and Column type
Walkway Type	16-foot Sidewalk	**Place Types:**	P5

SEC. 7.3.004 LOCAL CONNECTOR STREET: CONNECTOR



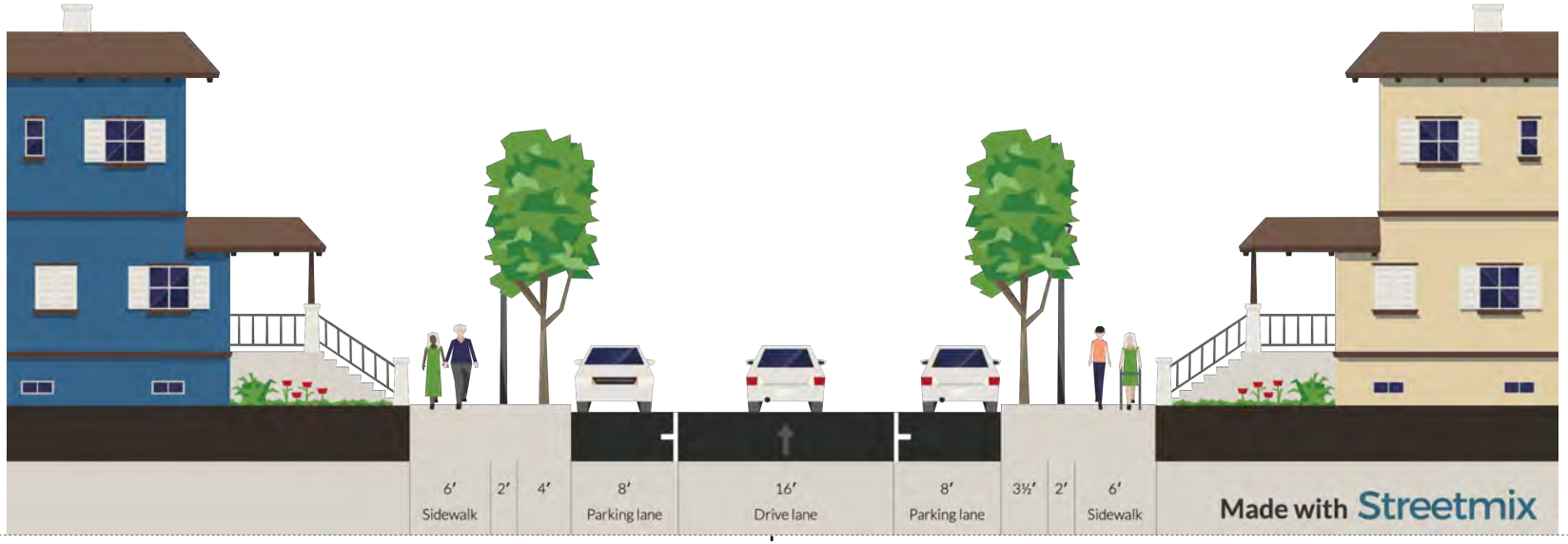
Street Type:	Two-way Street with parking	**Planter Type:**	Continuous planter
Right-of-Way Width:	55.5 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	36 feet	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	25 MPH	**Building Types Allowed:**	See B³ Code Article 6.5
Traffic Lanes:	Two lanes at 10 feet each	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Parking Lanes	Both sides parallel at 8 feet, marked	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Curb Radius	15 feet	**Street Lights:**	Shielded Post and Column type
Walkway Type	6-feet Sidewalk	**Place Types:**	P3, P4, P5

SEC. 7.3.005 LOCAL CONNECTOR STREET: NEIGHBORHOOD STREET A



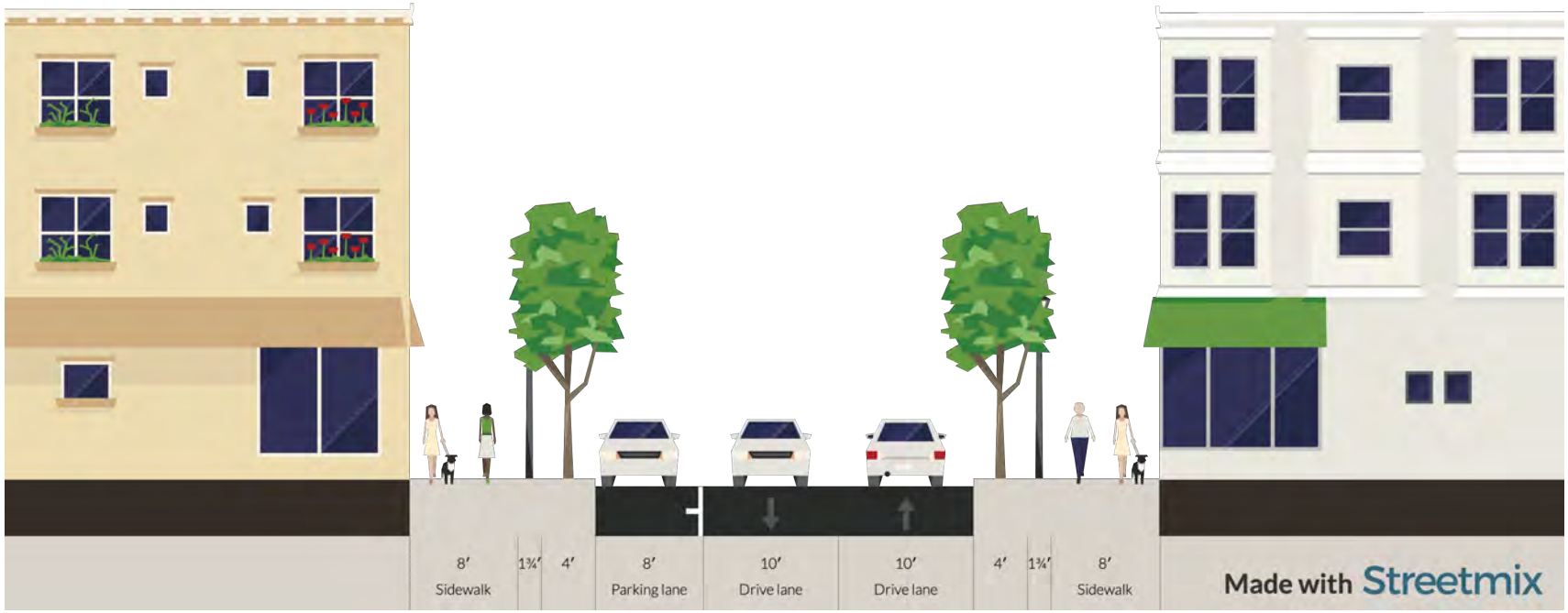
Street Type:	Two-way Street with parking	**Planter Type:**	Continuous planter
Right-of-Way Width:	55.5 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	28 feet	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	20 MPH	**Building Types Allowed:**	See B³ Code Article 6.5
Traffic Lanes:	Two lanes	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Parking Lanes	One side at 8 feet, marked	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Curb Radius	15 feet	**Street Lights:**	Shielded Post and Column type
Walkway Type	6-feet Sidewalk	**Place Types:**	P3, P4

SEC. 7.3.006 LOCAL CONNECTOR STREET: NEIGHBORHOOD STREET B



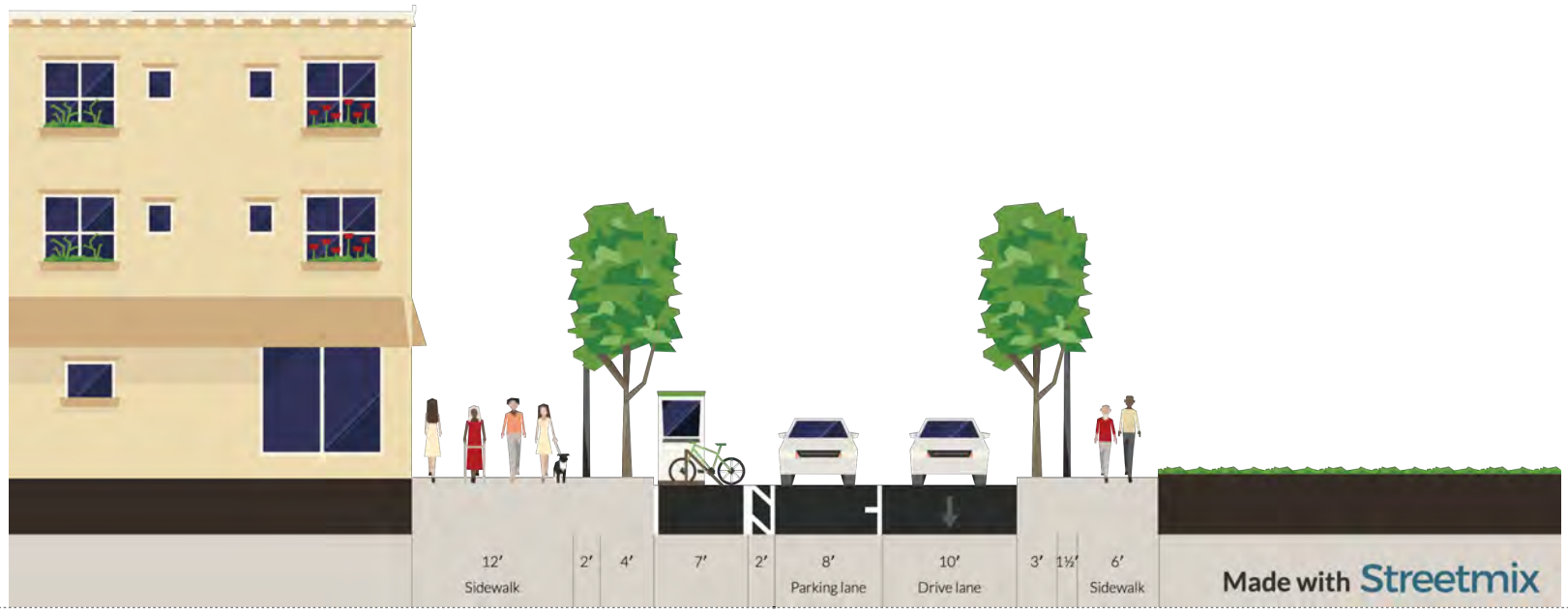
Street Type:	Two-way Street with parking	**Planter Type:**	Continuous planter
Right-of-Way Width:	55.5 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	28 feet	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	20 MPH	**Building Types Allowed:**	See B³ Code Article 6.5
Traffic Lanes:	Two-way Yield Street	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Parking Lanes	Both sides parallel at 8 feet, marked	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Curb Radius	15 feet	**Street Lights:**	Shielded Post and Column type
Walkway Type	6-foot Sidewalk	**Place Types:**	P3, P4

SEC. 7.3.007 LOCAL CONNECTOR STREET: LOCAL COMMERCIAL



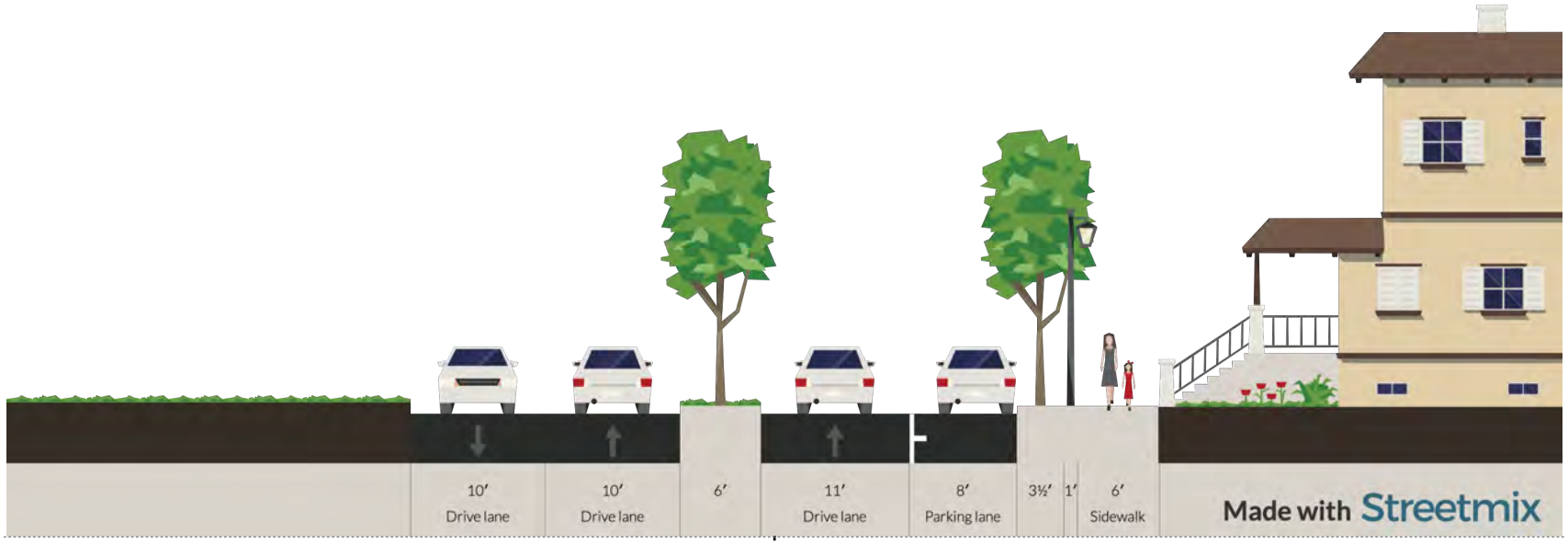
Street Type:	Two-way Commercial Street	**Planter Type:**	Tree Well
Right-of-Way Width:	55.5 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	28 feet	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	25 MPH	**Building Types Allowed:**	See B³ Code Article 6.5
Traffic Lanes:	Two lanes at 10 feet each	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Parking Lanes	Parallel on one side at 8 feet, marked	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Curb Radius	15 feet	**Street Lights:**	Shielded Post and Column type
Walkway Type	8 to 12-foot sidewalk	**Place Types:**	P4, P5

SEC. 7.3.008 LOCAL CONNECTOR STREET: COURT STREET



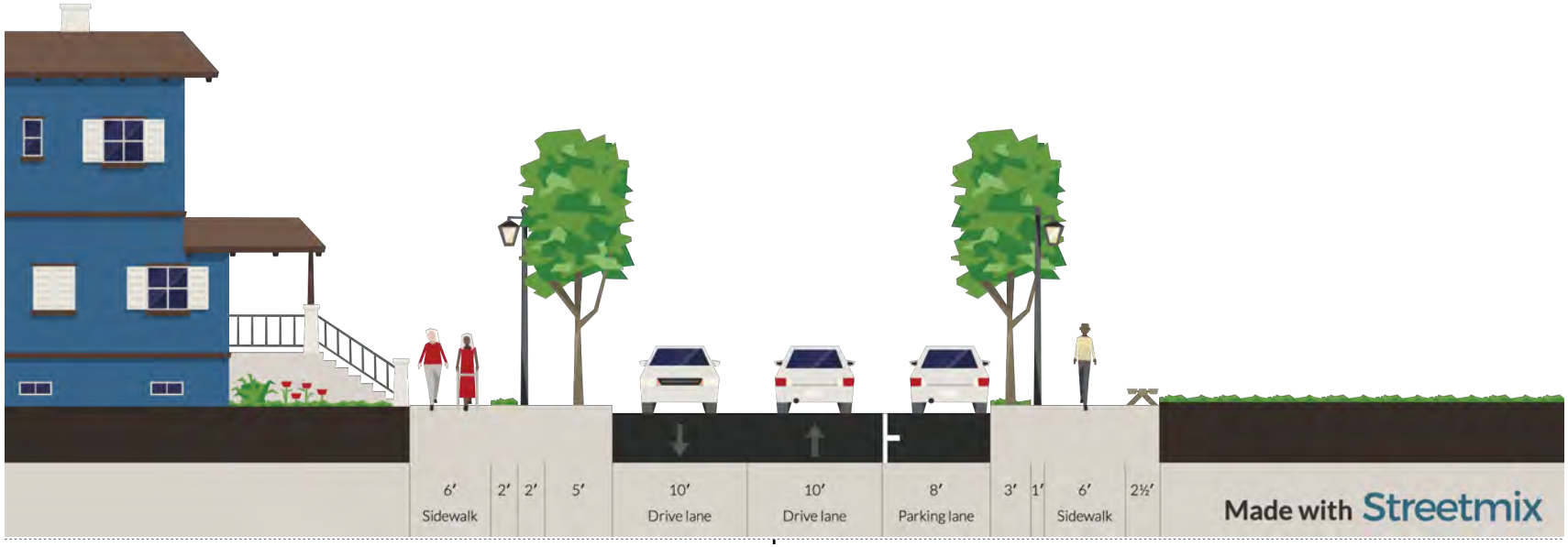
Street Type:	One-way with parking	**Planter Type:**	Continuous planter
Right-of-Way Width:	55.5 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	27 feet	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	20 MPH	**Building Types Allowed:**	See B³ Code Article 6.5
Traffic Lanes:	One lane 10 feet wide	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Parking Lanes	8 feet, Building side only	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Curb Radius	20 feet	**Street Lights:**	Shielded Post and Column type
Walkway Type	8 to 16-feet Sidewalk along buildings and 6 feet long Park edge (optional)	**Place Types:**	P3,P4, P5

SEC. 7.3.009 LOCAL CONNECTOR STREET: SLIP STREET



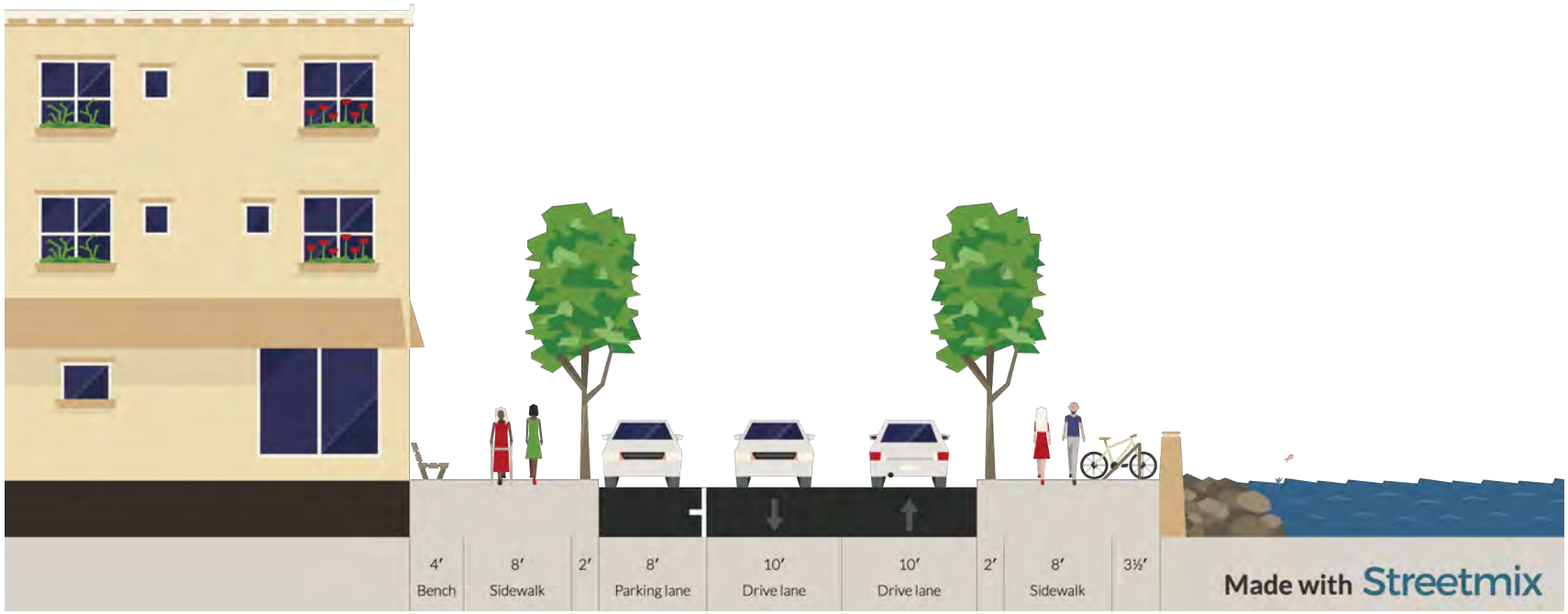
Street Type:	One-way with parking	**Planter Type:**	Continuous planter
Right-of-Way Width:	55.5 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	19 feet (slip Street)	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	20 MPH	**Building Types Allowed:**	See B³ Code Article 6.5
Traffic Lanes:	One lane 11 feet wide	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Parking Lanes	8 feet, Building side only	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Curb Radius	20 feet	**Street Lights:**	Post and Column type
Walkway Type	6-feet Sidewalk	**Place Types:**	P3,P4, P5

SEC. 7.3.010 LOCAL CONNECTOR STREET: PARK DRIVE



Street Type:	Two-way with parking on Park side	**Planter Type:**	Continuous planter
Right-of-Way Width:	55.5 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	28 feet	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	25 MPH	**Building Types Allowed:**	See B³ Code Article 6.5
Traffic Lanes:	Two Lanes - 10 feet wide	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Parking Lanes	8 feet, park side only	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Curb Radius	10 feet	**Street Lights:**	Post and Column type
Walkway Type	6 feet sidewalk	**Place Types:**	P3, P4

SEC. 7.3.011 LOCAL CONNECTOR STREET: BOARDWALK



Street Type:	Two-way, Commercial	**Planter Type:**	Tree Well
Right-of-Way Width:	55.5 feet	**Curb Type:**	Standard 6-inch Curb
Pavement Width	28 feet	**Landscape Type:**	Trees at 30 feet O.C. average
Design Speed:	25 MPH	**Building Types Allowed:**	See B³ Code Article 6.5
Traffic Lanes:	Two lanes; 10 feet wide	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Parking Lanes	8 feet, parallel parking on one side	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Curb Radius	15 feet	**Street Lights:**	Post and Column type
Walkway Type	12 foot Sidewalk	**Place Types:**	P5

SEC. 7.3.012 LOCAL CONNECTOR STREET: PEDESTRIAN STREET



Street Type:	Shared/ Ped Street	**Planter Type:**	Tree Well
Right-of-Way Width:	55.5 feet	**Curb Type:**	No Curb, Mountable
Pavement Width	22 feet	**Landscape Type:**	Smaller Trees at 20 feet O.C. average
Design Speed:	10 MPH	**Building Types Allowed:**	See B³ Code Article 6.5
Traffic Lanes:	One lane; 12 feet wide	**Frontage Line Setback:**	See B³ Code Sec. 6.5.003
Parking Lanes	Interspersed, marked	**Private Frontage Allowed:**	See B³ Code Sec. 6.5.002
Curb Radius	10 feet at entrance	**Street Lights:**	Column type
Walkway Type	10 - foot Sidewalk	**Place Types:**	P4 & P5

SEC. 7.3.013 LOCAL CONNECTOR STREET: RURAL STREET



Street Type:	Two-way, Rural	**Planter Type:**	Varies
Right-of-Way Width:	Varies	**Curb Type:**	No Curb, Mountable
Pavement Width	Varies	**Place Types:**	P2
Design Speed:	30 mph	**Parking Lanes**	N/A
Traffic Lanes:	Two lanes	**Walkway Type**	Varies

SEC. 7.3.013 COMPLIANCE WITH THE MASTER THOROUGHFARE PLAN

(a) Intent :

The pattern of Streets on the Master Thoroughfare Plan is intended to create a connected Street network that provides a variety of routes for Pedestrian and vehicular traffic, while respecting the conditions of the natural environment.

(b) Within a Neighborhood Regulating Plan and Zoning Concept Scheme, the location of internal Streets may vary from their locations on the Master Transportation Plan, subject to the following conditions:

(1) The proposed arrangement meets the intent of this Code.

(2) The proposed Street configuration promotes active, safe, and healthy transportation.

(3) No Block perimeter shall exceed the requirements of the Place Types.

(4) Overall connectivity to adjacent tracts shall not be decreased.

(c) Within a Neighborhood Regulating Plan or Zoning Concept Scheme, Streets that divide Farm Lots into Building Blocks are required, except in Place Type P1 and P2, subject to the following conditions:

(1) Civic Spaces may be incorporated on Streets that are not critical for vehicle traffic.

(2) Alternative arrangements shall be considered as shown in the Pattern Book.

(d) When a Street is associated with certain proposed Place Types, additional right-of-way will be required as follows:

(1) When the P5 Place Type is proposed on both sides of a Street, each side of the Street shall provide an additional 7' of right-of-way.

(2) When necessary for Main Civic Space.

(e) Property where new Streets, a Zoning Concept Scheme or a Neighborhood Regulating Plan are not required, Building and/or site Development permits shall not be issued for the Development or redevelopment of any Street within the City of Bastrop prior to the approval of Public Frontage requirements showing the following in compliance with the Public Realm Standards of this Chapter:

(1) Type of Drainage

(2) Width and Design of the Furnishing Zone

A. Planting Technique, tree species, and spacing of Street Trees;

B. Public Infrastructure, including Public Lighting; and,

C. Public Furniture.

SEC. 7.3.014 PUBLIC FRONTAGE STANDARDS

(a) The Public Frontage of Streets contributes to the character of each Place Type and Character District. See Street Types for Character District Standards. Street Types may be configured a variety of patterns and layouts along different Street Types. Street designs and must include:

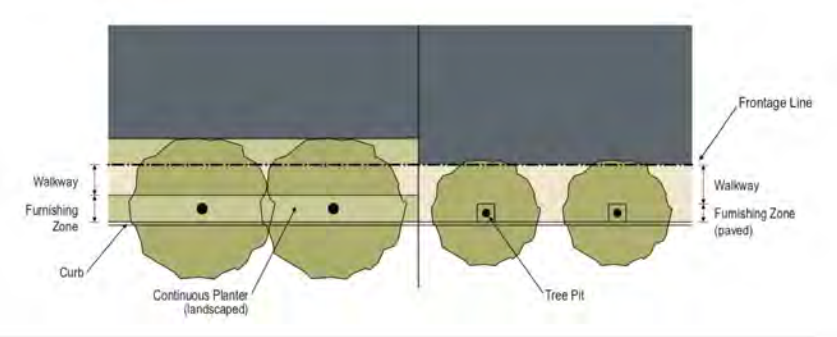
(1) The type of Drainage located adjacent to the vehicle lane;

(2) The Furnishing Zone area provided to accommodate Street Trees, Public Infrastructure, and Public Furniture; and,

(3) Walkways provided for pedestrians serving as a Block break may be approved by the DRC.

(b) The Public Frontage of Streets shall be designed as specified in this Code and constructed in accordance with the B^3 Technical Manual. Public Frontage passing from one Place Type to another shall be adjusted to meet the transitioning Standards as required by the DRC.

(c) For planting within the Furnishing Zone, the permitted species of Street Trees are specified in the B^3 Technical Manual.



(1) Street Trees shall be planted in P3, P4, and P5.

(2) Street Trees shall be planted in a regularly-spaced pattern in P4 and P5 and;

(3) When planted, Street Trees shall be a minimum height of 10 feet and /or 2 inches in caliper.

(4) Public Frontage from of a Terminated Vista or Civic Space may be exempt from Street Tree requirements by Warrant.

(5) To keep walkways and driveways clear from tree branch obstructions, Street Tree canopy, at maturity with minor pruning, shall provide a minimum vertical clearance of 8 feet for sidewalks and paths, driveways, parking spaces, Streets, and loading areas. Vertical clearance measurements shall be taken from the bottom branches of the main Canopy to the ground surface below.

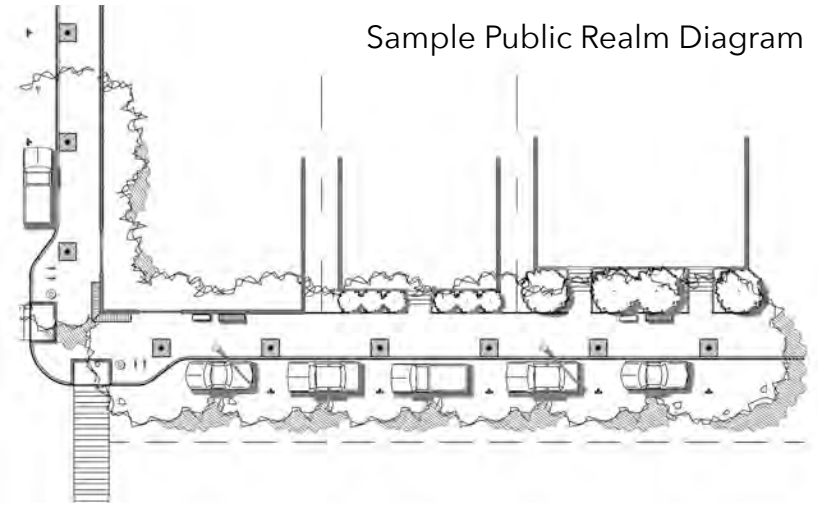
(6) Spacing of trees can be adjusted by Warrant to accommodate specific Site conditions and for the allowance of Encroachments.

(d) For installation within the Frontage Zone, the prescribed types of Public Lighting and spacing shall be shown on the Public Lighting Table. The spacing may be adjusted by Warrant to accommodate Site specific conditions.

(e) The paving design of the Walkway shall be continuous for the extent of each Block Face.

(f) Sidewalks are required on all Primary Multimodal Streets and Local Connector Streets. The width and location of sidewalks shall be in accordance with the appropriate Street cross-section in the City's standard specifications and B3 Technical Manual. The area between Curb and Sidewalk shall be excavated or filled to provide a uniform grade to match with the longitudinal Street grade. The ground elevation at the right-of-way line shall be not more than 2 feet nor less than 3 inches above the elevation of the top of the adjacent Curb. All sidewalks shall be of a continuing common surface, not interrupted by steps or abrupt changes in level. Wherever sidewalks end, at cross Streets or parking areas, they shall bend to a common level by constructing handicapped ramps in compliance with Americans with Disabilities Act (ADA) dimensions and Standards. All the broom-swept smooth and uniform to provide a non-slip surface. Construction details shall be

Sample Public Realm Diagram



in accordance with the City's standard specifications and B3 Technical Manual.

SEC 7.3.015 TRAFFIC & MITIGATION

(a) The purpose of this section is to ensure Development within the Bastrop City Limits is supported by an adequate roadway network to accommodate the continuing growth and Development of the City and its jurisdictional area. Acquisition of new rights-of-way for off-site, abutting, and internal Streets to support new Development is necessary and desirable. The City requires that:

(1) Development impacts are mitigated through contributions of Street rights-of-way and/or improvements to existing and new roadways; and

(2) New developments contribute their roughly proportionate share of the costs of needed transportation improvements; and

(3) Adequate infrastructure for new Development is adequately evaluated and addressed.

(b) There must be a rough proportionality between the traffic impacts created by a new Development and requirements placed on the property owner or Applicant for new Development to dedicate and improve off-site, abutting, and internal Street rights-of-way to City Standards. The City will evaluate the Project and determine what dedications, if any, are required to address both the nature and extent of the impact that results from the proposed Development. The City desires to assure that Development impacts are mitigated through contributions of Street rights-of-way and transportation system improvements, and those new developments contribute their share of the costs of transportation improvements. It is the City's intent to institute a procedure to assure mandatory dedications of Street rights-of-way and Street Construction requirements are proportional to the transportation demands created by a new Development.

(c) If the traffic impact will affect a state-controlled highway then the Applicant must coordinate the necessary improvements with the Texas Department of Transportation (TxDOT). Prior to the Final Plat being submitted the Applicant must have obtained an agreement on the necessary road improvements and submit an agreement between the City of Bastrop and the Applicant to meet the requirements established by TxDOT. This will require the Applicant to coordinate with TxDOT and request TxDOT to submit the necessary

contract documents between TxDOT and the City of Bastrop to use as a basis for the transportation agreement between the City of Bastrop and the Applicant. A Final Plat cannot be recorded until the agreement has been finalized and the necessary funds (or, alternatively, approved fiscal assurance instruments) are deposited with the City of Bastrop.

SEC. 7.3.016 ALLEY CONSTRUCTION

(a) Intent

Alleys serve TND developments well to distribute services and vehicles to the rear of the lots. Limiting the interruptions into the Public Realm adds to Walkability. Alley developments are preferred, therefore, Construction Standards provided in the various cross-sections are flexible to encourage the inclusion of Alleys.

(b) Alleys surface types will vary by Character District and Place Type and can be found in the B³ Technical Manual.

(1) Width: A minimum width of 12 feet and a minimum right-of-way of 16 feet shall be required for all Alleys.

(2) Drainage: Adequate Drainage shall be provided with paved sections or by swales to drain all lots to Streets without Drainage easements through lots, where possible. The depth of Swale shall be as required for Drainage with a minimum longitudinal slope of 0.5% toward a Street or Drainage easement.

SEC. 7.3.017 STREET MONUMENTS AND PROPERTY MARKERS

(a) Property subject to platting shall follow the Standards for Street monuments and property markers in the B³ Technical Manual.

(b) Exceptions: Street Monument and Property Marker requirements shall not apply to lots meeting the requirements of Administrative Plat and/or being processed under the procedure.

ARTICLE 7.4 ALLOCATION & STRUCTURE OF BLOCKS

SEC. 7.4.001 INTENT

The Bastrop Building Block is the foundation of Bastrop and of the Code. The TND pattern of blocks is the preferred configuration of land Development where the land provides for the acceptance of such pattern. Blocks are encouraged to be different and unique while respecting the patterns defined within the Standards, in the Pattern Book.

SEC. 7.4.002 BLOCKS

(a) The Master Thoroughfare Plan provides the basic framework for the Block at a Farm Lot scale. The internal Street Network shall be structured to define blocks with the following maximum Block lengths and Block Perimeters (not including exterior R.O.W. dedication):

P1 unlimited / unlimited

P2 720 ft. max / 2880 ft. perimeter

P3 330 ft. max / 1320 ft. perimeter

P4 330 ft max / 1320 ft. perimeter

P5. 330 ft max / 1320 ft. perimeter

EC 720 ft. max / n/a

(b) Block Faces, within P3, P4, and P5, exceeding 330 feet shall be equipped with a 20' Pedestrian way.

(c) Blocks adjacent to undeveloped land, areas unsuitable for Development, or pre-existing incomplete blocks may be exempt from Block Face length and Block perimeter requirements by Warrant.

(d) Blocks with more than one Place Type designation shall use the most intense designation to inform the Block Face length and Block Perimeter.

(e) Creative and alternative Block configurations can be selected in the Pattern Book.

ARTICLE 7.5 CIVIC SPACE & CIVIC BUILDING STANDARDS

SEC. 7.5.001 CIVIC SPACE INTENT

(a) Civic Space is the dedication of lands for public use. Requirements of this section are to be provided for each Development over 13.6 acres (A Farm Lot) and designated on the Neighborhood Regulating Plan or Zoning Concept Scheme as Civic Space (CS).

(b) The DRC will review surrounding existing and/or entitled developments to determine if Civic Space dedication is necessary to fulfill the intent of a Pedestrian Shed.

(1) Civic Space Sites are permanently dedicated for public activities.

(2) Parking for Civic Spaces shall be approved by the DRC. Civic parking lots may remain unpaved if graded, compacted and landscaped.

(3) Civic Space shall conform with specifications on 7.3.004 Civic Space Table.

(4) Where the DRC determines it to be feasible, land along floodplains, tributaries, and creeks, or where identified in the shall be dedicated as Civic Space.

SEC. 7.5.002 CRITERIA

(a) Each Pedestrian Shed shall have an assignment of at least 10% of its land area dedicated to Civic Space.

(b) Civic Spaces shall be designed as generally described in Civic Space Table, and distributed throughout the Place Types and is subject to approval by DRC

(c) Those portions of P1 that occur within a Development shall be part of the Civic Space allocation should conform to the Civic Space Standards.

(1) The Neighborhood Concept Scheme shall designate at least one Main Civic Space per Pedestrian Shed. The Main Civic Space shall be within 660 feet of the geographic center of each Pedestrian Shed, unless topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location and shall be developed as a Green, Square, Park, and/or Plaza.

(2) Within 1,320 feet of every lot in Residential use, a Civic Space designed, equipped and amenities shall be provided.

(d) Storm Drainage Facilities, if equipped to provide Civic Space, may be counted toward the 10% Civic Place Type allocation requirement by Warrant.

(e) The Neighborhood Regulating Plan or Zoning Concept Scheme shall designate Civic Place Types dedicated for public use within 660 feet of every Lot with a Residential use. The Civic Space must be active with a playground, fountains, benches, tables, and/or other public furniture to spur the gathering of people.

SEC. 7.5.003 CIVIC BUILDINGS

(a) The owner shall covenant to construct a Meeting Hall or a Third Place in proximity to the Main Civic Space of each Pedestrian Shed. Its corresponding Public Frontage shall be equipped with a shelter and bench for a transit stop.

(b) One Civic Building Lot shall be reserved for an elementary school. Its area shall be 1 acre for each increment of 100 Dwelling units provided by the Neighborhood Regulating Plan or Zoning Concept Scheme, with a minimum of 3 acres for the school. The school Site may be within any Place Type other than P1 or EC.

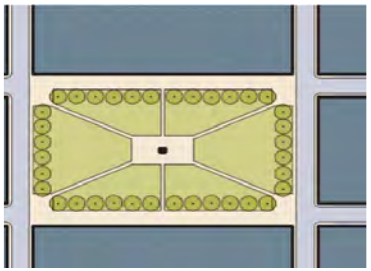
(b) One Civic Building Lot suitable for a childcare Building shall be reserved within each Pedestrian Shed. The owner or a homeowners' association or other community group may organize, fund and construct an appropriate Building as the need arises.

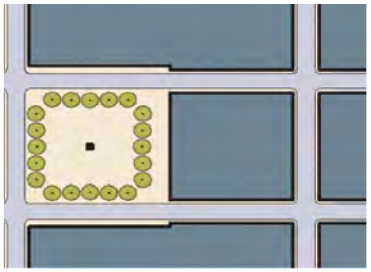
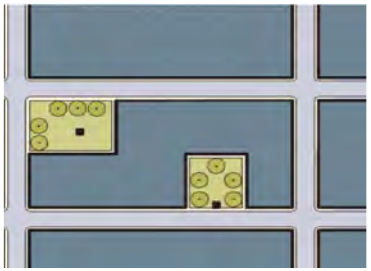
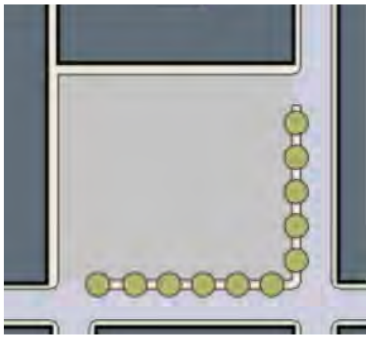
(c) Civic Building Sites shall not occupy more than 20% of the area of each Pedestrian Shed.

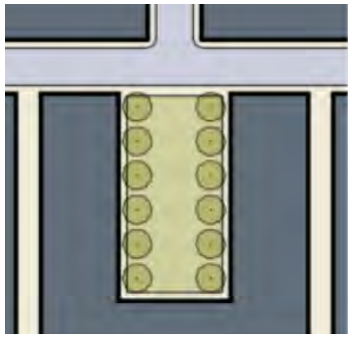
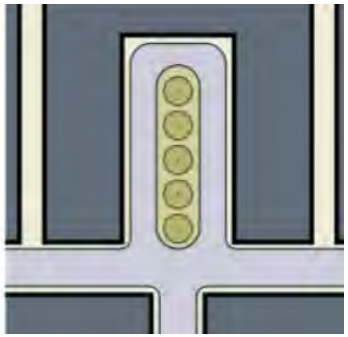
(d) Civic Building Sites should be located within or adjacent to a Civic Space, or at the axial termination of a significant Thoroughfare.

(e) Civic Buildings may be permitted within EC- Employment Centers by Warrant.

SEC. 7.5.004 CIVIC SPACE TABLE

		P1	P2	P3	P4	P5	DESCRIPTION
PARK		P	P	P	NP	NP	A natural preserve available for unstructured recreation. A Park may be independent of surrounding Building frontages. Its landscape shall consist of paths and trails, meadows, water bodies, woodlands and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors. The minimum size shall be 8 acres. Larger parks may be approved by Warrant as Special Districts in all zones.
GREEN		NP	NP	P	P	P	An Open Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than Building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be 1/2 acre and the maximum shall be 8 acres.
SQUARE		NP	NP	NP	P	P	An Open Space available for unstructured recreation and Civic purposes. A Square is spatially defined by Building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be 5 acres.

		P1	P2	P3	P4	P5	DESCRIPTION
PLAZA		NP	NP	NP	NP	P	An Open Space available for civic purposes and Commercial activities. A Plaza shall be spatially defined by Building frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important Streets. The minimum size shall be 1/2 acre and the maximum shall be 2 acres.
PLAYGROUND		P	P	P	P	P	An Open Space designed and equipped for the recreation of children. A Playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within parks and greens. There shall be no minimum or maximum size.
COMMERCIAL PLAZA		NP	NP	NP	P	P	A multi-purpose Open Space available for Civic purposes. Commercial activities and as flex parking space. The parking area is designed as a Plaza with brick, gravel, cobbles or artistically jointed concrete. The Commercial Plaza should be separated from adjacent thoroughfares and spatially defined by a landscaped buffer including Street Trees. Removable bollards are suggested to delineate parking from non-parking areas.

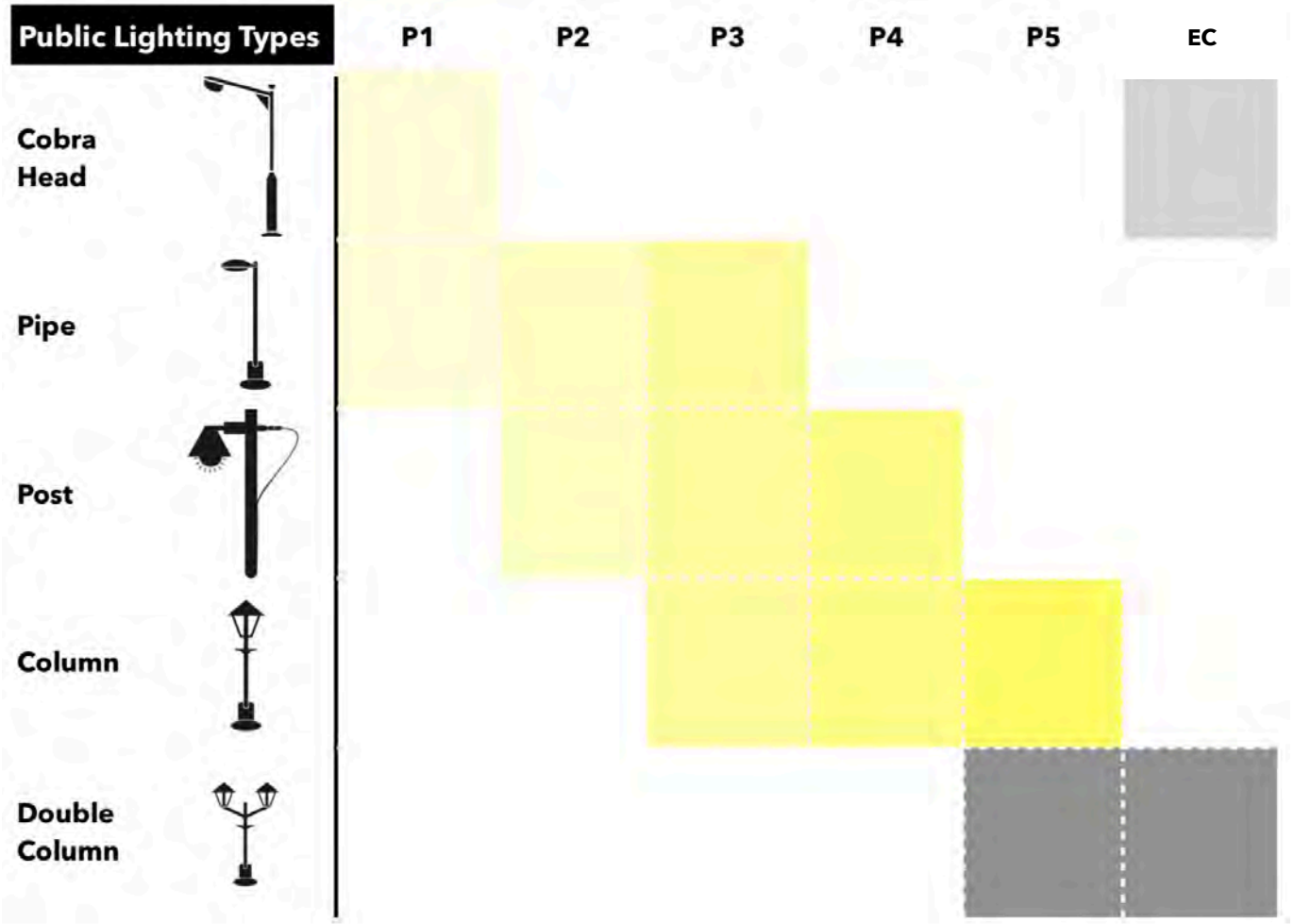
		P1	P2	P3	P4	P5	DESCRIPTION
POCKET PARK		NP	NP	P	P	P	An Open Space, available for unstructured recreation. A Pocket Park provides greenery and a place to sit outdoors and is typically spatially defined by buildings because in most cases it is located within a Block. Pocket Parks may be created around a monument, historic marker or art project and/or may be designed specifically for the recreation of children.
COURT		NP	NP	P	P	P	A semi-public Open Space available for unstructured recreation by those occupying the adjacent buildings. Access to abutting residential lots is from a Sidewalk that circumnavigates a central landscaped area. Landscaping consists of lawn and trees, formally disposed. May include ornamental species.
CLOSE		NP	NP	P	P	P	A semi-public Open Space available for unstructured recreation by those occupying the adjacent buildings. A Close is circumnavigated by a one-way Thoroughfare with parking on one side. Landscape includes lawn and trees, formally disposed. May include ornamental species.

P = PERMTTED NP = NOT PERMITTED

SEC. 7.5.005 PUBLIC LIGHTING TYPES

(a) Intent: The chart below lists the style of fixtures with regards to the appropriate Place Type Zoning District.

(b) Shield fixture types are required, but not illustrated.



ARTICLE. 7.6 WATER & WASTEWATER

(a) Water Lines: The Applicant shall provide all water lines necessary to properly serve each Lot of the Development and ensure that existing and/or new water facilities can supply the required demand for domestic use and for fire protection at the desired pressure. The Applicant shall bear all costs for extending water service from existing City water lines to the Development. All water lines and service connections shall meet the current City of Bastrop Construction Standards. The Applicant shall submit a certificate to the DRC certifying that the system has been designed in accordance with the current requirements of the state regulatory agency and the City of Bastrop.

(b) Fire Hydrants: Fire hydrants will be provided at a maximum spacing of 600 feet in Residential areas and 300 feet in Commercial or industrial areas. All hydrants shall be standard three-way post-type dry barrel hydrants complying to AWWA Standards with 6 inch or larger connections to mains. Fire hydrants shall be in accordance with current City of Bastrop Construction Standards.

(c) Wastewater Lines: The Applicant shall provide all sewer lines necessary to properly serve each Lot of the Development and ensure that existing lines and facilities can adequately serve the proposed Development. The Applicant shall bear all costs for extending existing City sewer lines and facilities to service the proposed Development. All sewer lines and service connections shall meet the current City of Bastrop Construction Standards. Connection to the City's wastewater collection system shall only be permitted if the recipient of City sewer service is also a recipient of City of Bastrop water service at the location being connected.

(d) Septic systems will not be permitted within a standard division of land. Septics systems must comply with the City Utility Standards, permits, and process.

(e) See the B^3 Technical Manual for additional Standards.

ARTICLE 7.7 EASEMENTS

(a) The Applicant platting property shall dedicate easements as follows:

(1) All easements created prior to the subdividing of any tract of land must be shown on the preliminary Plat. The Applicant shall Plat lots and dedicate easements for utilities and Drainage ways in the following manner:

A. Easements for utilities, Drainage ways, or Transmission Lines shall be retained on front, side, and/or rear Lot lines as required by the City and utility companies. Easements across parts of a Lot other than as described above shall be required as deemed necessary and most appropriate by the City. The DRC shall require access for ease of maintenance of all easements.

(2) Off-site Easements:

A. Easements in areas adjoining a proposed Development necessary to provide adequate Drainage thereof or to serve such Development with utilities shall be obtained by the Applicant prior to Final Plat approval.

(3) Privately-owned Easements.

(4) See the B^3 Technical Manual for Standards for Easements.

ARTICLE. 7.8 BICYCLE PARKING

SEC. 7.8.001 LOCATIONS

(a) This section applies to Civic Buildings and Place Types P4, P5 and EC.

(b) Short-term bicycle parking must be located within 100 feet of the main public entrance of the Building or facility.

(c) Long-term bicycle parking must be located within 500 feet of the main public entrance of the Building or facility.

(d) Bicycle parking facilities shall not interfere with accessible paths of travel or accessible parking as required by the Americans with Disabilities Act, as amended.

(e) When a rack is placed within a Sidewalk or Pedestrian right-of- way, a minimum of 4 feet from the required rack dimension shall be provided for Pedestrian clearance.

(f) Bicycle racks shall be located in highly visible and well-lit areas to minimize theft and vandalism.

(g) When automobile parking spaces are provided in a structured parking garage, all required long-term and short-term bicycle spaces shall be located inside the garage on the ground level. Alternative layout and design

of racks to maximize space may be approved by the Director of Planning & Development.



D4-3

(h) Alternative Locations: In the event that compliance may not be feasible because of demonstrable hardship, the Director of Planning & Development may approve an alternative location.

SEC. 7.8.002 LAYOUT AND DESIGN

(a) Each Bicycle Rack shall be designed to accommodate two bicycle parking spaces (two bicycle spaces per rack) while using the allowed bike rack designs below:

(1) Racks shall be designed to accommodate "U"-shaped locking devices and support the bicycle horizontally in two places.

(2) The racks shall be constructed of durable materials to withstand permanent exposure to the elements, such as powder-coated metal or stainless steel.

(3) All bicycle parking spaces must be hard-surfaced or at minimum a compact gravel base.

(4) All bicycle racks shall be securely anchored to the ground using a concrete footing and tamper-proof anchors.

(5) Decorative bicycle racks that enhance the sense of place and contribute to the character of the Development are encouraged, but are subject to approval by the Director of Planning & Development.

(b) Bicycle Parking Space Size, Access Aisles and Vertical Clearance

(1) Bicycle racks shall provide clearance from other objects by using a standard footprint that is at least 4 feet wide by 6 feet long, as depicted below, and shall hold at least two bicycles.

(2) In cases where bicycle parking spaces are not visible from the primary drive aisle approaching the Building, signage shall be used to direct cyclists safely to bicycle parking areas (Manual for Uniform Traffic

Devices Sign D4-3). These Signs shall not be placed in the public right-of-way.

Fig. 1: Examples of Typical Bicycle Parking Designs Allowed and Not Allowed:

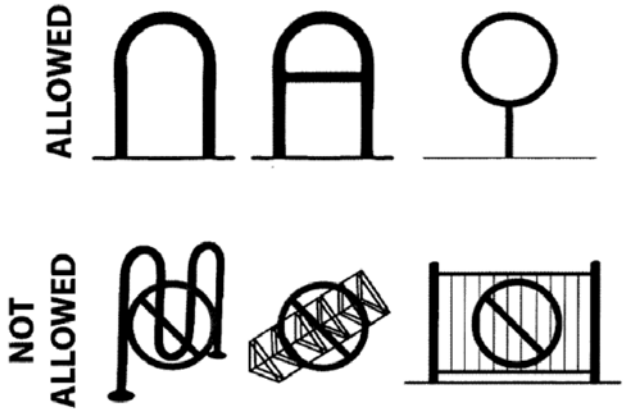
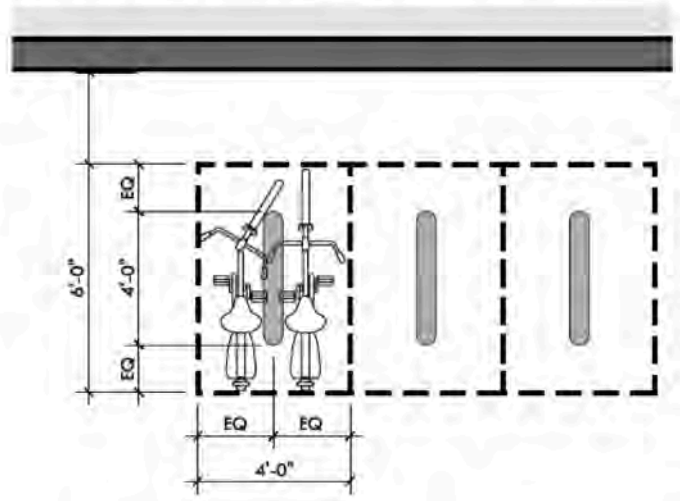


Fig. 2: Examples of Bicycle Parking Footprint and Dimensions



SEC. 7.8.003 BICYCLE PARKING REQUIREMENT

The number of bicycle parking racks shall be based on the amount of automobile parking spaces and shall be provided in accordance with the following. Where fractional bicycle parking spaces result, the spaces required shall be rounded up to the nearest whole number.

Fig. 3: Bicycle Parking Standard Chart

P5 & P4 **NON-RESIDENTIAL**	0-40 required auto spaces = 2 short-term bicycle parking spaces minimum 41-60 required auto spaces = 4 short-term bicycle parking spaces minimum 61-80 required auto spaces = 6 short-term bicycle parking spaces minimum 81-100 required auto spaces = 8 short-term bicycle parking spaces minimum 101+ required auto spaces = minimum 10 short-term bicycle parking spaces or 2.5% of required automobile spaces, whichever is greater, will be provided as short-term bicycle parking spaces
MULTIFAMILY	The minimum number of long-term bicycle parking spaces shall be equal to 10% of the required auto spaces.

(a) Bicycle parking is required in all P5 and P4 Place Types with non-Residential uses.

(b) Bicycle parking for Residential uses is only required with multifamily Building Types.

(c) The number of provided automobile parking spaces and bicycle parking spaces shall be shown in a chart format on the Site Plan. The location and footprints of bicycle racks corrals shall be shown on the Site, as well as the location of any bicycle parking signage.

(d) In all cases where bicycle parking is required, no fewer than 2 spaces (one rack) shall be required.

(e) Up to half of the required short-term bicycle parking spaces may be substituted with long-term bicycle parking spaces.

ARTICLE. 7.9 MOBILE FOOD VENDOR

SEC. 7.9.001 REQUIREMENTS APPLICABLE TO ALL MOBILE FOOD VENDORS

(a) No person shall act as a Mobile Food Vendor in the City without a permit issued by the City.

(b) Each Mobile Food Vendor shall display at all times in a conspicuous place where it can be read by the general public the City of Bastrop permit under this article and permit number.

(c) Mobile Food Vendors shall not operate within a public Park, public right-of-way, publicly owned property or Site without written permission from the City Manager or the City Manager's designee.

(d) Mobile Food Vendors must meet all applicable state and local laws and standard, including but not limited to the Rules.

(e) Mobile Food Vendors must meet all applicable laws regarding Mobile Food Vendors as described in the International Fire Code (IFC), 2018 edition.

(f) Mobile Food Vendors must operate from an approved Commissary in good standing as defined in and required by the Texas Food Establishment Rules. An existing food establishment may serve as a Commissary, if approved by the City. The Commissary shall have an approved vehicle storage facility, approved potable water hookups, approved wastewater Drainage facilities, approved grease interceptor hookup(s) and size, and any other accommodations as determined necessary by the City to ensure compliance with all regulatory codes, including but not limited to, the local Health Authority. The

Commissary shall comply with all Food Establishment Rules and hold all current licenses and permits as required by the Rules. Valid copies of the Commissary's current licenses and permits used under the Food Establishment Rules and most recent health inspection report must be kept on file with the City. Mobile Food Vendors shall provide documentation of each visit to or service by the Commissary and shall have that documentation immediately available for inspection by the City.

(g) The Mobile Food Vendor shall secure and display at all times in a conspicuous place where it can be read by he general public a health permit from Bastrop County.

(h) All employees of the permit holder must have a valid food handler's training certificate.

(i) When required, Mobile Food Vending Units must be equipped with Commercial mechanical facilities sufficient to provide proper cooking ventilation and fire suppression for eating establishments, as established under the City's adopted Building Codes. All equipment on the vehicle is to be NSF International (formerly National Sanitation Foundation) approved, American National Standards Institute (ANSI) approved, or of Commercial grade.

(j) Any Mobile Food Vendor that will be in one location for more than 4 hours shall provide covered garbage and storage facilities for employee and customer use of sufficient size that refuse is fully contained in a manner that prevents litter and remains insect- and rodent-proof.

(k) The Mobile Food Vending Unit must meet the following plumbing Standards:

A. All liquid waste shall be discharged to an approved sanitary sewage disposal system at the Commissary or through an authorized service provider. All used fats, oil, or grease shall be discharged to an approved grease interceptor at the Commissary or through an authorized service provider. Used fats, oils or grease shall not be discharged to any unauthorized food establishment grease interceptor.

i. Liquid waste shall not be discharged from the retention tank when the Mobile Food Vending Unit is open to the public or in the process of preparing food.

ii. The waste connection shall be located below the water connection to preclude contamination of the potable water system.

iii. Connections to a water or sewage system on Site is prohibited.

(l) The Mobile Food Vendor shall display at all times in a conspicuous place where it can be read by the general public a copy of a Texas sales tax and use certificate.

(m) Mobile Food Vending Units shall be separated from existing buildings and other mobile food vehicles by a minimum of 10 feet. Food Vendors shall not set up in fire lanes or parking spaces that are required for the use of an existing Business.

(n) The Mobile Food Vending Unit and any parking areas used by the Mobile Food Vendor or its customers, should be located on a paved surface or an alternative all-weather surface as approved by the City Engineer or their designee. Where providing paved or all-weather surface would be impractical or not provide a public benefit, alternative methods may be approved with a Concept Plan. Alternative methods may include, but are not limited to, portable spill berms, environmentally sensitive materials, and other methods to mitigate property damage and environmental hazards.

(o) Each Mobile Food Vending Unit shall be clearly marked with the food establishment's name or a distinctive identifying symbol and shall display the name while in service within the City.

(p) Except as shown on an approved Concept Plan, the Mobile Food Vendor shall prepare, serve, store, and display food and beverages on or in the Mobile Food Vending Unit itself; and shall not attach, set up, or use any other device or equipment intended to increase the selling, serving, storing or displaying capacity of the Mobile Food Vendor.

(q) Mobile Food Vendors must comply with City Code Section 44.1, "Noise Standards."

(r) Mobile Food Vendors must comply with City Code Section 43.1, "Outdoor Lighting Standards."

(s) Drive-through service from Mobile Food Vendors is prohibited.

(t) Alcohol sales from Mobile Food Vendors is prohibited.

(u) Access to Restroom Facilities.

(1) Any Mobile Food Vendor that will be in one location for more than 4 hours must submit to the City written proof of a restroom facility agreement that provides the availability of a fixed establishment restroom or a

portable restroom facility for the use of the Mobile Food Vendor employees and customers located in a Business establishment within150 feet of each location where the Mobile Food Vending Unit will be in operation.

(2) Proof of availability of a fixed establishment restroom shall be in the form of a written and notarized statement from the property owner or owner's authorized agent, including the name, address, and telephone number of the property owner or authorized agent, and the type of Business and hours of operation of the Business granting permission for the use of the facilities. If the Business owner is a partnership or corporation, the statement shall include the name, address, and telephone number of one of the partners or officers.

(3) Proof of availability of a portable restroom facility shall be in the form of a service contract, that includes a maintenance schedule and a receipt showing the last maintenance performed.

(4) A copy of the records shall be immediately available for inspection by the City on the Mobile Food Vending Unit.

(w) Mobile Food Vehicles must be movable by motorized or non-motorized means.

SEC. 7.9.002 MOBILE FOOD VENDORS ON PRIVATE PROPERTY

(a) Mobile Food Vending Units located on private property must comply with the following:

(1) The private property must be developed and improved, and contain an existing permanent Business operating in a Building with a Certificate of Occupancy at all times while the Mobile Food Vending Unit occupies the property. Alternatively, a Mobile Food Vendor may operate from a Mobile Food Vendor Food Court Site that is designed and intended for mobile food use as the primary use of the property. A Concept Plan will be required for a Mobile Food Vendor Court that is the primary use on a property.

(2) ElectriCity shall be from a generator and the Mobile Food Vendor shall utilize electrical cords in conformance with the National Electrical Code as adopted and amended by the City.

(3) The Mobile Food Vendor must submit with the permit Application, written authorization, or other suitable documentation showing that the owner of the

property or the owner's authorized agent consents to the Mobile Food Vendor operating on said property.

(4) Any permanent Structure will require a building permit and be subject to any applicable Standards.

(5) Two Sidewalk Signs (see Sec. 8.1.012 On-Premise Sign Types & Standards) may be used on-site during Business hours. All other signage must be on the truck or trailer and mounted flush to the surface of the unit.

SEC. 7.9.003 MOBILE FOOD VENDORS ON CONSTRUCTION SITES

For Subdivisions or Sites in any Place Type Zoning Districts that are actively under Construction and have not yet been issued a Certificate of Occupancy, a Mobile Food Vendor may operate for less than1 hour.

SEC. 7.9.004 MOBILE FOOD VENDORS PERMIT APPLICATION

(a) The Application for a Mobile Food Vendor permit shall include the following information:

(1) Name, legal name of Business or entity, Business address, telephone number, and email address of the Applicant;

(2) The Applicant's identification number as shown on a current and valid government-issued identification document that includes a photograph of the Applicant;

(3) If the Applicant represents a corporation, association, or partnership, the names and addresses of the officers or partners;

(4) Name, legal name of Business or entity, Business address, telephone number, and email address of the owner, if the owner is not the Applicant;

(5) Signed and notarized permission from all private property owners where the Mobile Food Vending Unit will be stationed;

(6) The manner of mobile food vending operation to be conducted (for example, foot vending, truck, trailer, pushcart, etc.); the make, model, year, license or registration, and vehicle identification number of each vehicle to be used in the mobile food vending operation;

(7) Proof of motor vehicle insurance for each vehicle to be used in the mobile food vending operation;

(8) An itinerary of locations where sales will occur and a location map and Sketch of Site location for each location to be used by the Mobile Food Vendor;

(9) A Concept Plan, if applicable;

(10) A copy of the vendor's current health permit from Bastrop County;

(11) If the mobile vending unit will be placed in 1 location for more than 4 hours, a written agreement from a Business within 150 feet for employees of the mobile food establishment to have use of flushable restrooms (or other facilities as approved by the Health Authority) during hours of operation;

(12) Proof of water/wastewater service;

(13) Documentation indicating the volume capacity of any required water and wastewater storage tanks either on the tank itself or in writing;

(14) Description of the type of food or the specific foods to be vended;

(15) A notarized statement from the owner of the Commissary stating that the mobile food establishment will use the facility as its base of operation and providing the address and food establishment permit number of the facility;

(16) A valid copy of the Applicant's sales tax and use tax permit; and,

(17) Any other information reasonably required by the Director of Planning & Development.

SEC. 7.9.005 MOBILE FOOD VENDOR PERMITS

(a) Permit Determinations:

The City will evaluate the data furnished by the Applicant and may require additional information. Within 14 days of receipt of a completed permit Application, the City will determine whether or not to issue a Mobile Food Vendor permit.

(b) The City may deny an Application for a permit on any of the following grounds:

(1) Failing to provide all of the information required by the City;

(2) The Applicant's past record of ordinance violations;

(3) Safety record of the Applicant or any driver, based on such things as civil and criminal lawsuits and violations of environmental laws and ordinances; and,

(4) Providing false, misleading, or inaccurate information to the City.

(c) Permits are not transferable.

SEC. 7.9.006 PERMIT REVOCATION AND APPEAL

(a) The City Manager or City Manager's designee may revoke a permit issued under this Code by a Mobile Food Vendor if the permit holder or the permit holder's employee:

(1) Commits critical or repeated violations of applicable law; or

(2) Knowingly provides false information on an Application; or

(3) Interferes with the Health Authority in the performance of the Health Authority's duties; or

(4) If a permitted establishment under this Article changes ownership and there are violations that must be corrected to meet applicable Standards.

A. Before revoking a permit, the City shall provide the permit holder or person in charge with written notice of the pending permit revocation.

B. The written notice shall include:

i. The reason(s) the permit is subject to revocation; and, if applicable:

ii. The date that the permit is scheduled to be revoked; and,

iii. A statement that the permit will be revoked on the scheduled date unless the permit holder files a written request for a meeting with the City no later than the 10th day after the date the notice is served.

iv. The Applicant may Appeal the revocation of a permit by submitting a written request for Appeal along with any evidence supporting the Appeal to the ZBA within 10 days of receiving the notice of revocation. The ZBA will make a decision within a reasonable time of receipt of the Appeal, but no later than 30 days after receipt. The ZBAs' decision shall be final.

SEC. 7.9.007 INSPECTIONS

(a) The City may inspect a Mobile Food Vendor during regular Business hours and at other reasonable times to determine compliance with this Code.

(1) After conducting an inspection, the City shall inform the Mobile Food Vendor of findings.

(2) If a violation is found, the City shall:

A. Close the unit; or,

B. Prescribe a reasonable time period for correction of violations. Re-inspections at prescribed time intervals will be conducted to determine whether required corrections have been made.

SEC. 7.9.008 PENALTY

A violation of this Code is considered a violation pertaining to fire safety, zoning, public health and/or sanitation and is punishable by a fine not to exceed $2,000.00 in accordance with City Code Section 1.01.009.

CHAPTER 8:
SIGNS



ARTICLE 8.1 SIGNS

SEC. 8.1.001 INTENT

The intent of regulating Signs that are visible from the Public Frontage is to ensure proper dimensioning and placement with respect to existing or planned architectural features, to maintain or improve public safety, to maintain or improve the aesthetic character of the context where they are located, and to provide legible information for pedestrians, not just drivers.

SEC. 8.1.002 PURPOSE

The purpose of a Sign permit is to authorize the display, erection, rebuilding, restructuring, expansion, relocation, or structural Alteration of any on-premise or Off-Premise Sign.

SEC. 8.1.003 APPLICABILITY

These Standards apply to all property within the City Limits and the ETJ of the City of Bastrop as it exists at the time this Code was adopted and as it may be amended and expanded in the future.

SEC. 8.1.004 ENFORCEMENT

(a) It is an offense for a person to violate, a section of this chapter designated as an offense commits a misdemeanor punishable by a fine. A violation occurs when a person violates or causes, allows, or permits a violation of this chapter.

(b) Each violation of this chapter designated as an offense constitutes a separate offense.

(c) No culpable mental state is required to prove an offense under this chapter if this offense involves:

(1) Placement of a Sign in the right-of-way;

(2) Placement of a Sign in another person's property without the person's permission; or,

(3) Placement of a Sign that encumbers access to a person's property or encumbers use of a Street, Sidewalk, trail, Path, or Driveway.

SEC. 8.1.005 PROHIBITED SIGNS

(a) All Signs are prohibited in the City Limits and the Extraterritorial Jurisdiction (ETJ) unless:

(1) Constructed, maintained, structurally altered, or improved pursuant to a valid permit when required under this Code; and,

(2) Expressly authorized under the City of Bastrop's B3 Code.

(b) Signs that cannot be expressly authorized include:

(1) Signs located in or projected over any public right-of-way or across the public right-of-way line extended across a railroad right-of-way, except when attached to and projecting no more than 18 inches from a Building wall legally located at or near the right-of-way line in the City Limits or in the ETJ.

(2) Portable Signs.

(3) Off-Premise Sign (including Billboards) containing Commercial advertising for the sale, rent, or lease of goods, real property, or services.

(4) Signs with lights that blink, fluctuate, or move. Light rays must shine only upon the Sign and upon the property within the Premises where the Sign is located.

(5) Signs of a size, location, movement, coloring, or manner of illuminating that may be confused with or construed as a traffic control device.

(6) Signs that are attached to any utility pole or wire, traffic Sign, or public easement or are placed on government-owned property unless placed by written permission of the governmental entity.

(7) Signs that obstruct any fire escape, required exit, window, or door opening intended as a means of egress.

(8) Boxes, tires, or other goods stored in view of the Street, etc. that have large product identification that serves as a Sign.

(9) Feather Banners.

(10) Commercial Signs or advertising materials that are worn, held, or attached to a person's body advertising the sale of goods, real property, or services.

(11) Balloon Signs.

(12) Inflatable Signs.

(13) Banners.

(14) Pennants.

(15) Pole Signs other than along Hwy. 71.

(16) Roof Signs (including Signs that are otherwise authorized but are placed on a roof or on a Mobile Food Vendor or vehicle).

(17) Signs placed or attached to trees, bushes, planters, benches, or other Pedestrian elements.

(18) Signs on trash receptacles except for Signs that are required by law, provide direction on the trash receptacle's use, provide safety instructions, or are otherwise customarily found on trash receptacles as a means of identifying the trash collection company.

(19) Flags with a Commercial message.

SEC. 8.1.006 OFF-PREMISE SIGNS (BILLBOARDS)

(a) No permit for Alteration or relocation may be issued for an off-Premises Signs.

(b) Alteration. An off-Premises Sign may not be altered regarding amount of surface area, shape, orientation, Height, illumination, or location without the prior issuance of a Sign Alteration or relocation permit. Ordinary and routine necessary repairs that do not change the size, shape, orientation, Height, illumination, or location of an inventoried off-Premises Sign do not require an Alteration permit. A Sign Alteration permit expires if the approved modifications are not completed within 90 days of permit issuance.

(c) Maintenance. If the City finds that any off-Premises Sign is not maintained in good repair, the City will notify and order the owner to repair the Sign within 30 calendar days. If the City finds that the Sign Structure or Sign area of an off-Premises Sign has deteriorated more than 60% of its replacement value or is not repaired within 30 calendar days, the City shall notify the owner of the off-Premises Sign and the owner of the real property where the off-Premises Sign is located to remove the off-Premises Sign or poster panel from the property within a specified time. Replacement of more than 60% of an off-Premises Sign during one calendar year shall void the legal nonconforming status of the Sign and require immediate Removal or conformance with current Standards. All off-Premises Signs ordered to be removed shall be stricken from the authorized list.

(d) No existing billboard shall exceed 40 feet in Height from the ground level. No existing billboard shall interfere with the visibility of pedestrians or drivers of motor vehicles at Street intersections or otherwise obstruct traffic or create a traffic hazard.

SEC. 8.1.007 NONCONFORMING SIGNS

(a) Signs in Existence Prior to this Code. A Sign existing on the effective date of the Development Code that violates this Article or any other ordinance, and a Sign that comes under the jurisdiction of this Chapter due to the expansion of the City, is a legal Nonconforming Sign and may be continued, repaired, and maintained in good condition, but may not be otherwise altered.

(b) Voluntary Removal. Voluntary Removal of a Nonconforming Sign for purposes other than maintenance shall terminate its status as a legal Nonconforming Sign. Replacing a Sign cabinet is not considered maintenance.

SEC. 8.1.008 EXEMPTED SIGNS

(a) The following Signs authorized under this Section are authorized in every Place Type or property in the ETJ without a permit, unless specifically required below:

(1) Government Signs including Signs placed by the City, state, or federal government governing in their official capacity.

(2) Traffic control devices that are erected and maintained to comply with the Texas Manual on Uniform Traffic Control Devices.

(3) Signs required by this section.

(4) Signs required by other law, including federal, state, or local law, including a Sign that a property owner is required to post on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically; the owner must comply with the federal, state, or local law to post a Sign on the property.

(5) Official governmental notices and notices posted by governmental officers in the performance of their duties for regulatory purposes such as neighborhood crime watch areas, to identify Streets, or to warn of danger including those placed by the City, County, federal or state.

(6) Signs displayed on trucks, buses, trailers, mobile food vendors, or other vehicles that are less than 32 square feet and are being operated as motor vehicles, provided that the primary purpose of the vehicles is not for display of Signs and provided that they are parked in areas appropriate to their use as vehicles, are in operable condition, and carry a current and valid license plate and state inspection tag. Vehicle Signs shall conform to the following restrictions:

A. Vehicular Signs shall contain no flashing or moving elements;

B. Vehicular Signs shall not be attached to a vehicle so that the driver's vision is obstructed from any angle; and,

C. Signs, lights and signals used by authorized emergency vehicles shall not be restricted.

(7) Vending Machine Signs where the Sign Face is not larger than the normal dimensions of the machine to that the Sign is attached.

(8) Memorial Signs or tablets when cut into any masonry surface or attached to a Building when constructed of bronze or other metal up to 6 square feet as part of a Building.

(9) Real Estate Signs.

A. Signs containing the message that the real estate where the Sign is located is for sale, lease, or rent together with information identifying the owner or agent.

B. A real estate Sign may not exceed 4 square feet in size for Residential properties or 16 square feet in size for Nonresidential properties.

(10) Any Sign wholly within the confines of a Building and oriented to be out of view from outside the Building.

(11)Any Sign who wholly within the confines of a sports field or court and oriented to be out of view from outside the field or court. No Sign under this section may be larger than 32 square feet. The maximum Height for a field Sign shall not exceed 6 feet.

(12) A non-Commercial Sign that is carried by a person or is a bumper sticker on a vehicle.

(13) Business-related Signs on or visible through doors or windows indicating: store hours, security systems, trade organization memberships, credit cards accepted, no solicitation, and open/closed. These Signs will not count towards the cumulative Sign area limits so long as their total cumulative Sign area does not exceed 5 square feet.

(14) Changing a Commercial message to a noncommercial message on any legal Sign surface. Any Sign surface where a Commercial message may contain a noncommercial message.

SEC. 8.1.009 SIGNS REQUIRING A PERMIT

(a) Building Signs:

A Building Sign is an on-Premises Sign that is directly attached to, erected on, or supported by a Building or other Structure having a principal function other than the support of such Sign.

(1) Building Signs Types:

A. Address Sign

B. Awning Sign

C. Band Sign

D. Blade Sign

E. Marquee Sign

F. Nameplate Sign

G. Outdoor Display Case Sign

H. Window Sign

(2) General Requirements:

A. Size. The maximum size of the sum of the area of all Building Signs may not exceed 15% of the Facade area of the tallest floor.

B. Number. More than one Building Sign may be erected, provided the total surface area allowed is not exceeded.

C. Height. No Building Sign may extend above the parapet wall or roof line of the Building.

D. Projection / Clearance. With the exception of a blade Sign, no Building Sign may project more than 6 inches from the Building wall. All Signs that project more than 6 inches from the wall must maintain a clear Height of 8 feet above the ground.

E. Illumination. Building Signs may only be externally illuminated. No Sign may be illuminated except during operating hours of the use with which it is associated. Lighting shall be directly directed down toward the Sign and shielded so that it does not shine directly into a public right-of-way and does not interfere with the safe vision of motorists or people passing by. All Standards must meet the the Lighting Standards within this Code.

(b) Freestanding Signs:

A Freestanding Sign is an on-Premises Sign not directly attached to, erected on, or supported by a Building or other Structure having a principal function other than the support of such Sign, but instead attached to, erected on, or supported by some Structure such as a pole, frame, or other Structure that is not a part of the Building.

(1) Freestanding Signs Types:

A. Sidewalk Sign

B. Yard Sign

(2) General Requirements:

A. Size. Allocation of Sign area is based on the linear Frontage of the Project Site. A maximum Sign area of 1 square foot for each 2 linear feet of Frontage, provided that the maximum surface area does not exceed 16 square feet.

B. Number. One Freestanding Sign is allowed on any Lot. If a Master Sign Plan is approved, two Freestanding Signs may be allowed on a Lot or Project having a minimum Frontage of 300 feet.

C. Illumination. Freestanding Signs may only be externally illuminated. Lighting shall be directly directed down toward the Sign and shielded so that it does not shine directly into a public right-of-way and does not interfere with the safe vision of motorists or people passing by. All Standards must meet the City's Code.

(c) Monument and Pole Signs:

A Freestanding Sign with single or multiple tenants, no more than 35 feet in Height, and having a ratio of less than 4:1 Sign width to narrowest width of support structure.

SEC. 8.1.010 ON-PREMISES FREESTANDING SIGNS (MONUMENT SIGN)

(a) Allowed Signs and Standards. Permanent on-Premises Freestanding Signs are subject to the following Standards:

(1) The number of these Signs on a Premises is limited to one per Street frontage. The following are not counted in this limitation:

A. Directional Signs up to 12 square feet in area, provided the number of these Signs does not exceed the number of driveways; and

(b) Maximum Height

(1) The maximum Height of any on-Premises Signs shall not exceed the following:

A. 35 feet along all Thoroughfares within P5 Place Types.

(c) Maximum Sign Area.

(1) A Signs Height to width ratio may not exceed 4:1.

SEC. 8.1.011 SIGN PERMIT REQUIREMENTS

(a) Applications for a Sign permit must be processed through the City pursuant to this Code.

(b) Requirements. Except as otherwise provided for herein, no Sign shall be erected, posted, painted, or otherwise produced, changed, or reconstructed, in whole or in part, within the City Limits and ETJ of the City without first obtaining a permit.

(c) Applications: Application for a permit required by this Code shall be made upon forms provided by the City. The Application for Sign permits shall contain all information, drawings, and specifications necessary to fully advise the City of the type, size, shape, location, Place Type Zoning District, if within City Limits, Construction, and materials (if in Historic District) of the proposed Sign, and the Building Structure or Premises where it is to be placed. Drawings shall also show all existing Signs on the property. An Application is not considered complete until all necessary information listed in this Code are provided with the Application.

(d) Application for permit. An application for a Sign permit must be Filed with the City. An Application for any Sign must state the date when the owner intends to erect the Sign.

(e) All Applicants must provide sufficient proof, to be determined by the City, showing a real property ownership interest in the property where the Sign will be

located or sufficient proof of authorization from the real property owner for Sign placement on the property.

(f) An Application shall include:

(1) Name, address, and telephone number of the owner of the Sign;

(2) Name, address, and telephone of lessor sponsoring the Sign, if any;

(3) Name, address, and telephone number of the contractor, if any, installing the Sign;

(4) Name, address, and telephone number of the property where the Sign is to be installed;

(5) Date when it is to be installed;

(6) Place Type Zoning District, if in the City Limits, where the proposed Sign will be located;

(7) Any Warrant that will be requested or has been approved; and,

(8) An illustration or photograph including the location, appearance, and dimensions of the proposed Sign.

(9) An illustration or photograph of the position of the Sign on a Building or on the ground in plain view, drawn to scale, and Elevation views, drawn to scale.

(10) If required by the City, a copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction and in any amount required by this chapter or by the Building Code or other laws adopted by the City.

(11) An application is not considered complete unless all the above information is provided with the Application.

(g) The City shall promptly process the Sign permit Application and approve the Application, reject the Application, or notify the Applicant of deficiencies in the Application within 21 calendar days after receipt or within 7 days, if the Sign requested is a real estate Sign. Any Application that complies with all provisions of this Code, the Building Code, and other applicable laws, Standards, and ordinances shall be approved after inspection and approval of the plans and the Site.

(1) If the Application is rejected, the City shall provide in writing a list of the reasons for the rejection. An application shall be rejected for non-compliance with

the terms of this Code, Building Code, B3 Technical Manual or other applicable law, Standards, or ordinance. If the permit Application does not comply with the City ordinances after resubmission and review by City and no variances have been applied for, the Applicant must pay a reapplication fee before the City will review the Application again.

(2) If no action is taken by the City within 21 calendar days after receipt, the City shall not collect a fee for the Sign permit Application. The City then shall approve or reject the Application as soon as practical after the 21-day deadline. A new 21-day deadline begins at each submission. However, if the City has not approved or rejected the permit within 45 calendar days after the completed Application is Filed, the Applicant can file a complaint to the ZBA as if the permit had been denied.

(h) Duration and revocation of permit. If a Sign is not completely installed within 6 months following the issuance of a Sign permit, the permit shall be void. The City may revoke a Sign permit under any of the following circumstances:

(1) The City determines that information in the Application was materially false or misleading;

(2) The Sign as installed does not conform to the Sign permit Application;

(3) The Sign violates this Code, Building Code, B3 Technical Manual, or other applicable law, standard, or ordinance; or

(4) The City determines that the Sign is not being properly maintained or has been abandoned.

(i) Appeals. If the City denies a permit, the Applicant may Appeal through Warrant granted by the Planning & Zoning Commission.

(j) All applications for permits shall include a drawing to scale of the proposed Sign and all existing Signs maintained on the Premises and visible from the right-of-way, a drawing of the Lot plan or Building Facade indicating the proposed location of the Sign, and specifications for its Construction, Lighting, motion, and wiring, if any. All drawings shall be of sufficient clarity to show the extent of the work.

(k) Qualifications. Only those individuals who properly obtained a permit by the City, the City's designee, or other statutorily required permit or approval shall receive a permit to erect or alter any Sign. Permits for the

installation, erection, or Alteration of any electrical components on a Sign shall be issued only to those individuals who hold a Commercial Sign operator's license and master electrician's license. It is an offense for any person licensed under the provisions of this Code to obtain a permit on behalf of, or for the benefit of, any unlicensed person whose Business activities are such that such unlicensed person would need a license to obtain a permit.

(l) Conditions for issuing permits. No permit for the erection or Alteration of any Sign over any Sidewalk, Alley, or other public property, or on or over any roof or Building shall be issued to any person except upon the condition that the permit may be withdrawn at any time, at which time the Sign shall be immediately removed by the Responsible Party, who will also be liable under the penalties provided for in this Code.

(m) Issuance. A new permit shall not be issued when:

(1) An existing billboard (off-Premises) Sign is in a deteriorated, unsafe, or unsightly condition.

(2) A Sign on the Premises is not in compliance with this Code.

(3) Authorization of the property owner where the Sign is to be placed has not been obtained.

(4) Inspection. Any Sign that a permit is issued shall be inspected after its erection for conformity to the provisions of this Code.

(5) Fees. No permit shall be issued until applicable fees have been paid to the City. Fees may be subject to change without prior notification. The Sign permit fee schedule shall be in accordance with the fee schedule enacted by the City Council and located at City Hall.

(6) Before any permit may be issued for a new Sign under this chapter, the Responsible Party shall modify or remove any of its own nonconforming Signs and Sign structures displayed or erected on the same property that the permit is being sought, so that all the Signs and Sign structures they are responsible for on the property conform to the provisions of this chapter. This provision does not apply to real estate Signs, banners, temporary Signs, or Sidewalk Signs. This provision does not apply to nonconforming Signs with a Variance.

ARTICLE 8.2 MASTER SIGN PLANS

(a) A Master Sign Plan is a comprehensive document containing specific regulations for an entire Project's Signs. Master Sign Plans are appropriate for Planned Development Districts, Master Planned Developments, development agreements or in the case where a Project applicant is seeking several variances to the Signs Chapter of the B^3 Code. Master Sign Plans may be submitted with Zoning Concept Schemes or Neighborhood Regulating Plans.

(1) Master Sign Plans for areas with a multi-unit complex are highly encouraged to meet the unique needs of each multi-unit complex.
(2) All owners, tenants, subtenants and purchasers of individual units within the Development shall comply with the approved Master Sign Plan.

SEC. 8.2.001 APPROVAL OF MASTER SIGN PLANS

(a) A Responsible Party that seeks approval of a Master Sign Plan must file a request for a Master Sign Plan with the Sign Administrator along with a Sign permit fee, as stated in the City's most recent fee schedule. The Sign Administrator will indicate what documentation the Responsible Party must provide in support of the request.

(b) Once the necessary documentation has been provided to the Sign Administrator, the Sign Administrator may administratively deny or approve the Master Sign Plan, with or without conditions.

(c) The Sign Administrator may determine to present the Master Sign Plan to the City Council for approval or denial in lieu of Administrative Approval.

(d) If the Responsible Party disagrees with a decision of the Sign Administrator to deny a Master Sign Plan, or disagrees with the conditions placed on a Master Sign Plan by the Sign Administrator, the Responsible Party may submit a written request that the City Council review the Master Sign Plan request, the supporting documents, and the Sign Administrator's decision. The City Council can affirm, reverse, or modify the decision of the Sign Administrator.

(e) The City Council has final authority to approve a Master Sign Plan or conditions on a Master Sign Plan.

(f) A Master Sign Plan ordinance can modify Variance procedures for its specific property.

SEC. 8.2.002 PROCEDURE FOR VARIANCES TO MASTER SIGN PLANS

(a) A Responsible Party that wants a Variance from a Master Sign Plan adopted under this chapter must file a request for Variance with the Sign Administrator along with a Variance fee, as stated in the City's most recent fee schedule. The Sign Administrator will indicate what documentation the Responsible Party must provide in support of the request.

(b) Once the necessary documentation has been provided to the Sign Administrator, the Sign Administrator may administratively deny or approve a Variance, with or without conditions, from an adopted Master Sign Plan if the change is related to:

(1) Change the location of the Sign within the area designated by the Master Sign Plan;

(2) Change the location of the Sign within the right-of-way or into the right-of-way so long as a license agreement is presented and approved by the Sign Administrator;

(3) Change illumination of the Sign so long as the illumination complies with Section 6.5.004 - Outdoor Lighting;

(4) Change of Sign Face so long as the size of the Sign Face is not increased;

(5) Change in number of panels or size of panels on a Monument Sign so long as total size of Sign Face is not increased; or

(6) Change in letter size or line number so long as total size of Sign Face is not increased.

(c) Administrative Approval is not allowed and Variance procedures in Section 8.2.003 - Variances - shall be followed if:

(1) Additional Signs are requested;

(2) Increase in the size of the Sign is requested;

(3) Change in Sign type is requested;

(4) Increase in the Height of the Sign is requested; or

(5) The Sign Administrator determines the Variance request shall be reviewed in the regular Variance process.

(d) If the Responsible Party disagrees with a decision of the Sign Administrator to deny a Variance request, or disagrees with the conditions placed on a grant of a Variance by the Sign Administrator, the Responsible Party may submit a written request that the ZBA review the Variance request, the supporting documents, and the Sign Administrator's decision. The ZBA can affirm, reverse, or modify the decision of the Sign Administrator.

(e) The ZBA has final authority to approve a Variance or conditions on a Variance.

(f) A Master Sign Plan ordinance can modify Variance procedures for its specific property.

SEC. 8.2.003 VARIANCES

(a) A Responsible Party that wants a Variance from the Sign Chapter of the B^3 Code must file a request for Variance with the Sign Administrator along with a Variance application fee, as stated in the City's most recent fee schedule. The Sign Administrator will indicate what documentation the Responsible Party must provide in support of the request.

(b) Once the complete and necessary documentation has been provided to the Sign Administrator, the Sign Administrator shall review the request and make a determination based on the documentation provided by the Responsible Party.

(c) The Sign Administrator may, in specific cases and subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the requirements of this Chapter will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of this Chapter:

(1) Permit a Variance for a noncommercial or Commercial Sign of the Setback, effective area, size of internal components of a Sign so long as total size of Sign Face is compliant, or Height requirements of this Chapter;

(2) Authorize one additional Sign on Premises more than the number permitted by this Chapter; or

(3) Approve an increase in Height up to four (4) feet.

(d) Other requests for variances shall be forwarded to the ZBA. The ZBA may decide, subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the

requirements of this Code will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of this Chapter.

The Sign Administrator and ZBA shall consider:

(1) Special or unique hardship because of the size or shape of the property on which the Sign is to be located, or the visibility of the property from public roads.

(2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a Sign is to be located.

(3) Proposed Sign location, configuration, design, materials and colors are harmonious.

(4) The Sign and its supporting structure is in architectural harmony with the surrounding Structures.

(5) Mitigation measures related to the Sign in question or other Signs on the same Premises.

(6) Demonstrated and documented correlation between the Variance and protecting the public health and safety.

(7) Whether the Sign could have been included in a Master Sign Plan. Master Sign plans are highly encouraged. The City will be more inclined to favorably consider a Variance request when the Variance is part of a Master Sign Plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the Sign for which a Variance is sought could have been included in a Master Sign Plan and considered in the course of a comprehensive review of the entire Project's signage.

(8) The Sign Administrator may authorize the remodeling, renovation, or alteration of a Sign when some nonconforming aspect of the Sign is thereby reduced.

(f) Where a permit was required for a Sign's erection according to the law in effect at the time the Sign was erected and where the Sign Administrator finds no record of a permit being issued, the Sign Administrator may authorize the issuance of a replacement permit when, from the evidence presented, the Sign Administrator finds either that a permit was issued or that arrangements were made with a sign company to obtain such permit.

(g) If a Variance applicant wishes to appeal the decision of the Sign Administrator, the applicant shall file for an appeal with the ZBA within10 days of receipt of the Sign Administrator's decision. The ZBA shall consider the appeal at its next regular meeting or as soon as practicable. The ZBA shall either:

(1) Approve, reject, or approve upon condition the Variance Application, if any, at its meeting;

(2) Postpone its decision on the request of the applicant; or,

(3) Postpone its decision to its next regular meeting for good cause based on need for further review by the board of adjustment. Upon approval by the board of adjustment, the Sign permit and variances, if any, the permit shall be issued by the city administrator or the administrator's designee.

SEC. 8.2.004 CONDITIONS

(a) The Sign Administrator or ZBA may impose conditions upon the granting of a Variance under this chapter. Such conditions must be related to the Variance sought and be generally intended to mitigate the adverse effects of the Sign on neighboring tracts and the general aesthetic ambiance of the community. A non-exhaustive list of examples of conditions include increased setbacks, added vegetation, muted colors, and decreased Lighting. The ZBA may condition Sign variances on the Responsible Party bringing other existing, nonconforming Signs into compliance with current regulations. A Responsible Party's failure to comply with conditions placed on a Variance may result in the ZBA voiding the Variance and authorizing all available code enforcement actions and other remedies available in equity or at law.

a)

	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
ADDRESS SIGN		P	P	P	P	a. **Quantity**: 1 per Address max. b. **Area:** 2 sf max. c. **Width:** 24 in max. d. **Height:** 12 in max. e. **Depth / Projection:** 3 in max. f. **Clearance:** 4.5 ft min. g. **Letter Height:** 6" max.
DESCRIPTION	Address Signs shall be made easily visible through the use of colors or materials that contrast with their background and shall be attached to the Facade or Principal Entrance of the unit they identify.					
SIGN DETAILS	i. Address Sign numerals applied to a House-form Residential, Commercial, or office buildings shall be between 4 and 6 inches tall. Address Sign numerals applied to individual Dwelling units in apartment buildings shall be at least 2 inches tall. ii. Address Signs shall be easily visible by using colors or materials that contrast with their background. iii. Address Signs shall be constructed of durable materials. iv. The address Sign shall be attached to the front of the Building in proximity to the Principal Entrance or at a mailbox.					

b)

	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
AWNINGS & SIGNS				P	P	a. **Quantity:** 1 per window max. b. **Area:** n/a c. **Width:** width of face max. d. **Height:** n/a e. **Depth / Projection:** 4 ft min. f. **Clearance:** 8 ft min. g. **Letter Height:** 5 in min., 10 in max. h. **Valance Height:** 12 in max. i. **Distance from Curb:** 2 ft min.

DESCRIPTION

Awning Signage shall be limited to no more than 70% of the the Valance of the awning or the vertical portion of a dome awning. The Height of the Valance shall not exceed 12 inches. Awning Signs shall contain only the Business name, Logo, and/or Street address.

SIGN DETAILS

i. The following variations of awnings, with or without Sign Bands, are permitted: (1) Fixed or retractable awnings; (2) Shed awnings; (3) Dome awnings

ii. Other awning types may be permitted by Warrant.

iii. Signage shall be limited to the Valance of the awning or the vertical portion of a dome awning.

iv. No portion of an awning shall be lower than 8 feet Clearance.

v. Awnings shall be a minimum of 4 feet in depth.

vi. Awnings shall not extend beyond the width of the Building or tenant space, nor encroach above the roof line or the Story above.

vii. The Height of the Valance shall not exceed 12 inches.

viii. Awning Signs shall contain only the Business name, Logo, and/or Street address.

ix. Letters, numbers, and graphics shall cover no more than 70% of the Valance area.

x. Awning Signs shall not be internally illuminated or backlit.

c)

	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
BAND SIGNS				P	P	a. **Quantity:** 1 max. (2 for corner buildings) b. **Area:** 1.5 sf per linear ft Facade c. **Width:** 90% max. width of Facade d. **Height:** 3 ft max. e. **Depth / Projection:** 7 in max. f. **Clearance:** 7 ft min. g. **Apex:** n/a h. **Letter Height:** 18 in max.

DESCRIPTION	1 Band Sign limited to 90% of the width of the Building Facade shall be permitted for each Building with a Commercial Use. Information shall consist only of the name and/or Logo of the Business.
SIGN DETAILS	i. All businesses are permitted 1 Band Sign on each first Story Facade. ii. Band Signs shall include only letters, background, Lighting, and an optional Logo. Information shall consist only of the name and/or Logo of the Business. Band Signs shall not list products, sales, or other promotional messages, or contact information. iii. The following Band Sign Construction types are permitted: Cut-out Letters. Letters shall be individually attached to the wall or on a separate background panel, and shall be externally illuminated. (1) Flat Panel. Letters shall be printed or etched on same surface as the background, that is then affixed to the wall and externally illuminated. (2) Channel Letters by Warrant. Each letter shall have its own internal Lighting element, individually attached to the wall or onto a separate background panel. The letter shall be translucent, or solid to create a backlit halo effect.

d)

	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
BLADE SIGNS				P	P	a. **Quantity:** 1 per Facade max. 2 max. b. **Area:** 4 sf max. In P2, P3 & 6 sf max. in P4, P5 c. **Width:** 4 ft max. d. **Height:** 4 ft max. e. **Depth / Projection:** 4 ft max. f. **Clearance:** 8 ft min. g. **Apex:** n/a h. **Letter Height:** 8 in max.

DESCRIPTION	Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story. One Blade Sign shall be permitted for each Business if the Facade is no more than 5 feet from the Principal Frontage Line. Blade Signs may encroach into the Public Frontage up to 4 feet, shall clear the Sidewalk by at least 8 feet, and shall not encroach above the bottom of any second Story windows. Blade Signs shall be limited to the name and/or Logo of the Business.
SIGN DETAILS	i. Blade Signs may be double-sided. ii. Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story. iii. Businesses shall be permitted 1 Blade Sign where its Principal Frontage Lin is no more than 5 feet from the Facade. Businesses that have a Secondary Frontage line that is no more than 2 feet from the Facade shall be permitted 1 additional blade Sign on that Facade. iv. Blade Signs may encroach into the Public Frontage up to 4 feet and shall clear the Sidewalk by at least 8 feet. v. Blade Signs shall not encroach above the roof line nor above the bottom of the second Story window. vi. Text and graphics on the Blade Sign shall be limited to the name and/or Logo of the Business. Slogans, address labels, operating hours and contact information shall not be permitted. vii. Mounting hardware, such as supports and brackets, may be simple and unobtrusive or highly decorative, but shall complement the design of the Sign, the Building, or both. viii. For buildings with multiple Signs, mounting hardware or Sign shapes, sizes and colors shall be Coordinated.

e)

PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
MARQUEE SIGNS 				P	a. **Quantity:** 1 per Business max. b. **Area:** n/a c. **Width:** entrance plus 2 ft each side d. **Height:** 50% Story Height max. e. **Depth / Projection:** 4 ft min.;10 ft max. f. **Clearance:** 10 ft min g. **Apex:** n/a h. **Letter Height:** n/a i. **Distance from Curb:** 3 ft min.

DESCRIPTION

Marquees shall be located only above the Principal Entrance of a Building, shall provide a minimum clearance of 10 feet, and may Encroach the Public Frontage to within 2 feet of the Curb. Message Boards shall be permitted as part of Marquees.

SIGN DETAILS

i. Marquees shall be located only above the Principal Entrance of a Building.

ii. No Marquee shall be wider than the entrance it serves, plus 2 feet on each side thereof.

iii. No portion of a Marquee shall be lower than 10 feet Clearance.

iv. No Marquee shall extend closer to the Curb than 3 feet.

v. Columns or posts may be used as supports for Marquees 8 feet deep or deeper if approved by the DRC.

vi. All Marquees, including anchors, bolts, supporting rods, and braces, shall be constructed of non-combustible materials and shall be designed by a structural engineer submitted for approval to the Building Official.

vii. Marquee components and materials may vary. Anchors, bolts, and supporting rods should be limited to the interior of the Marquee.

viii. Message Boards shall be permitted as part of Marquees.

ix. A Band Sign shall be permitted above a Marquee.

f)

	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
NAMEPLATE SIGNS				P	P	a. **Quantity:** 1 max. b. **Area:** 3 sf max. c. **Width:** 18 in max. d. **Height:** 2 ft max. e. **Depth / Projection:** 3 in max. f. **Clearance:** 4 ft min. g. **Apex:** 7 ft max. h. **Letter Height:** n/a

DESCRIPTION	1 Nameplate per address limited to 3 square feet may be attached to a Building wall within 10 feet of a Principal Entrance.
SIGN DETAILS	i. Nameplates shall consist of either a panel or individual letters applied to a Building wall within 10 feet of an entrance to the Building. ii. One Nameplate shall be permitted per address. iii. Nameplates shall not exceed 3 square feet. iv. Nameplates shall be constructed of durable materials.

g)

	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
OUTDOOR DISPLAY CASE				P	P	a. **Quantity:** 1 max. b. **Area:** 6 sf max. c. **Width:** 3.5 ft max. d. **Height:** 3.5 ft max. e. **Depth / Projection:** 5 in max. f. **Clearance:** 4 ft min. g. **Apex:** n/a h. **Letter Height:** n/a

DESCRIPTION	Outdoor Display Cases shall not exceed 6 square feet and may be internally illuminated.
SIGN DETAILS	i. Each Outdoor Display Case shall not exceed 6 square feet. ii. Outdoor display cases may be externally or internally illuminated. iii. Theaters may be permitted larger outdoor display cases by Warrant. iv. Outdoor display cases shall not be attached to Shopfront windows.

h)

	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
SIDEWALK SIGN				P	P	a. **Quantity:** 1 Building max. b. **Area:** 3 sf max. c. **Width:** 24 in max. d. **Height:** 2 ft max. e. **Depth / Projection:** 3 in max. f. **Clearance:** 4 ft min. g. **Apex:** 7 ft max. h. **Letter Height:** n/a

DESCRIPTION	1 Freestanding, double-sided, temporary Sidewalk Sign may be placed within the Parking Strip of the Public Frontage for each Business. Sidewalk Signs shall be removed at the close of Business each day.
SIGN DETAILS	i. Sidewalk Signs shall consist of Freestanding, double-sided temporary Signs placed at the entrance to a Business in a primarily Pedestrian environment. ii. Sidewalk Signs shall be removed at the close of Business each day. iii. 1 Sidewalk Sign shall be permitted for each Business. iv. Sidewalk Signs shall not exceed 42 inches in Height or 26 inches in width. v. Sidewalk Signs shall be moved inside during high winds or other weather conditions that might pose a hazard to public safety.

i)

	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
WINDOW SIGN				P	P	a. **Quantity:** 1 per window max. b. **Area:** 25% coverage per window c. **Width:** n/a d. **Height:** n/a e. **Depth / Projection:** n/a f. **Clearance:** 4 FT min. g. **Apex:** n/a h. **Letter Height**: 8 in max.

DESCRIPTION

Window Signs shall not interfere with the primary function of windows, that is to enable passersby and public safety personnel to see through windows into Premises and view product displays.

SIGN DETAILS

i. Only the following Window Sign types shall be permitted:

ii. Vinyl applique letters applied to the window. Appliques shall consist of individual letters or graphics with no visible background.

(a) Letters painted directly on the window.

(b) Hanging Signs that hang from the ceiling behind the window.

(c) Neon Signs.

(d) Door Signs applied to or hanging inside the glass portion of an entrance doorway.

iii. Window Signs shall not interfere with the primary function of windows, that is to enable passersby and public safety personnel to see through windows into Premises and view product displays.

iv. Window Signs shall be no larger than 25% of the total area of the window onto which they are applied. Sign area shall be measured using smallest rectangle that fully encompasses the entire extent of letters, Logo and background.

v. Window Signs may list services and/or products sold on the Premises, or provide phone numbers, operating hours or other messages, provided that the total aggregate area of these messages not exceed the limit provided above.

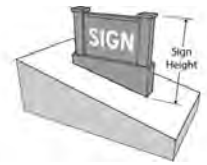
vi. Letters on window Signs shall be no taller than 8 inches.

K)

PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
YARD SIGN 			P		a. **Quantity:** 1 max per Lot b. **Area:** 6 sf max. c. **Width:** 3 ft max. (not counting post) d. **Height:** 2 ft max. (not counting post) e. **Depth / Projection:** n/a f. **Clearance:** min. 3 ft to Sign edge g. **Apex:** max. 6 ft to top of post h. **Letter Height:** 8 in max.

DESCRIPTION	1 single- or double-post Yard Sign may be placed with the Private Frontage.
SIGN DETAILS	i. One single- or double-post Yard Sign for each Business may be permitted by Warrant, provided it is set back at least 6 feet from the Frontage Line, does not exceed 6 square feet excluding posts, and does not exceed 6 feet high including posts, measured from the yard at the post location.

K)

PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
MONUMENT & POLE SIGN 				P	a. **Quantity:** 1 max per Frontage b. **Height:** 35 ft max. in P5 on HWY 71 Frontage 20 ft max in P5 on HWY 95 & HWY 150 4 ft max in P4 c. **Max Height to width ratio:** 4:1

DESCRIPTION

A Sign permanently affixed to the ground at its base or by poles that are enclosed by natural stone, stucco, brick, or wood and not mounted to a part of a Building. Pole(s) may be used to construct a Monument Sign so long as the poles are not visible below the Sign

SIGN DETAILS

i. A Monument Sign can be defined as a ground Sign generally having a low profile with little or no Open Space between the ground and the Sign and having a Structure constructed of masonry, wood, or materials similar in appearance.

ii. How to Measure:

(1) Maximum total Height is measured from the finished grade at the center of the Sign. If the finished grade at the center of the Sign is higher than the finished grade of the closest paved surface, then the Height shall be measured from the finished grade of the closest paved surface.

(2) The monument base shall be a maximum of 2 feet in Height and shall be included in the calculation of total Height.

(3) A Monument Sign width cannot exceed 2 times the allowable Sign Height.

iii. The max Height allowed along Hwy. 71 is 35 feet.

iv. The max Height allowed along Hwy. 150 and Hwy. 95 is 20 feet.

v. Pole Signs are permitted along the Hwy 71 Frontage through the City Limits and the ETJ. Max Height 35 feet

ARTICLE 8.4 TEMPORARY SIGNS

SEC. 8.4.001 STANDARDS FOR TEMPORARY SIGNS

Temporary signs are allowed for a limited time period in accordance with the permitting requirements.

(a) Banner signs

(1) Maximum sign area is forty-eight (48) square feet and not to exceed 75% of the building or lease space width upon which the sign is to be located.

(2) Maximum banner height dimension is four (4) feet.

(3) One banner sign may be placed on a building for up to two (2) weeks four (4) times per calendar year. The periods may be combined. Each tenant space or building located on a single lot or in a complex shall be allowed an individual banner as allowed per this article.

(4) All four (4) corners of a banner sign shall be securely attached to the building.

(5) Street banners announcing permitted community events may be placed over the public right-of-way in the CBD on Chestnut Street and Main Street as permitted by law. A maximum of one banner per block shall be permitted, and no more than two (2) banners per event shall be allowed.

(b) Bandit Signs

(1) Bandit signs shall not exceed four (4) square feet and shall not be more than three (3) feet above the natural grade.

(2) Bandit signs shall be authorized for new residential subdivisions during the development and sale phases only.

(3) Bandit signs shall not be placed on the public right-of-way, or within the visibility triangle of an intersection.

(4) The posting of bandit signs shall only be allowed between the hours of 5:00 a.m. Saturday through 6:00 a.m. Monday.

(5) The bandit signs shall be set back from the property line a minimum of five (5) feet and shall not exceed three (3) feet in height above the natural grade.

(6) Any bandit sign placed prior to 5:00 a.m. on Saturday or not removed by 6:00 a.m. Monday shall be in violation of this article. The city shall remove bandit

signs in violation of this article within twenty-four (24) hours. The owner of the bandit sign shall be fined in accordance with this article.

(c) Construction Site Signs

(1) The maximum sign area for a construction site sign is as follows:

A. Freestanding: Thirty-two (32) square feet.

B. Wall signs: 10% of building or lease space facade on which it is attached.

(3) Only one freestanding sign per street frontage on the property where the activity is to occur is permitted.

(4) Only one wall sign per building is permitted.

(5) The construction site sign shall be displayed no earlier than thirty (30) days before the commencement of the activity and must be removed no later that thirty (30) days after the activity is completed, or the installation of a permanent sign, whichever occurs first.

(d) Development information signs

(1) The maximum sign area shall not exceed forty (40) square feet.

(2) One sign is allowed for every fifty (50) lots, not to exceed thirty-two (32) signs unless the project exceeds four (4) square miles.

(3) All signs must conform to a unified design, shape and neutral color scheme and be constructed of strong, durable weather-resistant materials.

(4) For a residential subdivision, the sign may be displayed once the plat is recorded and shall be removed when 90% of each phase to which the sign is a part of is completed.

(5) For a commercial development not requiring platting, the sign may be displayed with the approval of either the site plan or the building permit.

(6) Development information signs shall be located on private property within the project subdivision/ development to which the signs pertain. Signs may not be located on boundary streets of the project subdivision.

(e) Garage sale signs

(1) Must be located on private property (i.e., not in the right-of-way or on a utility pole) at a distance not less than three (3) feet from a curb.

(2) A maximum sign area of four (4) square feet.

(3) Allowed from 5:00 p.m. Thursday until 8:00 a.m. Monday (unless Monday is a holiday, in which case the sign can remain until 8:00 a.m. Tuesday).

(f) Light pole-mounted banners

(1) Limited to not more than one banner on any light pole.

(2) Limited to no more than two (2) feet × six (6) feet in exterior dimension and twelve (12) square feet in area per banner.

(3) A minimum height of six (6) feet as measured from adjacent grade to the bottom of the banner.

(4) A maximum height of twelve (12) feet to the top of the banner.

(5) Banners shall be maintained in good repair. Should they become excessively faded, tattered or torn, they shall be replaced or removed.

(6) Banners shall not be illuminated, except for indirect lighting associated with the main lamp of the light pole to which it is mounted.

(7) Banners shall be permitted in the CBD for the advertising of permitted community events, seasonal and historic themes, or other such civic purposes; on collector level and higher classification within a residential subdivision; within master planned commercial subdivision. Such banners are limited to subdivision identification, or seasonal decorations and works of art by local artists. Such banners must be approved by the appropriate electric utility company in addition to receiving a permit from the city's planning and development department.



(g) Model Home Signs

(1) The maximum sign area is eighteen (18) square feet.

(2) The maximum height is six (6) feet.

(3) One sign per cluster of model homes per builder.

(4) A nameplate sign that identifies the individual product name is exempt if it does not exceed three (3) square feet nor three (3) feet in height.

(5) Must be placed in front of a cluster of one or more model homes per builder.

(6) All model home signage must be removed from the premises upon sale of the last model in the cluster.

CHAPTER 9: HISTORIC LANDMARK PRESERVATION & THE IREDELL DISTRICT



ARTICLE 9.1 GENERAL

SEC. 9.1.001 PURPOSE AND INTENT

(a) The City Council hereby declares that as a matter of public policy the protection, enhancement, and perpetuation of sites, landmarks or districts of historical and cultural importance, and significance is necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that the City represents the unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural, and cultural resources that constitute their heritage. This article is intended to:

(1) Protect and enhance the landmarks, which represent distinctive elements of the City's historic, architectural, and cultural heritage;

(2) Foster civic pride in the accomplishments of the past;

(3) Protect and enhance the City's attractiveness to visitors, thereby supporting and stimulating the economy;

(4) Insure the harmonious, orderly, and efficient growth and Development of the City;

(5) Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the City;

(6) Encourage stabilization, Restoration, and improvements of such properties and their values.

SEC. 9.1.002 HISTORIC LANDMARK COMMISSION

(a) The commission shall consist of 7 members, residents of the City, to be appointed by the mayor with approval by the City Council as follows; every effort will be made to find professionals who meet the criteria below:

(1) 1 shall be an architect, planner, or representative of a design profession;

(2) 1 shall be a representative elected by the county historical society;

(3) 1 shall be a licensed real estate professional;

(4) 1 shall be an owner of an historic Commercial Structure or property;

(5) 1 shall be an owner of an historic Residential Structure or property;

(6) 1 shall be a member from the Planning & Zoning Commission;

(7) 1 shall be a general resident of the City. However, if specified professionals above cannot be appointed, City Council will consider other types of professionals.

(b) All Historic Landmark Commission members, regardless of background, shall have a known and demonstrated interest, competence, or knowledge in historic Preservation within the City.

(c) Historic Landmark Commission members shall serve for a term of 3 years, with the exception of the member who is serving on the Historic Landmark Commission as the Planning & Zoning Commission representative, and that member shall serve for a term that is concurrent with that member's Planning & Zoning Commission term.

(d) Each seat on the Historic Landmark Commission will be assigned a "place." Historic Landmark Commission members' terms of service shall be "staggered," so that the entire membership of the Historic Landmark Commission will not be subject to replacement at any single point in time.

(e) In the event of a vacancy on the Historic Landmark Commission, an individual appointed to fill the vacancy will serve only the remaining term of the individual who is being replaced by the appointee, so that the staggering of terms shall remain intact.

(f) Attendance requirements for the Historic Landmark Commission members are set forth in section 1.02.002(b).

(g) The commission shall be empowered to:

(1) Prepare rules and procedures as necessary to carry out the business of the Historic Landmark Commission, which shall be ratified by the City Council.

(2) Approve or disapprove Certificates of Appropriateness, Demolition or Removal of historic Structures, and economic hardship applications.

(3) Conduct surveys and maintain an Inventory of significant historic, architectural, and cultural landmarks.

(4) Make recommendations to the City Council on the designation of historic landmarks, Historic Districts, Contributing and non-Contributing Structures.

(5) Make recommendations for properties to the National Register of Historic Places.

(6) Increase public awareness of the value of historic, cultural, and architectural Preservation by developing and participating in public education programs.

(7) To assist the City Council in the adoption of Design Guidelines for the exteriors of historic landmarks, properties located inside of Historic Districts, and Contributing and non-Contributing Structures, to address architectural and general design elements of Structures, including acceptable materials for Construction; appropriate architectural character, scale, and detail; acceptable appurtenances or Additions to new or existing Structures; and acceptable textures and ornamentation.

(8) Prepare and submit annually to the City Council a report summarizing the work completed during the previous year.

(9) To perform any other functions requested by City Council.

(h) The Historic Landmark Commission shall meet at least monthly, if business is at hand. Special meetings may be called at any time by the Chair, or on the written request of any 2 commission members.

SEC. 9.1.003 APPOINTMENT OF HISTORIC PRESERVATION OFFICER

(a) The City's Director of Planning & Development or other City staff designated by the City Manager shall serve as Historic Preservation Officer. This officer shall have as a principal duty the administration of this article and the coordination of the City's various efforts and programs that further historic Preservation.

ARTICLE 9.2 CATEGORIES OF PRESERVATION

SEC. 9.2.001 ESTABLISHMENT OF PRESERVATION

(a) There shall be 2 categories of Preservation for historically, culturally, architecturally or archaeologically significant properties in the City, as follows:

(1) Historic landmarks;

(2) Local Historic Districts, which may contain historic landmarks and Contributing Structures or Sites; and non-Contributing Structures or Sites.

SEC. 9.2.002 CRITERIA FOR HISTORIC LANDMARK STATUS

(a) A Structure or Site is considered a local Historic Landmark if it is designated as a Recorded Texas Historic Landmark or State Archeological Landmark, or is included on the National Register of Historic Places.

(b) A Structure or Site also may be designated by the City as a Historic Landmark if it meets 2 or more of the criteria set out below.

(1) Possesses significance in history, architecture, archeology, or culture;

(2) Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history;

(3) Is associated with the lives of persons significant in our past;

(4) Embodies the distinctive characteristics of a type, period, or method of Construction;

(5) Represents the work of a master designer, builder, or craftsman; or

(6) Represents an established and familiar visual feature of the City.

SEC. 9.2.003 PROCESS FOR DESIGNATION OF HISTORIC LANDMARKS

(a) Owners of property being considered for designation as a Historic Landmark shall be notified prior to the Historic Landmark Commission hearing on the recommended designation. The Historic Landmark Commission shall provide notice to property owners within 200 feet of the property and conduct a public hearing.

(b) After consideration by the Historic Landmark Commission, a recommendation regarding designations shall be submitted the City Council to conduct a public hearing and consider the designations of a Historic Landmark. The adoption of the landmark shall be through a resolution.

(c) Upon designation of a Historic Landmark, the City Council shall cause the designation to be noted as follows:

(1) Recorded in the official real property records of Bastrop County.

(2) Designated on the historic resource map of the City.

(3) Provide the property owner with a plaque and require the installation indicating the designation of the landmark as a City Historic Landmark.

SEC. 9.2.004 PROCESS FOR REMOVAL OF HISTORIC LANDMARKS DESIGNATION

(a) Designated historic landmarks shall retain such designation until such time as the City Council, upon receipt of an Application from the owner, approves the withdrawal. The procedures for a Removal of designation of a Historic Landmark shall follow the same process as the designation process.

(b) Criteria for approving Removal:

(1) The original criteria that was met to receive the designation is no longer applicable for reasons not attributable to the acts or omissions of the owner or occupant.

(2) The Site or Structure has been rendered unreasonably irreparably altered by an Act of God

(3) The required majority for City Council approval for Removal of designation shall be two-thirds of the full membership

SEC. 9.2.005 CRITERIA FOR CREATION OF HISTORIC LANDMARKS

(a) An area of the City may be considered for designation as a Historic District if it:

(1) Contains properties and an environmental setting which meet 1 or more of the criteria for designation of a Historic Landmark; or,

(2) Constitutes a distinct section of the City that possesses a unique historical, architectural, archeological or cultural significance.

SEC. 9.2.006 PROCESS FOR THE DESIGNATION OF LOCAL HISTORIC DISTRICT

(a) These provisions pertaining to the designation of local Historic Districts constitute a part of the official Zoning Map of the City.

(b) Upon recommendation of the Historic Landmark Commission and the Planning & Zoning Commission, the City Council may establish, after following all required legal procedures, 1 or more Historic Districts. The Historic Landmark Commission shall prepare, or cause to be prepared, and adopt, Design Guidelines for each individual district, including Standards for new and/or Infill Construction. If there is more than 1 district, and the Historic Landmark Commission finds that Design

Guidelines for 1 district are appropriate for another district, they may adopt the same guidelines.

(c) An Inventory of all Contributing and non-Contributing Structures located within a Historic District to be prepared and the record of the status of each Structure within each Historic District shall be maintained in City records.

(d) Owners of property located within an area considered for designation as a local Historic District shall be notified prior to the public hearing(s) on the recommended designation. The adoption of a local district will be processed according to the same procedures required for a zoning amendment. At the public hearing(s), owners, interested parties, and technical experts may present testimony or documentary evidence that will become part of a record regarding the historic, architectural, or cultural importance of the proposed local Historic District.

(e) Upon designation of a local historic district, the City Council shall cause the designation to be recorded as follows:

(1) Recorded in the official real property records of Bastrop County,

(2) Designated on the historic resource map of the City.

(f) Designated Historic Districts shall retain such designation until such time as the City Council, upon receipt of an Application and formal request made by at least 51% of the owners of real property located within the Historic District petitions for Removal. The procedures for a Removal of designation of a local Historic District shall follow the same process as the designation process.

(1) Criteria for approving Removal.

A. The original criteria that was met to receive the designation is no longer applicable for reasons not attributable to the acts or omissions of the owner or occupant.

B. The Site or Structure has been rendered unreasonably irreparably altered by an Act of God.

(g) The required majority for City Council approval for Removal of designation shall be 2/3 of the full membership.

(h) Any existing Structure or Site designated as a significant landmark or a Historic Landmark under Ordinance No. 2007-30 are specifically saved from repeal and shall

retain such designation until such time that those designated landmarks are redesignated in accordance with the processes and procedures under this article. As soon as practical following adoption of this article, the City shall begin the process to designate any landmarks deemed appropriate for consideration as historic landmarks in accordance with the processes and procedures contained within this article.

SEC. 9.2.007 RELATIONSHIP OF DESIGNATIONS TO PLACE TYPES

(a) If there is any conflict between the Design Guidelines and any provision of Place Type Zoning, the most restrictive regulation shall apply.

(b) If there is any conflict between the provisions of this section and any other provision of the Place Type Zoning, the most restrictive regulation shall apply, in the absence of a specific directive to the contrary.

SEC. 9.2.008 EXISTING HISTORIC DISTRICTS

(a) Bastrop Commercial District - National Register District

(1) This district was certified as part of the National Register of Historic Places by the National Park Service on December 22, 1978. The district has identified Structures that are Contributing, Compatible and Intrusions to the district, which is outlined in Figure 9.2.006A.

(2) All properties within the district are required to receive a Certificate of Appropriateness per Section 14.03.003.

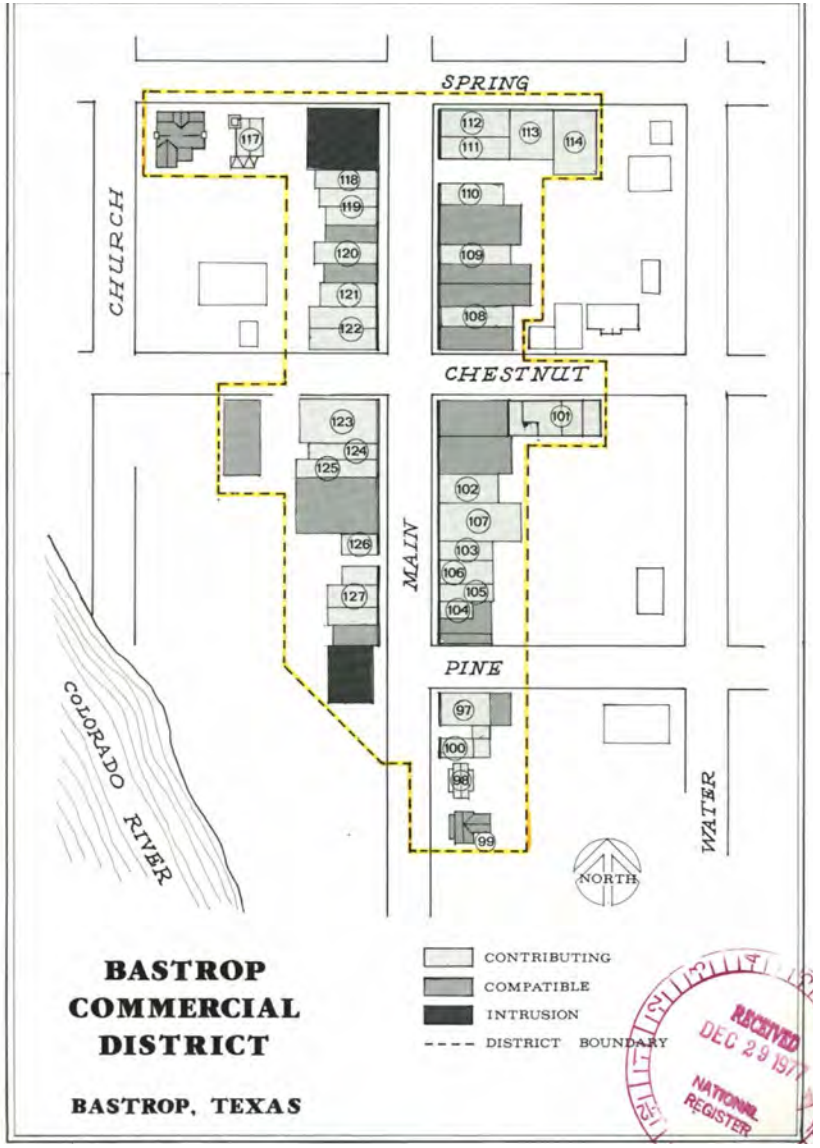


FIGURE 9.2.006 A

(c) Iredell Historic District – locally designated district

This district was adopted as a local district by City Council on XX. The district encompasses the Farm Lots and Building Blocks that established a unique Development Pattern, which possesses a significant in history, provided a significant contribution to the local pattern and represents an established and familiar visual feature of the City that is the basis of the Bastrop Building Block (B^3) Code. The boundaries are outlined in Figure 9.2.006B.

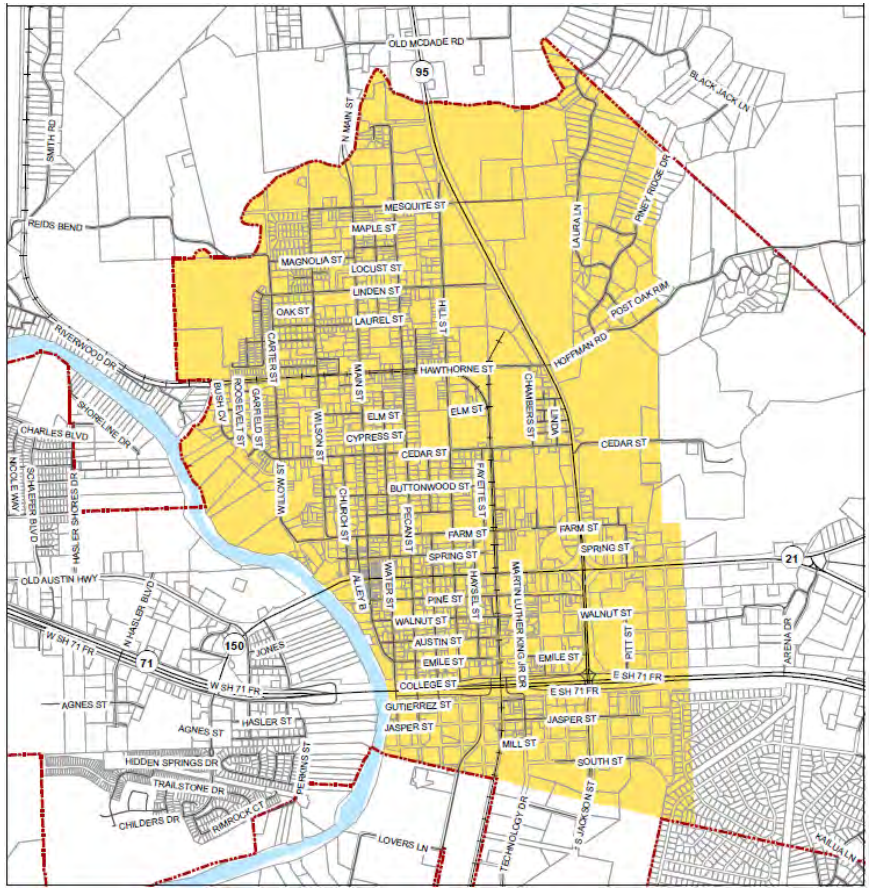


FIGURE 9.2.0068

ARTICLE 9.3 CERTIFICATE OF APPROPRIATENESS

SEC. 9.3.001 REQUIREMENT FOR CERTIFICATE OF APPROPRIATENESS

(a) No person, firm, corporation or other organization shall carry out any Project that includes the Construction, Reconstruction, alteration, Restoration, Rehabilitation, Relocation or Demolition of any local, state, or national Historic Landmark or any structure, Site, or Sign within a Historic District, nor shall any person make any material change to any structural exterior elements or architectural features visible from a public right-of-way which affect the appearance and cohesiveness of any local, state, or national Historic Landmark or any structure or Site within a Historic District without prior approval of a Certificate of Appropriateness.

SEC. 9.3.002 CERTIFICATE OF APPROPRIATENESS EXEMPTIONS

(a) Certificate of Appropriateness shall not be required for the following:

(1) Ordinary Maintenance, as defined in this article.

(2) Interior Construction or Alterations provided the Alterations do not alter the exterior wall of the Building.

(3) New, modifications or Removal of existing awnings, canopies, exterior paint color or exterior Lighting that are attached to a P3 or P4 Structure provided the Alterations do not alter the exterior wall of a Building designated as a Historic Landmark.

(4) Demolition of a Building or Structure that the Building Official has declared a dangerous Structure in accordance with article 3.12 of this article, as amended, or determined that Demolition is necessary for the preservation of the public health, safety and welfare.

A. Should the Building Official declare a Building a dangerous Structure or determine that Demolition is necessary for the preservation of public health, safety and welfare, the Building Official shall coordinate with the Historic Preservation Officer and property owner to identify historic and significant architectural features that are unique to the Building or Structure, era or district and that may be salvaged.

B. The Historic Preservation Officer shall create a record of the Building or Structure to be demolished through archival-quality photo-documentation, drawings, and other information

similar to those required by the Historic American Buildings Survey. The list of identified historic and significant architectural features to be salvaged shall also be made part of this record.

(5) New fence, railing or wall that is consistent with the Historic District's characteristics and applicable guidelines.

(6) Site landscape Alterations and other hardscape features provided that these do not alter a Building or Structure designated as a Historic Landmark or that is a Contributing historic Structure to the Historic District.

SEC. 9.3.003 CERTIFICATE OF APPROPRIATENESS APPLICATION PROCEDURE

(a) When a Certificate of Appropriateness is required, no work can begin before the Historic Preservation Officer or the Historic Landmark Commission has first issued a Certificate of Appropriateness. The Certificate of Appropriateness shall be in addition to and not in lieu of any permits required (i.e. Building, Sign, alcohol, etc.). The Building Official cannot approve any Application for a Sign or building permit to a Structure and/or Site that requires, but does not have a Certificate of Appropriateness.

(b) The owner or owner's agent shall file an Application, as provided by the City, for such a certificate. The Application shall contain at a minimum:

(1) Application fee as established in appendix A–Fee Schedule;

(2) Contact information for the Applicant and/or owner;

(3) A detailed description of all proposed work;

(4) Location and photographs of existing conditions;

(5) Elevation drawings, photographs, or illustrations of the proposed changes;

(6) Samples of materials to be used;

(7) If the proposal includes Signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the Sign's location on the property;

(8) Any other information that the City may deem necessary in order to visualize the proposed work; and

(9) The Historic Preservation Officer shall review the submission and determine if the Application is complete. If the Application does not meet the requirements to be approved administratively, the Application will be forward to the Historic Landmark Commission for consideration at their next available meeting agenda.

SEC. 9.3.004 ADMINISTRATIVE APPROVAL OF A CERTIFICATE OF APPROPRIATENESS

(a) Certificate of Appropriateness may qualify for Administrative Approval by the Historic Preservation Officer if the proposed Project meets all of the following conditions:

(1) The property is not located in a national Historic District;

(2) All of the material Standards identified in the Pattern Book are met;

(3) The proposed Structure or Site is not designated as a local, state, or national Historic Landmark.

(b) The Historic Preservation Officer may elect to present a Certificate of Appropriateness to the Historic Landmark Commission for review and consideration.

(c) If the Historic Preservation Officer does not approve a Certificate of Appropriateness, the Application may be forwarded to the Historic Landmark Commission for review and consideration at the request of the Applicant.

SEC. 9.3.005 HISTORIC LANDMARK COMMISSION APPROVAL OF CERTIFICATE OF APPROPRIATENESS

(a) The Commission shall review an Application for a Certificate of Appropriateness at a regularly scheduled or special meeting within 45 days from the date the Application is deemed administratively complete for review, at which time an opportunity will be provided for the Applicant to be heard. The Historic Landmark Commission shall approve, deny, or approve with conditions or modifications the permit, within 30 days after the review meeting, provided however, both review and action may occur at the same meeting. In the event the Historic Landmark Commission does not act within 60 days from the date the Application is deemed administratively complete for review, a permit will be deemed approved.

(b) All decisions of the Historic Landmark Commission shall be in writing. The Historic Landmark Commission's decision shall state its findings pertaining to the approval, denial, or modification of the Application. A copy shall be

provided to the Applicant and a copy shall be maintained in the files of the Planning and Development Department and distributed to other appropriate City departments.

(c) An Applicant for a Certificate of Appropriateness who is dissatisfied with the action of the Historic Landmark Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to Appeal the determination to the City Council. The Applicant has 15 calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth in writing the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

(d) A Certificate of Appropriateness shall expire 2 years from the date of approval if the proposed scope of work has not been completed. If a building permit for approved work has been issued, the Certificate of Appropriateness will expire 2 years from the permit issue date. The Commission, upon determination of a reasonable need, may authorize 1 extension of an additional 6 months to obtain a building permit for the work in which the Certificate of Appropriateness was approved upon showing of just cause by the Applicant.

SEC. 9.3.006 CRITERIA FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS (COA)

(a) In considering an Application for a Certificate of Appropriateness (COA), the Historic Landmark Commission shall be guided by any locally adopted design Standards, and where applicable, the following from the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings . Any adopted design Standards and Secretary of the Interior's Standards shall be made to the property owners of historic landmarks.

(1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal Alteration of the Building, Structure, object, or Site and its environment.

(2) The distinguishing original qualities or character of a Building, Structure, object, or Site and its environment shall not be destroyed. The Removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

(3) All buildings, Structures, objects, and Sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.

(4) Changes that may have taken place in the course of time are evidence of the history and Development of a Building, Structure, object, or Site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

(5) Distinctive stylistic features or examples of skilled craftsmanship which characterize, a Building, Structure, object, or Site shall be kept to the greatest extent practical.

(6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other Building or Structures.

(7) The surface cleaning of Structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

(8) For building materials, architecture standards, architectural details, massing for a variety of building types, see the Pattern Book.

(9) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any Project.

(10) Contemporary design for Alterations and Additions to existing properties shall not be discouraged when such Alterations and Additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, color, material, and character of the property, neighborhood, or environment.

(11) Wherever possible, new Additions or Alterations to buildings, Structures, objects, or Sites shall be done in

such a manner that if such Additions or Alterations were to be removed in the future, the essential form and integrity of the Building, Structure, object, or Site would be unimpaired.

SEC. 9.3.007 CONSIDERATION OF PREVIOUSLY DENIED APPLICATION

(a) A new Application for a Certificate of Appropriateness for a structure or Site that was previously denied a similar Certificate of Appropriateness shall not be considered if the Historic Landmark Commission or the City Council, on appeal, for the structure or Site within 1 year from the date of the final decision. If there has been a substantial change in the conditions affecting the structure or Site or the proposed Project is substantially different from the previous Application, the City may find that are sufficient to Warrant consideration prior to the 1 year period.

SEC. 9.3.008 ENFORCEMENT

(a) All work performed pursuant to a Certificate of Appropriateness issued under this article shall conform to any conditions or requirements included therein. It shall be the duty of the building inspector or their designee to inspect periodically any such work to assure compliance. In the event work is not being performed in accordance with the Certificate of Appropriateness, the Building Official or their designee shall issue a stop-work order, and all work shall immediately cease. No further work shall be undertaken on the Project as long as a stop-work order is in effect.

(b) A stop-work order may be lifted following submission and approval of plans for corrective action or work, or other plans to bring the Project into compliance with the conditions or requirements of the Certificate of Appropriateness or other approvals.

ARTICLE 9.4 COA REQUIRED FOR DEMOLITION OR RELOCATION

SEC. 9.4.001 COA FOR DEMOLITION OR RELOCATION REQUIRED

(a) A permit for Demolition, Removal, or Relocation for any local, state, or national Historic Landmark or any structure or Site within a Historic District shall not be granted by the City without the review and approval of a Certificate of Appropriateness by the Historic Landmark Commission in accordance with the provisions of this article.

SEC. 9.4.002 PROCEDURE FOR COA FOR DEMOLITION

(a) An Application for a Certificate of Appropriateness shall contain the following minimum information:

(1) Application fee as established in appendix A—Fee Schedule;

(2) Owner and agent contact information;

(3) A detailed description of the reason the proposed Demolition is necessary;

(4) Location of the proposed Demolition;

(5) Evidence of the existing conditions of the property which justify the need for Demolition;

(6) A detailed description of the methods of Demolition including the process and procedure for Removal of all debris and how surrounding properties will be protected during the Demolition process;

(7) Any other information that the City may deem necessary in order to determine the need for the proposed Demolition.

(b) The Commission shall hold a public hearing on the Application within 45 days after the date a complete Application is Filed with the City. The Applicant, property owner, and all property owners located within two hundred 200 feet of the property proposed to be demolished shall be mailed a written notice 10 days prior to the hearing.

(c) When considering the Certificate of Appropriateness for Demolition, the Historic Landmark Commission shall consider the following:

(1) The historic value of the Structures or Site;

(2) The state of repair of the Structures or Site;

(3) The existing and potential usefulness, including the economic usefulness, of the Structures, buildings or objects on the Lot, parcel or Site;

(4) The reasons for preserving the Structures, buildings or objects on the Lot, parcel or Site;

(5) The character of the neighborhood; and

(6) Any other factors the Historic Landmark Commission deems appropriate when considering the proposed Demolition.

(d) When considering the Certificate of Appropriateness for Relocation, the Historic Landmark Commission shall consider the following:

(1) The style of Construction and compatibility with the local Historic District;

(2) The historic value and structural state of the Structure;

(3) The historic value of the Site;

(4) The reasons for preserving the Structure on an alternate Site;

(5) The character of the neighborhood;

(6) Any other factors the Historic Landmark Commission deems appropriate when considering the proposed Demolition.

(e) If the Historic Landmark Commission determines, that the evidence supports the Demolition, Removal or Relocation of the Structure or if the Historic Landmark Commission determines that the interest of preserving historic values will not be adversely affected by such Demolition, Removal or Relocation that the interest of preserving historical values can best be served by the Removal of the Structures, buildings or objects, it shall issue a Certificate of Appropriateness for Demolition of the Structures or Site.

(f) If no action has been taken by the Historic Landmark Commission within 60 days of original receipt by the Historic Landmark Commission of the Application, the Certificate of Appropriateness for Demolition shall be deemed approved by the Historic Landmark Commission.

(g) Any Applicant who is dissatisfied with the action of the Historic Landmark Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to Appeal the determination to the City Council. The Applicant has 15 calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

ARTICLE 9.5 FAILURE TO MAINTAIN RESULTING IN DEMOLITION BY NEGLECT

SEC. 9.5.001 STATE OF DEMOLITION BY NEGLECT

(a) No owner or person, firm, corporation or other organization with an interest in real property that is designated as a Historic Landmark, a Structure or Site that has been certified, registered or designated by any federal, state or other authorized body/entity as having historical significance, or any Structure or Site that is located within a local Historic District, shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Historic Landmark Commission, produce a detrimental effect upon the character of a Historic Landmark, the district as a whole, or the life and character of the property itself. Examples of such deterioration include:

(1) Deterioration of exterior walls or other vertical supports.

(2) Deterioration of roofs or other horizontal members.

(3) Deterioration of exterior chimneys.

(4) Deterioration or crumbling of exterior stucco or mortar.

(5) Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors.

(6) Deterioration of any feature creating a hazardous condition which could lead to the claim that Demolition is necessary for the public safety.

SEC. 9.5.002 DEMOLITION BY NEGLECT HEARING PROCEDURE

(a) Upon notification to the Historic Landmark Commission of such a state of disrepair, the Historic Landmark Commission shall notify the owner in writing, informing the owner of the violation and the specifics of the alleged deterioration, requesting that the owner appear before the Historic Landmark Commission for determination of the existence of detrimental deterioration.

(b) If, after a public hearing before the Historic Landmark Commission, the Historic Landmark Commission determines that the deterioration has produced a detrimental effect as described in subsection A of this section, the owner shall cure the deterioration by Restoration or other appropriate actions within a reasonable period of time as determined by the Historic Landmark Commission but in no case longer than 180

calendar days from the determination by the Historic Landmark Commission. The owner must comply with all requirements of requesting a Certificate of Appropriateness from the Historic Landmark Commission. Failure of the owner to cure the deterioration within the time specified by the Historic Landmark Commission shall cause the property owner to be subject to penalties as defined in section 14.03.009, which may be assessed civilly or in municipal court.

(c) Any Applicant who is dissatisfied with the action of the Historic Landmark Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to Appeal the determination to the City Council. The Applicant has 15 calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

ARTICLE 9.6 INCENTIVES FOR HISTORIC LANDMARKS

SEC. 9.6.001 CONTINUATION OF EXISTING INCENTIVES

(a) All properties previously granted an incentive (refund of City taxes) under section 14.03.002 of the Bastrop Code of Ordinances as of the date of ordinance no. 2018-03 shall be eligible to maintain the incentive and are specifically saved from repeal; however, the City Council may modify or end the program at any time at the City's discretion. A list of all properties subject to the incentive, along with the determination of what historic elements are to be included in the valuation of the incentive, shall be maintained on file in the City's Historic Preservation Officer's and the City Secretary's office.

SEC. 9.6.002 NEW APPLICATIONS FOR INCENTIVES

(a) To encourage historic Preservation, the City may offer an incentive to owners of local historic landmarks to encourage the stabilization, Rehabilitation and renovation of properties designated as historic landmarks. The incentives may include:

(1) Historic landmark marker. Owners of qualifying historic landmarks will be presented with an official Historic Landmark marker to designate the Structure, with the cost of the marker borne by the City.

(2) Property tax refund. Owners of qualifying historic landmarks may be eligible for a refund of a portion of their City property taxes, provided under paragraph (c) below.

(b) An owner seeking inclusion in the incentive program shall submit an Application to the Historic Preservation Officer to determine whether the property meets the criteria for a local Historic Landmark. Incentives will be granted upon the favorable recommendation of the Historic Landmark Commission and approval by the City Council.

SEC. 9.6.003 CALCULATION FOR REFUND INCENTIVES

(a) The amount of the refund shall be based on a uniform percentage of the assessed value of the Contributing Structures, determined by the City Council, each budget year, which can be financed by the amount of general funds appropriated for such refunds. Refunds shall be based on the assessed value of the historic improvements only and shall exclude the value of the underlying land or any noncontributing Structures. Refunds will be based on taxes paid in full by July 31. Eligibility for such refund shall require compliance with all requirements of this article.

SEC. 9.6.004 REQUIRED MAINTENANCE STANDARDS

(a) To be eligible to receive the annual refund, all buildings and the exterior premise of a Historic Landmark property shall be properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the following minimum Standards:

(1) ***Roof.*** The roof shall not have any missing or broken shingles, significant buckling, warping, or peeling of the surface and must be clear of vegetation. There shall be no Signs of decay, dry rot or structural integrity issues in the roof structure.

(2) ***Exterior walls.*** The exterior walls shall not have any missing boards, bricks or other materials. No Signs of cracks, dry rot or decay should be evident. Except for materials that have been designed to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained to be kept clean and free of flaking, loose, or peeling paint or covering.

(3) ***Foundations.*** The foundation shall not have any significant cracking, shifting, or erosion. For pier and beam foundations, skirting should be in good

condition and have no missing sections. The foundation shall be in good condition and not have missing foundation supports or Signs of sagging.

(4) ***Exterior doors.*** Doors shall be maintained to be structurally sound, fit within frames to be weatherproof, and have hardware that is in good condition.

(5) ***Windows.*** Windows shall be fully supplied with window glass, which is glazed and is without cracks or broken panes, shall have sashes in good condition, which fit within the frames, and maintained to exclude adverse weather elements from entering the Structure.

(6) ***Porches.*** Every porch shall be maintained to be free of missing, defective, rotting or deteriorated foundations, supports, floors and steps, to be safe to use and kept in sound condition and in good repair.

(7) ***Stairways.*** Stairways shall be maintained free of rotted or deteriorated supports. Handrails and/or railings shall be firmly fastened and maintained in good conditions.

(8) ***Accessory Structures.*** All Structures accessory to the dwellings, including detached garages, shall be maintained to be structurally sound, neatly maintained and in good repair.

(9) ***Fences and walls.*** If any fence, retaining wall, or similar Structure is not found to be in a good state of structural repair, it shall be removed, replaced or repaired as required.

(10)***Landscaping.*** All landscaping shall be maintained in a presentable appearance. Any landscaping or vegetation that is causing damage to the Structure must be removed.

(11) ***Decorative features.*** Any other decorative elements of the Site shall be maintained in good repair with property anchorage and in a safe condition.

(b) If a Historic Landmark property has been determined by the Historic Preservation Officer, the Building Official, and Code Enforcement Official to be inadequately maintained, the property owner will be notified in writing and given 30 days to correct the deficiencies. If the repairs are not completed and Standards are not met, the incentive will not be paid. An aggrieved property owner may Appeal that determination to the City Council.

SEC. 9.6.005 LOSS OF INCENTIVES

(a) No owner, owner's agents, contractors and/or representatives shall alter or totally or partially destroy any Historic Landmark subject to incentives under this section without first obtaining a Certificate of Appropriateness or Demolition permit in accordance with the terms of this article. If a Historic Landmark subject to incentives is altered or totally or partially destroyed without a Certificate of Appropriateness, the owner shall be required to restore the Structure to its original state, within a reasonable period of time as established by the Historic Landmark Commission but in no case longer than 180 calendar days from the date of any notice of violation provided to the property owner. No incentives will apply during the time that the owner is restoring the property. Failure to restore the historical landmark to its pre-destruction condition shall subject the owner to the penalties set forth in this article and the owner shall:

(1) No longer be entitled to the incentives set forth herein; and

(2) Immediately remit to the City monies in an amount equal to the total city tax revenues that were refunded in the current and prior years because of the incentives, plus interest calculated at an annual rate as established by the then-current Texas Private Prompt Payment Act.

If an owner has obtained a Certificate of Appropriateness for Demolition or Relocation under section 14.03.004, then the incentive for the Structure will cease immediately upon the Demolition or Relocation, but no remittance of past refunds is required.

SEC. 9.6.006 TRANSFERABILITY OF INCENTIVES

The benefits of the incentive program relating to historic Structures under this section are transferable and run with the property.

ARTICLE 9.7 ECONOMIC HARDSHIP

SEC. 9.7.001 ECONOMIC HARDSHIP APPLICATION PROCEDURE

(a) After receiving written notification from the Historic Landmark Commission of the denial of a Certificate of Appropriateness, or an Application to demolish, an Applicant may commence the hardship process. No building permit or Demolition permit shall be issued unless the Historic Landmark Commission makes a finding that hardship exists.

(b) When a claim of economic hardship is made due to the effect of this article, the owner must prove that:

(1) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;

(2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and

(3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

(c) The Applicant shall consult in good faith with the Historic Landmark Commission, local Preservation groups and interested parties in a diligent effort to seek an alternative that will result in Preservation of the property. Such efforts must be shown to the Historic Landmark Commission.

(d) The commission shall hold a public hearing on the Application within 60 days from the date the Application is received by either the building inspector or the Preservation Officer. Following the hearing, the Historic Landmark Commission has 30 days in which to prepare a written recommendation to the building inspector or other official. In the event that the Historic Landmark Commission does not act within 90 days of the receipt of the Application, a permit may be granted by the building inspector.

(e) All decisions of the Historic Landmark Commission shall be in writing. A copy shall be sent to the Applicant by certified mail and a copy filed with the City clerk's office for public inspection. The commission's decision shall state the reasons for granting or denying the hardship Application.

(f) An Applicant submitting a hardship Application who is dissatisfied with the decision of the Historic Landmark Commission relating to the approval or denial of such Application shall have the right to Appeal the Historic Landmark Commission's decision to the City Council. The Applicant has fifteen (15) calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

ARTICLE 9.8 PENALTIES

Any person, firm, association of persons, corporation or other organization violating the provisions of this article shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed the amount set out in appendix A—Fee Schedule, article A14.01 of the Bastrop Code of Ordinances. Each day that a violation continues shall be deemed a separate and distinct offense. Violations of this article may be enforced civilly and/or in municipal court, at the City's discretion.

CHAPTER 10: DEFINITIONS

SEC. 10.1.001 GENERAL

For the purposes of this Code, certain terms and words are hereby defined; terms not defined herein shall be constructed in accordance with customary usage in municipal planning and engineering practices.

Defined terms are capitalized throughout the document.

SEC. 10.1.002 DEFINITIONS

Accessory Building shall mean an outbuilding behind the main Structure on the Lot.

Accessory Dwelling Unit (ADU) shall mean an outbuilding behind the main Structure on the Lot with services for Residential living.

Addition shall mean any Construction that increases the size of a Structure in terms of Site coverage, height, or gross floor area.

Administrative Approval shall mean the process by which the Planning & Development Department review submitted Regulating, Public Frontage Site and/or building plans and approve based on compliance with this code.

Administrative Procedure shall mean the procedure to be followed for the approval of the Subdivision or re-subdivision of an existing Lot(s) when such Subdivision meets certain limited conditions set by the City.

Administrative Review shall mean the process by which the Planning & Development Department review submitted Regulating, Public Frontage Site and/or building plans to determine compliance with this code.

Administrator shall mean the City Manager and or their designee.

Alley shall mean a vehicular drive located to the rear of lots providing access to service areas, parking, Accessory Structures or ADU, or containing utility easements.

Alteration shall mean any change, Demolition or modification to a Structure or Site designated as a Historic Landmark or located in a local Historic District including, but not limited to, the following:

(1) Exterior changes to or modification of any buildings or Structures, architectural details or visual characteristics.

(2) Construction of new Structures.

(3) Disturbance, placement or Removal of exterior objects that affect the exterior qualities of the property.

Amending Plat shall mean Plat as defined in 212.016 of the Texas Local Government Code and the procedure for such plats shall be the same as the procedure as defined herein.

American Grid shall mean the grid plan, grid Street plan, or gridiron plan is a type of city plan that the streets run at right angles to each other, forming a grid.

Apex shall mean the highest point of a Sign as measured from the point on the ground where its Structure is located, or, if no Sign Structure is present, from the point on the ground directly below the Sign itself.

Appeal shall mean a means for obtaining review of a decision, determination, order, or failure to act.

Applicant shall mean a person or entity who submits to the City an Application for an approval required by this code. To be qualified as an Applicant under this code, the person or entity must have sufficient legal authority or proprietary interests in the land to commence and maintain proceedings under this Chapter. The term shall be restricted to include only the Property Owner(s), or a duly authorized agent and representative of the Property Owner.

Application shall mean a written request to the City for an approval required by this Code that contains all information required by this Code and that has been deemed administratively complete by the City on a Uniform Submittal Date.

Arcade shall mean colonnade supported upper stories of a Building projecting over the Sidewalk, where the Facade of the first Story remains at or behind the Frontage Line.

Architectural Element shall mean the unique details and component parts that combined, form the architectural style of a Structure, Building or object.

Avenue shall mean a Thoroughfare of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median

Awning shall mean a cloth, plastic, or other nonstructural covering that either is permanently attached to a Building or can be raised or retracted to a position against the Building when not in use. This term does not include canopies.

Band Sign shall mean a Sign that is printed onto a flexible material and fastened to a Building or pole.

Bastrop Building Block (B^3**) Code** shall mean the Standards and process governing all elements of Development in the Public and Private Realms of the City of Bastrop and its ETJ.

Bicycle Corral shall mean a group of either short-term or long-term bicycle parking spaces that are located in the vehicular parking area adjacent to the Curb. The Corral is generally surrounded by a painted white box on the Street with flexible vertical delineators and a wheel stop where vehicles are likely to back into the adjacent parking spot.

Bicycle Rack, Long-Term shall mean a bicycle parking fixture that provides at least two bicycle spaces and includes at least a four-foot-wide by six-foot-long dimension, intended for parking more than three hours, and is fully protected from the elements.

Bicycle Rack, Short-Term shall mean a bicycle parking fixture that provides at least two bicycle spaces and includes at least a four-foot-wide by six-foot-long dimension, intended for parking less than three hours.

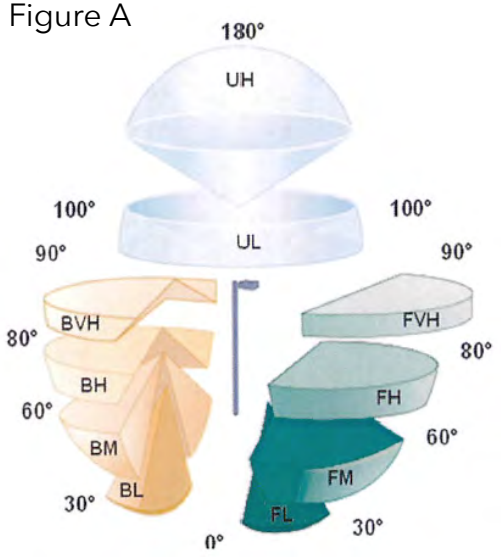
Billboard Sign shall mean a Sign that is Freestanding, attached to or part of a Building, and is an Off-Premises Sign that is designed for a change in copy so that the characters, letters, display, or illustrations can be changed or rearranged within a fixed Sign Face.

Block shall mean an aggregate land area circumscribed by Thoroughfares.

Block Face shall mean the aggregate of all the Principal Frontage Lines or alternatively the building Facades on one side of a Block.

B-U-G Ratings shall mean a luminaire classification system with ratings for backlight (B), uplight (U), and glare (G). The backlight component of the rating system takes into account the amount of light in the BL, BM, BH and BVH zones depicted in (Figure A) on the following page. The uplight component takes into account the amount of light in the UH and UL zones. The glare component takes into account the amount of light in the FH, FVH, BH and BVH zones.

Figure A



Building shall mean a Structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, real property, and Business activity.

Building Block shall mean the 330' X 330' Block created by dividing a Farm Lot. It is the foundation of the walkable environment.

Building Official shall mean the inspector or administrative official charged with responsibility for issuing permits and enforcing the Building Code and the B^3 Code where indicated.

Building Types shall mean a range of Structures with different Standards to create a variety of options for human settlements. The three Building Types in the Code include, Edgeyard, Rearyard and Courtyard.

Business shall mean a place where a person practices their regular occupation, profession, or trade.

By Right shall mean characterizing a proposal or component of a proposal for a Neighborhood Regulating Plan or Site Plan that complies with the this Code and is permitted and processed administratively without public hearing.

Calendar Day shall mean every consecutive day on the calendar, including holidays and weekends.

Certificate of Appropriateness shall mean a document evidencing the approval of the Historic Landmark Commission, signed and dated by the Chairperson of the Historic Landmark Commission, for alteration, installation, Relocation, excavation, Restoration, modification, Rehabilitation, change, Demolition, Construction, Removal, or improvement of a Historic Landmark or of a Building or property located within a local Historic District.

Certificate of Occupancy shall mean an official certificate issued by the City through the Building Official that indicates conformance with the zoning Standards and Building Codes and authorizes legal use of the Premises that it is issued; may be referred to as an Occupancy Permit.

Changeable Copy Sign shall mean a Sign that message copy is changed manually through the utilization of changeable letters, numbers, symbols, and other similar characters or pictorial panels.

Character District Map shall mean the official map or maps that are part of the B^3 Code and delineate the boundaries of individual Characters Districts.

City Council shall mean the governing body of the City of Bastrop, Texas.

City Engineer shall mean a registered Engineer or their representative employed by the City.

City or The City shall mean the City of Bastrop and its authority of its City Limits and ETJ.

City Secretary shall mean the City Secretary of the City of Bastrop or the authorized representative of the secretary.

City Zoning & Planning Commission shall mean the Historic Landmark Commission appointed by the City Council of the City of Bastrop to assist the City Council in zoning and planning within the City Limits.

Civic shall mean a designation for public Sites dedicated for Civic Buildings and Civic Space.

Civic Building shall mean a Building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or for use approved by the Planning & Zoning Commission and City Council.

Civic Space shall mean an outdoor area dedicated for public use. Civic Space types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping, and the buildings that front them.

Clustered Land Development or CLD shall mean a Development Pattern structured by a Pedestrian Shed oriented toward a Common Destination such as a general store, Meeting Hall, schoolhouse, or church clustered together in order to preserve Open Space. CLD takes the form of a small settlement standing free in the countryside.

Commercial shall mean the term collectively defining workplace, office, retail, and lodging uses.

Commercial Street shall mean a local urban Thoroughfare of low speed and capacity primarily fronted by Commercial Building uses.

Commercial Uses shall mean Structures used for Office, Local Retail, General Retail, and Commercial Services, property in a Planned Development District that allow for a Commercial Use, or property in the ETJ that is appraised as Commercial property. Commercial uses are those used for the sale, lease, or rent of goods, services, or property.

Commissary shall mean a central preparation facility or other fixed food establishment that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption to mobile, temporary and portable food vendors.

Common Destination shall mean an area of focused community activity, usually defining the approximate center of a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station, and may act as the social center of a neighborhood.

Common Green shall mean a landscaped Courtyard that serves as a Pedestrian "Street" that housing lots front.

Comprehensive Plan shall mean a document adopted by the City that consists of graphic and textual policies that govern the future Development of the City and that consists of various components governing specific geographic areas and functions and services of the City.

Concept Plan shall mean a diagramed plan that includes property lines, adjacent rights-of-way, location of all Mobile Food Vending Units, parking areas and surface material, maneuvering areas and surface material, seating areas, and any other information reasonably required by the Director of Planning & Development. Concept plans will be approved by the Director of Planning & Development.

Conservation Easement shall mean a voluntary legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation values.

Construction shall mean the act of adding an Addition to an existing Building, Structure or object or the erection of a new principal or Accessory Building, Structure or object on any Lot, parcel or Site.

Construction / Development Sign shall mean a Commercial Sign placed on a piece of property advertising planned construction and providing related information, including but not limited to the name of the contractor, the name of the owner, the planned date of completion, and information indicating the future use or occupation of the Site.

Contributing Structure shall mean a Building, Structure, property or object within a local Historic District which has not been designated a Historic Landmark under this article, but which adds to the historical integrity or architectural qualities that make the local Historic District significant.

Coordinated Frontage shall mean a condition where the landscape and paving of Public Frontage and Private Frontage are coordinated as a single, coherent design.

Cottage shall mean a small Edgeyard Building on a regular Lot.

Courtyard shall mean the placement of a Building within the boundaries of its Lot to create a private Courtyard, while internally defining one or more private patios. Courtyard is a Building Type.

Curb shall mean the edge of the vehicular pavement that may be raised or flush to a Swale. It usually incorporates the Drainage system.

Curb Extensions (also called bulb-outs) shall mean a Curb that extends the Sidewalk into the parking lane to narrow the roadway and provide additional Pedestrian space at key locations; they can be used at corners and at mid-Block. Curb Extensions enhance

Pedestrian safety by increasing Pedestrian visibility, shortening crossing distances, slowing turning vehicles, and visually narrowing the roadway.

Demolition shall mean an act or process which: (1) destroys a Lot, parcel or Site or Building, Structure or object in its entirety, (2) destroys a part of a Lot, parcel or Site or Building, Structure or object and permanently impairs its structural, historic or architectural integrity, (3) removes the Building, Structure or object or any part thereof from the original Lot, parcel or Site without the requisite Certificate of Appropriateness and/or moving permit, or (4) removes architectural elements and features from the exterior of a Building, Structure or object.

Design Guidelines shall mean architectural and style guidelines adopted by the City that encourage and promote the existing historical features of the City and detail those Alterations, installations, relocations, excavations, restorations, modifications, rehabilitations, changes, Demolition, Construction, Removal, or improvement of a Historic Landmark or of a Structure or Site located within a local Historic District that are deemed compatible and appropriate for the area. If local Design Guidelines have not been adopted, The Secretary of the Interior's Standards for the Treatment of Historic Properties shall be used as the Design Guidelines.

Development shall mean any Construction activity or alteration of the landscape, its terrain contour or vegetation, including the erection or alteration of Structures or land use.

Development Pattern shall mean options for land configuration for a Neighborhood Regulating Plan or Zoning Concept Scheme. The three types addressed in this Code are Cluster Land Development (CLD), Traditional Neighborhood Development (TND), and Village Cluster Development (VCD).

Development Review Committee (DRC) shall mean staff members from each department overseeing Development, infrastructure, and public safety that administer the provisions of this Code.

Dilapidation shall mean any Sign where elements of the Sign area or background have portions of the finished material missing, broken, or illegible; where the structural support is visibly bent, broken, dented, rusted, corroded, or loose; or where the Sign or its elements are not in compliance with the adopted electrical code and/or the Building Code.

Directional Signs shall mean Signs containing directional information about public places owned or operated by federal, state, or local governments or their agencies; publicly or privately owned natural phenomena, historic, cultural, scientific, educational, and religious Sites; and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

Disposition shall mean the placement of a Building on its Lot.

Dooryard shall mean an elevated front yard extending to the Frontage Line, buffering it from Pedestrian activity of the Sidewalk.

Drainage shall mean any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or ground water. It may include the Construction, deepening, extending, opening, installation or laying of any canal, drain or pipe, either on the land or in such a manner as to encourage Drainage of adjoining land.

Driveway shall mean a vehicular lane within a Lot, often leading to a garage.

Duplex shall mean a Building with 2 units within one Structure on a Lot. The configuration can be side by side, stacked, front to back, etc.

Dwelling shall mean any Building or portion thereof, that is designed or used as living quarters for one or more families.

Edgeyard Building shall mean a Building that occupies the center of its Lot with Setbacks on all sides. Edgeyard is a Building Type.

Electronic Sign shall mean any Sign that the text, letters, numbers, pictures, or symbols forming the informational portion of the Sign consists of flashing, intermittent, or moving lights, including any LED screen or any other type of video display. Illumination of a Sign, by itself, does not create an Electronic Sign.

Elevation shall mean the exterior wall of a Building that is set along a Frontage Line. Syn. Facade.

Encroachment shall mean any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public Frontage, or above a height limit.

Extraterritorial Jurisdiction (ETJ) shall mean the area adjacent to the City Limits of the City over that the City is authorized to control, among other things, Subdivision as prescribed or defined by law.

Facade shall mean the principal face of a Building, including parapet walls and omitted wall lines, or any part of a Building that encloses or covers usable space. Where separate faces are oriented in the same direction, or in directions within 45 degrees of one another, they are to be considered as part of a single Facade.

Farm Lot shall mean the original unit dividing land in the City of Bastrop. A Farm Lot is bounded by Streets and measures approximately 722' by 722'.

Feather Banner shall mean a Sign that is constructed of lightweight material (such as cloth, canvas, or vinyl) affixed to a pole or Building that is similar to a flag, except that it is longer than it is wide. A Feather Banner resembles a feather, in that it is tall and narrow, having more surface area vertically than horizontally when fully extended.

Filed shall mean the date on a Uniform Submittal Date when a submission has been deemed an administratively complete Application. A plan or permit Application shall be reviewed for completeness and be deemed administratively complete to be considered Filed.

Final Plat shall mean a Plat as defined in 212.014 or 212.015 of the Local Government Code and the procedure for such Plats shall be the same as Standard Procedure as defined herein.

Floodplain shall mean an area of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the FIRM (Flood Insurance Rate Map) of the City of Bastrop.

Freestanding shall mean a that is not attached to a wall or Building. A Sign that is supported by a Structure primarily designed for display of the Sign.

Frontage shall mean the area between a Building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into Private Frontage and Public Frontage.

Frontage Line shall mean a Lot Line bordering a Public Frontage. Facades facing Frontage Lines define the Public Realm and are therefore more regulated than the Elevations facing other Lot Lines.

Full Cut-Off Fixtures shall mean fixtures, as installed, that are designed or shielded in such a manner that all light rays emitted by the fixture, either directly from the lamps or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

Gallery shall mean an attached cantilevered shed or a lightweight colonnade extending from a Building Facade to overlapping the Sidewalk.

Geographically Sensitive shall mean the use of appropriate Development Patterns and Development Standards that support the natural conditions of the landscape minimizing the interruption of natural resources and systems with human settlements.

Government Sign shall mean a Sign that is constructed, placed, or maintained by the federal, state, or Local Government or a Sign that is required to be constructed, placed, or maintained by the federal, state, or local government, including a Ferry District,

either directly or to enforce a property owner's rights. Local Government includes any political subdivision including the county, the City, the school district, the Ferry District, or an emergency services district.

Green shall mean a Civic Space type for unstructured recreation, spatially defined by landscaping rather than Building Frontages.

Greenfield shall mean an area that consists of open or wooded land or farmland that has not been previously developed.

Greenway shall mean a linear connection in largely natural conditions that may include trails for bicycles and pedestrians.

Hanging Sign shall mean a that is affixed to the underside of a roof, canopy, awning, or porch.

Health Authority shall mean the Bastrop County Environmental and Sanitation Services, or its designee, or any other agency charged with enforcement of Standards applicable to establishments regulated under this ordinance.

Height (Signage) shall mean (1) Except as applied to a Monument Sign, Height refers to the vertical distance between the highest attached component of the Sign or of its supporting Structure (whichever is higher) and the lowest attached component of the Sign or of its supporting Structure (whichever is lower). (2) As applied to a Monument Sign, Height refers to the vertical distance between the highest attached component of the Sign or of its supporting Structure (whichever is higher) and the natural grade of the ground at the point where the Sign is located. (3) If any Sign, temporary or permanent, sits on property that is adjacent to a public right-of-way, and the natural grade of the property is lower than the average grade of the public right-of-way, the Responsible Party may raise the grade of the property that the Sign is located up to 4 feet, in accordance with development and all other ordinances, and Height will be measured from the highest attached component of the Sign or of its supporting Structure (whichever is higher) and the increased grade.

Historic District shall mean a geographically defined neighborhood or area that has a significant historical, architectural, or cultural significance to the overall character and identity of the City.

Historic Landmark shall mean a Site, and/or all Structure(s), located thereon , that have been designated by the City through criteria established within this article.

Homeowners Association shall mean an incorporated or unincorporated association that is designated as the representative of the owners of the property in the Suburban Subdivision that: (1) has a membership primarily consisting of the owners of the property covered by the dedicatory instrument for the Suburban Subdivision, and (2) manages and/or regulates the Suburban Subdivision for the benefit of the owners of property in the Subdivision.

House shall mean a single Dwelling unit Edgeyard Building on a regular Lot.

Incremental shall mean characterizing progress, such as the evolution of a Building parcel or a City, accomplished one small step at a time.

Inventory shall mean a list of properties that have been identified and evaluated as meeting specified criteria of significance as a contributing or non-contributing historic Structure or Site.

IBC/ ICC (International Building Code/ International Code Council) shall mean the Code or Codes adopted by the City of Bastrop to ensure public health and safety of buildings, including all related Codes.

Infill/ Infill Development shall mean Non-new Development on land that had been previously developed, including most Greyfield and Brownfield Sites and cleared land within Urbanized areas. verb- to develop such areas.

Inflatable Sign shall mean an inflatable device, with or without a message, figure, or design attached to its surface designed to attract attention.

Layer shall mean a range of depth of a Lot within that certain elements are permitted.

First Layer	The area of a Lot from the Frontage Line to the Facade of the Principal Building.
Second Layer	The area of a Lot set behind the First Layer to a depth of 20 feet in all Place Types.
Third Layer	The area of a Lot set behind the Second Layer and extending to the rear Lot Line.

Light Trespass shall mean light emitted from fixtures designed or installed in a manner that unreasonably causes light to fall on a property other than the one where the light is installed, in a motor vehicle drivers' eyes, or upwards toward the sky.

Lighting shall mean any source of light that does not include natural light emitted from celestial objects or fire. The term includes any type of Lighting, fixed or movable, designed or used for outdoor illumination of buildings or homes, including Lighting for billboards, streetlights, canopies, gasoline station islands, searchlights used for advertising purposes, externally or internally illuminated on- or off-Premises advertising Signs, and area-type Lighting. The term includes Luminous Elements or Lighting attached to Structures, poles, the earth, or any other location.

Liner Building shall mean a Building specifically designed to mask a parking Lot or a Parking Structure from a Frontage.

Lightwell shall mean a Private Frontage type with a below grade entrance or recess entrance designed to allow light into basements or lower levels.

Logo shall mean graphic symbols used to represent or identify a company or Commercial, institutional, or non-profit entity or organization.

Lot shall mean an undivided tract or parcel of land having Frontage on a Public right-of-way or on an approved Civic Space or Open Space having direct Thoroughfare access, and that is or may be offered for sale, conveyance, transfer or Improvement, that is designated as a distinct and separate tract, and that is identified by a tract, or Lot number or symbol in a duly approved Plat that has been properly filed of record.

Lot Line shall mean the boundary that legally and geometrically demarcates a Lot.

Lot of Record shall mean a Lot that is part of a Plat that has been recorded in the office of the County Clerk of Bastrop County.

Lot Width shall mean the length of the Principal Frontage Line of a Lot.

Lumen shall mean the unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture (as distinct from "watt," a measure of power consumption). The initial Lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer. (Abbreviated lm)

Lumens per Acre shall mean the total number of lumens produced by all lamps utilized in Outdoor Lighting on a property divided by the number of acres, or part of an acre, with outdoor illumination on the property.

Luminous Elements (of a light fixture) shall mean the lamp (light bulb), any diffusing elements, and surfaces intended to reflect or refract light emitted from the lamp individually or collectively comprise the Luminous Elements of a light fixture (luminaire).

Main Civic Space shall mean the primary outdoor gathering place for a community. The Main Civic Space is often, but not always, associated with an important Civic Building.

Mandatory Street Network shall mean the system of Thoroughfares identifying the physical location of each Thoroughfare and its Street Type.

Manufactured Home shall mean a Structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "recreational vehicle."

Marquee Sign shall mean a canopy or covering Structure bearing a signboard or copy projecting from and attached to a Building.

Master Sign Plan shall mean a comprehensive document containing specific Standards for an entire Project or property's Signs.

Meeting Hall shall mean a Building available for gatherings, including conferences, that accommodates at least one room equivalent to a minimum of 10 square feet per projected Dwelling unit within the Pedestrian Shed in that it is located.

Minor Plat shall mean a Plat as defined in 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as Standard Procedure as defined herein.

Mobile Concession Trailer shall mean a vending unit selling items defined as edible goods, pulled by a motorized unit, and has no power to move on its own.

Mobile Food Cart or Concession Cart shall mean a mobile vending unit, selling items defined as edible goods, that must be moved by non-motorized means.

Mobile Food Truck shall mean a self-contained motorized unit selling items defined as edible goods.

Mobile Food Vending Unit shall mean a Mobile Food Truck, Mobile Food Cart, Concession Cart, or Mobile Concession Trailer.

Mobile Food Vendors shall mean any Business that operates or sells food for human consumption, hot or cold, from a Mobile Food Vending Unit.

Mobile Food Vendor Food Court shall mean a Site designed for the operation of one or more Mobile Food Vendors as the primary use.

Mobile Home shall mean a factory assembled Structure approved by the municipality with the necessary service connections made so as to be movable on Site and designed to be used as a permanent Dwelling.

Monument Sign shall mean a Sign permanently affixed to the ground at its base or by poles that are enclosed by natural stone, stucco, brick, or wood and not mounted to a part of a Building. Pole(s) may be used to construct a Monument Sign so long as the poles are not visible below the Sign.

Neighborhood Regulating Plan shall mean a neighborhood design plan created through a series of maps defining the physical form, Place Type allocation, Block Types, and extent of a settlement as required the Code. The three Development Patterns addressed in this Code are CLD, TND, and VCD and allow for the creation of a variety of Neighborhood Regulating Plans patterns.

Nonconforming Sign shall mean a Sign lawfully in existence on the date the provisions of this Code are adopted that do not conform to the provisions of this Code, but were in compliance with the applicable Standards at the time they were constructed, erected, affixed, or maintained.

Non-contributing Structure shall mean a Structure within a designated local Historic District that is not considered to be of historical significance or which does not possess significant physical features, historical associations, or historical architectural qualities.

Nonresidential shall mean a property used for purposes other than to Residential.

Off-Premise Sign shall mean any Commercial Sign that advertises a Business, person, or activity involving the sale, lease, or rent of goods, products, real property, or services not located on the property where the Sign is installed, or that directs persons to a location other than the property where the Sign is located. Also, commonly referred to as a billboard.

Open Space shall mean land intended to remain undeveloped; it may be for Civic Space, left natural or integrate trials or other activities.

Ordinary Maintenance shall mean activities relating to a property that would be considered ordinary or common for maintaining the property, such as a) repair using the same material and design as the original and does not require structural modifications; b) repainting; c) reroofing, using the same type; or d) repair of sidewalks and driveways.

OSSF shall mean on-site sewage facility, commonly referred to as septic systems, whether of a traditional or "engineered" design.

Outdoor Display Case shall mean a Structure containing other items, storing products, or serving another purpose related to the Business. It includes a Vending Machine or an automated teller machine.

Outdoor Lighting shall mean temporary or permanent Lighting that is installed, located, or used in such a manner to cause light rays to shine outdoors. Nonresidential fixtures installed indoors causing light to shine outside are considered Outdoor Lighting for the intent of this article. (See Figure B), Residential fixtures installed indoors generating more than 6,200 lumens (approximately equal to a 300 watt incandescent bulb) that cause light to shine outside are also considered Outdoor Lighting for the intent of this article.

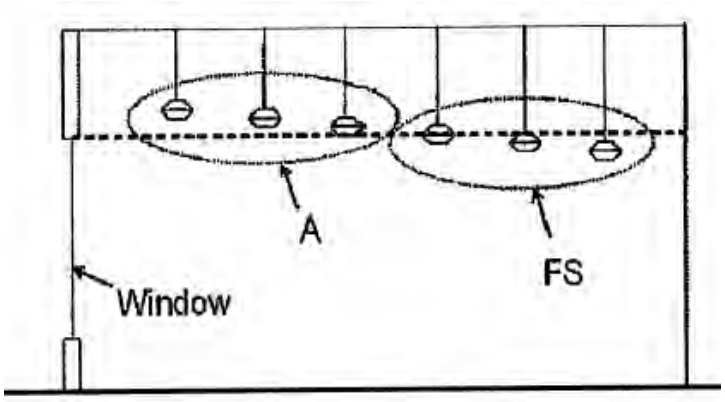


Figure B

Figure B: Elevation view showing a Nonresidential Application of indoor Lighting, labeled FS, that will be subject to this article, labeled A, that is installed so that it is not subject to this article. This example presumes the Structure in question is not elevated such that any of the luminaries labeled A in the figure above may be seen from any other property. If the Structure is elevated such that the luminaries labeled A are visible from another property then they are subject to this article.

Overlay Zones shall mean a set of zoning requirements that is described in the ordinance text, is mapped, and is imposed in addition to those of the underlying district. Development within the overlay zone must conform to the requirements of both zones or the more restrictive of the 2.

Park shall mean a Civic Space type that is a natural preserve available for unstructured recreation.

Path shall mean a Pedestrian way traversing a Park or rural area with landscape matching the contiguous Open Space, ideally connecting directly with the urban Sidewalk network.

Pattern Book shall mean a supplemental set of Standards, information, and inspiration supporting this Code. Architecture, urban design, and landscape design are housed within its contents.

Pedestrian shall mean any person afoot. A person who uses an electric personal assistive mobility device or a manual or motorized wheelchair is considered a Pedestrian unless the manual wheelchair qualifies as a bicycle. For the purposes of this paragraph, "motorized wheelchair" means a self−propelled wheelchair that is used by a person for mobility.

Pedestrian Shed shall mean the area covered by a 5-minute walk from the center of a neighborhood (about 0.25 miles or 1,320 feet). The acreage of the Pedestrian Shed is determined by the Development Pattern.

Place Types or Place Type Zones shall mean geographic boundaries that use Standards to establish the Building Types density, height, and other elements of the intended habitat. Each Place Type has associated Standards relating to the Private and Public Frontages.

Place Type Zoning Map shall mean the official map or maps that are part of the B^3 Code and delineate the boundaries of individual districts.

Planning & Zoning Commission shall mean a board, appointed by the City Council, authorized to recommend changes in the zoning and other planning functions as delegated by the City Council. Also referred to as the "Commission."

Plat shall mean a of a division of land creating Building Lots or tracts, showing all essential dimensions, and other information necessary to comply with the Standards of the City of Bastrop, approved by the City of Bastrop, and recorded in the Plat records of Bastrop County. It shall include plan, Plat or Replat, both singular and plural.

Plaza shall mean a Civic Space type designed for Civic purposes and Commercial activities in the more urban Place Types, generally paved and spatially defined by Building Frontages.

Pre-Construction shall mean a formal meeting with the City Engineer before a Public Improvement Plan or Public Improvement Plan Agreement may be approved.

Pre-Development Meeting shall mean a formal meeting with planning staff required before a request for any Plat, Replat, or Plat vacation may be submitted to the City.

Premises shall mean land together with any buildings or Structures situated thereon.

Preservation shall mean the stabilization of a historic Building, its materials and features in their present condition to prevent future deterioration. Preservation focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time.

Primary Frontage shall mean the Private Frontage designed to bear the address and Principal Entrance(s) of a Building.

Principal Building shall mean the main Building on a Lot.

Principal Entrance shall mean the main point(s) of access for pedestrians into a Building or unit within a Building.

Principal Building Facade shall mean the primary Street side of the Building facing the Public Realm.

Principal Frontage shall mean the Private Frontage designed to bear the address and Principal Entrance(s) of a Building.

Private Frontage shall mean the privately held first Lot Layer and the Facade of the Building.

Private Realm shall mean the privately-owned Lot layers, land and /or Structures.

Project shall have the same definition as "Development".

Public Frontage shall mean the area between the Curb of the vehicular lanes and the Frontage Line.

Public Improvement Plan means any Project for the erection, Construction, alteration, repair or improvement of any public Structure, Building, road, or other public improvement of any kind.

Public Realm shall mean the Streets, parks, squares, green spaces, and other interconnected outdoor places that require no key to access them and are available without charge for everyone to use.

Public Wastewater Treatment and Collection System shall mean a system that is installed and maintained by an entity that holds a wastewater CCN from the state and is served by a wastewater treatment facility that holds a discharge permit from the Texas Commission on Environmental Quality, or successor entity.

Rearyard Building shall mean a Building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard.

Reconstruction shall mean the act or process of reassembling, reproducing or replacing by new Construction, the form, detail and appearance of property and its setting as it appeared at a particular period of time by means of Removal of later work or by the replacement of missing earlier work or by reuse of original materials.

Rehabilitation shall mean the act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural, and cultural values.

Relocation shall mean any change of the location of a Structure in its present location to another location within the City Limits.

Removal shall mean permanently moving a Structure or feature or tree from its current location.

Replat shall mean a Plat as defined in Chapter 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as Standard Procedure as defined herein.

Residence or Residential shall mean a Structure designated and built for a someone to live. Same as Dwelling.

Responsible Party shall mean the owner/operator of the Business being identified on the Sign; the owner of the property that the Sign or Sign structure is located; the owner of the Sign or Sign structure; the person who installs a Sign or Sign structure, contracts with or directs a person to accomplish the installation; and/or the person who retrieves a Sign from the impound.

Resubdivision shall mean the division of any part of an existing Subdivision, including any change of Lot(s) size therein, and/or with relocation of any Street lines.

Restoration shall mean the act or process of accurately recovering the form and details of a Building, Structure or object or Lot, parcel or Site and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacements of missing earlier work.

Roof Signs shall mean a Sign displayed about the eaves and under the peak of a Building. This term includes a Sign painted, erected, constructed, or maintained on the roof of a Building.

Rowhouse shall mean a single or multi-unit Building that shares a party wall with another of the same type and a Facade along 100% of the Frontage Line.

Screened shall mean shielded, concealed, and effectively hidden from view by a person standing at ground level on an abutting Site, or outside the area or feature so Screened by a fence, wall, hedge, berm, or similar architectural or landscape feature.

Secondary Frontage shall mean on corner lots, the Private Frontage that is not the Principal Frontage.

Setback shall mean the area of a Lot measured from the Lot Line to a Building Facade or Elevation that is maintained clear of permanent Structures, with the exception of encroachments listed in this Code.

Shall or May shall mean the word "shall" shall be deemed mandatory, the word "may" shall be deemed permissive.

Shingle Sign shall mean a suspended Sign used to identify and indicate pertinent facts concerning a Business or professional service conducted on the Premises.

Sidewalk shall mean a type of Walkway paved with concrete or pavers.

Sidewalk Sign shall mean an A-framed, hinged, or folding Sign that is Freestanding and portable and not affixed to a base or pole structure. A Sidewalk Sign can be in the form of a board or an easel.

Sideyard shall mean the placement of a Building within the boundaries of its Lot to create a private Sideyard, with a Setback to one side. Sideyard is a Building Type.

Sign shall mean a structure, Sign, display, light device, figure, painting, drawing, message, plaque, poster, billboard, or other object that is designed, intended, or used that includes text or images designed to communicate. Signs located completely within an enclosed Building and not exposed to view from outside the Building or Structure shall not be considered a Sign. Each display surface of a Sign or Sign Face shall be a Sign.

Sign Administrator shall mean the officer appointed by the City Council with the authority to enforce this Code. The Sign Administrator or designee shall review Sign Standards and applications. In the absence of designation by the City Council, the City Administrator shall serve as the Sign Manager. The term also includes any person designated to act on behalf of the Sign Administrator.

Sign Face shall mean the total surface including frame and mounting. The actual area of the Sign shall be calculated using trigonometric methods when the Sign is not a simple rectangle. The allowed area of the Sign as stated in the ordinance equals

one side of a Freestanding back-to-back Sign provided the Freestanding Sign's sides are back to back or angled with no greater separation between sides at its widest point than 4 feet and provided that both sides have the identical Sign. Frame and mounting shall not exceed 30% of the total surface area of Sign. When referring to area limitations of monument Signs, area and signable area refers to an area within a continuous perimeter that includes the Sign structure as well as the lettering, illustrations, ornamentations, or other figures, but does not include the Sign base. Required landscaping does not count towards signable area.

Significant Historic Landmark shall mean a designation established under Ordinance 2007-30 for a Site or Structures.

Site(s) shall mean the location of a significant event, a prehistoric or historic occupation or activity, Building or Structure, whether standing, ruined, or vanished, where the location itself possesses historical, cultural, architectural or archeological value regardless of the value of any existing Structure.

Site Plan shall mean the engineered or surveyed drawings depicting proposed development of land.

Sketch Drawing shall mean a preliminary design of a Subdivision and/or development that illustrates the layout of rights-of-way, blocks, lots, easements, Civic/Open Spaces, Drainage and land uses. A Sketch Drawing is preliminary in nature but provides enough detail to define the physical form of a Subdivision and/or development to allow staff to provide relative feedback to an Applicant. Review of a Sketch Drawing is not considered the filing of an original Application or plan for development for purposes of Chapter 245 of the Texas Local Government Code.

Soil Cells shall mean devices designed and installed to provide trees and plants in urban environments with the correct nourishment and suitable conditions that promote healthy growth, without disturbing the structures above.

Standard Procedure shall mean the procedure to be followed for the approval of a Subdivision when the land proposed to be subdivided.

Standard Subdivision shall mean the procedure to be followed for the approval of a Subdivision when the land proposed to be subdivided.

Structure(s) shall mean something built or constructed, such as a Building, bridge, monument, or statue.

Square shall mean a Civic Space designed for unstructured recreation and Civic purposes, circumscribed by Thoroughfares, spatially defined by Building Frontages, and consisting of Paths and/or Sidewalks, lawn and trees, formally lining the space.

Standards shall mean the mandatory requirements or rules of this Code.

Stoop shall mean an exterior stair and landing leading to an elevated first Story of a Building.

Story shall mean a habitable level within a Building, excluding an Attic or raised basement.

Street shall mean a local urban Thoroughfare of low speed and low to moderate capacity .

Street Screen shall mean a freestanding wall or living fence or combination fence built along the Frontage Line or in line with the Building façade along the Street. It may mask a parking lot or a loading/service area from view or provide privacy to a side yard and/or strengthen the spatial definition of the Public Realm.

Street Trees shall mean any tree that is growing in the City right-of-way, whether in improved (between the Sidewalk and the Curb) or unimproved (no Sidewalk and/or Curb) right-of-way.

Street Type shall mean a particular type of Street and its characteristics, including right-of-way width, number and dimensions of elements, and the intended purpose of the Street.

Structure shall mean anything constructed or erected, the use of that requires location on the ground, or that is attached to something having a location on the ground.

Subdivision shall mean the division of any Lot, tract or parcel of land into 2 or more parts in order to lay out a Subdivision of the tract, including an addition to the City, to lay out a neighborhood, Building, or other lots, or to lay out Streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the Streets, alleys, squares, parks, or other parts.

Substantial Modification shall mean an Alteration to a Building that is valued at more than 50% of the assessed value of the Building.

Swale shall mean a low or slightly depressed area for Drainage, usually vegetated.

Technical Manual shall mean the Bastrop Building Block Tech Manual, referred to as the B^3 Technical Manual, aligns and supports Standards, requirements, and processes within the B^3 Code and all associated chapters of the City of Bastrop Code of Ordinances, relating to or involving development, health, and safety of the City.

Temporary Lighting shall mean Lighting intended for uses that by their nature are of limited duration; for example holiday decorations, Civic events, or Construction projects.

Temporary Sign shall mean a banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials and that appears to be intended or is determined by the Sign Administrator or the Administrator's designee to be displayed for a limited period.

Terminated Vista shall mean a location at the axial conclusion of a Thoroughfare or Pedestrian way. A Building located at a Terminated Vista, designated on a Neighborhood Regulating Plan or Zoning Concept Scheme, is required or recommended to be designed in response to the axis.

Terrace shall mean an elevated, paved patio or veranda at the entrance to a Building. This type is suitable for first floor Commercial Uses as outdoor seating space.

Texas Department of Transportation and/or TxDOT shall mean the state agency authorized by the State Legislature, or its successor agency, to regulate matters related to highway and road Construction. (Note: When any TxDOT standard, "Item" regulation, definition or other matter is referenced, utilized, or adopted herein, the City also specifically adopts by this note of reference, and shall automatically apply without further amendment to this Code, the applicable successor TxDOT standard(s), "Item(s)", regulation(s), definition(s) or other matter(s), as amended by state law over time).

Third Place. A public location that hosts regular, voluntary, and informal gatherings of people separate from the two usual social environments of home ("first place") and the workplace ("second place") such as churches, cafes, clubs, public libraries, or parks.

Thoroughfare shall mean a way for use by vehicular and Pedestrian traffic and to provide access to lots and Open Spaces, consisting of vehicular lanes and the Public Frontage.

Total Outdoor Light Output shall mean the total amount of light, measured in lumens, from all outdoor light fixtures within the illuminated area of a property. The Lumen value to be used in the calculation is the Lumen value as defined in this article. To get the total, add the Lumen output attributed to each light fixture.

Transmission Lines shall mean electric Transmission Lines are electric power lines operated at 50 KV or above as further described in National Safety Electric Code. Gas, petroleum or like transmission pipelines are those facilitating transfer from one storage facility to another and more fully described in definition (25) Transportation or to transport under Texas Administrative Code Rule Title 16 Economic Regulation, Part 1 Railroad Commission, Chapter 3 Oil and Gas Division, Rule 3.79 Definitions.

Transportation Corridor shall mean a linear area that is defined by one or more modes of transportation like highways, railroads or public transit that share a common course.

Uplighting shall mean Lighting that is directed in such a manner as to project light rays above the horizontal plane running through the lowest point on the fixture where light is emitted.

Valance shall mean the portion of an awning that hangs perpendicular to the Sidewalk.

Variance shall mean a ruling that would permit a practice not consistent with either a specific provision or the Intent of this Code. Variances are granted by the ZBA in a public hearing.

Vending Machine shall mean any Sign integrated into or placed on a coin, cash, credit card, or debit card operated self-service machine that dispenses such goods or services as propane cages, ice, DVDs, or cash automated teller machines (ATMs).

Village Center Development or VCD shall mean a Development Pattern structured by a Pedestrian Shed oriented toward a Common Destination such as a general store, Meeting Hall, schoolhouse, or church with dense P4 and P5 Place Types surrounded by Open Space. Vehicles are kept on the peripheral and rear of the development.

Walkability shall mean a measure of how easy it is to travel a place by walking. Walkable places are safe, comfortable, interesting, and have useful destinations. Walkability is core principle of the Bastrop community, as walking is the quickest route to independence.

Walkway shall mean the section of the Public Frontage dedicated exclusively to Pedestrian activity.

Warrant shall mean a ruling that would permit a practice that is not consistent with a specific provision of this Code, but that is justified by its Intent. Warrants are granted administratively by the DRC.

Window Sign shall mean Signs that are painted on, etched in, or visible through a window or transparent door of a Building that are oriented in a manner establishing an intent to be viewed off-Premises or from public or private roadways. This term excludes Signs displayed inside of buildings primarily for patrons on the Premises.

Yard Sign shall mean a Sign with freestanding Sign hardware mounted to one or more poles or posts anchored to the ground and is in front of the Building.

Yield Street shall mean a 2-way Street appropriate in Residential environments where drivers are expected to travel at low speeds.

Zoning Concept Scheme shall mean a Place Type Zoning design plan created through a series of maps defining the physical form, Place Type allocation, Block Types to the extent required by the Code.

B^3 Code Modifications

The list below contains substantive changes made to the Code from the previous 9/20/19 Draft B^3 Code. Code modifications correcting grammar, punctuation, spelling, typos or cross references were also made but are not referenced below.

- Pole Signs have been added back to the 71 District and HWY 95 per staff direction
- The max Height allowed along Hwy. 71 is 35 feet.
- The max Height allowed along Hwy. 150 and Hwy. 95 is 20 feet.
- Sign Section was updated to address legal comments.
- Master Sign Plans were added to sign section.
- Common Sign Plans were removed and modified to be reflective of Master Sign Plans.
- Legal comments have been addressed. Most of the topics wording changes.
- Legal comment for TXDOT agreements modified to be required prior to Final Plat submittal.
- The reference section was removed per staff request.
- Street cross sections, designs, and widths were modified to match the Transportation Master Plan (TMP).
- Pavement sections were updated to match TMP.
- Added Protected & Heritage Trees based on P&Z recommendations.
- The Rural Street section has been added.
- Character Districts were updated in the tables and maps to align with name changes.
- All plat notes and signature blocks were added to the B^3 Technical Manual.
- Modified Iredell District and Historic Landmark District requirements to update the Certificate of Appropriateness based on Council feedback.
- Charts were updated and aligned to references.
- References N/A in the charts were removed and replaced with appropriate labels.
- Added Definitions for Soil Cells, Geographically Sensitive.
- Removed graphics, references, and definitions for Edgeyard Buildings Villa and Ranch House.
- Defined words were capitalized throughout the Code.
- All Council comments submitted by staff were addressed.

BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

Building Bastrop Policy Statement:

A Purpose Statement and Explanation for all development related code revisions and rulemaking procedures to ensure clarity and consistency.

What is Building Bastrop?

The City of Bastrop launched **Building Bastrop** on August 15, 2018 to create a new set of tools that will support the community in a responsible manner for generations to come. It is all about connecting people to policy. It is about humanizing an otherwise complicated and mundane process of rewriting the City's land-use regulations. It is about the journey that the City of Bastrop has taken to get to this point, weaving together its history and the philosophies that define authentic Bastrop. It is about love, community pride, and defining the City's way of life. It's about Building Bastrop together. Honoring our authentic past. Planning for our sustainable future.

Why is Building Bastrop Important?

Planning for the Next 100 Years: Bastrop, Texas, established on June 8, 1832 making it one of the oldest towns in Texas, will celebrate its 187th birthday in 2019. Bastrop will celebrate 200 years as a city in 2032, just 13 years in the future. The original settlers of Bastrop discovered a lush landscape where several geographies of Texas collide along the banks of the Colorado River. They set out to build a unique and lovely place for the future. Using the tools they had at the time to plan a logical path for growth going forward, they laid the foundation for a resilient community. The geography of the area, the development pattern of the land, and the organization of the buildings established a pure and authentic Texas town. How the City uses the information, gifted from the founders, to guide Bastrop's future is the journey the City must afford itself to take, today, especially since existing codes and regulations would prevent such development from occurring today.

Comprehensive Plan Goals: The City updated its Comprehensive Plan in 2016 with significant participation from the community. Known as Comprehensive Plan 2036, it provides an innovative vision for all aspects of the community including transportation and land-use. This plan also recognized the detrimental effects of sprawl development. The Comprehensive Plan 2036 defines sprawl on Page 2-7 as "a spatial development pattern or condition that occurs when large tracts of land are devoted to a single use (single-use zoning); where individual buildings take up increasingly large portions of land (low-density development); and the only way to navigate from one area to another is by automobile (auto-dependency)."

Aging Infrastructure: Bastrop's infrastructure is aging, drainage and land-use regulations are outdated, and flooding is frequent and damaging. Traffic is increasing, and development, while following current regulations, is not indicative of a fiscally responsible, resilient city. Bastrop's position is not unique; many vulnerable cities throughout Texas and the U.S. are confronting similar issues resulting from decades-old policies and land use regulations.

Significant Growth: Year after year, Central Texas continues to top the charts as one of the fastest growing regions in the nation. The ever-growing industries and influx of people moving to the area create substantial opportunities and challenges for the cities in the metro area. Austin's high housing costs, unresolvable traffic congestion, and limited room for growth, created a shortage of attainable housing in Austin proper. Furthermore, its complicated and outdated development code and process further exacerbate the problems. The development patterns in these cities are on a scale, which is out of compliance with the way cities were historically built. There are many serious challenges associated with the pattern of development, referred to as sprawl. They range from the scale, speed, and cost of the streets to the separation of land uses, housing types, and isolation of schools, businesses and civic facilities. Terms often associated with suburban sprawl are placeless places, generic neighborhoods, or anywhere America.

The Need to Get Development Right: Bastrop is facing significant growth, and like most communities, has one shot to get it right! Bastrop currently lies just east of the rapid sprawling growth. It may not be long before the massive growth pressures arrive. As the growth heads eastward, it is imperative Bastrop understand its options and defines the path for its future or it too, could be a place run over with placeless characteristics. As the City of Bastrop prepares to take an eye-opening journey of planning a resilient City for the generation of today, and ones of the future, a connection must be made to understand and respect the history that shaped its past, while planning for a sustainable future.

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Building Bastrop Purpose Statement Adopted by Bastrop City Council:

Create a fiscally sustainable community through land-use regulations that are locally made (Authentic Bastrop) and geographically sensitive.

What does this Purpose Statement Really Mean?

Fiscally sustainable is the ability of a government to sustain its current spending, tax, and other policies in the long-run without threatening government solvency or defaulting on some of its liabilities or promised expenditures. In recent years, local governments have come to understand that suburban sprawl will never lead to fiscal sustainability.

All infrastructure is built as a part of a new development and typically paid for by the developer. The developer pays for the installation one time. The City pays to maintain and/or replace the infrastructure in perpetuity. Yet, the revenue generated from "sprawl" development does not cover the cost of the maintenance and/or replacement of its infrastructure leaving a deficit for the community to have to cover through other sources of revenue or risk letting their infrastructure decline to the point of catastrophic failure.

The City of Bastrop cannot fix the aging infrastructure it has, much less take on any additional infrastructure. Rather than play the "blame game," City Council is playing the "responsibility game." Recognizing that you cannot solve a problem with the same level of thinking that creating it, the City Council is changing the way the City addresses development through the creation and adoption of fiscally sustainable development standards, as noted in the Comprehensive Plan 2036.

Goal 2.1.1.2 of the Comprehensive Plan states "Prepare and utilize a fiscal impact analysis tool when determining the value of annexing property, or when reviewing proposed planned developments or other development proposals". The City of Bastrop hired Verdunity, Inc. to develop a fiscal sustainability model, which will do two (2) things. First, determine how unsustainable existing development is in Bastrop. Second, provide a mechanism to ensure all development built in the future IS fiscally sustainable.

Long term, fiscally sustainable development has to be a win-win for both the City of Bastrop and the development community. The development standards must be economically viable for the developer to build, while generating sufficient revenue for the City of Bastrop to maintain and replace the required infrastructure in perpetuity.

Locally made is another way of saying **Authentic Bastrop**. Authentic means being so in fact, genuine, not fraudulent or counterfeit. In order to be authentic, every development principle, philosophy, etc. that is included in any development related code revision or rulemaking procedure must meet the Building Bastrop Purpose Statement. There cannot be a "cut, copy, and paste" mindset using another city as a model when writing regulations. Every principle, philosophy, etc. included must have a proven history of meeting the elements required in the Purpose Statement, specifically tailored to fit Bastrop.

Geographically sensitive recognizes the differences in geography that exist in Bastrop, which can affect development. For example, part of Bastrop is located on a bluff. Part of Bastrop is flat. Part of Bastrop has clay soil. Part of Bastrop has various sandy soils. There is significant floodplain in Bastrop created from the Colorado River, Gils Branch, and Piney Creek. State Highway 71, a four-lane highway running east/west through Bastrop, creates a physical barrier challenging non-automobile related transportation. Union Pacific Railroad runs through the middle of the community with twelve (12) crossings. The Lost Pines Forest is a unique 13-mile belt of loblolly pines in the City of Bastrop, its extraterritorial jurisdiction (ETJ), and the County. A portion of Bastrop is included in the Lost Pines Conservation Area for the Houston Toad, an endangered species. Therefore, all codes must acknowledge the environment rather than taking a "one-size-fits-all" approach that can lead to the creation of detrimental development.

What are the Elements of Fiscally Sustainable?

In October 2018, SimpleCity Design presented a report on Bastrop DNA Analysis, an in-depth analysis of Downtown Bastrop's anatomy and how it functions as a complete neighborhood. The analysis serves a starting point to inform the conversation as the City plans for implementing new development standards mentioned within the Comprehensive Plan, not just Downtown, but city-wide. The DNA analysis quantified various elements of the original city fabric and captured the patterns of the built environment, which will inform the future of the City through integration into new locally made development standards.

The configuration of streets, buildings, and infrastructure have served Downtown Bastrop patrons, residents, and businesses for hundreds of years, and the value of the built environment continues to rise. The day the buildings were built Downtown was the lowest value they have ever had. The flexibility in design allows market trends to shift with little to no change to the built environment or street network.

Grid. Downtown Bastrop is laid out in an almost perfect series of small gridded blocks that are 330' X 330'. The gridded network of streets is a fundamental element, which creates the most effective and efficient structure for cities to be walkable, flexible, and timeless.

The grid creates flexible blocks. A block could be used as a farm lot, a series of small houses, main street buildings, or even a skyscraper, without reconfiguring the network of streets. The blocks provide a variety of density levels, lot sizes, and organization to fit what the market supports at that time in history.

Streets are sized appropriately to the scale of the buildings and lot makeup. Infrastructure is gridded and provides a series of intersections for redundancy. A natural hierarchy of streets are

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determined by building forms and land uses. Bike routes from existing infrastructure can be created based on the use and the design of existing streets. The navigable design makes it easy to move around on food, bike, skateboard or car with endless options for routes.

Diverse building types throughout Downtown Bastrop create fiscally viable options for small businesses and residents, with a variety of income levels. The integration of small buildings, located alongside larger buildings and small houses, located adjacent to larger homes, support a mix of options for people looking to move or open a business in Bastrop.

Walkable Place. Downtown Bastrop was built with clear and logical intentions, from the layout of the streets, the location along the waterfront, the orientation of the buildings, to the variety of building scales and types. The makeup of the original town functioned well for the population then and functions well for the population now. Downtown functions as a complete neighborhood, providing easy access to a wide range of services, housing types, office space, and parks and civic space with a comfortable walk, bike ride, or drive away. The arrangement of the small gridded network of streets further enhances the options provided to the people in Downtown.

It is important to note that Americans walk about a ¼ of a mile or a five (5) minute walk to services or places of interest. However, when the environment is comfortable, shaded and welcoming, they will walk about ½ of a mile. Bastrop's gridded tree-lined streets make it easy to access nature, services and restaurants all within a close proximity creating real opportunities for a walkable neighborhood.

Timeless place. The overall organization of the built environment Downtown Bastrop is timeless. It has already proven to withstand the test of time related to the introduction of cars, new market demands, new housing trends, how services are delivered, and how people choose to live in the modern world.

Key elements, which make Downtown Bastrop timeless and fiscally sustainable, include:

- the continuous rows of buildings and how they address the street;
- flexible space and building types to support a range of businesses and housing options;
- existing resources, infrastructure, and buildings are easily adaptable for modern trends;
- the blocks provide a variety of density levels, lot sizes, and organization to fit what is supported at that time in history;
- the shopfronts and ground floor characteristics at the street edge;
- upper story space to house offices, residents, or artists/creative spaces;
- awnings and street trees shading wide sidewalks;
- parks and civic spaces integrated into the built form of the City;
- human scale signs informing people what comes next;
- products spilling into the sidewalks from nearby storefronts;
- incremental development and lack of uniformity creates an inherit visual interest; and
- the people who live, work, and own shops and businesses Downtown.

Golden ratio, also known as Fibonacci sequence. Timeless, walkable places must be visually appealing, comfortable, and built to scale. The golden ratio, also known as divine proportion, appears in art, nature, and science including flower petals, pinecones, shells, trees, and storms. Utilizing the golden ratio into development standards provides a mathematical equation for creativity, when most architects and engineers of today's era have experience in "suburban sprawl" development techniques.

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Bastrop Building – A Journey Worth Taking



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Building Bastrop – Identified Issues to Fix

- Current codes create detrimental development.
  - Land-use regulations have significant conflicts and are difficult to interpret consistently.
  - Drainage regulations were outdated and treated as an “after-thought.”
- Need to preserve what makes Bastrop special/unique.
- Can’t be a “one-size-fits-all” approach.
- Reduce regulations.
- Recognize Bastrop’s geographic differences.

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Building Bastrop – Identified Issues to Fix

- Must create a fiscally sustainable community.
  - Current codes support suburban sprawl.
  - Comprehensive Plan calls for fiscal sustainability through managed growth.
- Must be an open, transparent process with community involvement.
- New codes can't be "cut, copy, and paste." Must be written expressly for Bastrop.

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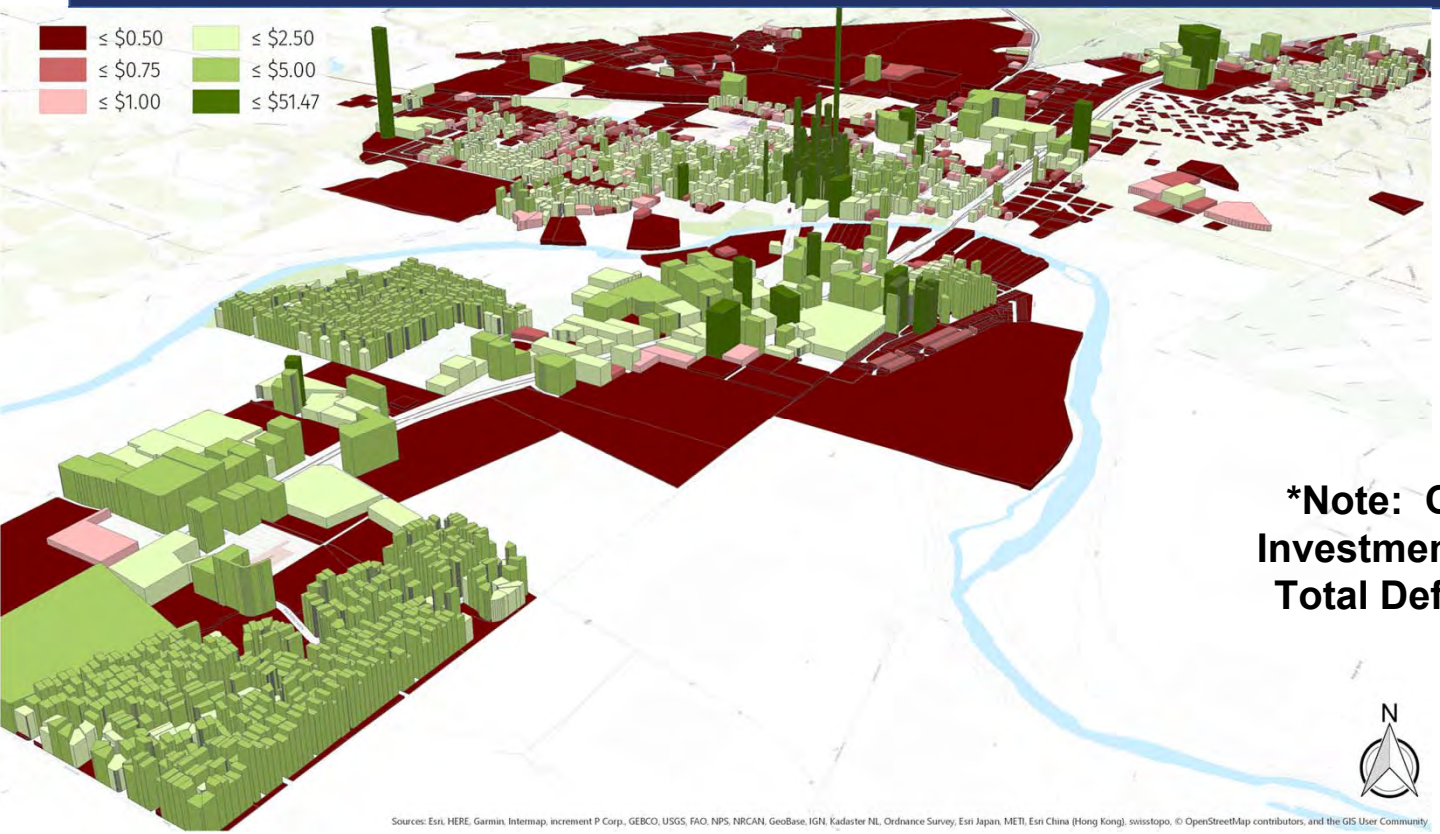
Enacted Moratorium (But, not really)

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- **Exemptions/Exceptions addressed by Council at every meeting.**
- **Enhanced Review Process.**
- **Issued 675 Permits.**

Quantified Unsustainable - $7.22 million annually*



***Note: City of Bastrop 2017 Return-on Investment – Current Operating Budget & Total Deficit as Annual Amount to 2040.**

Building Bastrop Purpose Statement

BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

Create a fiscally sustainable community through land-use regulations that are authentic Bastrop and geographically sensitive.

Drainage – Priority #1



- **Updated Stormwater Drainage Ordinance.**
- **Atlas 14 Compliant.**
- **Drainage is now the STARTING point of each development process – No longer an after-thought.**
- **Detailed check-lists for concept, preliminary, and final drainage plans.**

Locally Made - “Authentic” Bastrop



- **Downtown “DNA” Analysis serves as the foundation for the B^3 Codes.**
- **17 Character Districts that recognize the uniqueness of individual neighborhoods.**
- **Iredell Historic Overlay with Certificates of Appropriateness**
- **No cut, copy, and paste.**
- **Every topic has been vetted specifically for Bastrop.**

Geographically Sensitive (GS)



- Acknowledges that Bastrop is:
  - On a bluff,
  - Is flat,
  - Has clay soil,
  - Has sandy soil,
  - Has significant flood plain,
  - Has endangered species habitat – Houston Toad.

B3 Code:

- Warrant process when geographically sensitive issues exist.
- Allows for Cluster Development to enhance geography as "features."

Reduce Regulations



- Regulate Public Realm, which is built by the developer once and maintained by the City in perpetuity.
- Regulate Private Realm through the International Code Council Codes – Building Code, Fire Code, etc. - not through land-use regulations.
- Regulate Nuisances - Eliminate "land-use" charts.
- Eliminate code conflicts – put in one place and "reference" location as needed.

Open, Transparent, Involved Community



- Multiple Open Houses
- Design Rodeo – 2 Days
- Code Rodeo – 2 Days
- Transportation Rodeo
- Drainage Rodeo
- Developer Forum
- “Come & Go” Q&A Events
- Public Hearings
- Dedicated Web Page
- Pop-Up Event
- Walking & Mobility Tours
- Bike Tours
- Technical Manual Review
- Utility Billing Inserts
- Post Cards to @ address
- Social Media
- Media Coverage
- 4700 Notices Mailed

Fiscally Sustainable



- Adopting a "Gridded Street Network" as a part of the City's Thoroughfare Master Plan.
- Creates a 330' X 330' Block – Just like Downtown (which is fiscally sustainable).
- Improves accessibility.
- Improves multi-modal transportation (walk, bike, vehicle) – live, work, play in ¼ mile radius.
- Development must be fiscally sustainable.

And in addition to…



- Updated the 1445 Ordinance that provides platting authority in the City's ETJ.
- Adopted a Grandfather "Vesting" Ordinance.
- Adopting Nuisance Ordinance – Oct 22/Nov 12
- Adopting ICC Codes – Nov 12/Nov 26
- HB 3167 – Had to rewrite entire development process (Required Tech Manual to be re-written and parts of Code to be updated)

And in addition to…

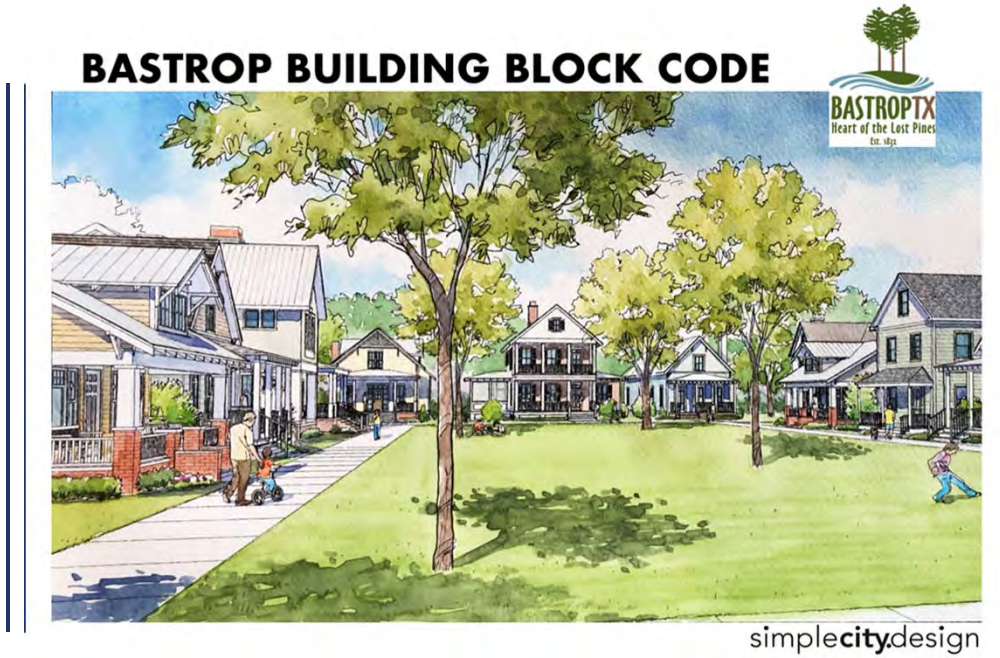


- H.B. 852 – Redo Fee Schedule – No longer able to based on residential values.
- H.B. 2439 – No longer able to regulate building materials except in historic districts – Iredell District Overlay.
- H.B. 347 – Elimination of Unilateral Annexation changed how Bastrop will be able to achieve fiscal sustainability.

Bastrop Building Block (B^3) Code

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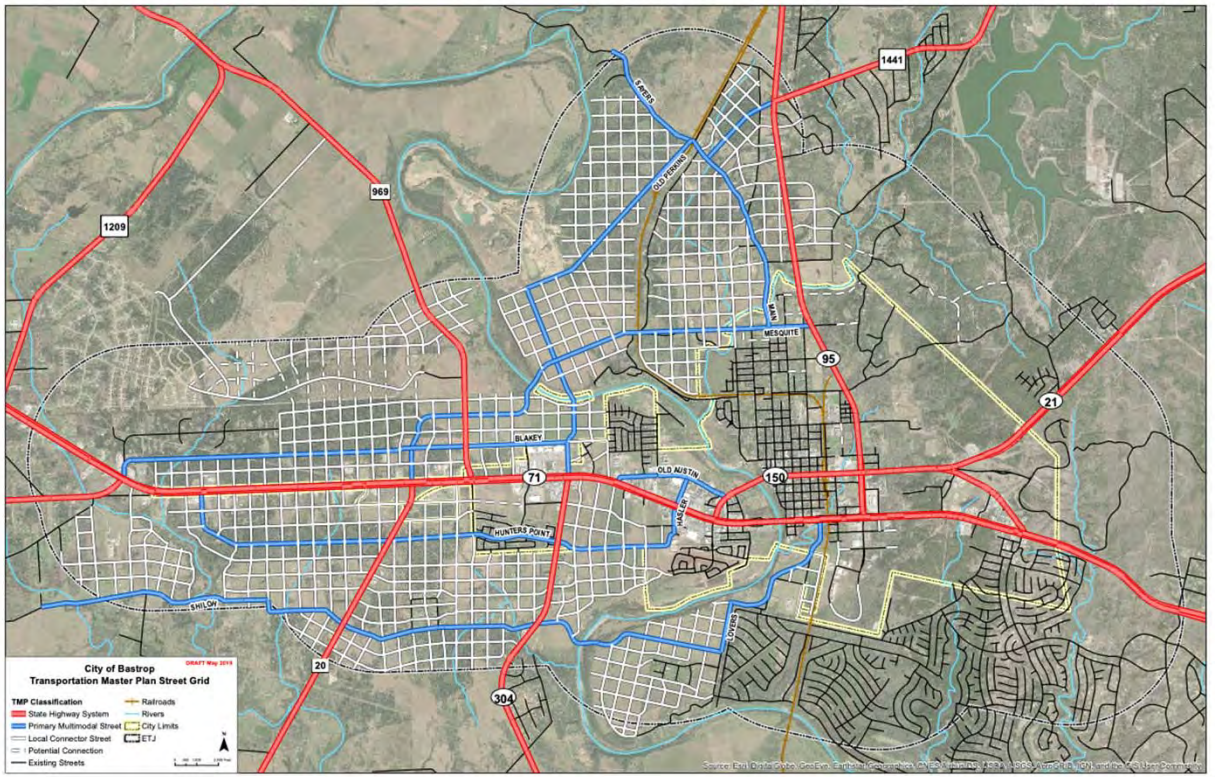
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Block Requirements

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Place Types

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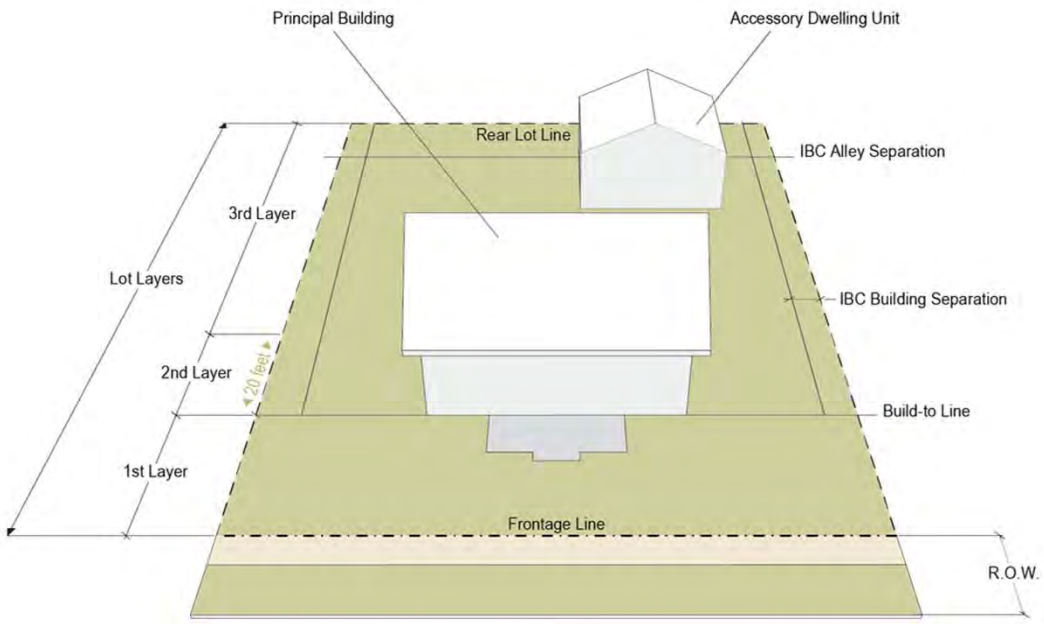
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Lot Structure

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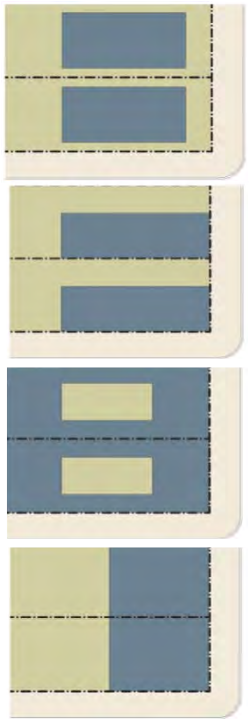


Building Types

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GENERAL PLACEMENT



EDGEYARD

SIDEYARD

COURTYARD

REARYARD

EXAMPLE



B3 Development Tables

B³ DEVELOPMENT TABLES

The following B³ Development Tables contain the details necessary to develop using the Code. The text of the Code explains the Standards and how they are applied. They work together to create complete neighborhoods in a variety of forms and patterns.

	P1	P2	P3	P4	P5	EC
BLOCKS - *SEC. 7.4.002*						
BLOCK LENGTH MAX.	UNLIMITED	720 FT	330 FT	330 FT	330 FT	720 FT
BLOCK PERIMETER MAX.	UNLIMITED	2,880 FT	1,320 FT	1,320 FT	1,320 FT	2,880 FT
STRRETS - *ARTICLE 7.2*						
BOULEVARD	NP	NP	NP	P	P	P
AVENUE	NP	NP	P	P	P	P
CONNECTOR	NP	P	P	P	P	P
NEIGHBORHOOD STREET I	NP	P	P	P	NP	NP

BLANK= BY WARRANT P = PERMITTED NP = NOT PERMITTED

B3 Development Tables

	P1	P2	P3	P4	P5	EC
NEIGHBORHOOD STREET II	NP	P	P	P	NP	NP
COMMERCIAL STREET I	NP	NP	NP	NP	P	P
COMMERCIAL STREET II	NP	NP	NP	NP	P	P
COURT STREET	NP	NP	P	P	P	P
SLIP STREET	NP	NP	P	P	P	P
PARK DRIVE	P	P	P	P	P	NP
BOARDWALK	NP	NP	NP	NP	P	P
PEDESTRIAN STREET	NP	NP	P	P	P	NP
PEDESTRIAN SHEDS						
PLACE TYPE ALLOCATION PER PED SHED*	Varies	Varies	10-35%	25-75%	5-20%	

* Place Type allocation for Traditional Neighborhood Development.

B3 Development Tables

CIVIC SPACE - *ARTICLE 7.5*						
PARK	P	P	P	NP	NP	NP
GREEN	NP	NP	P	P	P	P
SQUARE	NP	NP	NP	P	P	P
PLAZA	NP	NP	NP	NP	P	P
PLAYGROUND	P	P	P	P	P	P
COMMERCIAL PLACE	NP	NP	NP	P	P	P
POCKET PARK	NP	NP	P	P	P	P

BLANK= BY WARRANT P = PERMITTED NP = NOT

	P1	P2	P3	P4	P5	EC
COURT	NP	NP	P	P	P	P
CLOSE	NP	NP	P	P	P	P

B3 Development Tables

BUILDING TYPES - *ARTICLE 6.5*						
REARYARD						
COMMERCIAL	NP	NP	NP	NP	P	P
APARTMENT	NP	NP	NP	P	P	P
ROWHOUSE	NP	NP	NP	P	P	P
SIDEYARD						
SIDEYARD	NP	NP	NP	P	P	P
COURTYARD						
COURTYARD HOUSE	NP	NP	NP	P	P	P
EDGEYARD						
RANCH HOUSE, VILLA	NP	P	P	NP	NP	NP
HOUSE	NP	P	P	P	NP	NP
DUPLEX	NP	P	P	P	NP	NP
TRIPLEX, FOURPLEX	NP	NP	NP	P	NP	NP

B3 Development Tables

ENCROACHMENT TYPES - *SEC. 6.5.002*						
PORCH	NP	P	P	P	NP	NP

BLANK= BY WARRANT P = PERMITTED NP = NOT PERMITTED

	P1	P2	P3	P4	P5	EC
DOORYARD	NP	NP	NP	P	P	P
TERRACE	NP	NP	NP	P	P	P
STOOP	NP	P	NP	P	P	P
LIGHTWELL	NP	NP	NP	P	P	P
GALLERY	NP	NP	NP	P	P	P
ARCADE	NP	NP	NP	NP	P	P

B3 Development Tables

LOT OCCUPATION - *SEC. 6.3.008*						
LOT COVERAGE		40% max	60% max	70% max	80% max	80% max
BUILDING FRONTAGE AT BUILD-TO-LINE		40% min	40% min	60% min	80% min	80% min
BUILD-TO-LINE		10 ft - no max	10 ft - 25 ft*	5 ft - 15 ft	2 ft - 15 ft	

* Lots exceeding 1/2 acre may extend Build-to-Line up to 60 ft from the Frontage Line.

BUILDING HEIGHT IN STORIES - *SEC. 6.5.003*						
PRINCIPAL BUILDING	NP	2 max	2 max	3 max	5 max / 3 max Downtown	5 max
ACCESSORY DWELLING UNIT	NP	2 max	2 max	2 max	2 max	

B3 Development Tables

FIRST LAYER ENCROACHMENTS - *SEC. 6.5.002*						
OPEN PORCH	NP	50% max	50% max	80% max	NP	

BLANK= BY WARRANT P = PERMITTED NP = NOT PERMITTED

	P1	P2	P3	P4	P5	EC
BALCONY AND/OR BAY WINDOW	NP	25% max	25% max	50% max	100% max	
STOOP, LIGHTWELL, TERRACE OR DOORYARD	NP	NP	NP	100% max	100% max	

B3 Development Tables

R.O.W. ENCROACHMENTS - *SEC. 6.5.002*					
AWNING, GALLERY, OR ARCADE				to within 2 ft. of the Curb	
ENCROACHMENT DEPTHS - *SEC. 6.5.002*					
PORCH		5 ft min	8 ft min	8 ft min	NP
GALLERY		NP	NP	10 ft min	10 ft. min.
ARCADE		NP	NP	NP	12 ft. min.
PARKING LOCATION - *SEC. 6.3.006*					
SECOND LAYER		P	P	NP	NP
THIRD LAYER		P	P	P	P

B3 Development Tables

PARKING LOCATION - ***SEC. 6.3.006***					
SECOND LAYER		P	P	NP	NP
THIRD LAYER		P	P	P	P

B3 Development Tables

SIGNAGE - *CH. 8*						
ADDRESS SIGN	P	P	P	P	P	
AWNINGS & SIGNS	NP	NP	NP	P	P	
BAND SIGNS	NP	NP	NP	P	P	
BLADE SIGNS	NP	NP	NP	P	P	
				BLANK= BY WARRANT	P = PERMITTED	NP = NOT PERMITTED
MARQUEE SIGNS	NP	NP	NP	NP	P	
NAME PLATE SIGNS	NP	NP	NP	P	P	
OUTDOOR DISPLAY CASE	NP	NP	NP	P	P	
SIDEWALK SIGNS	NP	NP	NP	P	P	
WINDOW SIGNS	NP	NP	NP	P	P	
YARD SIGNS	NP	NP	NP	P	NP	
MONUMENT SIGN	NP	NP	NP	NP	P	

B3 Development Tables

PUBLIC LIGHTING TYPES - *SEC. 7.5.005*						
COBRA HEAD	P	P	NP	NP	NP	
PIPE	P	P	P	P	P	P
POST		P	P	P	P	P
COLUMN			P	P	P	P
DOUBLE COLUMN				P	P	P

BLANK= BY WARRANT P = PERMITTED NP = NOT PERMITTED

Bastrop Guiding Growth Principle

Bastrop Comprehensive Plan – Page 2-14:

"The City of Bastrop will implement policies, programs, investments, and strategies that are fiscally sustainable by: a) facilitating infill and redevelopment activity, b) encouraging contiguous development, and c) managing targeted corridor development.



Bastrop Building – A Journey Worth Taking



BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 9D

TITLE:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-52 of the City Council of the City of Bastrop, Texas adopting the Authentic Bastrop Pattern Book, as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:
Matt Jones, Director of Planning and Development

BACKGROUND/HISTORY:
Building Bastrop launched on August 15, 2018 to create a new set of tools that will support the community in a responsible manner for generations to come. Building Bastrop is all about connecting people to policy. It is about humanizing an otherwise complicated and mundane process of rewriting the City's land-use regulations. The City of Bastrop is taking a journey, weaving together its history and the philosophies that define authentic Bastrop. It is about love, community pride, and defining the City's way of life. It's about Building Bastrop together, honoring our authentic past, and planning for our sustainable future.

City Council adopted a purpose statement and policy statement for Building Bastrop Codes at their February 26, 2019 regularly scheduled meeting. The purpose statement is as follows:

> ***"Create a fiscally sustainable, timeless community through land-use regulations that are locally made (authentic Bastrop), geographically sensitive, and fiscally sustainable."***

Building upon the purpose statement, the Council approved a policy statement (attached) to offer an explanation on key concepts that must be utilized for all development related codes to ensure clarity and consistency. The Building Bastrop Policy Statement provides clarity and consistency to all code revisions and rulemaking procedures that impact development in the City of Bastrop. The policy statement covers the following:

- What is Building Bastrop.
- Why Building Bastrop is important.
- Building Bastrop Purpose Statement.
- What the Purpose Statement really means.
- What the elements of Fiscally Sustainable are.

The patterns of the built and natural environment of Bastrop, the Comprehensive Plan, the Iredell Map, and the DNA of Downtown captured in the DNA Report were used to inform and shape the

standards of the B^3 Code. Public input was captured through a series of Rodeos, focusing on city design, and the B^3 Code specific standards. The Rodeos provided a fun, open platform for participation and for real conversations to be held in many public forums. The standards that makeup the basic Building Blocks of Bastrop were formulated during the process. Code Standards are meant to be flexible and adjustable with the new ideas being produced for modern construction.

Bastrop welcomes development through:

- The B^3 Code standards;
- The B^3TM specifications; and
- The Pattern Book's guidance.

The Pattern Book will serve as a companion document to the B^3 Codes and will inform developers of the desired building styles within the City of Bastrop. The architectural styles depicted in the Pattern Book are not mandatory but will provide direction to those looking to build in Bastrop. The building materials referred to in the Pattern Book will be mandatory within Historic Districts as defined in the B^3 Codes.

POLICY EXPLANATION:
Section 10 - Changes and Amendments to all Zoning Ordinances and Districts, and Administrative Procedures, 10.2 Authority to Amend Ordinance, states that:

"The City Council may from time to time, after receiving a final report thereon by the Planning and Zoning Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts specified on the Zoning Map. Any Ordinance regulations or Zoning District boundary amendment may be ordered for consideration by the City Council, be initiated by the Planning and Zoning Commission, or be requested by the owner of real property, or the authorized representative of an owner of real property."

FUNDING SOURCE:
N/A

PLANNING AND ZONING RECOMMENDATION:
At the regular meeting on September 26, 2019, after holding a public hearing, the Commission recommended approval of the Bastrop Building Block Pattern Book by a vote of 6-2.

RECOMMENDATION:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-52 of the City Council of the City of Bastrop, Texas adopting the Authentic Bastrop Pattern Book, as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

ATTACHMENTS:

- Ordinance
- B^3 Pattern Book
- Building Bastrop Policy Statement

ORDINANCE 2019-52

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ADOPTING THE AUTHENTIC BASTROP PATTERN BOOK, AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, ADOPTION AND AMENDMENTS, A REPEALER, SEVERABILITY, AND ENFORCEMENT; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Bastrop, Texas ("City") is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Bastrop City Council ("City Council"), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations were not designed to address; and

WHEREAS, the City Council finds that the City has been actively and diligently engaged in its assessment of the City's community design program, including evaluating its subdivision ordinance, zoning codes, and the uniformity of its permitting process; and

WHEREAS, the City Council has determined that it is in the best interest of the City to adopt the Authentic Bastrop Pattern Book to provide graphic representations of the designs required for building in the City of Bastrop; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214 and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally-sustainable, environmentally responsible, and aesthetically consistent manner that honors the City's rich heritage and unique ecological makeup; and

WHEREAS, the City will change drastically if unlimited growth and unregulated development should occur under the City's existing Code of Ordinances, which no longer adequately address concerns about the effect of development on the City; and

WHEREAS, the City Council favors the development of construction projects in accordance with current regulations that are based on modern standards and state-of-the-art technology; and

WHEREAS, the City Council seeks to apply up-to-date regulatory systems to projects to the extent reasonably possible and within the confines of the law; and

WHEREAS, House Bill 2439 of the 86th Session of the Texas Legislature places restrictions on municipal authority to regulate the use of certain building materials, but provides

for several exceptions to those restrictions, including an exception that allows the regulation of building materials in historic districts established by a municipality with a landmark ordinance that meets the requirements under the Certified Local Government program as determined by the Texas Historical Commission; and

WHEREAS, the City's landmark ordinance meets the requirements under the Certified Local Government program as determined by the Texas Historical Commission; and

WHEREAS, on February 26, 2019, the City Council adopted a policy statement to ensure clarity and consistency for all revisions and additions to the City's land-use regulations; and

WHEREAS, the City has hosted several events in the community to share future development plans and solicit community input on future development: on April 10, 2019, the City hosted a Transportation and Drainage Rodeo; on May 9, 2019, the City hosted a Code Update Rodeo to preview elements of the new draft code; on June 8, 2019, the City hosted a Pop-Up Street Project; and on June 26, 2019, the City hosted a Community Open House; and

WHEREAS, the draft Bastrop Building Block (B3) Code, the draft Bastrop Building Block Technical Manual, and the draft of the Authentic Bastrop Pattern Book were released for public review and comment on May 24, 2019; and

WHEREAS, the Authentic Bastrop Pattern Book was approved by the Planning and Zoning Commission on September 26, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ADOPTION AND AMENDMENT The City Council hereby adopts the Authentic Bastrop Pattern Book, as attached in Exhibit A.

Amendments to the Pattern Book must be approved by the City Council.

SECTION 3. REPEALER In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 4. SEVERABILITY If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE This Ordinance shall be effective immediately upon passage and publication.

SECTION 7. OPEN MEETINGS It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ & ACKNOWLEDGED on First Reading on the 22nd day of October 2019.

READ & APPROVED on the Second Reading on the 12th day of November 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

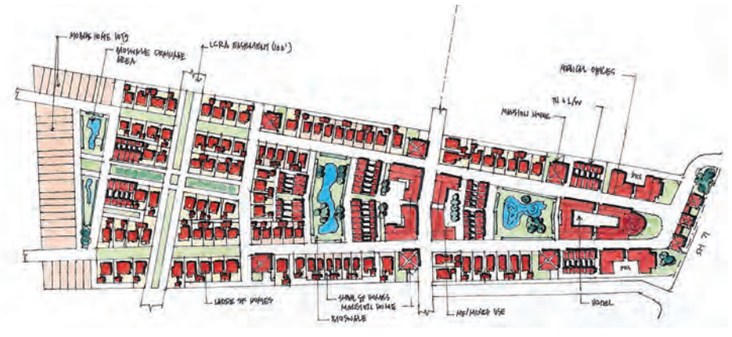
simplecitydesign











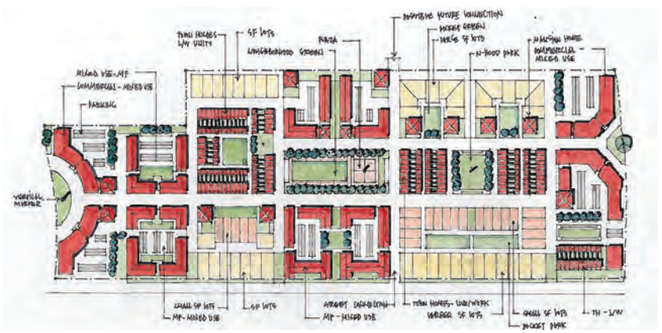


AUTHENTIC BASTROP PATTERN BOOK

BASTROPTX
Heart of the Lost Pines / Est. 1832







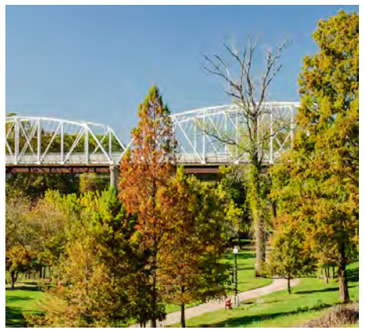
















We live in a time of increased awareness surrounding the inefficiencies of suburban development patterns (i.e. suburban sprawl). Suburban sprawl is a major part of mainstream discussions regarding future fiscal and environmental sustainability of current human settlement patterns. The suburban sprawl lifestyle has led to obesity and health issues, challenges regarding safety and delivery of services, inefficient use of infrastructure, car dominated life and culture, lack of pedestrian friendly streets and public spaces, and isolation. The effects of these factors have forced those who plan and design neighborhoods, towns and cities to fundamentally rethink their approach to future development.

Bastrop's B3 Code presents an alternative to current day development patterns and processes. Given the great amount of acreage of developable land and the infill opportunities within the historic pattern of existing square blocks, we have conceived the future development in Bastrop as a carefully laid out quilt of geographically sensitive development patterns, identifiable place types, and a series of well-enclosed and safe public places – parks and plazas – surrounded by building blocks of varying building types and densities. Human-scaled clusters of buildings (i.e. pocket neighborhoods) with well-enclosed public spaces create potential for unscheduled human interactions and provide the physical framework for the formation of an appropriate sense of urbanity. Development patterns, like the one described, are conducive to genuine human contact currently absent from conventional suburban development patterns, but essential for creating a sense of community.

The Patten Book is mandatory in the Iredell District and the Historic Bastrop Commercial District. The Pattern Book shall serve as education and inspiration in areas where it is not required to be utilized.

Authentic Bastrop-Community Design Book

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First Draft - May 2019

A. General

1. Why A Pattern Book
2. Development Philosophy
3. Development Types
4. Place Types
5. City Blocks and Block Typology
6. The Bastrop Block
7. Public Spaces
8. Public Buildings

B. Street-Building Type Correlation Standards

1. Boulevard, Avenue, Connector Street
2. Neighborhood Street 1, Commercial Street
3. Neighborhood Street 2, Court Street, Slip Street
4. Park Drive, Boardwalk, Shared Street
5. Back Street, Residential Alley, Commercial Alley

C. Neighborhood Design

D. Building Types

E. Architectural Standards

1. Detached House Standards
2. Accessory Dwelling Unit (ADU) Standards
3. Rooftop Tower Standards
4. Townhomes and Live/Work Unit Standards
5. Multi-Unit Home standards
6. Apartments And Mixed Use Building Standards
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F. Architectural Styles

1. Primary Architectural Styles
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4. Texas Hill Country Style
5. Craftsman Style
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8. Working With Tradition

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2. Street Trees, Front Lawn, Alley Landscape
3. Fence Design, Fence Types, Height, Materials

TABLE OF CONTENTS

First Draft - May 2019

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WHY A PATTERN BOOK?

Well-connected, proportionate and harmoniously designed streets, parks, squares and buildings create a sense-of-place within the public realm. This pattern of development can be achieved through Traditional Neighborhood Design "TND." TND consists of diverse housing and sequences of small shops that together create walkable streets and public spaces.

America's traditional neighborhoods (many built over 100 years ago) exhibit architectural diversity and formal richness seldom found in contemporary developments. Within TNDs, the work of many builders is woven together into a varied, but consistent series of public spaces without limiting the creativity of the next builder or homeowner.

BELOW ARE THREE ASPECTS OF TNDS THAT ARE INSTRUCTIONAL FOR TODAY:

1. Each neighborhood has its own unique qualities;
2. The individual house has a clear relationship to the street or public space and enhances the public realm; and,
3. There are no discordant or ill-proportioned houses. Although they are done in a variety of architectural styles, the houses and the small shops are true to the rules of their particular style and to the scale of the street.

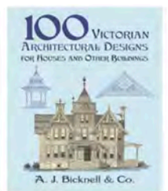
HOW DID THIS HAPPEN THEN AND WHY IS IT NOT HAPPENING TODAY?

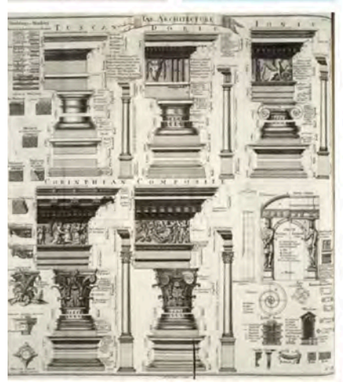
At the turn of the century, development was limited by technology. So, developers relied on a shared consensus regarding the nature of the public realm, specifically the street, and the existence of numerous architectural pattern books developed by architects and used by builders as guides to a good design.

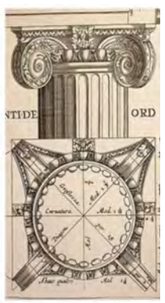
The Authentic Bastrop Pattern Book respects this tradition and is offered as a useful collection of regional urban design and traditional architectural and construction patterns to guide future development in the Bastrop area. The purpose of the book is to help implement the Authentic Bastrop vision, while serving as inspiration and providing an educational and informative document useful for prospective developers, architects and City staff. Its core value is its expected and historically proven ability to link all participants in the development process together as the vision of the place is translated into the built environment.













THE AMERICAN GRID

Nearly 200 years ago, surveyor-engineer Geo Iredell superimposed the 722x722 feet Farm-Lot-Grid over a pre-historic, picturesque prairie tucked into a bend on the Colorado River. At this moment, raw land was transfigured into the origins of a human settlement, i.e. Bastrop. It started as an abstract collection of lines on the land intended to organize portions into manageable chunks. The grid is neutral, even universal. It is an open book and offers opportunities for all kinds of stories to be written on it.

- It is efficient, rational, and equitable. It is an expression of Quaker values, such as, equality and brotherhood, as seen in William Penn's original plan for Philadelphia.
- It provides a framework for farming. Thomas Jefferson used the Cartesian grid to occupy and organize the American west with the Land Ordinance of 1785.
- It is financially sustainable. In 1811 New York adopted the grid, because "strait sided and right-angled houses are the cheapest to build and the most convenient to live in".



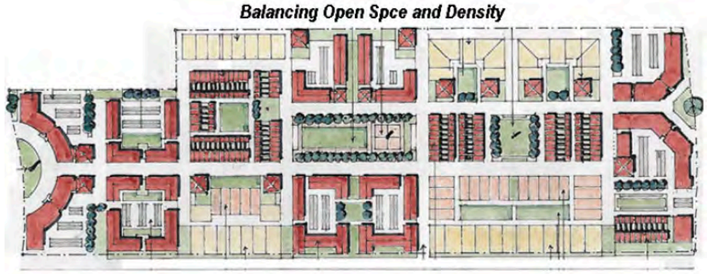




WHAT DO WE WANT OUR GRID TO BECOME?

The grid is typically associated with highly developed urban centers. However, the grid has been used as the founding framework for many American towns and cities. Over time, some cities were built to their full urban density levels while others remained barren grids. The grid pattern allows cities to occupy a full range of build-out and variation, from farms to booming metropolises. Benefits of the grid:

- Walkable: With the proper block size, the grid provides an inherently walkable street network.
- Navigable: Never have to ask for directions again.
- Adaptable: Land uses change constantly. With blocks and lots, a new land use can simply plug-in to the existing infrastructure.
- Historical: The grid is a fundamental part of the American heritage.
- Economical/Sustainable: A block allows you to do the most with the least. A block can accommodate everything from a farm to a skyscraper.
- Orthogonal: The orthogonal grid thrives because of the way we live our lives.



Balancing Open Spce and Density



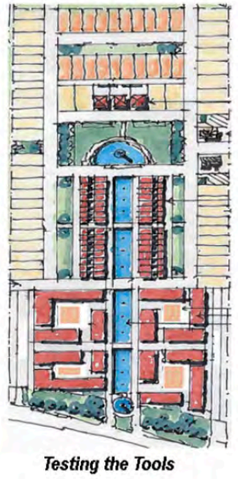
Variety of Housing Types



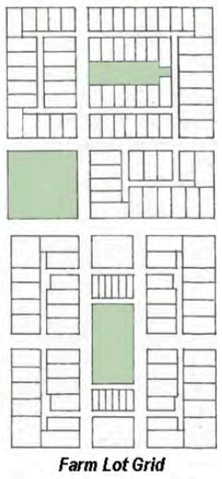
Pocket Neighborhood Enclave



Place Types



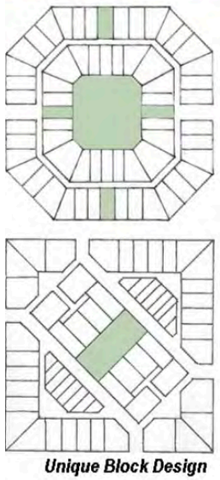
Testing the Tools



Farm Lot Grid



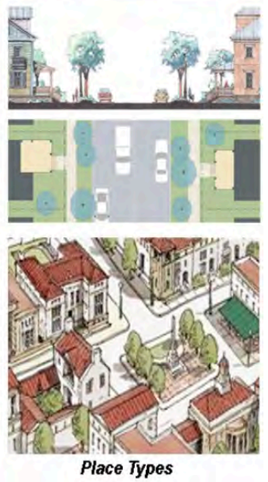
Neighnorhood Park with Pavillion - Marketplace



Unique Block Design



Testing the Tools



Place Types

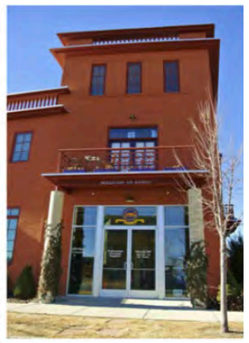
DEVELOPMENT PHILOSOPHY

We envision future Bastrop as a self-sustaining, walkable, and authentic community. Our initial approach to the project has been to mitigate primary factors affecting development, such as, geographic constraints - topography, floodplain, drainage, dense vegetation - and to create an appropriate variety of development across the City.

WE HAVE DONE THIS BY IMPLEMENTING THE FOLLOWING STRATEGIES:

1. Laying out a network of different street types within the existing and expanded block structure based on the original Iredell grid and applying it across the city with context-sensitive street and building design. This street-building-type relationship is vitally important for the definition and regulation of the public realm, the distinction between the public and the private realms, and ultimately for the creation of urban space.
2. Selecting a series of geographically appropriate development patterns of different densities and organizations. See Development Pattern page for detailed descriptions of Traditional Neighborhood, Cluster Land, and Village Center Development.
3. Selecting Place Types that define the character of the built environment based on location within the continuum from rural to urban. Place Types approach represents a method of classification of the built environment as a continuum of five main conditions (P1, P2, P3, P4 and P5), ranging from rural to urban. Each point along the continuum has distinctive unifying characteristics that are reflected in street patterns, building form, urban design, relationships to the natural world and public infrastructure. The continuum of the Place Types, when subdivided, lends itself to the creation of zoning categories.
4. Identifying and recommending building types that facilitate the creation of immersive environments. Successful immersive environments are based and depend on the proper selection and arrangement of all the components that contribute to a particular type of environment. For example, a ranch house fits well in the rural section of the Place Types, while a five-story urban dwelling is appropriate in the urban zone.

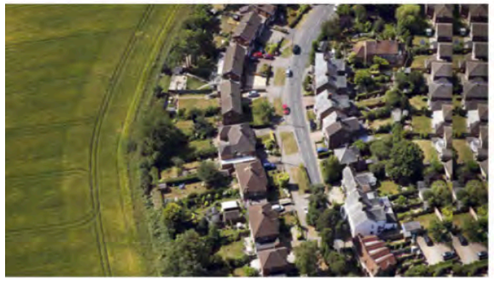
Based on the principles extrapolated from the most loved historic neighborhoods and towns that still exist in North America, the Place Type approach promotes a desired physical outcome, harmony between building types, and a mix of uses.

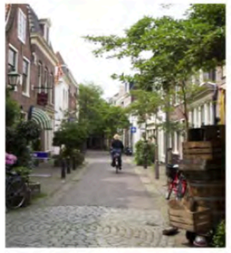















DEVELOPMENT PATTERNS

TRADITIONAL NEIGHBORHOOD DEVELOPMENT "TND"

This approach to development has produced some of the most livable neighborhoods in the US. Their social and environmental benefits result from certain physical and organizational characteristics, including:

1. The neighborhood has a discernible center. This is often a square or green, and sometimes a busy or memorable street intersection. Most of the dwellings are within five-minute walk of the center. There are a variety of dwelling types within the neighborhood. These usually take the form of houses, row houses, and apartments so that younger and older people, singles and families, the poor and the wealthy may find a place to live in it. A small ancillary building is permitted within the backyard of each house.
2. There are shops and offices at the edge of the neighborhood. The shops are sufficiently varied to supply the weekly needs of a household, ideally within a mile from every residence.
3. The streets within the neighborhood are well-connected, relatively narrow, and are shaded. Parking garages and lots rarely front on the streets.

CLUSTER LAND DEVELOPMENT "CLD"

The Cluster Land Development groups new buildings onto a portion of the development parcel so that the remaining land is preserved as open space. This approach can save a significant portion of the land and provide an attractive living environment. Cluster Land Development has been the optimal compromise between preservation of the rural landscape and economic pressure to develop the land.

The images shown here illustrate the concept of building groupings as well as the opportunity for the creation of well enclosed and protected public space critical for socializing and for feeling part of the community.

VILLAGE CENTER DEVELOPMENT "VCD"

A village has all the elements of the neighborhood. It is a mixed-use settlement located mostly in rural landscape. The center is defined by its proximity to transportation corridors or crossroads. The development boundary of the village is clearly visible. Unlike suburbia, the limits are clear and distinct from its surroundings and therefore an identifiable place.

There are two predominant types of village forms: the "roadside" and the "squared". The roadside consists of a string of buildings on either side of the road, usually near a junction, but it could also be a collection of buildings on a single road. The form has a definite beginning and end, and is relatively short in length.

The squared village type can be almost any shape, and is always irregular due to its natural pattern of growth over time. Public buildings are usually free standing and demarcate key locations on the plan. The view down the approaching road is commonly terminated by buildings and there is a strong sense of enclosure and arrival.

PLANNING WITH PLACE TYPES

A key objective of Place Type planning is the creation of distinct environments. Each environment, or Place Type zone, is comprised of elements that support and intensify its locational character. So, patterns and buildings that may be appropriate for P3 are not appropriate for P5. This approach prevents inappropriate intermixing or rural and urban characters and creates more-or-less fixed, but identifiable physical characteristics for each Place Type zone.

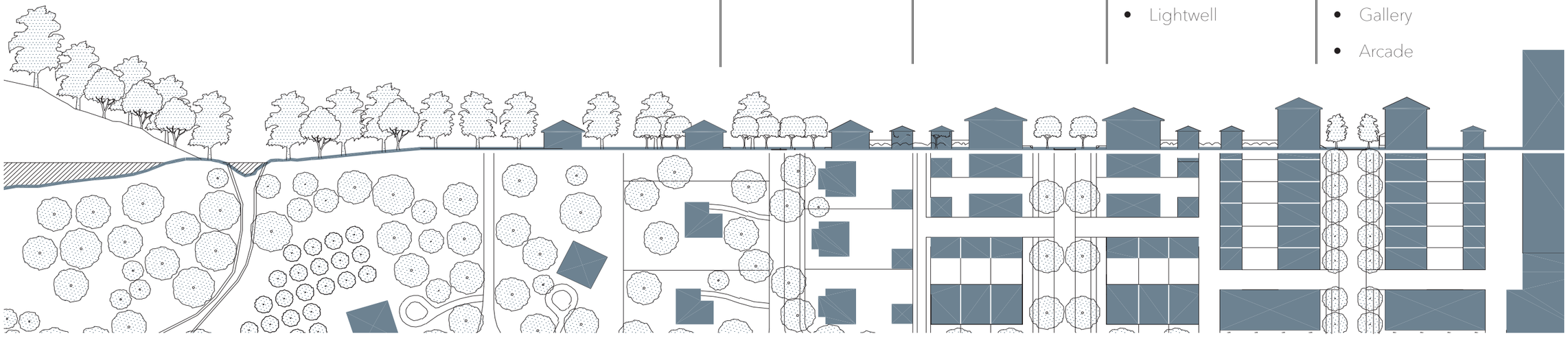
HOW PLACE TYPE SYSTEM WORKS

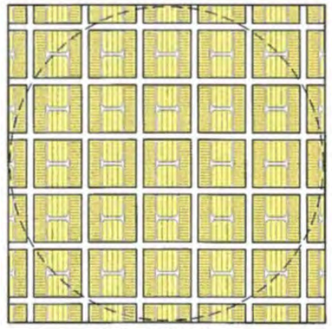
The Place Type system is both a conceptual and physical framework that identifies a continuous range of habitats from the most rural to the most urban.

The continuum of the Place Types, when subdivided, lends itself to the creation of zoning categories. These zoning categories include standards that encourage diversity similar to that of organically evolved settlements.

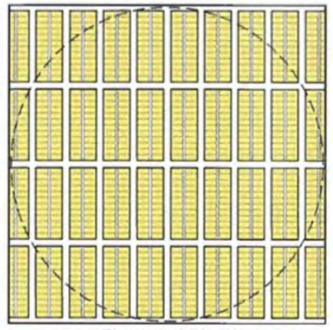
See the B³ Code for Place Type allowances and requirements. For purposes of the Pattern Book, P2 though P5 Place Types will be the primary focus. P1, EC, and CS Place Type opportunities will be discussed at the Pre-Application meeting (B³ Code).

	P2 RURAL	P3 NEIGHBORHOOD	P4 NEIGHBORHOOD MIX	P5 CORE
LAND USES	Agricultural and woodlands	Low density residential and live-work	Medium density residential and live-work; house-form commercial and lodging	Medium density residential and commercial (retail & office), lodging
BUILDING TYPES	• Villa • House • Duplex	• Villa • House • Duplex	• Apartment • Rowhouse • Sideyard • Courtyard House • Villa • House • Duplex	• Commercial • Apartment • Rowhouse • Sideyard • Courtyard House
PRIVATE FRONTAGES	• Porch • Stoop	• Porch	• Porch • Dooryard • Terrace • Stoop • Lightwell	• Dooryard • Terrace • Stoop • Lightwell • Gallery • Arcade





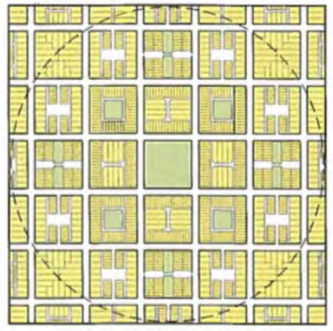
Square Blocks



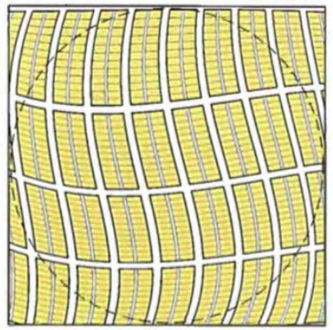
Elongated Blocks



Irregular Organic Blocks



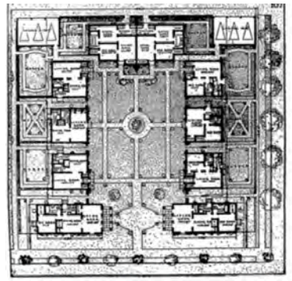
Square Blocks Open Spaces



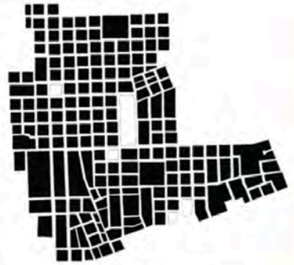
Elongated Cirvilinear Blocks



Irregular Curvilinear Blocks



Pocket Neighborhood Block



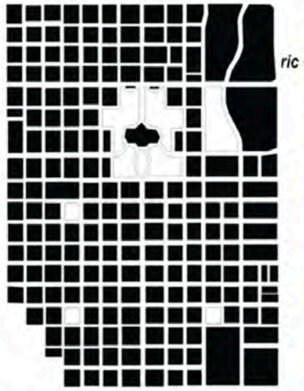
Historic Georgetown



Savannah, Georgia



Cerda Blocks, Barcelona



Original Waller Plan, Austin



Oak Park Blocks

THE BLOCK

Blocks are the key ingredient of the realization of urban form, representing an intermediate increment of planning between the scale of the building and the scale of the town. They are the lines demarcating the private from the public realm and are determined by the circumscribing streets. One of the biggest advantages of planning a city based on blocks is flexibility. Blocks permit incremental change and a gradual increase in density. Blocks with a minimum dimension of 225 ft can be configured for almost all uses and building types.

TYPES OF BLOCKS

Square: A tight, repetitive square street grid can be found in many places in the US. The grid pattern produces a consistent module of lot width and depth. The pattern is extremely conducive for walkability and efficient vehicle traffic dispersal.

Elongated (usually north to south): The vertically elongated block pattern provides equal exposure to both sides of the north-south thoroughfares. The blocks provide light to both the front and rear of the lot and limits exposure to western sun. Civic Spaces allow for a variation in the repetitive grid pattern.

Irregular: Irregular blocks are in Medieval cities, such as Paris, but also in some isolated examples in the US, such as Boston and Nantucket. Irregular blocks allow for the dispersal of traffic through the street network, flexibility with topography, and terminated vistas. However, the resulting variety of block and lot sizes makes uniformity and installation of modern infrastructure rather difficult.

Radial Geometric: Produces terminated vistas that can be used for civic buildings. There is a clear hierarchy of streets with diagonals carrying the trough traffic and an even dispersal of traffic through the web. It may be disorienting and difficult to navigate and remember. Similar to the organic block structure, the resulting block and lot shapes are diverse and challenging to resolve architecturally.

Cul-De-Sac: Found in most suburban developments and is supported by a dendritic thoroughfare system. There is an absence of a well-connected street network, which leads to isolation, auto dependency, oversized traffic arterials, and traffic congestion.

Curvilinear Organic: Consists of curved roads that create an abundance of deflected vistas. The pattern is responsive to topography, mediates environmental interruptions, and can disperse traffic through its network. The structure may be extremely difficult to navigate. In addition, lot sizes vary and consistency is hard to achieve.

THE BASTROP BLOCK

The square 720x720 feet Bastrop Farm Lot block is flexible and allows for the inclusion of a variety of block layouts. It exhibits all characteristics of the square grid pattern and permits the creation of smaller blocks. It is conducive for neighborhood parks and Pocket Neighborhoods, which is an expressed preference of the Bastrop community as one of the ways of increasing the sense of community, walkability and opportunities for social contact. Any of the block patterns mentioned on the block page can be juxtaposed inside the Bastrop block network depending on geographic and topographic constraints, Development Pattern, and Place Type.

SQUARE BLOCK 1:

This option makes the creation of a wider street within the grid, such as an avenue or a boulevard, possible. Farm Lot block is divided in half in one direction to allow the needed ROW for a divided major street and the median. Depending on the Place Type there is still sufficient width left to line up larger lots 60-80 feet wide and 120-150 feet deep. This block is drawn for alley-loaded lots, but is one of the blocks in which front lot access is likely. Block perimeter is larger than allowed and needs to be broken by a green pedestrian passage.

SQUARE BLOCK 2:

This block is one of the several examples of pocket neighborhood blocks. Lined around the pocket park at the center of the block are small lots and rowhouse lots. Narrow streets, such as court street from which alleys are accessed, run on either side of the park. Street in the other direction are on axis with the park creating opportunities for terminated vistas.

SQUARE BLOCK 3:

The streets enter this block option at one third of the length on all four sides and create a small pocket park at the center lined with small lots or rowhouses. Narrow street types are recommended such as court street or slip street. This block can also accommodate 3 to 4 different housing types.

BLOCK WITH THE PARK AT THE CORNER:

This block layout is created by streets entering the large block one third of the length on two sides. Doing that divides the 720x720 feet block into two smaller and one larger sub-block and creates an opportunity for a park at the corner. The block is well suited for higher density housing types or commercial buildings fronting on the park. Also, the larger sub-block is large enough to accommodate green court housing with small cottage homes around an enclosed common green space ideal for families with small children. It sits off axis and offers a desirable level of privacy.

OCTAGONAL BLOCK:

The Bastrop block is large enough to allow cutting off the four corners and creating an octagonal block reminiscent of the Barcelona block. The interesting thing about the octagonal block is that it creates a myriad of possibilities for organizing the area left over by cutting the corners into a park or a square or four small corner parks, or four small triangular plazas or parks. Other arrangements are also possible and that makes this block versatile and flexible. The inside of the block could be a pocket park or a plaza as well. Lots could be alley fed or accessible from the front. The pocket park could have an interior street, in which case the lots are front-loaded and the park is slightly less accessible to pedestrians and less safe especially for children. Or, it can have only a pedestrian path along the green and be directly accessible from the front porches.

SQUARE BLOCK WITH 45 DEGREE INTERIOR STREETS:

An interesting alternative to the other square blocks, the layout of this block keeps the outer edges of the block aligned with the square grid but turns the streets on the inside 45 degrees to the main grid. It is also a variation on the pocket neighborhood theme with an angled park fronted by rowhouses and small lots.



Bastrop Farm Lot Block is sufficiently large to be both flexible and versatile and to allow formation of smaller blocks within it, with a variety of layouts conducive to placing multiple housing types as well as accommodating interior parks and pocket neighborhoods critical for the sense of community.

CIVIC SPACE

Civic Space is an outdoor area designated for public use. Civic Space types are generally defined by the combination of certain physical constraints, including the relationship among its intended use, its size, its landscaping and the buildings fronting on it.

As Civic Spaces are being carved out of the city fabric, it is important that they are not leftover areas of development parcels or portions of parcels ill suited for development. Rather Civic Spaces should be specific in terms of their size and type determined by their Place Type.

Below are five specific types of Civic Space:

PARK

A natural preserve available for unstructured recreation. Its landscape generally consists of paths and trails, meadows, water bodies, and woodlands, naturally composed. Could be lineal, following natural corridors. Recommended minimum size is 8 acres.

GREEN

A space for unstructured recreation. Spatially defined by landscaping or buildings. Landscaping consists of lawn and trees, naturally composed. Recommended size is minimum ½ acre and maximum 8 acres.

SQUARE

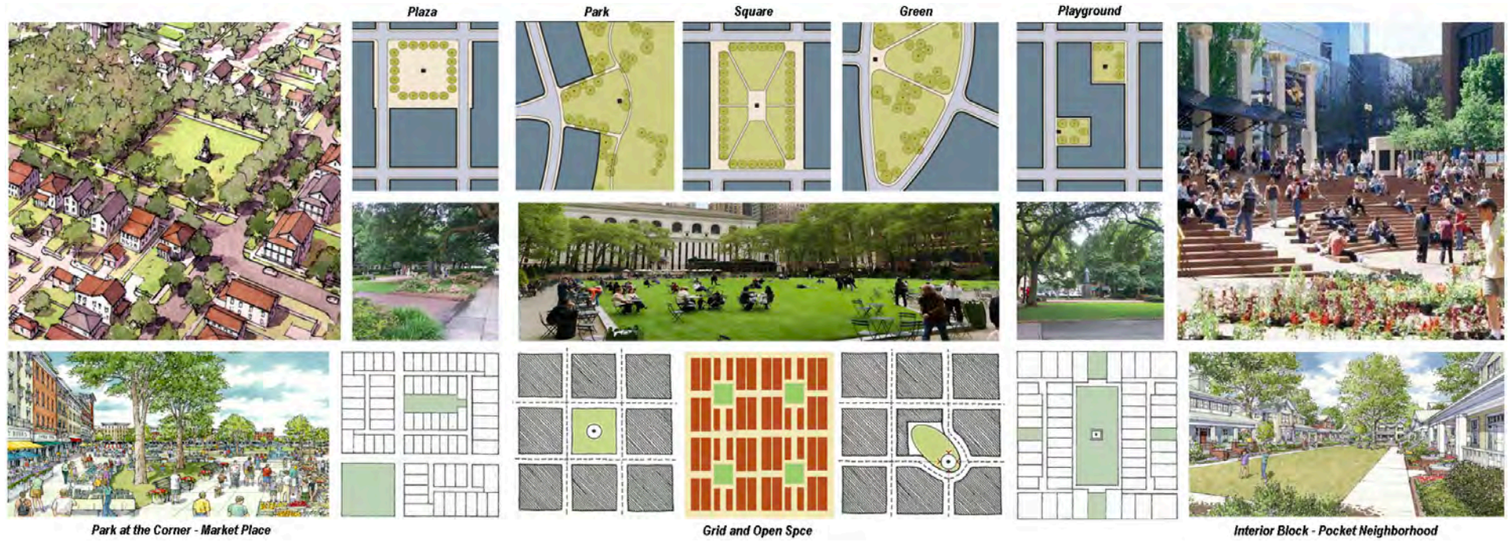
Available for recreation and civic purposes. Usually spatially defined by buildings. Landscaping consists of paths, lawns and trees, formally composed. Usually at the intersection of important streets. Recommended size is minimum ½ acre and maximum 5 acres.

PLAZA

Space for civic purposes and commercial activities. Spatially defined by buildings. Landscape consists primarily of pavement. Trees are optional. Should be located at the intersection of important streets. Recommended size is minimum ½ acre and maximum 2 acres.

PLAYGROUND

Space designated and equipped for the recreation of children. Should be fenced and may include an open shelter. Should be dispersed and may be placed within a block. Can also be included in parks or greens. No minimum or maximum size.



CIVIC SPACE AND THE GRID

In many cases, the common American square or park within a grid of streets has no visual presence beyond the immediate environment. It is usually not visible until one reaches the street bordering the park, or the intersections at its corners. One way to make the park more visible and figural within the urban fabric is to alter its shape and move it into the intersection, so that traffic is slowed and deflected around its borders. The shift transforms existing cross-shaped intersections into one or more T-intersections and creates a place for a statue or a fountain to be aligned with major streets and to act as a vista termination and sometimes as point of reference within the city.

An interesting version of the grid, and arguably one of the most creative, is found in Savannah, GA where in one direction the streets run as tangents to the public space and in the other the public space is on axis with the streets and often terminates it with a statue or a monument.

“When public spaces are successful they will increase opportunities to participate in a communal activity. In the parks, plazas, markets, waterfronts, and natural areas of our cities, people from different cultural groups come together in a supportive context of mutual enjoyment. As these experiences are repeated, public spaces become vessels to carry positive communal meaning”. (Stephen Carr in Public Space).

Public spaces give us a sense of freedom and safety and we do not perceive the space as a threat. We don’t always feel like being ourselves outside of our homes when we are alone in a big city, but in public places there is an element of play and interaction that opens us up to communication with other people.

At their best, public spaces are microcosms of urban life, offering excitement and repose, markets and public ceremonies, a place to meet friends and watch the world go by. The origins and the types of open space are as different as the people who created them. But they all have one fundamental function in human life – they offer a great opportunity for a genuine human contact, which is one of the most rewarding social experiences in life and the ultimate aim of urban design.

CIVIC BUILDINGS

A livable city consists of public civic realm and of private realm; both are essential. Civic spaces and buildings are for public use and are a symbolic reflection of social values and aspirations. The civic realm can be exuberantly embellished to express the values that a society cherishes.

The motivations for erecting public buildings and the social and cultural values they represent change over time and vary from culture to culture and from one era to another. They can be religious, political or cultural. However, regardless of the institution they express, public buildings are always associated with a well-defined, appropriately scaled, and sensibly enclosed public space. In the traditional city, these public spaces are a break in the urban fabric, a place with a fountain, monument or simply a place to seat and watch the world go by.

Where, within the urban fabric, public spaces and buildings are deployed is as often a matter of accident as it is of forethought and planning. The persistence of open space over time is an important factor. A large public monument of one period with an open usable space may become a public square in another period regardless of the shifts in the urban fabric in the interim. In cities planned anew, the choice of placement of square or plaza is deliberate. However, one of the criticisms of modern public spaces and building is that they are "often simply spaces marked on the plans and maps" and are too open and amorphous to define a positive volume of humanly scaled public space.

Public buildings are the glue that holds the city image together. They are very important for both mental mapping of a place as well as physical way finding. In many cities they act as visual points of reference and help visitors properly orient themselves without maps and guides.

Centrality and axiality are two principles evident in the design and location of public spaces and buildings. Public buildings are the most prominent terminated vistas and are placed intentionally where they are to reflect and communicate their importance and role in public, cultural or religious life. These vistas are thoughtfully framed to create a clear and sometime dramatic and inspiring views of buildings that might otherwise be unnoticed regardless of their relevance in daily life.





The American urban and rural grid is often furnished with buildings of extraordinary quality, and yet they often seem to be merely parked along thoroughfares reaching from horizon to horizon. Rather than being focal points as they merit, landmark buildings merely line modestly their street frontages. Modifications of the grid and inventive block layouts should aim to create axiality within a gridded network to give greater exposure and visual expression to structures of social and cultural significance. Modern public buildings have for the most part abandoned the principles of axiality, centrality and visual points of reference and are sometimes indistinguishable from surrounding commercial buildings even when they are prominently located.

It is difficult and unwise to code, legislate or limit the architectural expression of public buildings. However, what he community can request from the selected public building designer is to create a building that is dignified, expressive of the regional cultural, architectural and building traditions, that it enhances public space it is a part of, enlivens the street life, and reflect the essential character and values of the institution or organization it represents to participate in a communal activity. In the parks, plazas, markets, waterfronts, and natural areas of our cities, people from different cultural groups come together in a supportive context of mutual

C. Neighborhood Design
D. Building Types



NEIGHBORHOOD DESIGN

Well designed neighborhoods contain different lot types for single-family homes. They are intended to respond to the needs of different households and provide diversity in house size and price. Those are large, medium, small and cottage type homes, and they are dispersed throughout the area. The largest homes are located generally along the edges of the patterns and the project, while the smaller homes are on the interior of patterns often fronting on open space. Parking and garages are accommodated in various ways that allow for both front and rear access.











STREETSCAPE DIVERSITY

- Each block face should have a minimum of three different home design models. Different models are defined as those with significant variation in floor plan configuration and massing, and minor variation in size and number of bedrooms.
- Each of the three models must have at least two architectural styles and color schemes, which can be employed to create visual interest and respond to homeowner preferences.
- Not more than two of the same model with the same architectural style can be employed on a block face.
- Similar models with similar architectural styles should not be placed next to one another.
- Materials and colors should be varied to further differentiate one model from another. Use different colors on adjacent buildings. Treat a block face as a unified composition.
- Coordinate building wall colors with roof colors.

BUILDING SIDES

- Side yards are important in helping to create usable outdoor space and insure privacy. On lots 50 feet or less wide, each building must have an open and closed side. This concept establishes a more harmonious relationship between adjacent buildings.
- The open side contains the most and the largest windows, and has the most usable side yard. The closed side has fewer and smaller windows to ensure greater privacy for the neighbors.
- Where possible, orient open sides towards the south and east.

CORNER TREATMENT

- The relationship of buildings to one another and the street is especially important at corners.
- Buildings on corner lots must address both streets. Corner lots are typically wider to accommodate the side yard setback along the streets and allow for building articulation and side porches.
- Wrap around porches on corner lots are greatly encouraged.

SIDE DRIVE GARAGES

- Front loaded lots require a layout that lessens the visual impact of garage doors and parked cars facing the street. On front loaded lots garages are accessed by a side drive with 5 ft radius at the curb.
- Driveway width needs to be kept at 10 ft. Driveway may be widened to 20 ft at a distance of no less than 30 ft from the property line.
- In some cases a common drive may be allowed to serve two houses.



DETACHED HOUSE TYPES

The formal richness and diversity of traditional American neighborhoods derives its character from the multiple types of single-family residences within it and the presence and consistency of well-executed different historic or contemporary home styles. We identify, recommend and will permit the following house types:

1. **The Ranch House** – 4,000 SF and above. Outskirts of neighborhoods and P2.
2. **Large Size Home** – 3,200 SF to 4,000 SF. On neighborhood greens.
3. **Medium Size Home** – 2,400 SF to 3,200 SF. On n-hood greens and parkways.
4. **Compact Size Home** – 1,800 SF to 2,500 SF. Suited for many household types.
5. **Cottage Style Home** – 1,400 SF to 1, 800 SF. First time homebuyers.
6. **Bungalow Court Home** – 1,200 SF to 1,600 SF. Retirees, couples and singles.
7. **Garden Court Home** – 1,200 SF to 1,800 SF. Active adults and empty nesters.
8. **Accessory Dwelling Unit** – 400 SF to 1,200 SF.
9. **Manufactured or Modular Homes** – Single wide 1,800 SF.
10. **Tiny Houses** – 1,000 SF or less.

These housing types are typically located in place types P2, P3 and P4, with the ranch house and large homes being primarily in P2 and P3, while the smaller homes are appropriate and represent the bulk of P4. Different size homes should be thoughtfully dispersed throughout the residential areas to avoid the stigma and differentiation into rich and poor neighborhoods.

MULTI-UNIT HOMES, TOWNHOMES, APARTMENTS

Housing types missing from contemporary subdivisions are the transitional home types between the monocultures of single-family detached homes and multi family units in large apartment buildings. Those are:

1. **Town Houses,** also called town homes or brownstones.
2. **Live/Work Units** with commercial space on the first floor and living quarters on the upper one or two floors.
3. **Duplexes**, side-by-side or stacked.
4. **Multiplex - Small,** with 3-6 units on 2 or 3 floors, side-by-side or stacked.
5. **Bungalow Courts,** with homes 1,200 to 1,600 SF facing an interior green.
6. **Courtyard Apartments** with open space for pedestrian activities.

These housing types are found in P3, P4 and some in P5. They are generally located within medium-density neighborhoods or in locations transitioning from a primarily single-family neighborhood into a neighborhood main street. All of them enable appropriately scaled, well-designed higher densities and are important for providing a broad choice of housing types and promoting walkability.

COMMERCIAL., MIXED USE, LOFTS OVER RETAIL

Mixed-use buildings are strong generators of street life. They accommodate 2-3 uses or more within a single structure such as residential, hotel, retail, cultural or entertainment. Commonly they are multi-story buildings placing a mix of apartments on the upper floors, retail on the street level, and parking or transportation in the basement.

Mixed-use buildings offer several benefits

1. Greater housing variety and density.
2. Stronger neighborhood character.
3. Greater energy efficiency.
4. Better integration with city services, such as public transportation.
5. Active street life.

Stacked flats are usually a medium-to-large size structure containing multiple dwelling unit types accessed from a courtyard or series of courtyards. Unit entries could be common or individual. Appropriate in places serving main streets and walkable urban neighborhoods.

Commercial buildings are structures used specifically for business purpose and include the following categories: Office buildings, retail buildings, hotels and motels, multi-family housing, warehouses, and industrial buildings. In urban locations commercial buildings may combine functions such as retail and offices or retail and apartments.

E. Architectural Standards

1. Detached House Standards
2. Accessory Dwelling Unit (ADU) Standards
3. Rooftop Tower Standards
4. Townhomes and Live/Work Unit Standards
5. Multi-Unit Home standards
6. Apartments And Mixed Use Building Standards
7. Commercial Building Standards








DETACHED HOUSES ARCHITECTURAL STANDARDS

The proposed mix of densities and lot sizes requires careful attention to design details to ensure the desired sense of place and community is achieved. What we learn from the older single-family neighborhoods is that although they contain many architectural styles they still work together to create unity, harmony and formal richness absent from contemporary developments. The efforts of individual designers and builders in the course of this project should contribute to the creation of graceful varied, yet unified streetscapes. The main purpose of these standards is to facilitate the achievement of that goal. Diagrams and images in this section of architectural standards illustrate key architectural considerations for single-family detached homes.

BUILDING ARTICULATION ALONG A STREET

Historic neighborhoods derive ther character from the simplicity of architectural forms. Buildings should emphasize one primary architectural form with supporting secondary elements. Too much complexity or competing primary forms will undermine this goal.

- An articulation is the connection of an open porch to the building, a dormer facing the street, a well defined entry element, a horizontal offset of at least 2 feet in the principal building wall for a minimum 4 feet in width, or a change in the height of front elevation rooflines by at least one story.
- For single family detached homes, the primary building elevation towards the street needs at least one articulation or change in plane. For lots less than 50 feet wide, the primary building elevation should not have more than three articulations, unless approved by the DRC. Lots 50 feet and wider should not have more than four articulations, unless approved by the DRC.
- Side elevations facing a street are subject to the articulations requirements for the primary facade of that building type.

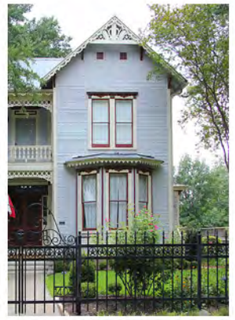
INTERIOR ARTICULATION

- For single family detached homes on lots less than 50 feet wide, a minimum of one articulation is required along each side building elevation.
- Acceptable side articulations include a 2 foot offset for a minimum of 4 feet in width, a change in height of one story, a side or rear porch with a minimum length of 6 feet, or a detached garage.







HALF STORIES PREFERRED

- Roofs must strive to contain habitable space. This can be accomplished by lowering second story plate heights and or using dormers. Incorporate third stories within the principal roof.

PORCH HEIGHT ABOVE WALK

- Elevate front porches for single family detached houses above the front walk by at least 18 inches. Heights between 18 inches and 30 inches are preferred.

BAYS & PROJECTIONS

- Bays and projections must have at least three sides. They must be supported by structural brackets or extend to the ground.
- Projecting balconies must use the same architectural vocabulary of design, material, and color as the front porch. If no front porch is provided, these balconies must reflect the overall design of the building. Balcony supports must be provided in the form of columns or brackets.

















ROOF TYPES AND PRIMARY ROOF FORMS

- Principal roofs for single family detached houses shall be symmetrical gable or hip. Other principal roof types, such as gambrel or mansard, are acceptable if historically appropriate and approved by the ARC.
- Mono pitches (shed roofs) are permitted only as secondary roofs when attached to a vertical wall.
- The alternating placement of 1 1/2 - story and 2 - story building masses on adjacent lots is strongly encouraged.
- Each building should strive to present one primary roof form. Secondary roofs include porch roofs, dormers, bays, cross gables, and hips.
- The arrangement of different roof forms, such as primary front gable alternating with primary side gable or primary hip roof, is highly encouraged.

ROOF PITCHES

- The range of permitted roofs pitches for the selected architectural styles are stated in the Architectural Style chapter.
- Secondary roof slopes can be as shallow as 3:12. Flat roofs on single family detached homes are permitted only when they are intended for occupancy and can be accessed directly from an interior room. Flat roofs must have railings or parapet walls.

TINY HOUSES AND MANUFACTURED HOMES

Tiny houses and manufactured homes should be integrated into the neighborhood. They should be placed around an open space typologically identified in the B3 Code and the Pattern Book and sharing that space with other housing types. There should be no more than twelve (12) mobile homes in such a grouping. The intent is to avoid conventional mobile home parks and make these groupings a part of the neighborhood and the larger community.

Tiny houses and manufactured homes should be adjusted to the site both in terms of function and also aesthetics. This should be done by adding a porch to the manufactured or mobile home, by adding a masonry skirt up to 3-4 ft of height, by strategically placed landscaping, by adding roof extensions or roof windows, and by being creative in making these structures look more like regular neighborhood homes.

Tiny houses and manufactured homes should have exterior siding and roofing, in color, materials and appearance similar and comparable to the exterior materials and roofing commonly used on residential dwellings within the community. They should have pitched or rounded roofs.






PRIMARY FACADE

- Much of a neighborhood's character is derived from elevations that face the street. When the buildings "play by the same rules," gracious streetscapes can be created.
- Each building should present a welcoming face to the street. Each building facade along the street should contribute to the visual quality of the neighborhood.

DOORS

- Doors create a human scale for buildings serving as a welcoming signature. Care should be given to the type, scale, and quality of the selection.
- Hinge all doors (except the garage).
- Sliding glass doors permitted only on rear or interior side yard.
- Permitted door materials are painted or stained wood, hardboard, fiberglass, or metal. Door color selection shall be coordinated with house composition and style.
- Double front doors shall be used only on larger homes. The door style must complement the architectural style of the building.





















WINDOW TYPES AND COMPOSITION

- Window type, composition, and proportion are key character-giving elements of the building facade. The characteristics described here are derived from older neighborhoods and selected architectural styles.
- The following window types are permitted: Double hung, singe-hung, casement, and awning. Horizontal slider windows are not permitted.
- The following window materials are permitted: Wood, metal or vinyl-clad wood, vinyl, enameled metal, or aluminum. Mill finished aluminum is not permitted.
- Individual window proportions shall not be less than 1.6 vertical to 1 horizontal. (Example: A window 30 inches wide must be a minimum of 48 inches high.) Proportions from 2 vertical to 1 horizontal up to 2.5 vertical to 1 horizontal are preferred. Window openings with horizontal proportions should be divided into vertically proportioned or square segments. Separate, small windows (less than 5 square feet) and transom windows are exempted from this regulation.
- Windows may be mulled together horizontally up to a maximum total width of 9 feet (or greater if approved by DRC).
- Divided-light windows are encouraged. They must either be true divided light or have properly proportioned muntin bars applied to the exterior of the window. Individual panes must be vertically proportioned or square.
- Exterior shutters should be in proportion to the window opening. (Example: closed shutters would fully cover the window.)
- Specialty windows, such as arches, half rounds, quarter circles, diamonds, and rounds are limited to a maximum of one per elevation unless approved by the DRC.

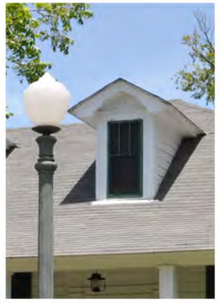




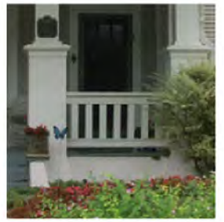

















OVERALL ROOF CHARACTER AND DORMERS

Much of a neighbordhood's character derives from the simplicity of the roof forms. Great variety can be achived with a handful of primary roof forms combined with smaller secondary accents.

- Different roof types may require different roofing material compatible with the chosen architectural style.
- Place large flues, swamp coolers, satellite dishes, and other significiant appurtenances towards the rear of the home and lot to minimize visibility from public streets.

The placement and character of dormers are important tools in creating architectural interest. Because they are smaller than primary roof forms, dormers give the building a human scale.

- Dormers must be habitable and have a symmetrical gable, hip, shed, or curved form.
- Place dormers at least 3 feet from the side wall of the dormer to any outside building wall.
- Paint roof penetrations and appurtenances to match or be compatible with the roof color to minimize their visibility (brick and stucco chimneys excepted).

ROOF MATERIALS & COLOR

Color variation with roofing materials is especially important to create diversity and architectural interest.

- Primary pitched roofs may be asphalt shingle, standing seam or Channel-Drain metal roof, clay tile or concrete tile, depending on the architectural style of the house.
- For single - family detached houses, use at least three roof colors per block face.
- Coordinate the roof color with the building's wall colors and architectural style.

OVERHANGS & EAVES

- Deatail and proportion overhangs and eaves to complement the architectural style of the building. Specific suggestions for overhangs can be found in Architectural Style chapter.
- Coordinate appropriate eave treatment (open rafters or closed soffits) with the architectural style.

SKIRTING

- Porch slabs on grade are not permitted, except for stoops 18 inches or less in height.
- Enclose the area underneath the porch with skirting consisting of masonry, wood boards, or lattice.
- Construct porch steps of wood or masonry to appear solid. Open risers are not allowed.
- The use of drop-lugs is encouraged to bring masonry to grade level.











Various massing arrangements showing gable, dormer and porch

MASSING

- Side gable; center gable facing the street; or cross gable with dormers
- 1-1/2 Story and 2 Story massing compositions are encouraged
- Symmetrical or asymmetrical facade composition
- Emphasis on horizontal rather than vertical lines
- Simple volumes facing the street, more complex configurations in back
- Massing sets the overall aesthetics of the building as well as its presence on the street.
- Hip with Center Dormer
- One Story Front Gable
- 2-Story "L" with Porch and Gable
- Hip with Dormers and 2nd Story Porch
- Single hip with projections
- Main building with wings and side hips
- Compose buldings as Principal Buildings, Backbuildings, and Outbuildings. Consider buildings as simple gable-ftont masses with a porch, usually with the porch across the entire front. Number of porch bays varies up to five, depending on the lot width.

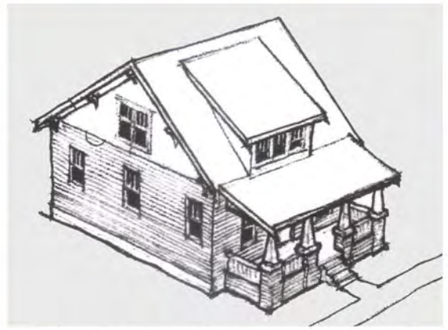




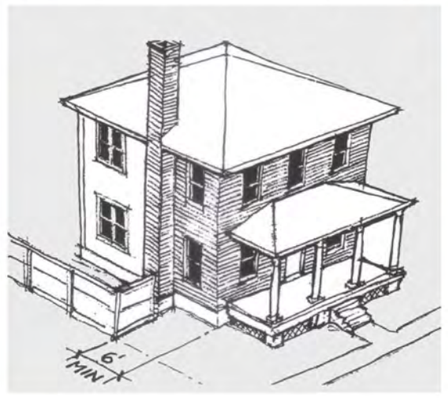








Horizontal change and corner wraping of materials











Reducing the number of materials and using them throughout, creates simplicity and harmony

WALL MATERIALS

- Older neighborhoods benefited from a simple vocabulary of materials, including brick, stone, stucco, and wood clapboard and drop siding patterns. Today, many more materials are available to clad buildings. Some are designed to simulate older-style materials at a lower cost or with less maintenance. Reducing the number of options available, as illustrated here, promotes simplicity and harmony.
- Wall materials exposed to the weather shall be: Brick, stone, stucco, painted smooth (nontextured) hardboard, smooth-face fiber reinforced cement board, stained cedar shingles, or painted wood.
- The number of wall materials used in an elevation, must complement the architectural style. Material changes must generally occur along a horizontal line only, typically at the floor line or a gable end. Vertical changes must occur at logical articulations of the building wall, typically at inside corners only. Place lighter materials above those of heavier weight.
- Apply all wall materials horizontally. Permitted siding patterns include: clapboard, shiplap, drop siding, tongue and groove, and shingle coursing.
- Wrap material around corners a minimum of 6'.
- Historic neighborhoods typically display great consistency in the choice and application of materials to all four elevations of the building.
- Build all elevations of an individual principal building of the same (one or two) materials in similar configurations. Semi-detached connectors and accessory buildings are excepted from this standard, but take care that these structures are compatible with the principal building.



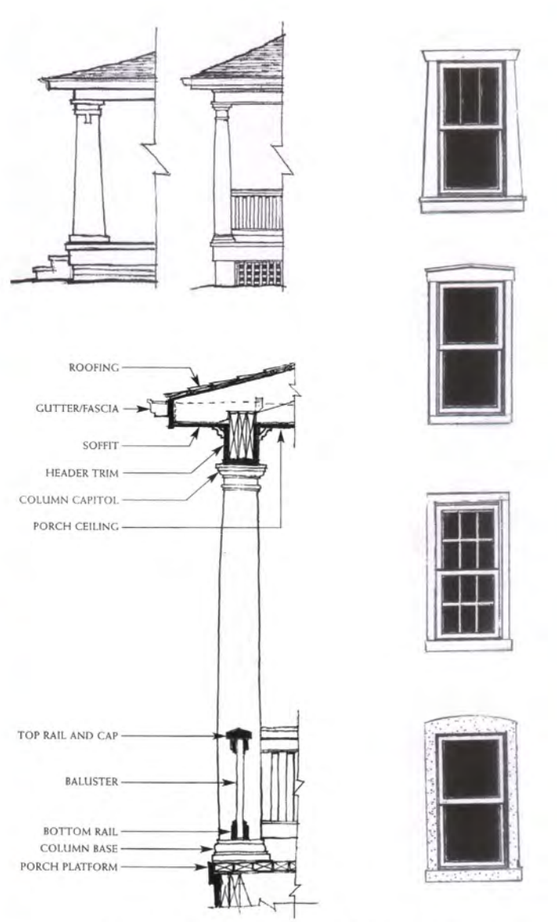








A gracious front porch is raised above the sidewalk, providing a welcoming face to the street.



Porch detail

Window trim options







Example of homes with embellisments

Exterior trim treatments

FRONT PORCH

- Generous front porches raised above the sidewalk make a strong statement about each home's relationship to the street and the community. Particularly on small lots, front porches can serve as outdoor living rooms, hosting family events and providing social places for the street.
- The front porch is the place to create architectural interest and variety. Be creative in the use of column brackets, railing pickets, trim and moldings, entry door transoms, sidelights & door trim.
- Coordinate column and other detailing with the chosen architectural style. A variety of porch sizes and details is encouraged, particularly for Green and Garden Court homes.
- Front porches may be either appended or recessed. Provide at least the minimum quantities and sizes stated in the Neighborhood Design chapter. Porches are encouraged to reflect the design qualities outlined in the Architectural Style chapter.
- A variety of porch sizes and details is encouraged, particularly for Green and Garden Court homes.
- Establish a desirable human scale next to pedestrian routes and at building entrances with porches, arcades, and other one story elements.
- Oversized entry or porch elements, exceeding one story in height, are not permitted.

EXPRESSION OF ELEMENTS

To ensure that elements on the primary facade are presented with authenticity, cerfully select quality materials and techniques to assemble them.

- Each porch element should be expressed, with clear articulation of the deck platform, railings, columns, header trim surround, porch ceiling, soffit, fascia, gutter and roof. Enclose porch rafters and/or ceiling joists with a porch ceiling. If plywood is used for porched ceiling, cover visible butt joints with an orderly batten pattern.
- Railings need a top cap, top and bottom rails, and balusters or pickets spanning between. The openings between balusters cannot exceed 4 inches.

EXTERIOR TRIM & EMBELLISHMENTS

Trim elements like windows and doors contribute to a building's expression of style and quality.

- Trim windows and doors with a minimum of 2 inch wide brickmold, or a minimum of 1 by 4 inch painted wood or smooth (nontextured) hardboard trim. With stucco walls, a minimum 1-inch deep raised relief around the window may be used instead of trim.
- Make trim, rake, and eave moldings consistent with the building's architectural style.
- Do not link windows on the first and second stories with exterior trim and/or different siding treatments.
- Exterior column dimensions must be at lest 6 by 6 inches in nominal size. See the architectural Style chapter for examples of column styles.



ADU AS DETACHED STRUCTURE

An ADU, or accessory dwelling unit, is a secondary housing unit on a single-family lot. It usually is an independently accessed secondary residential unit that shares ownership, site, and utilities with the primary residence. It can take several different forms. Those are:

1. Detached new construction ADU, also sometimes called a backyard cottage, carriage house, garage apartment or granny flat.
2. AFDU above garage or workshop, or attached to it.
3. Addition ADU or "bump-out" ADU directly attached to the primary residence.
4. Basement conversion ADU, also commonly called basement apartments, mother-in-law suites, and other names.
5. Internal ADU, where a part of the primary residence is converted to an ADU.

The numbers of individuals living alone in the US exceeds the number of homes occupied by families with children. To meet the demand of this change in the US family structure, ancillary units have become very popular and should be encouraged whenever possible. It is estimated that there are 13 Million ADUs in the US at this time, which is roughly 10% of all housing units. They provide great social benefit by interspersing smaller market-rate units and affordable housing within established or new neighborhoods. Conventional zoning forbids ancillary dwelling units, fearing an overload of parking, traffic and sewer capacity. To overcome this concern, ancillary units, until recently have been limited to a maximum of 600 SF so that the unit can accommodate an individual or a couple but not a family.

ADU ABOVE GARAGE OR WORKSHOP

The fact that ADUs are secondary housing units on a single family zoned residential lots places ADUs into a unique category of housing. They also have some other distinguishing characteristics that help further define, differentiate and distinguish them from other housing types. And while their structure may vary, ADUs share some common traits.

1. ADUs are accessory and adjacent to a primary housing unit.
2. ADUs are significantly smaller than the average US house.
3. ADUs tend to be one of two units owned by one owner on a single family residential lot.
4. ADUs tend to be primarily developed at different time than the primary house and usually by homeowner developers

The obvious benefits of ADUs to both the city and the homeowners are:

1. They are an affordable type of home to construct because they do not require paying for the land, new infrastructure, structured parking or elevators.
2. They can be a source of income for the homeowners.
3. ADUs are built with cost-effective wood frame construction, which is significantly less costly than units in new multi family infill buildings.

ADUs allow extended families to be near one another while maintaining privacy.

BUMP-OUT - ADU AS MAIN HOUSE ADDITION

1. ADUs provide as much living space as many new built apartments and condominiums, and they are well suited for couples, small families, friends, young people and seniors.
2. ADUs give homeowners the flexibility to share independent living areas with family members and others, allowing seniors to age in place as they require more care.

ADU architectural standards

ADUs play an important role in neighborhoods both in terms of their functional use but also their ability to shape the positive outdoor space of each lot.

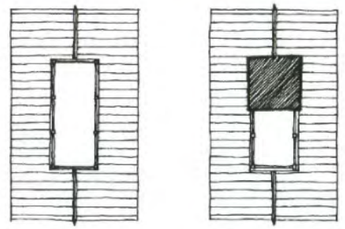
Design accessory units so that they are clearly secondary to the principal building. Whenever possible, use windows, doors, balconies and dormers to create architectural interest and "eyes" on the backyard and the alley, if there is one. Accessory buildings must employ similar materials, building and roof forms, and window types and proportions to the principal building's architectural style.

Retain all or some second story footage of the second story roof. Achieve this by using dormers and by lowering the plate height.



An example of tower design well coordinated with the rest of the house





Open deck

Open/Enclosed













THE IDEA

People living near a large body of water like it even better when they have a view of it from where they live. One of the ingenious ways to allow houses in the interior blocks to have water view, invented by the designers of Seaside, Florida, is to build small towers on top of the roof without the height limit.

In addition to increasing the property value of interior blocks, these towers offer an opportunity for a variety of designs and give additional richness and a special character to the neighborhood streetscape.

Towers are not permitted along the river edge, but are encouraged in the rest of the river-oriented developments.

CHARACTER

Towers are usually an extension of the floors below and can be located symmetrically or asymmetrically on the main body of the house.

Architectural style, details, and roof and wall materials should be in accord with the rest of the house.

Towers may be used as a compositional element and are particularly appropriate for Victorian style houses.

Present day applications also show that towers can be built in any style provided there is a formal connection with the rest of the house and an architectural consistency in their design.

TYPE AND SIZE

Size of towers shall vary with the type of the house as shown below:

On large single-family homes and Mansion Homes – maximum 150 SF of enclosed space and 200 SF of open space, excluding the stairway.

Medium size houses – maximum 100 SF of enclosed space and 150 SF of open space, excluding the stairway.

On Cottage homes, Garden Court homes, Green Court houses and Town Homes – maximum 150 SF of either open or enclosed space.

For building flat roof terrace there is no limit.

MATERIALS

Towers shall have openings of no less that 50% of the surface of the tower walls.

General character, shape, proportions, elements, details, and materials of the tower should be derived from the overall design, type and character of the house.

Towers can be completely open, a combination of open and enclosed space, or completely enclosed, all within the sizes as specified.

Building with flat roofs (as allowed in the Code) may allow access to the entire roof area with no size limitation.

DETAILS

Finished floor of the tower (or deck) shall be no more than 16" above the highest portion of the roof on which it sits.

Portions of tower decks can be used to locate air conditioning condensing units.

In Town Home buildings, not all the units have to have towers. Towers should be located in such a way as to increase the architectural appeal of the building.

The degree of enclosure or openness of the tower should correspond to the degree of enclosure or openness of the rest of the house.

Rooftop Towers







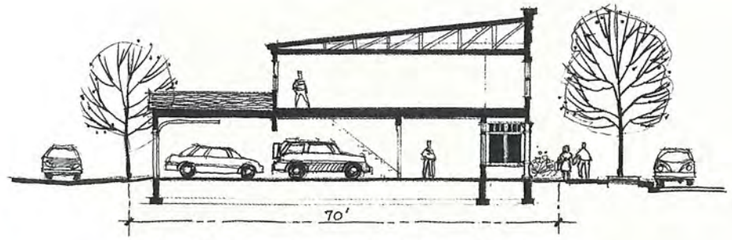




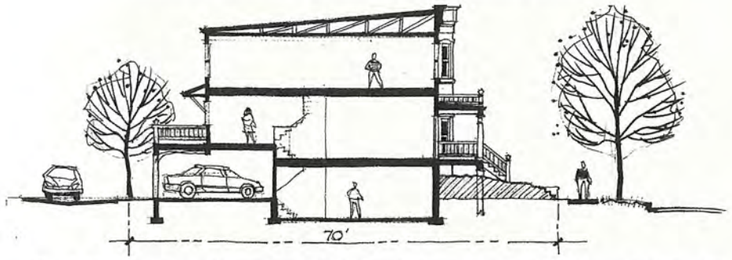


TOWN HOUSES

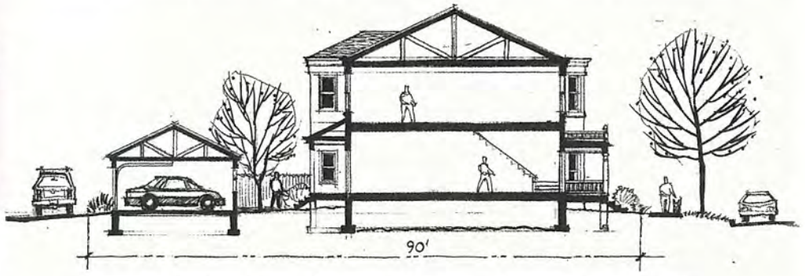
The three row house prototypes employ a similar lot configuration to respond to different use and amenity preferences. The Split Level Town House provides the convenience of an attached garage tucked underneath second-floor dining, kitchen, and outdoor living areas. Entry porches and raised front yards create a strong presence along the street. The Backyard Town House uses a detached garage to create small and intimate courtyards. Finally, a Live/Work version allows for a large portion of the first floor to be used for studio or workspace with direct access from the street. Living space is located conveniently above the work space.



The Live/Work entry is immediately accessible at grade



The Split Level Town House entry is higher above and further back from the sidewalk



The Backyard Town House entry is closer to the ground and sidewalk

TOWN HOUSE TYPES

SPLIT LEVEL TOWN HOUSE

- The following standards gracefully accommodate the split-level design that allows for garages to be tucked under row house living areas.
- Provide a raised front yard at least 2 feet above the sidewalk.
- Elevate covered entries for Split Level Town Houses from 4 feet to 7 feet above the abutting sidewalk.
- Provide private exterior space for Split Level Town Houses on the second floor at the rear above the garage.

BACKYARD TOWN HOUSE

- Elevate covered entries at least 18 inches above the abutting sidewalk. This is similar to patterns for single-family houses.
- Provide private exterior space for Backyard Town Houses by creating a garden/terrace between the garage and row house.

LIVE/WORK TOWN HOUSE

- Front entrances must employ a recessed arcade or awnings, allowing direct access at grade. This is similar to Main Street storefront patterns.

BREAKS BETWEEN GROUPS

- Break up long lines of row houses to provide visual relief and pedestrian access to alleys.
- Create a separation of at least 12 feet every 200 feet or every 10 row houses.
- Do not place separations where row houses create terminated vistas at a perpendicular street.

PRESENTATION AT CORNERS

- The relationship of buildings to one another and the street is especially important at corners.
- Buildings on corner lots must address both streets. All corner lots are typically slightly wider for the sideyard setback along the street and to allow for building articulation and side porches.
- Carefully consider the articulation used where a line of row houses reaches the street corner.
- Celebrate the corner with an angled facet addressing the corner, a recessed entry, a tower form, or similar architectural treatment.
- At the end of a line of Town Houses (side elevation), include appropriate articulation, windows, and interesting architectural elements. Appropriate articulation for side elevations is equal to that called for on front elevations.
- Place garages for end units towards the street to shield any adjacent surface parking spaces.



Street Corner Type Multi-Unit Home

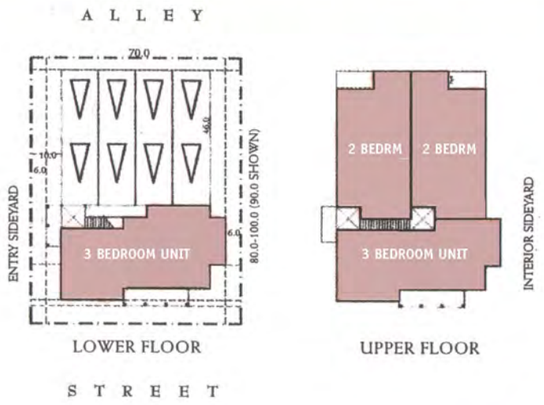
MULTI-UNIT HOMES

The Multi-Unit Home combines several residences within one structure designed to resemble a large single-family home. The prototype illustrated here is for a four-unit building that provides attached garages accessed from rear alleys. Different-sized buildings may be combined along a block face. When located on corners, Multi-Unit Homes provide porches and entries on both elevations facing the street. When located on the block interior, a "family" of entrances between two buildings provides gracious access to the upper-floor residences.









Typical four-unit Multi-Unit Home organization











ARCHITECTURE AND ENTRY ARTICULATION

- One goal for Verano is to create a handsome and timeless architecture based on San Antonio's historic neighborhoods. These neighborhoods derive much of their character from the simplicity of architectural forms. Buildings at Verano should emphasize one primary architectural form with supporting secondary elements. Too much complexity or competing primary forms undermine this goal.
- An articulation is defined as the connection of an open porch to the building, a dormer facing the street, a well defined entry element, a horizontal offset of at least 2 feet in the principal building wall for a minimum 4 feet in width, or a change in the height of front elevation rooflines by at least one story.
- The primary building elevation of Multi-Unit Homes on lots 80 feet wide or narrower require at least two articulations, but not more than four.
- The primary building elevation of Multi-Unit Homes on lots greater than 80 feet wide requires at least four articulations, but not more than six, unless approved.

PRESENTATION AT CORNERS

- The relationship of buildings to one another and the street is especially important at corners.
- Buildings on corner lots must address both streets. All corner lots are typically slightly wider to accommodate the side yard setback along a street and allow for building articulation and side porches.
- Multi-Unit Homes with attached garages on corner lots must have entry porches on both elevations facing the street.
- Side elevations facing a street are subject to the articulation requirements for the primary facade of that building.

ENTRY AREAS

- For Multi-Unit Homes with attached garages, public access is provided via a common entry and porch on the side of the building, while direct private access occurs from the garages.
- Place individual entries at ground level facing the street.
- Any Multi-Unit Homes with attached garages that are located on a corner lot must have side entries to upper floor units placed facing the street.
- Pairs of Multi-Unit Homes with attached garages on the interior lots have entry porches placed facing each other and common pedestrian access from the street.

PRIVATE EXTERIOR SPACE

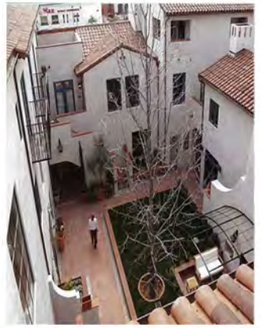
- Each Multi-Unit Home will provide one outdoor space directly accessible from living/dining areas. This space may be provided as a covered porch, patio, or balcony. It must be at least 6 feet deep and a total of 72 square feet.

COMMON AREAS

- Locate common areas, circulation paths, and building entries and porches where they are most visible from the street and from home interiors.








APARTMENT BUILDINGS

Apartment buildings are one of the principal housing types in any project. They fall into the category of medium-high residential density. With town homes and live-work units, apartment buildings are usually associated with open public space and contribute principally to the scale and definition of the street edge. They are instrumental in creating the sense of enclosure and form a moderately busy street. A courtyard is a design feature traditionally found in hot and arid climate.

MASSING, FACADE DESIGN, MATERIALS

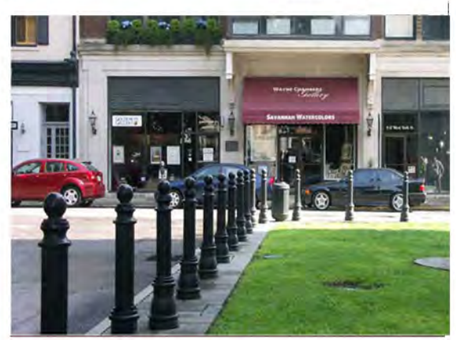
Buildings should have a coherent formal vocabulary and exhibit a hierarchy in their composition. Buildings fronting major public spaces should have relatively simple fronts and roofs, with wings and plan articulations on secondary sides. Buildings should have a distinctly different bottom, top, and middle. Well defined roof lines are greatly encouraged. An expression line should delineate division between the ground floor and upper floors. The ground floor should have higher plate height than the upper floors. Pitched roofs are recommended for smaller buildings. A cornice should delineate the tops of facades for buildings with a flat roof. The use of arcades, porches, and colonnades is strongly recommended. Corner conditions need to be distinguished by a specially articulated portion of the building addressing both frontages in a similar manner. Buildings should be 2-4 stories high. Entries to the buildings should be well expressed (covered, recessed) and should be apparent.

Windows should be vertically proportioned and utilize distinct frames, materials, and colors for window surrounds. Awnings and shutters are recommended in accord with the building style selected. Wall-to-roof transition is a strong flavor giver and should be given special care to create a regionally appropriate expression. Building planes should avoid the large monolithic appearance of uninterrupted sameness; rather, they should be differentiated for reasons of scale, light control, and relatedness to the space they face or enclose. No mechanical equipment should be mounted on the exterior of the building in public view.

Acceptable wall materials for courtyard apartments are: stone, brick or a combination of the two, stucco, cast stone, rock, marble, granite, tile, and glass block. Also acceptable are Hardi planks and sheets, and textured or patterned pored-in-place concrete with integrated color. EIFS can be used only as accent material. Acceptable roofing materials are: standing seam metal roof, stone and clay roof tile.





MIXED USE BLOCKS (LOFT OR OFFICE OVER RETAIL)

A Mixed Use Block is the quintessential P5 block that makes active urban life possible. The first 20-30 ft on the ground are used for public or commercial functions, upper levels are generally residential. The lower part of the building changes over time, the higher part is generally unchanged. This is a high-density building type and is found in city centers. The ground level is permeable for a seamless connection between inside and outside necessary for a continuous pedestrian experience.

GROUND FLOOR, ADDRESSING OPEN SPACE, DETAILS

Many provisions applicable to courtyard apartment buildings also apply to mixed-use blocks. What is listed below are additional requirements specific to this building type:

A. Ground floor openness is critical for the street experience. Its height needs to be 15 ft or more and 60% of the walls at this level should have transparent storefront windows. For colonnades, arcades, and porches column spacing should be equal or less than the column height. Buildings facing major open space should relate to it by using porches, arcades or colonnades as well as have a meaningful functional connection. Buildings should relate to each other in terms of scale and materials. Building surrounding the same public space should utilize: 1) The same architectural character, 2) Similar floor or cornice height, 3) Similar treatment of wall-to-roof transition, and 4) Similar treatment of door and window openings.

B. Buildings should be interwoven with landscaping for desired aesthetic and functional results. Open space between buildings should not be a leftover space but rather typologically identifiable as pedestrian ways, forecourts, urban gardens, courtyards and playgrounds. Additions and expansions to buildings should be inspired by the original building character and be in harmony with the original design intent. Buildings at street terminations and building at corners should acknowledge their special location by specific design elements. Such elements may be more than one story high and may be enhanced by towers and arcades.

C. Windows, doors, and trim should be compatible with the architectural style. Specialty windows, such as circles, ovals, and fans, can be used but sparingly and for accent purposes only and should be of the same materials as the rest of the windows. Awnings are encouraged. Roofing and exterior materials are the same as courtyard apartments.

















MASSING, FACADE DESIGN, MATERIALS

Buildings should have a coherent formal vocabulary and exhibit a hierarchy in their composition. Buildings fronting major public spaces should have relatively simple fronts and roofs, with wings and plan articulations on secondary sides. Buildings should have a distinctly different bottom, top, and middle. Well defined roof lines are greatly encouraged. An expression line should delineate division between the ground floor and upper floors. The ground floor should have higher plate height than the upper floors. Pitched roofs are recommended for smaller buildings. A cornice should delineate the tops of facades for buildings with a flat roof. The use of arcades, porches, and colonnades is strongly recommended. Corner conditions need to be distinguished by a specially articulated portion of the building addressing both frontages in a similar manner. Buildings should be 2-4 stories high. Entries to the buildings should be well expressed (covered, recessed) and should be apparent.

Windows should be vertically proportioned and utilize distinct frames, materials, and colors for window surrounds. Awnings and shutters are recommended in accord with the building style selected. Wall-to-roof transition is a strong flavor giver and should be given special care to create a regionally appropriate expression. Building planes should avoid the large monolithic appearance of uninterrupted sameness; rather, they should be differentiated for reasons of scale, light control, and relatedness to the space they face or enclose. No mechanical equipment should be mounted on the exterior of the building in public view.

Acceptable wall materials for commercial buildings are: stone, brick or a combination of the two, stucco, cast stone, rock, marble, granite, tile, and glass block. Also acceptable are Hardi planks and sheets, and textured or patterned pored-in-place concrete with integrated color. EIFS can be used only as accent material. Acceptable roofing materials are: standing seam metal roof, stone and clay roof tile.

GROUND FLOOR, ADDRESSING OPEN SPACE, PARKING

A. Ground floor openness is critical for the street experience. Its height needs to be 15 ft or more and 60% of the walls at this level should have transparent storefront windows. For colonnades, arcades, and porches column spacing should be equal or less than the column height. Buildings facing major open space should relate to it by using porches, arcades or colonnades as well as have a meaningful functional connection. Buildings should relate to each other in terms of scale and materials. Building surrounding the same public space should utilize: 1) The same architectural character, 2) Similar floor or cornice height, 3) Similar treatment of wall-to-roof transition, and 4) Similar treatment of door and window openings.

B. Buildings should be interwoven with landscaping for desired aesthetic and functional results. Open space between buildings should not be a leftover space but rather typologically identifiable as pedestrian ways, forecourts, urban gardens, courtyards and playgrounds. Additions and expansions to buildings should be inspired by the original building character and be in harmony with the original design intent. Buildings at street terminations and building at corners should acknowledge their special location by specific design elements. Such elements may be more than one story high and may be enhanced by towers and arcades.

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D. Visual impact of surface parking lots, loading, and service areas should be minimized. Parking lots should be located to the side or rear of buildings to allow building fronting on primary public streets. Loading areas should not be visible from any primary streets.

E. Roof-mounted equipment should be screened from view with enclosures that are consistent with the building architecture.

F. Architectural Styles

1. Primary Architectural Styles
2. Classical Style
3. VictorianStyle
4. Texas Hill Country Style
5. Craftsman Style
6. Modern Architectural Style
7. Minor Architectural Styles
8. Working With Tradition



Classical Style



Victorian Style



Texas Hill Country Style



Craftsman Style

PRIMARY ARCHITECTURAL STYLES

Architectural styles are some of the most visible signs of historical and cultural values of any era. The term “style” refers to the consistent qualities and features that link different works together into groups. The history of styles in American housing is as complex and rich as the history of the nation and its people. There is no one single American style of architecture; different immigrant groups and individuals have adapted their own national traditions to the new land, and many have borrowed or combined with other stylistic traditions to create hybrid designs so hard to classify sometimes. In the heyday of eclecticism, about 1865-1930, the entire spectrum of historical styles was revived at one point or another. The important point here is that every time a style is revived, it is different.

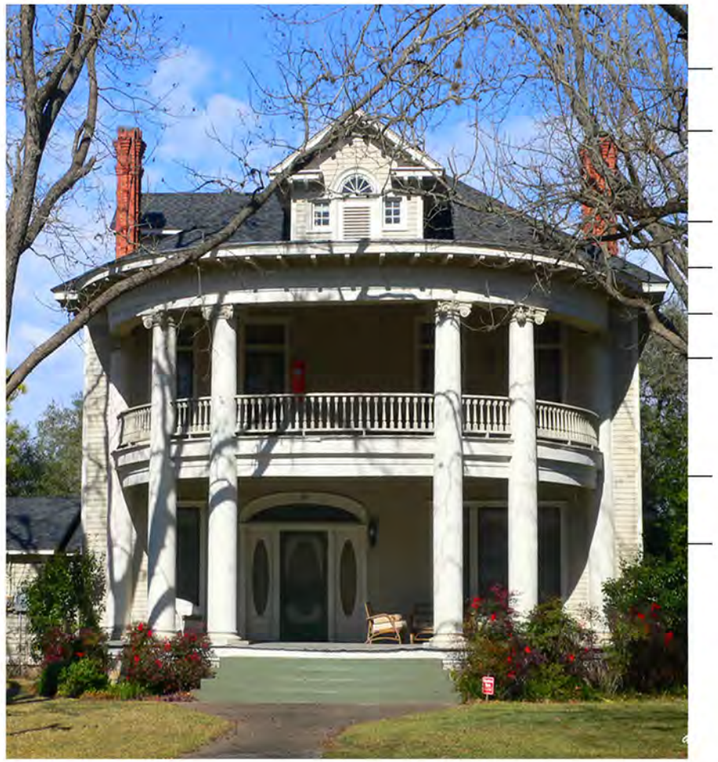
Stylistic labels are frequently associated with value judgments. In many cases, the style chosen was meant to signify the allegiance or aspirations of the homeowner. When making a conscious choice, Americans have tended to pick revival styles on the basis of moral values attributed to them. Thomas Jefferson felt that Classical architecture promoted clear thinking and civic virtues, and so it was the style most suited of the new republic. Exotic styles, on the other hand, appealed to a spirit of adventure and discovery. At any time, more than one style might be fashionable, and when the style changes it usually does so gradually as architects learn to adapt to new ideas. Styles often spread to places other than the place of their origin and do so in a variety of ways.

The goal of the architectural style guidelines is to help create the memorable character, identity and appeal found in the historic neighborhoods of Central Texas, not to provide exact replicas of historic buildings. The four primary styles historically prevalent in Bastrop are Classical, Victorian, Texas Hill Country and Craftsman. In addition, there are also a few examples of other minor styles such as Colonial, Foursquare, Prairie style and a good number of examples of hybrids containing elements of more than one style.

Many elements contribute to defining a particular style. In some cases the use of just a handful of appropriate elements can be successful in defining a style and creation an authentic composition. The key in working with the styles presented here, as in all traditional architecture, is to work within general massing rules, maintain proper proportions and formal consistency among building components, utilize appropriate selection and placement of details, and select building materials historically appropriate for the style and if possible regionally available.

Although more than one style is selected as being appropriate for this area, once the home style is chosen the building design proposed must be coherent within the selected style. Indiscriminate borrowing and exchange of elements between different styles creates confusion, muddles the clarity of architectural expression, and will generally not be acceptable. However, if a coherent design is presented in modern style or a minor regional style not listed in the pattern book, such a project may be considered by the authority designated for review and approval of architectural projects.

To be executed well, Classical, Victorian and especially Modern style require a degree of design and craftsmanship not commonly available today. In order to prevent oversimplification of the style’s basic principles, erroneous detailing and misuse of materials, projects electing to use these styles will undergo a more thorough scrutiny before they are approved. In case of such a project, contact and coordination with the designated permitting authority (Town Architect or Design Review Committee) at the early stages of the project is strongly encouraged.



CONSTANT ROOF SLOPES

DORMER PROPORTIONED FOR A SINGLE WINDOW

ELABORATE BRACKETS WITH NICELY DETAILED ENTABLATURE

MULTI-PANE WINDOWS

CONSISTENT RAIL DESIGN

FULL WIDTH TWO STORY "TEMPLE" PORCH WITH PEDIMENTED GABLE ROOF ABOVE AND SYMMETRICAL FRONT FACADE

SLIM VERSION OF CORINTHIAN ORDER COLUMNS

UNEVEN NUMBER OF OPENINGS AT PORCH (3 OR 5)

ORDERLY RELATIONSHIP BETWEEN DOORS, WINDOWS, PORCH & ROOF















CLASSICAL - CHARACTERISTICS OF THE STYLE

The basic classical house has a simple rectangular volume, either one or two stories, with hip or gable roofs. Often, it has a "temple" front porch facing the street but remaining the part of the main body of the house. The porch is the most important element for the classical house, can be one or two stories, strait or curved, and often utilizes Greek or Roman columns and a variety of detailing of the entablature above.

Houses are usually symmetrical though carefully balanced asymmetrical compositions are also possible. Wings are generally narrow and of similar proportions added to the side or the back. Roof pitches are consistent and can vary from 6:12 to 12:12, most common being 8:12.

Windows are multi-pane, most commonly 6 over 6 or 9 over 9, with the first floor windows being taller than the second floor windows. Dormers occur in both gable and hip roof types, usually proportioned for a single window.

There is an orderly relationship among columns, windows, doors, porches and roof forms. Eaves and cornices are usually well-detailed. Materials used for this style include stone, brick, stucco, shingles (for accent), and horizontal siding.

HISTORY, CONTEXT AND VARIATIONS

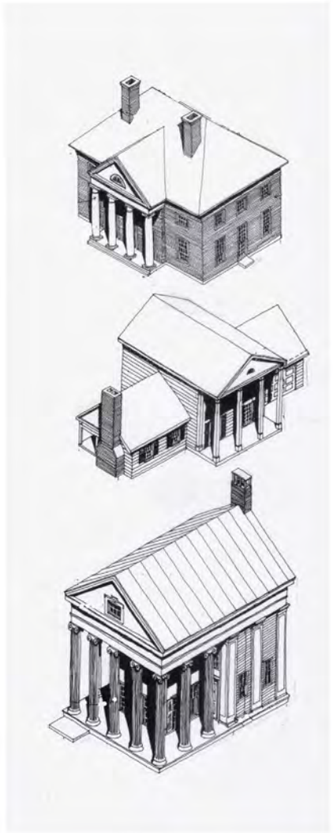
The Classical style in the US draws primarily from Greek precedents and less so from classical Roman prototypes and its appearance and vocabulary was greatly inspired by the 1893 Columbian Exposition in Chicago. Moldings are more severe rather than ornamentally enriched, there is no statuary along the roofline or on the façade, and the round (Roman) arch appears infrequently. The impression is one of grace combined with post-and-lintel construction, although modern, reinforced materials were used.

The scale and proportions of the style are suitably massive, but it also became quite popular in the middle-class housing where the scale was refined to reflect a more modest demeanor of the buildings, and orders can be of both single and double height.

The frontage is usually dominated by a pedimented portico supported by an even number of free-standing columns, and the whole composition was characterized by rational and symmetrical distribution of parts. The style typically uses slim, simplified columns of the Ionic or Corinthian orders, and may well combine the two. Such admixture was facilitated by the debut of readily available, mass-manufactured architectural details produced of industrial composites.

Between six and eight sub-styles have been identified. The most common were 1) a principal full-height porch of about one third of the length of the façade, and colonnaded with pedimented gable roof above, or 2) the same double-height porch motif occupying the full length of the façade and bearing flat roof. The later type was especially popular between 1925 and 1950.

During this same period, the one-story cottage with a dominant centralized dormer, hipped roof, and colonnaded porch of either part of full width, was also fashionable for smaller homes. This style was popular in the South. There are also a number of other sub-types that appear less frequently. The style continues to be popular to this day, particularly in large style urban and suburban houses.

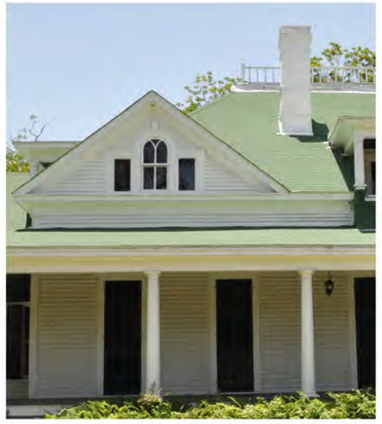
















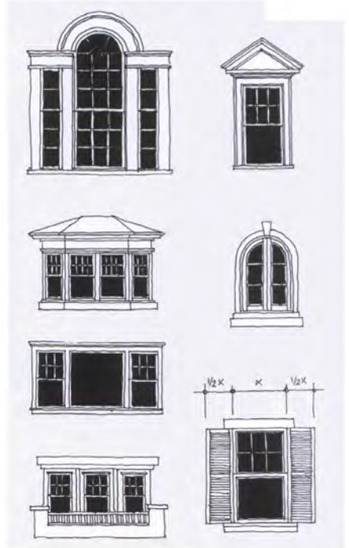




















MASSING

- The basic house is typically a simple rectangular volume, one or two stories, with hip or gable roofs.
- The porch is the most important element and commonly it is a "temple" like front porch facing the street but remaining part of the main body of the house.
- Houses are usually symmetrical, but carefully balanced asymmetrical compositions are also possible.
- Wings are generally narrow and of similar proportions.

ROOF DETAILS

- Roof pitches are consistent and vary from 6:12 to 12:12. Most common are 8:12.
- Gable dormers facing the sides are most appropriate for this style.
- Overhangs are consistent, generally 1-2 ft wide. Eaves are usually with closed soffits.
- Repetitive ornate brackets are common under the primary roof eaves.

DOORS & WINDOWS

- Symmetrically placed doors and windows are most common, but well balanced non-symmetrical compositions are possible.
- Use individual, paired, or triple windows. Bay windows are common, and round windows, combined or by themselves, are often used for façade accent.
- Use double hung windows with divided lights in both sashes. Typically 6 over 6 or 9 over 9 but other combinations can be found as well.
- First floor windows are usually higher than the second floor windows. Dormers occur in both hip and gable roofs, usually proportioned for a single window.

PORCH / ENTRY

- Use strong front porch/entry, usually with a "temple" look, but could also be in front of the full façade.
- Porch can be one or two stories.
- Often utilizes Greek or Roman columns, sometimes combined (round or square), and a variety of detailing to the entablature. Column size is typically no less than 8 inches in diameter or 8-inch square.
- Bottom porch is commonly without rail and elevated from the sidewalk.

DETAILS

- Eaves and cornices are usually well detailed.
- Windows are commonly trimmed by 1x4 boards with the cap molding sometimes intricately detailed.
- Nicely detailed balusters are used for stair and porch rail.
- Wood picket fences are common as well as black metal

MATERIALS

- Wall materials used for this style include stone, brick, stucco, decorative shingles (accent) & horizontal siding.
- Most common roofing materials are standing seam metal, and asphalt and fiberglass shingles.
- Windows are usually wood or wood with metal cladding with traditional profiles. Doors are typically made out of wood and are stained or painted.
- Wood or fiberglass porch columns with straight or turned wood balusters.

























VICTORIAN - CHARACTERISTICS OF THE STYLE

Victorian style homes are dominated by a steeply pitched gable roof facing the street. The main gable may be combined with wings on one or two sides, or emerge from a larger hip-roofed rectangular volume. Symmetry is optional.

Usually generous one-story porch is integrated into the front façade. Gable, hip, shed, or special dormers are typically employed to provide additional floor area, daylight, and architectural interest. Overall composition usually features symmetrically placed, vertically proportioned, double hung windows.

Simplified ornamentation occurs at porches, gable ends, and at special features such as bay windows and towers. Appropriate materials include primarily horizontal siding and more rarely, at least in this area, brick.

The application of the style is seldom pure and borrowing from different stylistic approaches is evident in the Central Texas Victorian. In both Georgetown and New Braunfels there are hybrids that borrow from both the Classical as well as the Arts and Crafts movement. This mix of various styles components is what creates an interesting character, which blends with other styles and yet stands out on its own.

HISTORY AND CONTEXT

The Victorian style was prevalent for residential buildings in the United States from about 1860 to 1910. Although under the same name, the actual applications of the style vary from region to region. As opposed to High Victorian, characterized by the exuberant and sometimes hardly discriminating use of applied ornament as well as very eclectic compositions, the Central Texas version of the style may be called the Folk Victorian.

This variation of the basic style flourished as railroads spread across the country providing a steady supply of pre-made Victorian millwork. The Folk Victorian version resulted from the application of the stylistic principles to more modest residences. Forms were simplified, and ornamentation was applied chiefly to the porches, gable ands, and cornices.

VARIATIONS

In general, the Victorian style allowed the form of the house to be more organic, freeing the builder to incorporate exotic extensions, roof overhangs, and more complex massing types.

By 1910, other styles such as Colonial Revival and Craftsman began to compete for the homebuilder's attention. Yet application of Victorian style remained popular throughout much of the 20th century.
























MASSING

- Front facing gable with or without side wings
- Gabled wings protruding from principal hip-roof form
- Hipped or conical roof tower elements on front elevations
- Use of projecting bays & turrets
- 1 1/2 to 2 stories typical
- Symmetrical or asymmetrical facade composition
- Main level floor-to-ceiling height typically 9-10 feet

ROOF DETAILS

- Steeply sloping gable roofs from 8:12 to 12:12
- Secondary hip and shed roofs from 3:12 to 8:12 and gable roofs from 6:12 to 12:12
- Generous use of gable, hip, shed or special dormers
- Roof overhangs typically 12 inches but up to 30 inches are acceptable
- Closed soffits and eaves with ogee or half round gutters

DOORS & WINDOWS

- Vertical double-hung windows
- Individual or paired window treatments typical
- Square and angled bay window treatments
- Limited use of accent windows and multi-pane sashes with true divided lites
- Wide (4 to 6 inches) or embellished exterior trim with cap moldings

PORCH / ENTRY

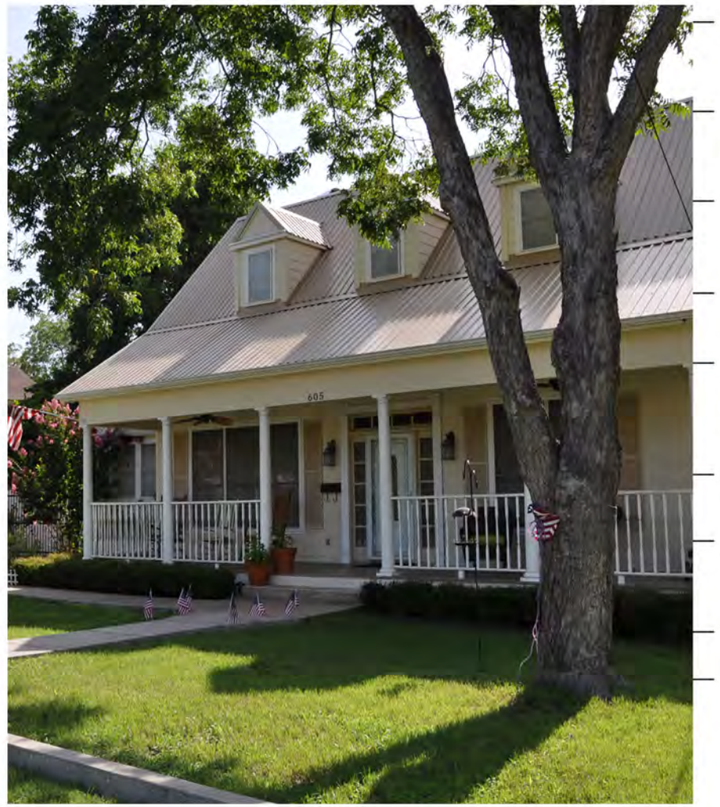
- Full or generous partial porch, with wrap-around at corner encouraged
- Turned column styles 6" nominal
- Round coulmn styles to include Doric, Ionic and Tuscan, with a minimum diameter of 8 inches nominal size
- Square column styles with chamfers and moldings at least 6" in width
- Delicate railings to include square or turned 2 inch by 2 inch balusters or scroll saw cut patterns
- Lattice treatments to screen area under the porch

DETAILS

- Decorative gable end truss work
- Decorative brackets at porch columns
- Rake moldings
- Ogee profile gutters at horizontal facia

MATERIALS

- Horizontal wood, simulated wood or shingle siding with actual or expressed coursing not to exceed 6 inches (4 to 5 inches preferred)
- Siding patterns to include bevel (clapboard) and drop siding
- Full brick or brick up to the second floor line
- Decorative wood or shingle patterns in gable ends
- Brick and stone or textured concrete foundation base with approval of Town Architect



DOOR CENTERED ON THE MAIN SPACE AND ASYMMETRICAL WINDOW

HIGHER PITCHED ROOF OVER MAIN SPACE WITH METAL ROOFING MATERIAL

WINDOWS IN THE KNEE WALL BETWEEN THE EAVE AND THE ROOF OF THE PORCH

LOCAL STONE FOR WALL MATERIAL

ROOF ACROSS FULL FRONT FACADE WITH WOOD POSTS, EXPOSED OR CONCEALED RAFTER TAILS, LOWER PITCH ON SHED ROOF

WOOD POST FROM CEDAR POLES TO DECORATIVE

GENEROUS FRONT PORCH ELEVATED FROM THE GROUND

RAILS ARE OPTIONAL

EXTERIOR STAIR TO UPPER LEVEL; BACK PORCH

BEND IN THE ROOF PITCH "CAT SLIDE"



















TEXAS HILL COUNTRY - CHARACTERISTICS OF THE STYLE

The primary characteristic of this style is that the buildings are composed through simple juxtaposition of pure Euclidian geometric forms – rectangles and triangles in a variety of combinations. The two principal components of the house are the main space and the porch or the "lean-on" rooms. The main space is usually an elongated rectangle with the porches commonly placed along the longer sides of the main space. Sometimes, the main space has an "L" configuration with the porch and the entry placed at the inside corner of the "L".

Porch is a crucial architectural component in the hot Texas climate. While in more urban settings porch serves as a demarcation line between the public and the private, in the Texas Hill Country the porch is a necessary transitional space between the inside and outside absolutely necessary for the proper functioning of the building. A special kind of porch is sometimes placed in the middle of the house to separate the sleeping quarters from the cooking areas in the hot Texas climate – the "dog trot".

It is in the interplay between the main space and the porch or the "lean-to" that the variety of expressions can be created. Porches can be added on to the main space (either full length or not), carved out of it, and added perpendicular to the main space. Porches can also be one or two-story. Porches added directly to the main space create a fold in the roof pitch commonly called "the cat slide". In two-story buildings the eave of the main space and the top of the porch can also be separated with small square windows placed in the knee wall between them.

Roof pitches are low to moderate over the porches and higher (8:12 and even 12:12) over the main space.

HISTORY AND CONTEXT

There are two living traditions of architecture in Texas today. One is Mediterranean, imported first through the Missions from the south. The other active architectural tradition developed in the last 200 years represents a unique blend of German ingenuity and the climatic and geological ruggedness of the Texas Hill Country into geometrically simple, efficient, and functional architecture. There is a clear and uncomplicated structural integrity expressive of the space within that makes the structures built in this style architecturally honest to the point that some of them could be called an expression of the "aesthetics of necessity". Especially in its early examples this style of architecture is first and foremost functional. Form follows function and nothing is left over.

The greatest number of these simple buildings can be found in the German towns of central Texas such as Fredericksburg, New Braunfels, Boerne, and Gruene, Colonized by Germans in the first half of the nineteenth century, these towns today still exhibit a great degree of discipline and rigor in their architectural production strongly influenced by the tradition within and around them.

The works of some prominent Texas architects have been inspired by the traditional residential but also agricultural structures of the Hill Country, and this architectural style has gotten the attention on the national level as one of the more authentic directions in American architecture.

Over the years, the purity and simplicity of the early pioneer buildings has been somewhat lost, due to the popularity of other styles from which components are sometimes borrowed, new technological advances such as air conditioning, as well as the current practice of architecture and its dubious relationship with tradition. However, the simplicity and the power of the Hill Country style in the face of contemporary mass produced homes has not diminished its popularity not only in the Hill Country but across Texas and beyond. To the contrary.
























MASSING

Massing is simple and comprised of basic geometric forms. Two principal components of the house are the main space and the porch or "lean-to" rooms.

The main space is usually an elongated rectangle with the porch placed along the longer side of the main space.

The main space can also have an "L" configuration with the porch and entry placed inside the corner of the "L".

Homes are most commonly one or two story and often with the attic type space on the second level. Smaller homes and "Sunday houses" are usually one-and-a-half story.

ROOF DETAILS

Moderately steep gable roofs (6:12 to 10:12) for principal roof.

Slope changes are common as the roof transitions from main space to secondary rooms or the porch ("cat slide").

Gabled dormer facing the street is most common, but shed dormers are a part of the language too.

Overhangs are generally about 12 inches and eaves usually have open rafters.

DOORS & WINDOWS

Symmetrically placed doors and windows are typical, but well- balanced asymmetrical compositions are possible.

Windows are mostly individual with very occasional pairing.

Double hung windows with divided lights in both sashes (6 over 6, 4 over 4, and 2 over 2 are typical).

Small (sometimes square) awning or single-hung windows between the porch roof and the main roof are one of the characteristics of this style.

Trim is commonly wide, 4 to 6 inches on wood siding, brick moulding on masonry walls, with lintel often expressed.

PORCH / ENTRY

Generous front porch across full façade typically with low sloping roof.

Porches can be added to the main space or carved out of it. One or two stories.

Main entry is most common through the front porch.

Columns and beams are simple wood construction, sometimes with notching.

Porch flooring is typically wood or stone.

Porches are open and elevated from the sidewalk. Porch rail is an exception rather than the rule.

DETAILS

Chimneys are an important part of the house massing, usually placed at gable end.

Outdoor stair leading to the second story space is common, typically placed at the gable end and occasionally within the two-story porch.

Simple, almost austere detailing of homes is most prevalent. Occasional Victorian detailing and components can be found mixed with the basic style.

Painted shutters can be found (panel or louver) on single windows.

MATERIALS

Stone, in a variety of cuts and patterns, is the most common building material.

Other acceptable materials include wood siding (vertical and horizontal), wood logs (hewn), plaster (stucco), and Fackwerk (timber-framed walls with areas between timbers filled with small rock and then plastered).

Combinations of materials are also common – stone and logs, stone and siding, stone and plaster.

Most common roofing material is standing seam metal roof; natural or painted.



MODERATE PITCHE ROOFS WITH GENEROUS OVERHANGS; 1-1/2 STORY MASS WITH GABLE OR SHED DORMERS

EXPRESSION OF STRUCTURAL COMPONENTS

OPEN EAVES WITH EXPOSED RAFTER TAILS

PAIRED OR TAPERED COLUMNS ON STONEY BASES OR LOW WALLS

GENEROUS FRONT PORCH, USUALLY ELEVATED FROM THE GROUND











CRAFTSMAN - CHARACTERISTICS OF THE STYLE

The principal features of the style are low-to-moderate pitch usually multiple gable roofs with wide overhangs, unenclosed eaves with exposed rater tails, False beams, triangular knee braces and brackets are often applied at gable ends.

Generous porches with substantial columns and bases, usually elevated from the ground 3-4 feet. Columns are double or tapered and sit on strong bases or low walls. Bases are typically made of solid masonry construction. Sometimes railings are replaced by low walls.

Most front façade compositions are asymmetrical but symmetry is also an option and depends on the orientation of the principal roof. The base of the house is usually emphasized with a different and heavier material than the siding above. Stone, brick, or stucco are preferred.

Dormers are typical on 1 1/2 story designs, either gable or shed type. Usually they are not mixed. Wall materials include stone, brick, stucco, shingles, and horizontal siding. Ornamentation is restrained. Structural members are exposed where possible.

HISTORY AND CONTEXT

Stylistic eclecticism reached particular intensity in American architecture during the initial decades of the twentieth century. In other words, styles were influenced by each other and selective borrowing of components between the styles was not so unusual. By the end of the first decade of the new century, however, a uniquely different style called Craftsman bungalow was developing in California, the center of economic prosperity at the time.

The bungalow type small-to-medium-sized suburban house had emerged by about 1903, dramatically departing from customary American architectural practice in not borrowing from recognized antecedents. The bungalow takes its name from a remote predecessor, a vernacular cottage prototype found in Bengal, with which it shred vague formal similarities. It had been recognized as an especially suitable solution to the needs of the current housing boom, which required an unlimited individual variety in a basic prototype for reasonably priced domestic architecture appropriate to the climate.

With the design insight and talent of the Greene brothers in Pasadena, and Bernard Maybeck in Berkeley, the Craftsman bungalow grew into a significant statement of Arts and Crafts values skillfully adapted to the California life-style.

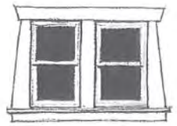
Typically of one-story, the standard form featured both a covered porch and a patio, and good size rooms configured in an open floor plan, which eliminated poorly lit entry halls. The plan was both functional and comparatively inexpensive in its wood, local stone, and often shingle construction.

As a result of bungalow's popularity in California, an abundance of pattern books was published. As the style spread, builders and developers throughout the country constructed whole neighborhoods with streets lined with this single-family house. Further, "kit" houses were manufactured and sold complete with precut timber, plans, fixtures and fittings.

As a result of these various factors, a large portion of American towns came to include bungalow suburbs before the end of the 1920s. The Craftsman bungalow was a dominant form of smaller-scale vernacular housing in America from about 1903 through the mid 1920s when it began to diminish in popularity.







Typical double-hung paired windows with tapered side trim and angled head trim

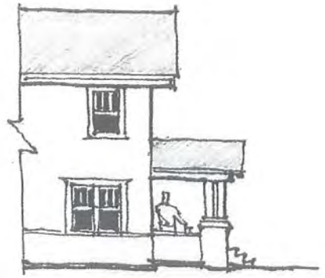


Picture window with flanking double-hungs with divided lites in upper sash





A shed-roof porch continues the line of the primary roof with a change in the slope



A gable-roof over an appended front porch









A small accent window



Arts and Crafts-style front doors



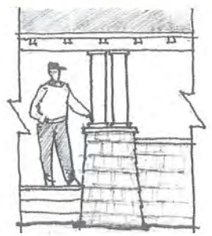




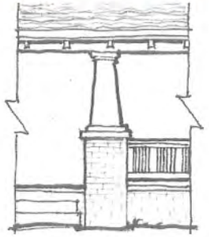




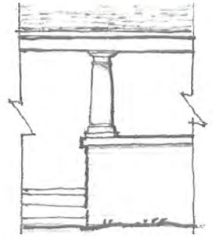




Short paired boxed columns on top of shingled, tapered pedestal



Wide tapered box column on brick base with wood railing



A round Tuscan column on top of a wood-sided low wall

MASSING

- Side gable, center gable facing the street, or cross gable with dormers
- 1-1/2 story massing compositions are encouraged
- Symmetrical or asymmetrical facade composition
- Emphasis on horizontal rather than vertical lines

ROOF DETAILS

- Medium-pitch gables (6:12 to 10:12) for principal roofs
- Principal roof ridge when parallel to street may continue down to cover porch, sometimes with a change in slope
- Gable or shed dormers only, but not mixed together
- Wide overhangs (24 to 30 inch) with unenclosed eaves
- Exposed rafter tails and soffits, with decorative cut ends encouraged

DOORS & WINDOWS

- Windows mulled together in pairs or threes
- Double-hung windows with divided lites in upper sash only
- Limited use of small accent windows and angled bays
- Wide trim (5 to 6 inch) with head trim extended past jamb trim or head trim with cap moulding
- Tapered side trim with head trim flared at ends

PORCH / ENTRY

- Full or generous porches, rarely less than one half the facade
- Tapered or double columns at least 10 inches wide may sit on wider tapered bases or low walls
- Porch bases are typically of solid masonry construction. Lattice treatments generally not appropriate.
- Porch masonry bases may continue as columns or as low walls instead of railings

DETAILS

- The base of the house (up to 1st floor level) should be emphasized with a different and heavier material than the siding above, utilizing stone, brick, or stucco
- False beams, triangular knee braces, and brackets applied at gable ends
- Half timber trusses or stick work in gable ends, porches, and dormers

MATERIALS

- Wall materials include stucco, horizontal painted wood, simulatd wood siding, or shingles
- Heavier materials such as stone and brick are encouraged at the base
- Gable ends may be treated with stucco and half-timbered elements
- Use of masonry confined to foundations, porch bases/columns, and chimneys



CURVED ROOF

MODERN USE OF WOOD
LACK OF ORNAMENT

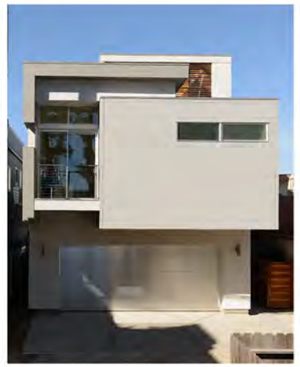
CLEAN LINES
HORIZONTAL EMPHASIS

OPEN TO THE STREET

VISIBLE INTERIOR
SPACE

DYNAMIC RELATIONSHIP
BETWEEN PARTS













HISTORY AND CONTEXT

Modern and contemporary are the two words used interchangeably to describe the architecture being built now as well what was called the International Style that originated in Europe in the late 19th and the first half of the 20th Century. However, even though there are some similarities and overlapping characteristics, there is a fundamental difference between the two. Contemporary architectural style is, literally, what is being created and built right now, contemporary way of building is not tied to one specific style – it is of the moment and borrows bits and pieces from a variety of styles and eras.

International style modern architecture, on the other hand, is described as an era-specific design style that breaks away from the pre-Industrial Revolution styles. Simply put, modern design is connected to the machine age and is typically referred to the period between 1920s and the late 20th Century.

The overlapping characteristics of both are:

1. Lack of ornament. Decorative moldings and elaborate trim are eliminated or greatly simplified, giving way to a clean aesthetic where materials meet in simple, well-executed joints.

2. Emphasis on rectangular forms and horizontal and vertical lines. Materials are often used in well-defined planes with vertical forms juxtaposed against horizontal elements for dramatic effect.

COMMON CHARACTERISTICS

3. Low, horizontal massing, flat roofs, emphasis on horizontal planes and broad roof overhangs. Modern homes tend to be on generous sites and tend to have meandering single-story plans. Many examples tend to blend with the ground and appear to be of the site, not in contrast to it.

4. Use of traditional materials in new ways. Materials such as woo, brick and stone are used in simplified ways reflecting a modern aesthetic. Traditional clap board siding is replaced with simple vertical board cladding used in large, smooth planes. Brick and stone are simple, unornamented and used in rectilinear masses and planes.

5. Use of modern materials and systems. Steel columns are used in exposed applications, concrete block is used as a finished material, concrete floors are stained and exposed, long-span steel trusses permit open column-free spaces, and radiant heating systems enhance human comfort.

6. Emphasis on honesty of materials. Wood is often stained rather than painted to express its natural character in both interior and exterior uses.

7. Emphasis on open, flowing interior spaces. Living spaces are no longer defined by walls, doors and hallways. Living, dining and kitchen spaces tend to flow together as part of one continuous interior space, reflecting a more casual and relaxed way of life.

8. Relationship between inside and outside. Use of large expanses of glass in effect brings the building's site into the building, taking advantage of the dramatic views and natural landscaping.

9. Generous use of glass and natural light. Windows are no longer portholes to the outside, but large expenses of floor to ceiling glass providing dramatic views and introducing natural light deep into the interior of homes.









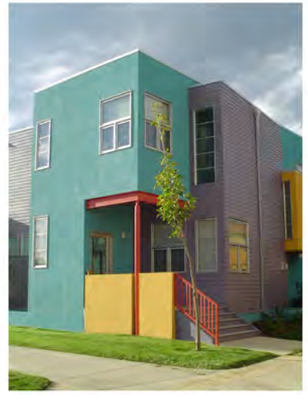












WORKING WITH TRADITION

How we use tradition in our designs without degrading it, and how we make a meaningful contribution to it, are tantalizing conundrums for many of us. Products and materials used in the 19th century are not readily available today, and the craft of home building that created historic Texas neighborhoods and towns is all but lost in today's construction industry.

The approach that seems to be instructional in designing new houses and other buildings can be called "imitation and innovation." By imitating, we try to penetrate into the underlying reasons and principals behind the design, and by innovation, we try to contextualize today's technology to reflect and serve tradition and at the same time take advantage of modern materials and means of production and construction. The point is not to copy, but to emulate. Our attempts should be not to reproduce details to a "tee," but rather to recreate the scale and formal richness of traditional homes and neighborhoods.

IMITATION AND INNOVATION

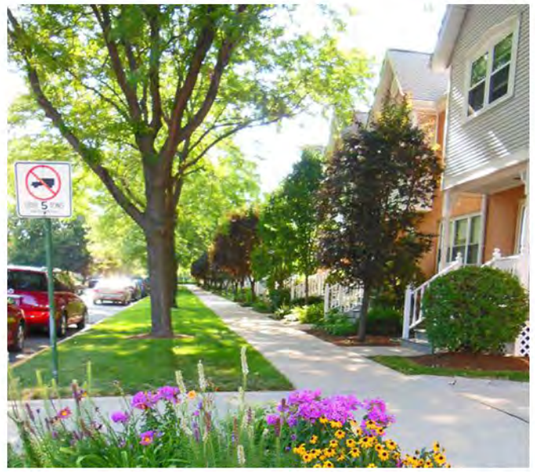
Traditionally inspired architecture, also called Neotraditional, does not copy historic architecture. We could say it engages the past in both dialog and competition. Imitation is both an engagement with tradition and an opportunity to expand, redefine or illuminate a part of it. Imitation is working from precedent; it enables architect to absorb the experience of the past and use it to complete the task at hand. Traditional solutions, however, are not always appropriate and an informed rejection of traditional design principles, after due consideration, is always an option. What is critical, though, is the understanding that the precedent represent a norm of some sort and that without the norm there could be no innovation.

The power of the past to inspire and instruct is significant and should not be easily discarded. In the time of sweeping changes in the design and construction of the built environment, drastic technological innovations in the production of architectural design and death of hand drawing as we know it, acceptance and use of traditional design principals can have a deeply humanizing effects on our work today.

F. General Landscape Standards

1. Horizontal Layering, Vertical Layering
2. Street Trees, Front Lawn, Alley Landscape
3. Fence Design, Fence Types, Height, Materials

















GENERAL LANDSCAPE STANDARDS

These landscape standards outline the essential landscape components that complement and enhance neighborhood character. Their purpose is to ensure the quality development of a pedestrian friendly environment and help create dynamic places that support a sense of place and livability within the neighborhoods. As it matures, well-executed landscape creates intimate outdoor rooms, defines and reinforces entrances to homes, and enhances the architecture. These minimum standards help define and express the private realm, as well as ensure that public space reflects the neighborhood identity and offers physical and psychological comfort.

GENERAL

- Residential landscape design usually includes three social realms used to organize space – public, semi-public, and semi-private. The landscape in these social realms enhances the streetscape and creates comfortable urban environments for pedestrians
- Landscape should be designed in a series of sections to provide clear distinctions between spaces of different privacy levels

HORIZONTAL LAYERING

- Horizontal layering. The first horizontal layer starts at the curb and includes the sidewalk and the tree lawn. It provides continuity along the street
- Second horizontal layer (transitional) starts at the back of the sidewalk and extends to the base of the porch. Here, the front yard lawns, plant beds, and fences establish privacy boundaries
- The semi private realm is defined by the front edge of the porch and the face of the building. Elevated above the sidewalk and set back, this space allows for hanging planters, window boxes, and private furnishings

VERTICAL LAYERING

- Vertical layers are overhead elements, eye-level elements, and ground-level elements.
- Trees provide spatial structure and shade to the street. Their canopies also offer a sense of enclosure and create framework for smaller gardens.
- The second layer adds color and human scale with hedges, walls, fences and perennial borders. It links the house to the ground.
- The third layer, groundcover and paving, generally respect the edges of home and the porch, and should support architecture and frame private entrances.

SUSTAINABLE DESIGN PRINCIPLES

Increase the use of vegetation and shade to minimize impervious surfaces. Using native and drought-tolerant plant species to conserve water, minimize maintenance, and support wildlife. Using materials and construction methods specific to the region and referencing history, culture, and climate. Maximizing the use of renewable and indigenous resources in site development and management. Minimizing the demand for and recycling resources such as water, energy, and materials. Using state and local Best Management Practices (B.M.P.) to reduce storm water run-off.

Structural BMP:

- Porous landscape detention
- Porous pavement detention
- Grass swales
- Grass buffers

Non-structural BMP:

- Recyling organic materials
- Disposal of household waste and toxics
- Control of erosion during construction
- Preventive maintenance





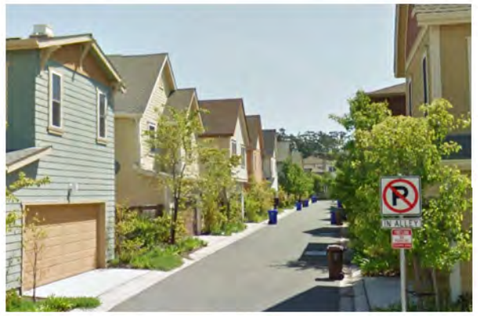
























STREET TREES

Street tree plantings are required along all public streets. Trees should be aligned in strait rows, parallel to the curb, and centered on the tree lawn.

Approximate distance between street trees should be 30 ft or less.

All trees must be at least 10 ft from adjacent utility lines and street light posts.

Use the following minimum tree sizes:
Boulevard – min 3" caliper
Residential streets – min 2.5" caliper
Courts – 2.5" caliper.

FRONT LAWN

Use native grasses as much as possible for front and tree lawn planting.

Adjust tree spacing to accommodate side-driveways for front loaded lots, while maintaining a regular tree pattern.

For both front lawn and tree lawn widths consult Street Sections and Street Matrix.

ALLEY LANDSCAPE

Plant in the 4-foot utility easement with one shrub every two feet of alley frontage per lot. Plant groundcovers in areas not covered with shrubs.

Plant shrubs 2 feet from the property line.

Drip-irrigate the shrubs and sub-surface drip for groundcover.

Use of native and drought-tolerant plants in the alley is greatly encouraged.

Landscaping shall be provided to adequately screen utility pedestals and transformers.

UTILITIES

Transformers and pedestals should be accommodated within the 4-foot easement. Encroachments into private yards, if needed, are allowed.

Building and fences must be placed with adequate distance from utility structures.

Plant shrubs near the base of utility structures to enhance or camouflage their appearance.

CHARACTER

Use of native plants is greatly encouraged. Wherever possible, plant fruit-bearing trees and small orchards.

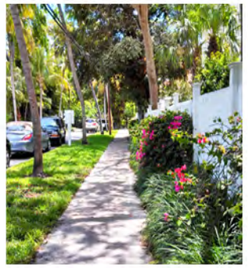
Use low hedges (max 36" high) and to delineate property boundaries. When used, they should be continuous along the front and side property line along the street.

Use walls to create privacy and extend architectural elements into the landscape.















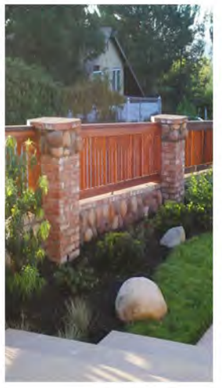






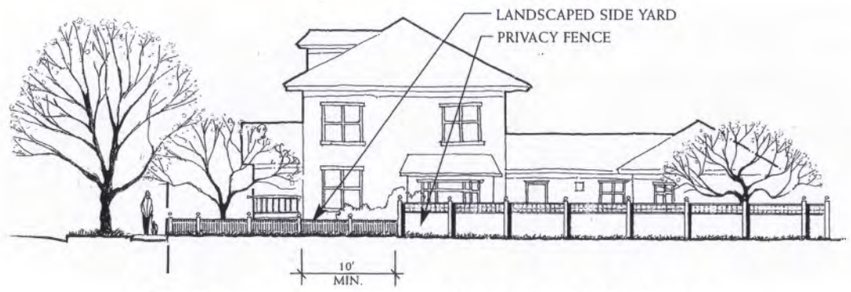












Setting the privacy fence a minimum distance from the front buildng wall allows for a better landscape area between homes.

FENCE DESIGN

Fences and walls further define private areas around a residential structure. Coordinate the design and materials of these elements with the design and materials of the house in terms of color, materials, scale, and quality and detail.

The design and installation of front yard, side yard, and rear yard fencing, as well as low walls and hedges, should not interfere with street visibility and distance requirements.

Fence design needs to be approved by the DRC or the Town Architect.

FENCE TYPES

There are three parts of the perimeter fence – front yard fence, transition fence, and privacy fence.

Front yard fence is located at the front of the lot and on the sides back 10 feet from the building facade.

On corner lots the fence should run 20 feet from the front of the building façade and perpendicular to it.

Rear fence can be on the property line, or within 4 feet of it.

FENCE HEIGHT

Front yard fence should be no more than 36 inches high.

Transition fence is 12" to 18" higher than the front yard fence.

Privacy fence is usually 72" high.

A variety of fence design is encouraged and extended runs of similar fence design is discouraged.

MATERIALS

Picket fence shall be made of painted wood. A 20% transparency rate is required for front yard picket fences.

Transition fence is typically stone or masonry or material appropriate to the principal building materials.

TRASH ENCLOSURE

Screen all trash receptacles from the alley. Place containers behind the privacy fence, within an enclosed trash storage area, or in the garage.

Make the trash enclosure of similar material and color as the privacy fence or primary structure.

Screening must be 12" higher than the object being screened, up to a maximum of 72".

BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

Building Bastrop Policy Statement:

A Purpose Statement and Explanation for all development related code revisions and rulemaking procedures to ensure clarity and consistency.

What is Building Bastrop?

The City of Bastrop launched **Building Bastrop** on August 15, 2018 to create a new set of tools that will support the community in a responsible manner for generations to come. It is all about connecting people to policy. It is about humanizing an otherwise complicated and mundane process of rewriting the City's land-use regulations. It is about the journey that the City of Bastrop has taken to get to this point, weaving together its history and the philosophies that define authentic Bastrop. It is about love, community pride, and defining the City's way of life. It's about Building Bastrop together. Honoring our authentic past. Planning for our sustainable future.

Why is Building Bastrop Important?

Planning for the Next 100 Years: Bastrop, Texas, established on June 8, 1832 making it one of the oldest towns in Texas, will celebrate its 187th birthday in 2019. Bastrop will celebrate 200 years as a city in 2032, just 13 years in the future. The original settlers of Bastrop discovered a lush landscape where several geographies of Texas collide along the banks of the Colorado River. They set out to build a unique and lovely place for the future. Using the tools they had at the time to plan a logical path for growth going forward, they laid the foundation for a resilient community. The geography of the area, the development pattern of the land, and the organization of the buildings established a pure and authentic Texas town. How the City uses the information, gifted from the founders, to guide Bastrop's future is the journey the City must afford itself to take, today, especially since existing codes and regulations would prevent such development from occurring today.

Comprehensive Plan Goals: The City updated its Comprehensive Plan in 2016 with significant participation from the community. Known as Comprehensive Plan 2036, it provides an innovative vision for all aspects of the community including transportation and land-use. This plan also recognized the detrimental effects of sprawl development. The Comprehensive Plan 2036 defines sprawl on Page 2-7 as "a spatial development pattern or condition that occurs when large tracts of land are devoted to a single use (single-use zoning); where individual buildings take up increasingly large portions of land (low-density development); and the only way to navigate from one area to another is by automobile (auto-dependency)."

Aging Infrastructure: Bastrop's infrastructure is aging, drainage and land-use regulations are outdated, and flooding is frequent and damaging. Traffic is increasing, and development, while following current regulations, is not indicative of a fiscally responsible, resilient city. Bastrop's position is not unique; many vulnerable cities throughout Texas and the U.S. are confronting similar issues resulting from decades-old policies and land use regulations.

Significant Growth: Year after year, Central Texas continues to top the charts as one of the fastest growing regions in the nation. The ever-growing industries and influx of people moving to the area create substantial opportunities and challenges for the cities in the metro area. Austin's high housing costs, unresolvable traffic congestion, and limited room for growth, created a shortage of attainable housing in Austin proper. Furthermore, its complicated and outdated development code and process further exacerbate the problems. The development patterns in these cities are on a scale, which is out of compliance with the way cities were historically built. There are many serious challenges associated with the pattern of development, referred to as sprawl. They range from the scale, speed, and cost of the streets to the separation of land uses, housing types, and isolation of schools, businesses and civic facilities. Terms often associated with suburban sprawl are placeless places, generic neighborhoods, or anywhere America.

The Need to Get Development Right: Bastrop is facing significant growth, and like most communities, has one shot to get it right! Bastrop currently lies just east of the rapid sprawling growth. It may not be long before the massive growth pressures arrive. As the growth heads eastward, it is imperative Bastrop understand its options and defines the path for its future or it too, could be a place run over with placeless characteristics. As the City of Bastrop prepares to take an eye-opening journey of planning a resilient City for the generation of today, and ones of the future, a connection must be made to understand and respect the history that shaped its past, while planning for a sustainable future.

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Building Bastrop Purpose Statement Adopted by Bastrop City Council:

Create a fiscally sustainable community through land-use regulations that are locally made (Authentic Bastrop) and geographically sensitive.

What does this Purpose Statement Really Mean?

Fiscally sustainable is the ability of a government to sustain its current spending, tax, and other policies in the long-run without threatening government solvency or defaulting on some of its liabilities or promised expenditures. In recent years, local governments have come to understand that suburban sprawl will never lead to fiscal sustainability.

All infrastructure is built as a part of a new development and typically paid for by the developer. The developer pays for the installation one time. The City pays to maintain and/or replace the infrastructure in perpetuity. Yet, the revenue generated from "sprawl" development does not cover the cost of the maintenance and/or replacement of its infrastructure leaving a deficit for the community to have to cover through other sources of revenue or risk letting their infrastructure decline to the point of catastrophic failure.

The City of Bastrop cannot fix the aging infrastructure it has, much less take on any additional infrastructure. Rather than play the "blame game," City Council is playing the "responsibility game." Recognizing that you cannot solve a problem with the same level of thinking that creating it, the City Council is changing the way the City addresses development through the creation and adoption of fiscally sustainable development standards, as noted in the Comprehensive Plan 2036.

Goal 2.1.1.2 of the Comprehensive Plan states "Prepare and utilize a fiscal impact analysis tool when determining the value of annexing property, or when reviewing proposed planned developments or other development proposals". The City of Bastrop hired Verdunity, Inc. to develop a fiscal sustainability model, which will do two (2) things. First, determine how unsustainable existing development is in Bastrop. Second, provide a mechanism to ensure all development built in the future IS fiscally sustainable.

Long term, fiscally sustainable development has to be a win-win for both the City of Bastrop and the development community. The development standards must be economically viable for the developer to build, while generating sufficient revenue for the City of Bastrop to maintain and replace the required infrastructure in perpetuity.

Locally made is another way of saying **Authentic Bastrop**. Authentic means being so in fact, genuine, not fraudulent or counterfeit. In order to be authentic, every development principle, philosophy, etc. that is included in any development related code revision or rulemaking procedure must meet the Building Bastrop Purpose Statement. There cannot be a "cut, copy, and paste" mindset using another city as a model when writing regulations. Every principle, philosophy, etc. included must have a proven history of meeting the elements required in the Purpose Statement, specifically tailored to fit Bastrop.

Geographically sensitive recognizes the differences in geography that exist in Bastrop, which can affect development. For example, part of Bastrop is located on a bluff. Part of Bastrop is flat. Part of Bastrop has clay soil. Part of Bastrop has various sandy soils. There is significant floodplain in Bastrop created from the Colorado River, Gils Branch, and Piney Creek. State Highway 71, a four-lane highway running east/west through Bastrop, creates a physical barrier challenging non-automobile related transportation. Union Pacific Railroad runs through the middle of the community with twelve (12) crossings. The Lost Pines Forest is a unique 13-mile belt of loblolly pines in the City of Bastrop, its extraterritorial jurisdiction (ETJ), and the County. A portion of Bastrop is included in the Lost Pines Conservation Area for the Houston Toad, an endangered species. Therefore, all codes must acknowledge the environment rather than taking a "one-size-fits-all" approach that can lead to the creation of detrimental development.

What are the Elements of Fiscally Sustainable?

In October 2018, SimpleCity Design presented a report on Bastrop DNA Analysis, an in-depth analysis of Downtown Bastrop's anatomy and how it functions as a complete neighborhood. The analysis serves a starting point to inform the conversation as the City plans for implementing new development standards mentioned within the Comprehensive Plan, not just Downtown, but city-wide. The DNA analysis quantified various elements of the original city fabric and captured the patterns of the built environment, which will inform the future of the City through integration into new locally made development standards.

The configuration of streets, buildings, and infrastructure have served Downtown Bastrop patrons, residents, and businesses for hundreds of years, and the value of the built environment continues to rise. The day the buildings were built Downtown was the lowest value they have ever had. The flexibility in design allows market trends to shift with little to no change to the built environment or street network.

Grid. Downtown Bastrop is laid out in an almost perfect series of small gridded blocks that are 330' X 330'. The gridded network of streets is a fundamental element, which creates the most effective and efficient structure for cities to be walkable, flexible, and timeless.

The grid creates flexible blocks. A block could be used as a farm lot, a series of small houses, main street buildings, or even a skyscraper, without reconfiguring the network of streets. The blocks provide a variety of density levels, lot sizes, and organization to fit what the market supports at that time in history.

Streets are sized appropriately to the scale of the buildings and lot makeup. Infrastructure is gridded and provides a series of intersections for redundancy. A natural hierarchy of streets are

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determined by building forms and land uses. Bike routes from existing infrastructure can be created based on the use and the design of existing streets. The navigable design makes it easy to move around on food, bike, skateboard or car with endless options for routes.

Diverse building types throughout Downtown Bastrop create fiscally viable options for small businesses and residents, with a variety of income levels. The integration of small buildings, located alongside larger buildings and small houses, located adjacent to larger homes, support a mix of options for people looking to move or open a business in Bastrop.

Walkable Place. Downtown Bastrop was built with clear and logical intentions, from the layout of the streets, the location along the waterfront, the orientation of the buildings, to the variety of building scales and types. The makeup of the original town functioned well for the population then and functions well for the population now. Downtown functions as a complete neighborhood, providing easy access to a wide range of services, housing types, office space, and parks and civic space with a comfortable walk, bike ride, or drive away. The arrangement of the small gridded network of streets further enhances the options provided to the people in Downtown.

It is important to note that Americans walk about a ¼ of a mile or a five (5) minute walk to services or places of interest. However, when the environment is comfortable, shaded and welcoming, they will walk about ½ of a mile. Bastrop's gridded tree-lined streets make it easy to access nature, services and restaurants all within a close proximity creating real opportunities for a walkable neighborhood.

Timeless place. The overall organization of the built environment Downtown Bastrop is timeless. It has already proven to withstand the test of time related to the introduction of cars, new market demands, new housing trends, how services are delivered, and how people choose to live in the modern world.

Key elements, which make Downtown Bastrop timeless and fiscally sustainable, include:

- the continuous rows of buildings and how they address the street;
- flexible space and building types to support a range of businesses and housing options;
- existing resources, infrastructure, and buildings are easily adaptable for modern trends;
- the blocks provide a variety of density levels, lot sizes, and organization to fit what is supported at that time in history;
- the shopfronts and ground floor characteristics at the street edge;
- upper story space to house offices, residents, or artists/creative spaces;
- awnings and street trees shading wide sidewalks;
- parks and civic spaces integrated into the built form of the City;
- human scale signs informing people what comes next;
- products spilling into the sidewalks from nearby storefronts;
- incremental development and lack of uniformity creates an inherit visual interest; and
- the people who live, work, and own shops and businesses Downtown.

Golden ratio, also known as Fibonacci sequence. Timeless, walkable places must be visually appealing, comfortable, and built to scale. The golden ratio, also known as divine proportion, appears in art, nature, and science including flower petals, pinecones, shells, trees, and storms. Utilizing the golden ratio into development standards provides a mathematical equation for creativity, when most architects and engineers of today's era have experience in "suburban sprawl" development techniques.

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STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 9E

TITLE:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-53 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block Technical Manual("B3TM"), as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; and move to include on the November 12, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:
Matt Jones, Director of Planning and Development

BACKGROUND/HISTORY:
Building Bastrop launched on August 15, 2018 to create a new set of tools that will support the community in a responsible manner for generations to come. Building Bastrop is all about connecting people to policy. It is about humanizing an otherwise complicated and mundane process of rewriting the City's land-use regulations. The City of Bastrop is taking a journey, weaving together its history and the philosophies that define authentic Bastrop. It is about love, community pride, and defining the City's way of life. It's about Building Bastrop together, honoring our authentic past, and planning for our sustainable future.

City Council adopted a purpose statement and policy statement for Building Bastrop Codes at their February 26, 2019 regularly scheduled meeting. The purpose statement is as follows:

> ***"Create a fiscally sustainable, timeless community through land-use regulations that are locally made (authentic Bastrop), geographically sensitive, and fiscally sustainable."***

Building upon the purpose statement, the Council approved a policy statement (attached) to offer an explanation on key concepts that must be utilized for all development related codes to ensure clarity and consistency. The Building Bastrop Policy Statement provides clarity and consistency to all code revisions and rulemaking procedures that impact development in the City of Bastrop. The policy statement covers the following:

- What is Building Bastrop.
- Why Building Bastrop is important.
- Building Bastrop Purpose Statement.
- What the Purpose Statement really means.
- What the elements of Fiscally Sustainable are.

The patterns of the built and natural environment of Bastrop, the Comprehensive Plan, the Iredell Map, and the DNA of Downtown captured in the DNA Report were used to inform and shape the

standards of the B^3 Code. Public input was captured through a series of Rodeos, focusing on city design, and the B^3 Code specific standards. The Rodeos provided a fun, open platform for participation and for real conversations to be held in many public forums. The standards that makeup the basic Building Blocks of Bastrop were formulated during the process. Code Standards are meant to be flexible and adjustable with the new ideas being produced for modern construction.

Bastrop welcomes development through:

- The B^3 Code standards;
- The B^3TM specifications; and
- The Pattern Book's guidance.

The Bastrop Building Block Technical Manual, referred to as the B^3Technical Manual or B^3TM, aligns and supports standards, requirements, and processes within the B^3 Code and all associated chapters of the City of Bastrop Code of Ordinances, relating to or involving development, health, and safety of the City. The B^3TM ensures construction of both the public and private realm's built environments achieve the longevity and vitality representative of Downtown Bastrop. The B^3TM is written to be geographically sensitive, fiscally sustainable, and authentically Bastrop to ensure development complies with the long-term goals of the community.

POLICY EXPLANATION:
Section 10 - Changes and Amendments to all Zoning Ordinances and Districts, and Administrative Procedures, 10.2 Authority to Amend Ordinance, states that:

"The City Council may from time to time, after receiving a final report thereon by the Planning and Zoning Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts specified on the Zoning Map. Any Ordinance regulations or Zoning District boundary amendment may be ordered for consideration by the City Council, be initiated by the Planning and Zoning Commission, or be requested by the owner of real property, or the authorized representative of an owner of real property."

FUNDING SOURCE:
N/A

PLANNING AND ZONING RECOMMENDATION:
At the regular meeting on September 26, 2019, after holding a public hearing, the Commission recommended approval of the Bastrop Building Block Technical Manual by a vote of 6-2.

RECOMMENDATION:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-53 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block Technical Manual("B3TM"), as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; and move to include on the November 12, 2019 agenda for a second reading.

ATTACHMENTS:

- Ordinance
- B^3TM
- Building Bastrop Policy Statement

ORDINANCE 2019-53

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ADOPTING THE BASTROP BUILDING BLOCK TECHNICAL MANUAL ("B3TM"), AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, ADOPTION AND AMENDMENTS, A REPEALER, SEVERABILITY, AND ENFORCEMENT; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Bastrop, Texas ("City") is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Bastrop City Council ("City Council"), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations were not designed to address; and

WHEREAS, the City Council finds that the City has been actively and diligently engaged in its assessment of the City's drainage and regulatory program, including evaluating its subdivision ordinance, zoning codes, and the uniformity of its permitting process and goals; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214 and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally-sustainable and environmentally responsible manner that honors the City's rich heritage and unique ecological makeup; and

WHEREAS, the City will change drastically if unlimited growth and development should occur under the City's existing Code of Ordinances, which no longer adequately address concerns about the effect of development on the City; and

WHEREAS, the City Limits and Extraterritorial Jurisdiction (ETJ) are comprised of a combination of ecological and topographical features that create significant drainage and development challenges when using the one size fits all approach; and

WHEREAS, the City Council finds that dormant, outdated, and stagnant projects pose a substantial harm to comprehensive planning and responsible drainage management as well as to traffic safety and human health; and

WHEREAS, the City Council favors the development of construction projects in accordance with current regulations that are based on modern standards and state-of-the-art technology; and

WHEREAS, the City Council seeks to apply up-to-date regulatory systems to projects to the extent reasonably possible and within the confines of the law; and

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, on February 26, 2019, the City Council adopted a policy statement to ensure clarity and consistency for all revisions and additions to the City's land-use regulations; and

WHEREAS, on August 14, 2018, the City Council adopted a temporary moratorium on new development that would be detrimental to the citizens of the City and ETJ based on current land-use regulations; and

WHEREAS, on April 23, 2019, the City Council repealed the temporary moratorium and adopted an Enhanced Permit Review process and an updated Stormwater Drainage Design Manual to streamline new development while protecting the citizens of the City and the ETJ from detrimental development; and

WHEREAS, the City has hosted several events in the community to share future development plans and solicit community input on future development: on April 10, 2019, the City hosted a Transportation and Drainage Rodeo; on May 9, 2019, the City hosted a Code Update Rodeo to preview elements of the new draft code; on June 8, 2019, the City hosted a Pop-Up Street Project; and on June 26, 2019, the City hosted a Community Open House; and

WHEREAS, the draft Bastrop Building Block (B3) Code, the draft Bastrop Building Block Technical Manual, and the draft pattern book were released for public review and comment on May 24, 2019; and

WHEREAS, a Technical Manual Review Meeting was held on August 22, 2019, to solicit public comments on the Bastrop Building Block Technical Manual; and

WHEREAS, the Bastrop Building Block Technical Manual was approved by the Planning and Zoning Commission on September 26, 2019.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ADOPTION AND AMENDMENT The City Council hereby adopts the Bastrop Building Block Technical Manual ("B3TM"), as attached in Exhibit A.

SECTION 3. REPEALER In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 4. SEVERABILITY If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE This Ordinance shall be effective immediately upon passage and publication.

SECTION 7. OPEN MEETINGS It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ & ACKNOWLEDGED on First Reading on the 22nd day of October 2019.

READ & APPROVED on the Second Reading on the 12th day of November 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

Bastrop Building Block Technical Manual

BASTROPTX
Heart of the Lost Pines
Est. 1832

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CHAPTER 1: DEVELOPMENT PROCESS

This chapter presents the City of Bastrop's development process to assist design professionals and development applicants in preparing plans and reports needed for project development. It identifies requirements for preparing improvement plans and documents to submit for City review and approval.



NEW NEIGHBORHOOD WITH A RANGE OF PLACE TYPES, P3-P5 AND CS WITH EC SURROUNDINGS.

1.1 DESIGN STANDARDS AND POLICIES

1.2 DEVELOPMENT PROCEDURES

1.3 APPLICATION TYPES

1.4 PUBIC HEARING AND NOTICE

1.5 PERMITTING

1.6 CONSTRUCTION DOCUMENT REQUIREMENTS

ARTICLE 1.1 DESIGN STANDARDS AND POLICIES

SEC. 1.1.001 PURPOSE OF THE B³ TECHNICAL MANUAL

The Bastrop Building Block Tech Manual, referred to as the B³ Technical Manual, aligns and supports standards, requirements, and processes within the B³ Code and all associated chapters of the City of Bastrop Code of Ordinances, relating to or involving development, health, and safety of the City.

The B³ Technical Manual ensures construction of both the public and private realms built environments achieve the longevity and vitality representative of Downtown Bastrop.

The B³ Technical Manual is intended to be geographically sensitive, fiscally sustainable, and authentically Bastrop and to ensure development complies with the longterm goals of the community.

SEC. 1.1.002 ADOPTION AND MODIFICATIONS TO B³ TECHNICAL MANUAL

(a) Adoption:

This manual has been adopted by ordinance by the City Council, in its current form on XXXX. The City Council's Ordinance, with a copy of the B³ Technical Manual are maintained on file with the City Secretary.

(b) Modifications:

The Development Review Committee, referred to as the DRC, must review these standards annually. If modifications are necessary, the DRC shall consolidate a list of recommendations to be prepared for City Council. City Council may adopt modifications to the B3 Technical Manual by Ordinance.

ARTICLE 1.2 DEVELOPMENT PROCEDURES

This section provides details of the City's development process, that includes a pre-application meeting and site visit, development application, construction document review and permits, temporary construction, inspections, and/or issuance of a Certificate of Occupancy (CO).

This section also includes information about the City's public hearing process and public notification requirements.

SEC. 1.2.001 DEVELOPMENT REVIEW COMMITTEE (DRC)

The City of Bastrop Development Review Committee (DRC) is comprised of City staff who oversee the development

process. The DRC can approve applications that meet the intent, standards, and requirements, if the development is deemed administratively approvable and requires no public hearing by state law or by the B^3 Code.

The DRC is committed to working with each applicant throughout the process to meet the intent of the B^3 Code Place Type allocations of the City, and the goals of the adopted plans and policies.

Development in Bastrop will be facilitated by the DRC, a collaborative team of staff members dedicated to development projects success. The DRC will conduct a series of technical reviews and analysis of each development in a holistic manner. The intent is to provide quick turnaround reviews, reduce comment conflicts, and to provide consistent feedback to each applicant and development.

SEC. 1.2.002 UNIFORM SUBMITTAL DATES

(a) Annual Adoption of Schedule of Uniform Submittal Dates for Site Plans, Place Type Zoning changes, Plats, Public Improvement Plans, and Neighborhood Regulating Plans.

(b) City Council will annually adopt Schedule of Uniform Submittal Dates in September in order to comply with Texas Local Government Code Chapter 212 for Place Type Zoning applications, Site Plan applications, Public Improvement Plan applications, Plat applications, and Neighborhood Regulating Plans. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, when the Planning & Zoning Commission will meet, and/or when administrative decisions by the Director of Planning & Development and City Engineer will occur.

SEC. 1.2.003 DEVELOPMENT PROCESS

(a) The development application submittal and review process consists of submitting a development application to the City and obtaining review of the development proposal by the DRC.

(b) The submittal and review process includes:

(1) A pre-development meeting and site visit;

(2) Application submittal and review, that may include public participation;

(3) Application approval:

A. Administrative decision; or

B. A recommendation and subsequent decision from one or more of the following public hearing bodies:

i. Zoning Board of Adjustment (ZBA),

ii. City Council, and/or

iii. Planning and Zoning Commission.

iv. Refer to Table A for the specific review processes.

(4) Application for construction document review and permits;

(5) Inspections; and,

(6) Certificate of Occupancy.

(c) Detailed Development Process:

(1) Step 1: Pre-development meeting and site visit:

A. Development activities begin with a pre-development meeting request to the City. Go to the City of Bastrop website at https://www.cityofbastrop.org/page/plan.newdevelopmentprocess for pre-development application details and scheduling.

B. The primary purpose of the pre-development meeting is for staff to help identify the scope of the development proposal, so that the City can determine the appropriate submittal requirements and process(es), including whether the development will require administrative or public approval.

C. The site visit will:

i. Identify the geographic center of the development;

ii. Key features to be preserved on the lot(s);

iii. The appropriate Development Patterns;

iv. Environmental/ infrastructure constraints; and

v. Placement of the mandatory street network and blocks.

(2) Step 2: Development application submittal and review:

A. After the development application submission is deemed complete, the Planning and Development Department will distribute the application to members of the DRC and begin the review process. Review times vary upon whether approval is achieved administratively or through the public hearing process.

   i. See Table 1.4.001B to determine if public notification is necessary before submitting a complete development application.

   ii. Once a complete development application is deemed completed and accepted, the Planning and Development Department manages the application and follows the specific review processes per application type identified in 1.4.001A.

   iii. See review timelines and checklists in Bastrop Development Manual.

B. After review of a development application that requires only an administrative decision, staff will notify the applicant with the following:

   i. List of issues to be resolved before a decision will be made on the application; or

   ii. A written decision on the application.

C. The development of a detached residential building in Place Type Neighborhood "P3" or Neighborhood Mix "P4" on a platted lot or a lot of record, that complies with current Place Type district development standards, may proceed with construction document review and permits.

D. All other development proposals must submit a development application through the Planning and Development Department for approval before obtaining approval of construction document review and permits.

(3) Step 3: Application for construction document review and permits:

   A. Step 3 consists of preparing and submitting construction documents for review and obtaining permits for construction activities.

B. Refer to Article 1.3 - Application Types for the detailed requirements for applications and submittals.

C. Construction Documents may be submitted with the second review of the Development Application to the Planning and Development Department.

(4) Step 4: Inspections:

A. All permitted construction activities must be inspected by the City.

B. Inspections forms and checklists will be provided by the Planning and Development Department.

C. Refer to Article 1.5 - Permitting - for Inspection information.

(5) Step 5: Certificate of Occupancy and Certification of Shell Building:

A. The Certificate of Occupancy (CO) or Certification of Shell Building is issued in accordance with the City's adopted building and fire codes once the City has determined that all requirements have been satisfied.

B. See International Fire Code and local amendments for requirements.

ARTICLE 1.3 APPLICATION TYPES

SEC. 1.3.001 PRE-DEVELOPMENT

The specific pre-application submittal requirements vary by application type. Refer to the Pre-Development checklist at the Planning and Development Department or the website here, or at https://www.cityofbastrop.org/page/plan.newdevelopmentprocess.

(a) All pre-development require the following:

(1) Completed pre-development checklist; and

(2) Application narrative.

(b) Optional items:

(1) Site map and photos;

(2) Conceptual plans;

(3) Aerial photo;

(4) Existing utilities; and,

(5) Drainage.

(c) Format:

(1) The pre-development meeting between City staff and the applicant to discuss a proposed development application typically lasts 30 to 60 minutes.

(2) Staff will contact the applicant to schedule the pre-development meeting within 5 days of receipt of the pre-development request.

(3) In general, the pre-development meeting is scheduled within 2 to 3 weeks of the receipt of the pre-development request. Information exchanged at the pre-development meeting allows City staff and the applicant to come to a more complete understanding of the size, scope, and feasibility of the proposal.

(d) Outcomes:

Based on the discussion at the meeting and site visit, the proposal will be processed by the Planning and Development Department:

(1) To determine if the application may be processed administratively or require a public hearing to obtain a decision on the application once submitted.

(2) To provide the applicant with the appropriate development application checklist(s) and any related information; or,

(3) And may require additional information to be submitted, and a subsequent pre-development meeting to be conducted for further review.

SEC. 1.3.002 ZONING CONCEPT SCHEME APPLICATION

(a) A Place Type zoning change application is known as a "Zoning Concept Scheme." The Zoning Concept Scheme submittal shall include the following documents in order to be deemed a complete application submittal. All submittals shall be delivered to the Planning and Development Department in accordance with the approved Uniform Submittal Schedule. Incomplete submittals will not be accepted by the Planning and Development Department.

(b) The Zoning Concept Scheme shall include:

(1) A map and boundary of the proposed area;

(2) A scaled drawing showing types and location of proposed place types and Building Types;

(3) Thoroughfares and preliminary lot arrangements;

(4) A Sketch Drawing that shows the size, type and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and project scheduling;

(5) Physical features of the site including a scaled drawing showing major existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This shall include a delineation of any flood prone areas;

(6) Any existing thoroughfares and easements;

(7) Location of proposed public open spaces or civic spaces;

(8) The points of ingress and egress from existing and proposed streets;

(9) A landscape plan showing turf areas, screening walls, ornamental planting, wooded areas to be preserved, and trees to be planted. The landscape plan should provide types of plantings to be used and give a general landscape design scheme for the development;

(10) A conceptual infrastructure plan showing the location of any existing or proposed utilities needed to adequately serve the development;

(11) Architectural drawings (elevations, etc.) showing elevations and architectural style to be used throughout the development;

(12) A parks and trails plan showing any proposed parks, trails, hardscape, playscape, water feature or any other proposed improvements to any civic or open space; and

(13) A Conceptual Drainage Plan as required by Appendix A, the City of Bastrop Stormwater Drainage Design Manual.

(c) See B^3 Code Section 2.4.007 - Zoning Concept Scheme - and Bastrop Development Manual Zoning Concept Scheme checklist.

SEC. 1.3.003 SITE PLAN APPLICATION AND REVIEW

(a) Purpose. The purpose of a Site Plan is to ensure efficient and safe land development, harmonious mixture Place Types and Building Types, compliance with appropriate design standards, safe and efficient vehicular and pedestrian circulation, parking and loading, and

adequate water supply, drainage and stormwater management, sanitary facilities, and other utilities and services.

(b) Applicability. Site Plan review and approval shall be required for new construction or the significant enlargement or alteration of any exterior dimension of any building, structure, or improvement involving the items listed below:

i. Any non-residential development;

ii. Any non-residential P4 development, all P5 developments, or manufactured/mobile home park;

iii. Any property with 2 or more buildings per platted lot;

iv. As used in this section, the term "improvements" shall also include alterations made to land only, such as paving, filling, clearing, or excavating. As used in this section, the term "significant enlargement or alteration" shall mean the construction of structures, or the alteration of land, if such construction or alteration impacts or potentially affects other existing or future land uses, including those on adjacent or nearby land.

(1) The Director of Planning and Development shall make the initial determination of whether the proposed development, construction, enlargement, or improvement requires a Site Plan or not. The initial determination is subject to review by the City Manager.

(2) The Site Plan must be prepared by a licensed and registered professional land surveyor, a professional land planner, architect and/or a licensed professional engineer.

(3) No building permit shall be issued for any of the above developments unless a Site Plan is first approved by the City. No Certificate of Occupancy shall be issued unless all construction and development conforms to the Site Plan as approved by the City.

(4) The fee for a Site Plan is set forth in Appendix A, of the Bastrop City Code.

(c) Incomplete Submissions:

(1) All required items and information must be received by the City in order for a Site Plan submission to be considered an application that can be filed. Incomplete submissions will not be reviewed or filed until all deficient items or information has been received.

(d) Official Filing Date:

(1) For the purpose of these regulations, the "official filing date" shall be the date upon which a submission for approval for a Site Plan, that contains all required elements mandated by City ordinance, is deemed complete by the City on a uniform submittal date.

(2) To be considered complete, the application must contain all elements and information required, including all related fees. It is only after the official filing date that any statutory period required for approval or disapproval of the Site Plan shall commence to run.

(3) No application shall be deemed officially filed until the uniform submittal date after the Planning and Development Director determines that the submission is complete.

(e) Site Plan Submittal Requirements:

(1) A Site Plan submittal shall include the all items listed on the Site Plan Checklist, provided in the City of Bastrop Development Manual, in order to be considered a complete submittal after an administrative completeness review by the Planning and Development Department.

(2) All submittals shall be delivered to the Planning and Development Department in accordance with the approved uniform submittal schedule.

(3) If the Planning and Development Department determines that a submittal is incomplete during the administrative completeness review, then the incomplete submittal will not be accepted by the Planning and Development Department for filing.

(4) The applicant shall be required to submit a fee in accordance with the adopted Fee Schedule for the completeness review. If the application is deemed incomplete, the applicant shall be required to submit a new fee for completeness review with the next application submittal.

(5) Any requested variance or warrant must be submitted for approval and approved prior to submission for a request for a Site Plan. If the Site Plan requires a variance or warrant, and one has not been approved, the Site Plan shall be denied until such time the need for the variance or warrant is removed or the variance or warrant is submitted and approved.

(f) Site Plan Detail Requirements:

(1) The Site Plan shall contain sufficient information relative to site design considerations. See Bastrop Development Manual for Site Plan requirement checklist for submittal details.

(g) Supplemental Requirements:

(1) Site Plans cannot be approved until the Final Plat is recorded.

(2) Site Plans must be prepared by a licensed and registered professional land surveyor and/or a licensed professional engineer.

(3) Building permits will not be issued for any development until the Site Plan is approved.

(4) Property taxes must be paid prior to approval of plan.

(5) Irrigation plans require separate permits – approval of the Site Plan does not constitute approval of any included irrigation plans or elements of the Landscape Plan.

(6) Signs require separate permits – approval of the Site Plan does not constitute approval of any included sign plans or sign elements.

(7) The following Table: Bastrop Fire Department Requirements, illustrates the requirements of the Bastrop Fire Department in each line item:

BASTROP FIRE DEPARTMENT REQUIREMENTS

Fire Design Codes	International Fire Code Edition with adopted appendices
Fire Flow Demand @ 20 psi (gpm)	Most demanding building's calculated fire flow demand – 2009 IFC Appendix B, Table B105.1 – Based on SF and Construction Type
Intended Use	Most demanding building's intended use
Construction Classification	Most demanding building's IBC construction classification
Building Fire Area (S.F.)	Most demanding building's fire area in gross square feet (all floor levels combined) per 2009 IFC Appendix B
Automatic Fire Sprinkler System Type (If applicable)	The sprinkler system type that is in the most demanding building's fire area - NFPA 13, NFPA 13R or NFPA 13D
Automatic Fire Sprinkler System Type (If applicable)	Reduced fire flow demand, as permitted by BFD and Appendix B.
Reduced Fire Flow Demand @ 20 psi for having a sprinkler system (gpm) (If applicable)	Not more than 1 year from the date of Site Plan submittal
Fire Hydrant Flow Test Date	Block and Street Name
Fire Hydrant Flow Test Location	AMOC number and the date the AMOC was approved by the City
Alternative Method of Compliance AMOC (If applicable)	International Fire Code Edition with adopted appendices

(8) Signature blocks shall be placed on the Site Plan. Signature blocks shall also be placed for any additional entities responsible in preparing the Site Plan. See Bastrop Development Manual for Site Plan checklists.

(h) Principles and Standards for Site Plan Review:

(1) The following criteria have been set forth as a guide for evaluating the adequacy of proposed development in the City of Bastrop. The City staff shall review the Site Plan for compliance with all applicable Ordinances and the Comprehensive Plan; as a means to assure harmony with surrounding uses and the overall plan for development of the City of Bastrop; as well as for the promotion of the health, safety, order, efficiency, and economy of the City; and for the maintenance of property values and the general welfare.

(2) Based upon its review, City staff may approve, conditionally approve, or deny the Site Plan based on evaluation of the Site Plan details based on the items listed in the Development Manual Site Plan Checklist with respect to:

A. The Site Plan's compliance with all provisions of the Place Type Zoning Ordinance and other ordinances of the City of Bastrop including but not limited to off-street parking and loading, lighting, civic space, and the generation of objectionable smoke, fumes, noise, odors, dust, glare, vibration, or heat.

B. The impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.

C. The relationship of the development to adjacent development in terms of harmonious design, setbacks, maintenance of property values, and negative impacts.

D. The provision of a safe and efficient vehicular and pedestrian circulation system.

E. The design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.

F. The sufficient width and suitable grade and location of streets designed to accommodate

prospective traffic and to provide access for firefighting and emergency equipment to buildings.

G. The coordination of streets and sidewalks to arrange a convenient system consistent with the Master Thoroughfare Plan of the City.

H. The use of landscaping and screening

(i) to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary, and

(ii) to complement the design and location of buildings and be integrated into the overall site design.

I. Exterior lighting to ensure safe movement and for security purposes, that shall be arranged to minimize glare and reflection on adjacent properties.

J. The location, size, and configuration of Civic Space areas to ensure that such areas are suitable for intended recreation and conservation uses.

K. Protection and conservation of soils from erosion by wind or water or from excavation or grading.

L. Protection and conservation of creeks, tributaries, or other waterways and areas subject to flooding.

M. The adequacy of water, drainage, sewage facilities, garbage disposal, and other utilities necessary for essential services to residents and occupants.

SEC. 1.3.004 SITE PLAN PROCESS

(a) The Director of Planning and Development, or designee, after review by the Development Review Committee, shall approve, approve with conditions, or disapprove all Site Plans. If the Site Plan is disapproved, the Director shall provide a written statement to the subdivider listing the deficiencies that the plan has as related to specific the B[3] Code, City ordinances, or state laws.

(b) If the applicant amends its filed Site Plan application in response to the City's initial disapproval, the applicant may file its amended application at the City on a date or day on that the City is accepting amended filings. It is deemed filed on the next uniform submittal date the Site Plan application was submitted to the City. The City will then have up to 15 business days to approve or

disapprove the amended application. The Director of Planning and Development may either:

(1) Approve the plan if the response adequately addresses each reason for the disapproval; or

(2) Disapprove the plan if the response does not adequately address each reason for disapproval or creates new reasons for a violation of a City ordinance. Any disapproval shall include a written statement of the reasons for disapproval that clearly articulates the reason for disapproval including citation to the law, including a statute or City ordinance that is the basis of disapproval. Any plan that is disapproved after the City has reviewed the response in the form of an amended application may be refiled at any time as a new Site Plan application.

(c) If the Director of Planning and Development denies the Site Plan, the applicant may appeal that decision to the City Manager within five (5) business days of receipt of decision. The City Manager shall uphold or reject the decision of the Director within 10 business days. If the City Manager upholds the decision of denial, an applicant may appeal that decision to the City Council. The applicant must request in writing that the Site Plan be placed on the City Council's agenda within 10 days from the date the appeal was denied by the City Manager. The City Council shall have final approval or disapproval on all Site Plans that are appealed.

(d) Effect of Site Plan approval. If development of a lot with an approved Site Plan has not commenced within 2 years of the date of final approval of the Site Plan, the Site Plan shall be deemed to have expired. Any development on a lot with an expired Site Plan shall be required to submit a new Site Plan as outlined above.

(e) It is recognized that final architectural and engineering design may necessitate minor changes in the approved Site Plan. In such cases, the Director of Planning and Development shall have the authority to approve minor modifications of an approved Site Plan, provided that such modifications do not materially change the circulation and building location on the site, or any conditions specifically attached as part of approval.

ARTICLE 1.4 PUBLIC HEARING AND NOTICE

(a) Prior to making its report to the City Council, the Planning and Zoning Commission shall hold at least one public

hearing on each application as applicable by state law (Texas Local Government Code Chapter 211, as amended).

(b) Written notice of all public hearings on proposed changes in Place Type district boundaries shall be sent to all owners of property, or to the person rendering the same for City taxes, located within the area of application and within 200 feet of any property affected thereby, within not less than 10 days before such hearing is held. Such notice may be served by using the last known address as listed on the latest approved tax roll and depositing the notice, postage paid, in the United States mail. Notice of hearings on proposed changes in the text of the Place Type Zoning Ordinance shall be accomplished by one publication not less than15 days prior in the official newspaper of the City.

SEC. 1.4.001 NOTICE REQUIREMENTS

(a) For public notice and hearing requirements see Table 1.4.001B - Notification Requirements.

TABLE 1.4.001A DEVELOPMENT APPLICATION APPROVAL PROCESS

Approval Process	Review and Approval Authority			Notice			
Source	ZBA	P&Z	CC	Application Notice	Published Notice	Personal Notice	Posted Notice
Legislative							
Comprehensive Plan Map Amendment		R/PH/ PM	D/PH/ PH/PM	Y	Y	Y	Y
B[3] Text Amendment		R/PH	D/PH/ PM	Y	Y	N	N
Zoning Concept Scheme		R/PH	D/PH/ PM*	Y	Y	Y	Y
Place Type Zoning Map Amendments		R/PH	D/PH/ PM*	Y	Y	Y	Y
Preliminary Plat		D/PM			N	N	N
Final Plat		D/PM			N	N	N
Residential Replat		D/PH			Y	Y	Y
Change in status of nonconforming uses or structures		D/PH			N	Y	N
Variance	D/PH				N	Y	N
Administrative							

Approval Process	Review and Approval Authority			Notice			
Source	ZBA	P&Z	CC	Application Notice	Published Notice	Personal Notice	Posted Notice
Site Plan		A			N	N	N
Minor or Amending Plat		A			N	N	N
Public Improvement Plans		A			N	N	N
Drainage Plan		A			N	N	N
Building Permits		A			N	N	N
Floodplain Permit		A			N	N	N
Neighborhood Regulating Plan		A			N	N	N
Warrant		A	A		N	N	N
Administrative Adjustment		A			N	N	N

Legend

Action		Meeting Type		Committees			
R	Review/ Recommend	PM	Public Meeting	BOA	Board of Adjustments	Y	Required
D	Decision	PM*	May Require Initial Authorization	P&Z	Planning & Zoning Commission	N	Not Required

Legend

A	Appeal	PH	Public Hearing	CC	City Council		

TABLE 1.4.001B NOTIFICATION REQUIREMENTS

	Published Notice	Personal Notice	Posted Notice
Notification Location	Newspaper	United States Mail	Subject Property
Time Before Set Hearing	15 days	A. General: 10 days B. Comprehensive Plan or Place Type Zoning change: 10 days	A. General: 10 days B. Comprehensive Plan or Place Type Zoning change: 10 days
Include in Notice	A. Date, time, and location of hearing; B. Purpose of the hearing; and C. Identification of the subject property if the decision concerns an individual tract or parcel of land.	A. Name of the applicant; B. Date time, and location of the hearing; C. Purpose of the hearing; D. Identification of the subject property; and, E. The name of the appellant if an appeal.	A. Purpose of the request; and B. All public hearing dates.
Notification Instructions	Planning & Development Department will be responsible for posting the notice in the newspaper of general circulation.	A. Each owner of real property located within two hundred (200) feet of the exterior boundary of the property in question and any other persons deemed by the Lead Officer or decision-maker to be be affected by this application; B. The applicant and/or property owner; and C. The appellant if an appeal.	A. Minimum 2'x2' sign placed on the street frontage in visible unobstructed location. B. Utilize a minimum 6" lettering. C. Shall stay in place until final action is taken or request is withdrawn

ARTICLE 1.5 PERMITTING

To ensure compliance with the intent and standards of the B^3 Code and to safeguard the health, safety, and welfare of the public, the City requires the approval of construction documents for most development and construction activity within the City. In addition to the approval of the construction documents, the City requires the issuance of a building, permission to work in the Right-of-way, or when applicable, a permission to place private improvements in the Right-of-way permits for most all development and construction activities.

(a) An Infill development application, less than 3.4 acres, that complies with the intent and standards of the B^3 Code with existing utilities, requires the least amount of permits.

(b) Maintenance and minor modifications to existing structures may not require the approval of construction documents or the issuance of permits, as determined by the Building Official and/or Fire Chief or their designee, consistent with the authority provided in City ordinances, IBC, or IFC.

SEC. 1.5.001 INSPECTIONS

(a) Inspections are made for building, electrical, mechanical, plumbing, and Place Type compliance for residential, commercial and industrial development, and for the remodeling of existing buildings.

(b) Water, sewer, paving, concrete, and grading activities also require City inspection.

(c) As part of the development process, all permitted construction activities must be inspected by the City's Inspection Services staff.

(d) The review of plans and issuance of permits do not authorize code or ordinance violations that may be discovered by City inspectors at the job site.

SEC. 1.5.002 CERTIFICATE OF OCCUPANCY (CO)

(a) Before any development can be occupied or used, an applicant must apply for a CO.

(b) Additionally, all DRC stipulations must be complied with before the City will issue a Certification-of-Shell Building or a final CO.

(c) Typically, within three staff working days of submitting an application, the CO or Certification of Shell Building will be issued, provided the development passes a Final Inspection.

(d) The issuance of a CO shall not be construed as an approval of a violation of the provisions of any City Code or ordinance.

(e) The City's adopted building code requires certain information to be included on the CO:

(1) Project address; and

(2) Name of the owner of the property at the time the certificate was issued.

(f) The CO stays with the property for in perpetuity, even with changes in ownership. If the property ownership changes during construction, documentation of that fact can be submitted, and a change made to the permit. Refer to the City's Building Code, and amendments for additional information.

SEC. 1.5.003 TEMPORARY CERTIFICATE OF OCCUPANCY (TCO)

(a) Under certain conditions, the issuance of a TCO allows temporary occupancy, with the approval of the City Manager, until the building is completed and a Final CO is issued.

(b) Should the TCO expire prior to the issuance of the Final CO, the expiration will require the City to take appropriate steps as outlined in the City's Building Code and the associated amendments.

ARTICLE 1.6 PUBLIC IMPROVEMENT PLANS REQUIREMENTS

This section identifies requirements for preparing construction documents for public improvement plans that are submitted to the City for approval. It includes a cover sheet and all required plan sheet information, specifics for digital submittals, all required approval blocks, and special requirements.

SEC. 1.6.001 SUBMITTAL REQUIREMENTS

Prepare all public improvement plans for submittal to City for approval to construct any site requiring grading and drainage, landscape, water, wastewater, and streets according to the following standards.

(a) Sheet Size:

(1) Prepare plans on 24-inch x 36-inch sheets, unless otherwise approved by Building Official, prior to the first submittal of construction documents.

(b) Scale:

(1) Requirements for scale depend on the type of submittal. See the City of Bastrop Drainage Manual for grading and drainage plan requirements. Plan and profile sheets shall use a horizontal scale of 1 inch = 40 feet and a vertical scale of 1 inch = 4 feet, unless otherwise approved by the Building Official prior to the first submittal of construction documents.

(c) Lettering:

(1) All lettering, numbering and line work must be uniform and legible. Use a minimum 10-point font for all lettering.

(d) Plan Review Submittals:

(1) The number and types of plans sets to be submitted for review are identified in the construction document requirement checklist provided after the approval of a Development Review application.

(2) Present plan layout, graphics, and call-outs in a clear and an uncluttered manner acceptable to engineering and planning staffs.

(3) Provide cross-referencing between all plan sheets that have details, detail call- outs, notes, cross-sections, etc.

(4) Orient north at the top or right side of each sheet. Provide a north arrow and bar scale.

(e) Seal/Signature:

(1) Include appropriate professional State of Texas seal, signature, and date on each sheet. Copies of this information are acceptable on the improvement plans submitted during the review cycles to the Planning and Development Department. When original plans are submitted for approval at the end of plan review, the originals shall bear the registrant's seal with a wet signature and date. Except for capital improvement plans, a registered landscape architect is not required to prepare and seal landscape and irrigation plans.

(f) Plan Approval Submittal:

(1) Upon approval of the public improvement plans, an additional plans set may be required for staff signature.

SEC. 1.6.002 COVER SHEET

(a) The following information must be included on the cover sheet:

(1) Title - Include the development name and the plan set content

(2) City Name - Below the title, include the City name "City of Bastrop, TX"

(3) Vicinity Map - Locate the development relative to a minimum of 2 intersecting arterial streets

(4) Legal Description - Provide development property legal description. When a legal description is not feasible, list the township, range, section, and location

(5) Benchmark

(6) Public Improvement Plan Signature Blocks

SEC. 1.6.003 RECORD DRAWINGS

The applicant will provide the City with the original (4-mil) Mylar drawings or photographic (4-mil) Mylars required for the "record drawings" of construction within all public rights-of-way or easements dedicated to the City.

The Engineer representing the applicant shall present to the City Engineer, reproducible complete record drawing plans for all paving, drainage structures, and water and sewer lines within thirty (30) days after completion of all contracts and as a condition of final acceptance of the subdivision.

SEC. 1.6.004 SURVEY REQUIREMENTS

Monuments consisting of one-half (½) inch iron pipe or one-half (½) inch reinforced steel or larger, twenty-four (24) inches in length, shall be placed at all corners of the block lines, and at the point of intersection of curves and tangents of the subdivision.

CHAPTER 2: SITE PLANNING AND PRIVATE REALM

This chapter contains design standards and procedures for Site Plans and the creation of the private realm. The private realm is space on private property. Spaces where the private realm interacts with the public realm will require high level of standards than spaces that are unseen by the public. These standards focus on private property and where the private and public properties join.

2.1 GENERAL STANDARDS AND REQUIREMENTS

2.2 GEOGRAPHICALLY SENSITIVE LANDS

2.3 NEIGHBORHOOD REGULATING PLANS



Rendering by James Wassel



Renderings by James Wassel

ARTICLE 2.1 GENERAL STANDARDS AND REQUIREMENTS

(a) This article provides guidance and standards for most developments and conditions in the City, including:

(1) Design guidelines for specific areas

(2) Site context considerations

(3) Parking

(4) On- site circulation

(5) Landscape

(6) Subdivisions

(7) Neighborhood design

(8) Refuse collection

(9) Outdoor lighting

(b) Furthermore, this section describes site design and development of neighborhoods. These guidelines supplement the B^3 Code provisions.

SEC. 2.1.001 SITE DESIGN

The following standards focus on the relationship of a proposed Site Plan to the natural terrain of the property, as well as the relationships the proposed development will have with existing or planned development around the site. The goal is to fit development into the natural settings with minimal intrusion to the environment and surrounding properties.



(a) Terrain:

(1) Incorporate the natural site features, such as natural drainage systems and native vegetation into the site design.

(2) Orient common recreational, patio, outdoor dining, and other such facilities toward natural features.

(3) Incorporate major vistas and view corridors that give special emphasis to the river, tree canopy, and other natural features or open space areas into the site and building design.

(b) Buildings:

(1) Buildings are to be built according to the B^3 Code. The B^3 Code ensures intensity transitions by Place Type and Building Type. Buildings should represent their function in design.

(2) Minimum building materials are established by the International Building Code (IBC), as adopted by the City.

(3) Buildings interacting with the public realm should enhance the public spaces they abut and face.

SEC. 2.1.002 LANDSCAPE DESIGN IN THE PRIVATE REALM

(a) Landscape design in the private realm must comply with the standards of this Section.

(b) Refer to Table 2.1.003 - Preferred Plant List for approved types of plants and trees.

(c) The maximum height of any shrubs, ornamental plants, boulders, walls, or other such materials within designated sight distances and traffic safety triangles is 18 inches. For plants, this shall be the natural height of the plant. Any trees that are to be placed in the sight distances and traffic safety triangles shall have a canopy that is kept 8 feet above the curb height and a maximum mature trunk diameter of 8 inches. If the tree canopy overhangs the roadway, then the canopy shall be a minimum of 14.5 feet above the road.

(d) Utilize a palette of plants in a landscape design that adhere to native plants. Low Water Use/Drought Tolerant plants are encouraged.

(e) Plant and tree placement shall consider the natural culture of that type of plant or tree.

(f) Trees (or shrubs) shall not be placed in a Public Utility Easement (PUE), emergency vehicle access easement, or their equivalent. Trees shall be placed at least 7 feet back from any underground public water or sewer lines, power line conduit, or drainage pipes within a dedicate drainage easement dedicated to the City.

(g) All Place Types:

(1) The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization, and maintenance.

(h) Specific to Place Types P1, P2, P3 & P4:

(1) Private frontages may choose of various landscapes; naturalistic, lawn, garden, etc.

(i) Place Type EC, P5:

(1) The introduced landscape shall consist primarily of durable species tolerant of soil compaction.

(2) Landscape Plans shall be prepared by a Landscape Architect and submittals shall include the following information:

i. Minimum scale of 1 inch equals 40 feet or appropriate scale for legibility.

ii. Location, size, and species of all existing trees to be preserved indicating true size as measured 4½ feet above natural soil level.

iii. Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), topography of site, or other landscape features.

iv. Identification of all plant material to be used (Common and/or Botanical).

v. Size of all plant material to be used at time of planting, appropriate spacing shall be indicated on plan and approved by the City.

vi. Layout and description of irrigation, sprinkler, or water systems including placement of water sources. A Texas license irrigation seal is necessary on all irrigation plans that require certification.

vii. All common areas, non-residential, and multi-family landscape areas will be irrigated with a mechanical irrigation system including turf and ground cover areas.

viii. North indicating mark.

ix. Date of the Landscape Plan and any revisions.

x. Size and location of all existing and proposed utilities, including easements.

xi. Details and/or cross sections as required for clarification by the City.

xii. Topography shall include final grade at 1 foot intervals using spot elevations and/or contours to define proposed drainage patterns as required by the City.

xiii. Parkways and medians shall have a minimum of 6 inches of topsoil.

xiv. Detailed Street Tree Requirements are located below in Section 3.2.009.

xv. A certified landscape architect shall be required for the preparation and submission of the Landscape Plan. (A dry seal with signature is acceptable for the Landscape Plan).

TABLE 2.1.003 PREFERRED PLANT LIST

Canopy		Accent	Grasses and Shrubs
American Elm	Texas Hickory	Crape Myrtle	Anthony Waterer Spirea
Austrian Pine	Texas Red Oak	Deciduous Magnolia	Apache Plume
Bald Cypress	Western Soapberry	Eastern Red Cedar	Autumn Sage
Black Jack Oak		Eve's Necklace	Dwarf Wax Myrtle
Bur Oak		Mexican Buckeye	Gray Santolina
Caddo Maple		Mexican Plum	Gulf Muhly
Cedar Elm		Red Bud	Indian Grass
Chinese Pistache		Smoke Tree	Inland Sea Oats
Chinquapin Oak		Vitex	Lindheimer Muhly
Lacebark Elm		Wichita Blue Juniper	Little Bluestem Grass
Live Oak			Little Bunny Fountain Grass
Loblolly Pine			Mexican Feather Grass
Magnolia			Rose Creek Abelia
Post Oak			Rosemary
Red Cedar			Seep Muhly
Shumard Red Oak			Texas Sage
Southern Magnolia			
Sweetgum			

SEC. 2.1.004 EMERGENCY ACCESS AND FIRE LANES

(a) Emergency Access Provisions:

The DRC will review all proposed developments for safe and appropriate access, parking lanes, private streets, driveway access points, and other emergency access items.

(b) Fire Lanes shall meet the standards of the IFC as adopted by the City.

SEC. 2.1.005 DRIVE-THROUGH FACILITIES

(a) Drive-throughs are required to be located in the 2nd or 3rd layer of the lot or located from an alley.

(b) Where allowed, locate and design drive-through facilities shall follow the following criteria:

(1) Do not locate drive-through facilities to adjacent residential uses.

(2) Screen vehicular storage areas for drive-through facilities placed on the street side of a building, or any other location that is directly visible from adjacent properties with screen walls, mounding, and/or dense landscaping at least 3 feet in height at the time of planting.

A. Provide a minimum vertical clearance of 8 feet for drive-through facilities. Provide a minimum vertical clearance of 10 feet for drive-through facilities that include a passenger-loading zone.

SEC. 2.1.006 PARKING AREAS

(a) Parking Spaces:

(1) Designed parking spaces and drive aisles locations shall be placed in the 2nd or 3rd layer of the lot, in accordance with the B^3 Code.

(b) Accessible (Handicapped) Parking Spaces:

(1) Adequate designed accessible parking spaces shall be provided as required by the IBC and designed in accordance with the parking area landscaping.

(c) Parking Landscaping:

(1) Incorporate parking lot landscaped areas and median in accordance with Section 2.1.002 - Landscape Design in the Private Realm.

(2) Use landscape plant material that are heat tolerant, have minimal dropping of pods and sap, and have canopies that can have a canopy bottom at least 10 feet above the ground.

(3) Use single trunk tree in parking lot landscape areas in accordance with the approved tree list by the City of Bastrop.

(d) Traffic Control Devices in On-site Parking lots:

When traffic control devices are utilized in on-site parking lots, it is recommended that the general principles and standard traffic control device designs be used to regulate the flow of traffic.

(e) Dead-End Parking Aisles:

The maximum dead-end parking aisle for designated emergency access length is 150 feet for fire-sprinklered structures, and 150 feet for non-sprinklered structures, unless a turn-around is provided for emergency access. All parking aisles shall be connected to the next through access point, particularly if there is a public street.

(f) Parking Surfacing:

(1) Use asphaltic pavement, concrete, or a similar material approved by the DRC for all parking areas for in P5 and EC.

(2) At a minimum, use dust palliative or other surfacing materials that minimize the generation of fine dust particulates for P2, P3, and P4.

(3) At a minimum, use a stable dust-free material on drive aisles of civic spaces and other recreational facilities. The DRC may require an alternative surface such as concrete or asphalt in some circumstances.

(4) The parking stalls may be improved with a soil mix treated with a dust palliative.

SEC. 2.1.007 BICYCLE PARKING FACILITIES

(a) The City will install bicycle parking facilities in infill development areas, downtown, and where not installed on existing developments.

(b) See Article 7.8 - Bicycle Parking - of the B^3 Code for all bicycle facility requirements for new development.

SEC. 2.1.008 OUTDOOR LIGHTING

(a) The lighting standards are contained within Article 6.5 - Building Types - of the B^3 Code.

SEC. 2.1.009 REFUSE COLLECTION

Unless otherwise approved by the DRC, all solid waste collection methods for commercial and residential services shall be designed to these City standards.

(a) Place Type P4 and P5: Non-Residential, Mixed-Use, and Multi-Family Residential refuse and recycling enclosure location and design:

(1) Locate and design the refuse and recycling enclosures based on the following criteria:

A. All food establishments that serve food must provide enclosures with grease containment areas.

i. The grease containment area must be physically separated from the refuse container portion of the enclosure.

ii. The Public Works Director, or designee, may approve alternative grease containment area locations or designs.

(b) Locate and position the enclosure(s):

(1) Approach pad so that the refuse truck route to and from the public street has a minimum unobstructed vertical clearance of fourteen (14) feet is required, and unobstructed minimum vertical clearance above the approach pad and refuse enclosure of twenty-five (25) feet (The vertical clearances are subject to modification based on enclosure container size, location and positioning).

(2) In a location that is easily accessible for collection, and does not require the refuse truck to "backtrack";

i. A maximum 100 feet distance for building service exit to refuse enclosure;

ii. So that collection vehicles do not backtrack more than 20 feet; or,

iii. So that path of travel for the refuse truck accommodates a minimum vehicle of turning radius of 45 feet, and vehicle length of 40 feet.

(c) Design the refuse enclosure(s) and approach pad to be level, with a maximum of a 2 percent slope.

(d) Do not place the enclosure(s):

i. Between the on-site buildings and adjacent lower density residential uses unless there is no reasonable alternative. In these situations, orient the enclosure toward the interior of the property;

ii. Next to drainage ways or basins, unless there is no reasonable alternative as determined by the Public Works Director;

iii. Between the street and the front of the building unless there is no reasonable alternative; or,

iv. At the end of a dead-end parking aisle.

(3) Multi-story buildings with elevators shall design internal trash chutes to service refuse. Roll-off dumpsters must be provided for removal.

(e) Place Type P3 Residential Refuse and Recycling:

(1) Detached residential homes shall be designed to accommodate the City residential collection requirements as described in the City of Bastrop Utility Ordinance.

Design dedicated storage areas for refuse and recycling containers that are screened from view from the adjacent street, and not within enclosed livable areas.

Design development so that the refuse and recycling containers have a location that is accessible for service.

SEC. 2.1.010 MECHANICAL AND UTILITY EQUIPMENT SCREENING

The purpose of these screening regulations is to ensure that mechanical and utility equipment associated with a development is appropriately screened from public vantage points. The intent of these regulations is to minimize visual impacts to surrounding properties and public realm.

(a) When Mechanical and Utility Equipment Screening Regulations Apply:

(1) This Division applies to all Place Types and development that proposes mechanical or utility equipment, whether or not a permit or other approval is required for the development.

(b) Mechanical and Utility Equipment Screening Regulations:

The following equipment and appurtenances shall be contained within a completely screened and enclosed structure that is integrated with the primary building on the premises:

(1) Mechanical equipment

(2) Tanks

(3) Ducts

(4) Elevator enclosures

(5) Cooling towers

(6) Mechanical ventilators

(7) Air conditioners

(8) Other similar appurtenances

(c) All utilities, such as gas meters, electrical meters and panels, fire control panels, telephone, cable television panels, and similar devices shall be screened from public view unless other Code regulations require that visibility be maintained. Landscape screening may be used to screen utilities.

(d) Equipment and appurtenances associated with industrial development that is classified as a manufacturing use shall be exempt from the screening requirements in this Section, if located on a property that is not abutting residential property and is not deemed a nuisance use.

(e) Site utility structures, such as transformers, shall not be located in the first lot layer at frontages. Utility structures shall be screened from frontages using landscaping or fences, hedges or walls. Utility boxes and conduits on exterior walls facing frontages shall be painted to match the wall or their visibility otherwise minimized.

ARTICLE 2.2 GEOGRAPHICALLY SENSITIVE LANDS

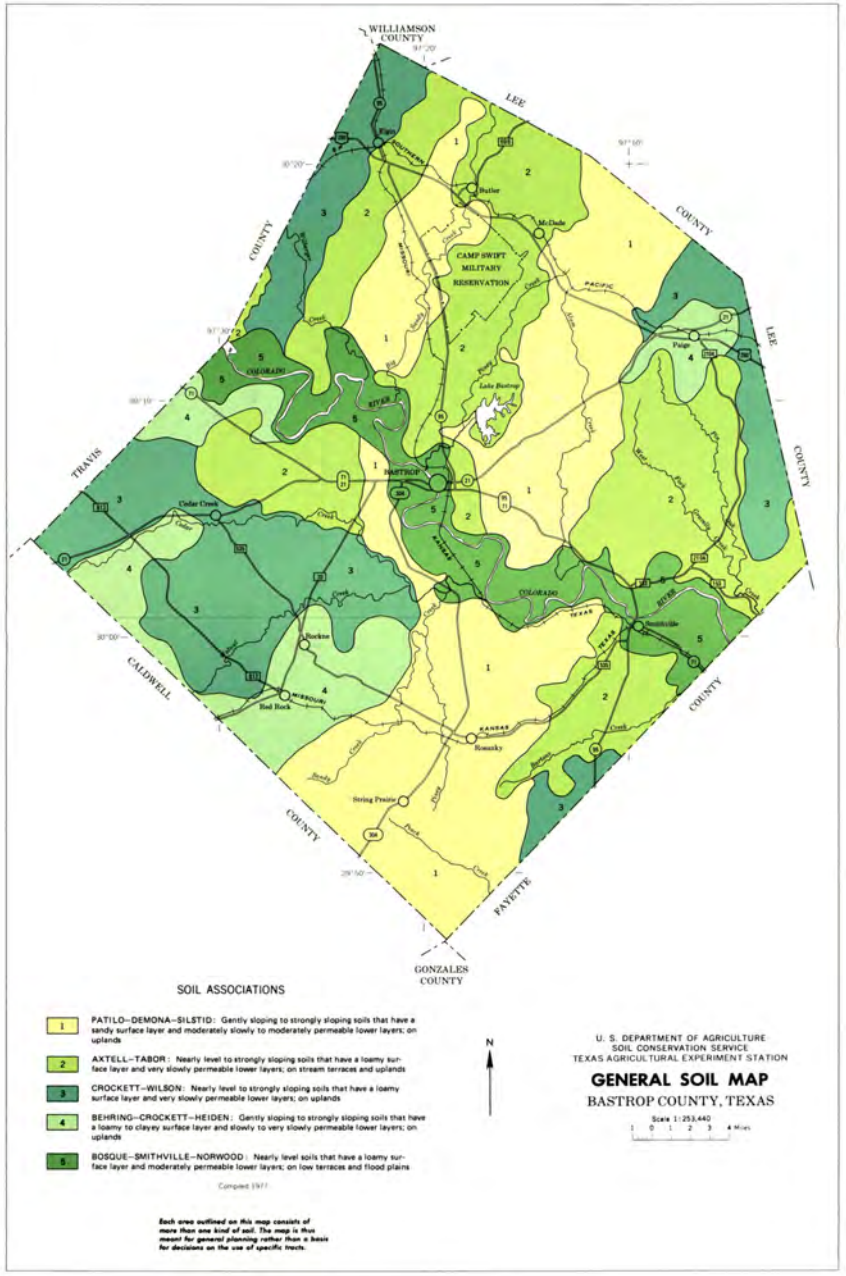
(a) The expansive natural environment within the City Limits of Bastrop consists of the Colorado River, the lost loblolly pines, the Houston toad habitat, grasslands, and the edges of the hill country.

Each of the natural features comes with its own unique gifts and challenges. The natural environment attracts people from all over the country to Bastrop. However, its wild beauty comes with seasonal droughts and floods, and occasional wild fires. Therefore, quality of design of the built environment is imperative to reducing or eliminating detrimental development.

In these geographically sensitive lands, nature must be the first consideration to protect the health, safety, and welfare of the community. The standards within the B^3 Code and the B^3 Technical Manual shall be used in coordination to restore and enhance the natural systems while appropriately integrating human settlements into their natural features.

SEC. 2.2.001 SITE DEVELOPMENT STANDARDS

(a) The intent of these standards are to work hand-in-hand with the drainage design manual to promote creative design and innovative methods for site development



within sensitive areas. Modified grading guidelines may be allowed where it can be demonstrated that they achieve the goals and purposes of the Village Development Center or Cluster Land Development Patterns within following Character Districts:

(1) Lost Pines,

(2) Mayfest Hill,

(3) River District,

(4) Ferry District, or

(5) Sensitive lands in other districts as determined by the DRC.

(b) Grading includes initial clearing, grubbing, excavating, and placement of fill associated with any form of development.

(c) This section establishes guidelines for grading that are intended to:

(1) Regulate the development of potentially hazardous terrain;

(2) Preserve the general visual character of graded sites; and

(3) Preserve native vegetation and wildlife habitat.

(d) The following key elements must be integrated during the design and implementation of all grading activities:

(1) Conserve the natural environmental features and functions of the property.

(2) Design and construct grading to be compatible with the surrounding natural land.

(3) Use construction techniques that result in no slope movement or subsidence and the stabilization of hillsides, slopes or other areas subject to erosion or mass movement.

(4) Preserve the natural capacity of drainage courses and protect natural drainage ways, including the native vegetation associated with them.

(5) Control dust pollution and surface water runoff and related erosion during construction operations.

(6) Maintain the stability of underlying geological conditions wherever development is proposed, unless

specific mitigation measures are proposed to assure safe development of the land.

(7) Do not alter drainage basin boundaries.

(8) Do not create any obstructions within any drainage channels.

(9) Do not increase the movement of sediment in volume or velocity as a result of any modifications to natural channels.

(10) Do not obstruct scenic, riparian, or vista corridors. If disturbance is proposed, all requirements of this Code, state law, and Federal law must restore them to a natural vegetative conditions.

(11) Minimize topsoil and vegetation removal. The roots of the grasses and trees hold the soil in place.

(12) Design and finish graded cuts and fills that are visible from adjacent properties in a manner that matches the surrounding native trees, soils, grasses, and rocks.

(13) Leave significant natural boulders, rock formations, fencerows, or tree clusters intact to minimize any damage to the natural systems or formations.

ARTICLE 2.3 NEIGHBORHOOD REGULATING PLANS

(a) Neighborhood Regulating Plans are used as the process to create new complete neighborhoods. Each neighborhood will be made of a series of blocks created for a variety of Street Types, Building Types, and Place Types.

(b) Before preparing a Neighborhood Regulating Plan, review the B^3 Code, Chapter 4 - Character Districts - and Chapter 5 - Development Patterns - to ensure the neighborhood complies standards set forth in those sections.

(c) Neighborhoods include a mix of Place Types. Different types of neighborhoods have different allocations of Place Types. Urban Neighborhoods would have a larger land area designated as Place Types P4 or P5. Lower intensity neighborhoods would allocate more Place Types P3 and P4. The Place type allocation ranges can be found in Article 3.2 - Place Type Standards of the B^3 Code.

(d) The unique Character Districts in Bastrop provide for a wide range of neighborhood options. While most districts prefer a guided network of streets and blocks; some

districts promote rural developments with less intense development standards.

(e) Neighborhood Regulating Plans using the Traditional Neighborhood Design (TND) pattern may use the downtown Bastrop grid blocks as helpful new neighborhood examples. See the Pattern Book for the Bastrop Block and other block examples.

(f) Neighborhood Regulating Plans in Character Districts will allow for Cluster Land Development (CLD), or Village Center Development (VCD); may create alternative designs to the block that best integrate with the existing site conditions. For more information on Development Patterns, see Chapter 5 - Development Patterns - in the B^3 Code.

(g) Creating a Neighborhood Regulating Plan is a three-step process. Specific requirements, standards, and recommendations are outlined in the Code and the pattern book and this B^3 Technical Manual. Additional requirements and recommendations may be determined at pre-application meeting and site visit.

(h) The specific standards for an application will be determined at the pre-application meeting.

(i) A response will be issued by DRC to the applicant to summarize the pre-development meeting and site visit.

SEC. 2.3.001 STEP ONE: NEIGHBORHOOD REGULATING PLAN

(a) Submission includes:

(1) Legal description & geographic location map;

(2) Block and Place Type designation;



Neighborhood Regulating Plan with 5 Neighborhoods
Rendering by Geoff Dyer

(3) Demonstrate the structure of the proposed neighborhood based on the standards associated with the property.

A. The proposed neighborhood must allocate a variety of Place Types on sites over 3.4 acres or per block of development, as defined in the B^3 Code.

B. Each block may vary in design. Natural conditions, physical barriers, special site features, or existing development shall be used to inform the patterns of the block. See the Pattern Book for alternative block configurations.

(4) Street network:

A. The street network plan must show existing streets and the transition Street Types into the proposed neighborhood.

B. A network of streets shall show streets to and through the development.

(5) Street Types:

A. Each Street Type is scaled propositional to the associated Place Types and Building Types.

B. Blocks with Street Types with wider than 55.5 feet of right-of-way can chose to create smaller blocks or propose to adjust the grid to accommodate the selected street network of Street Types.

C. Blocks with Street Types wider than 55.5 ft of right-of-way must also demonstrate the fiscal sustainability of the requested Place Types and Street Types.

D. Blocks adjacent to undeveloped land, areas unsuitable for development, or pre-existing incomplete Blocks may be exempt from Block Face length and Block perimeter requirements by Warrant.

(6) Refer to the Transportation Masterplan and Thoroughfare Masterplan for street network requirements.

SEC. 2.3.002 STEP TWO: SUBDIVISION PLAT SUBMITTAL

(a) Subdivision Plat.

(b) See Chapter 1 - Subdivisions of the B^3 Codes.

SEC. 2.3.003 STEP THREE: BUILDING PERMITTING

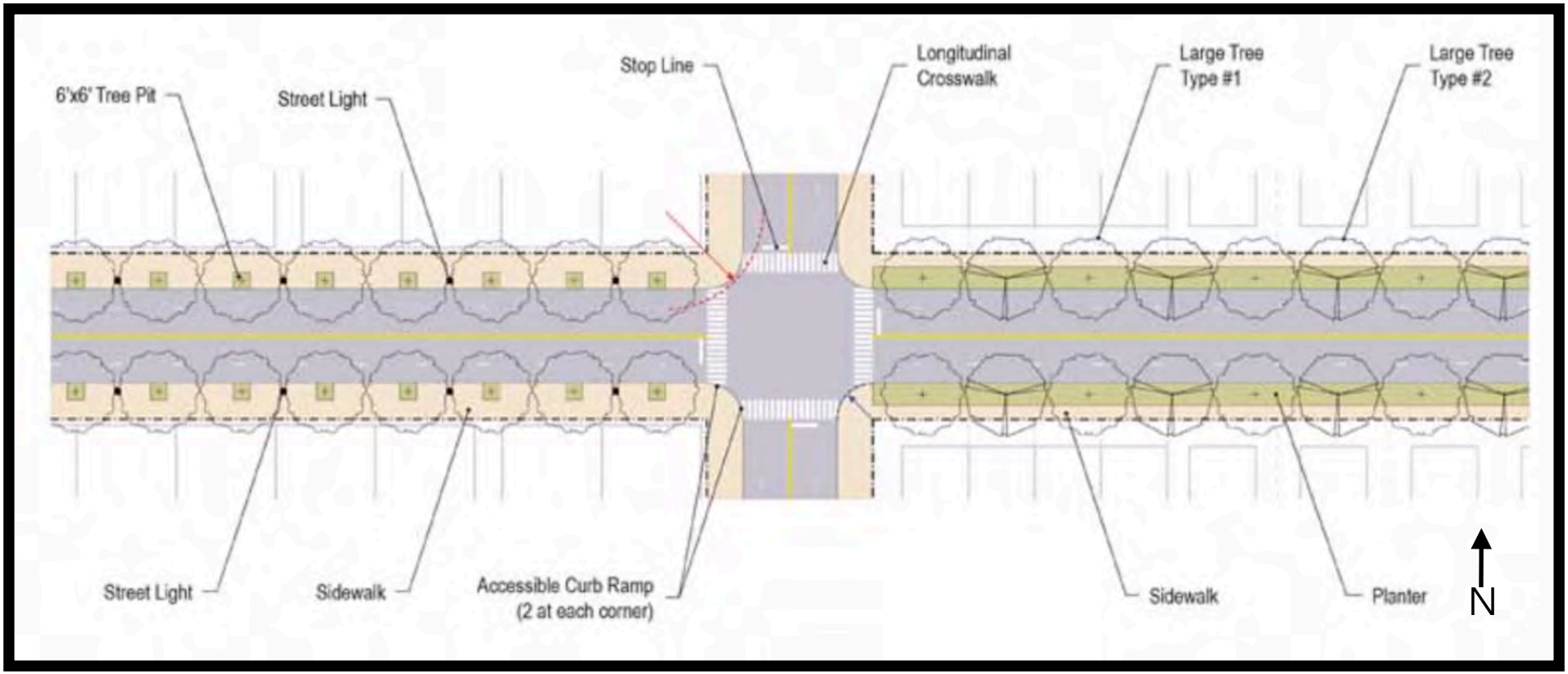
(a) Public Frontage:

Illustrate compliance with the Drainage, Civic Space, walkways, Street Trees, Public Infrastructure, and Public Furniture.

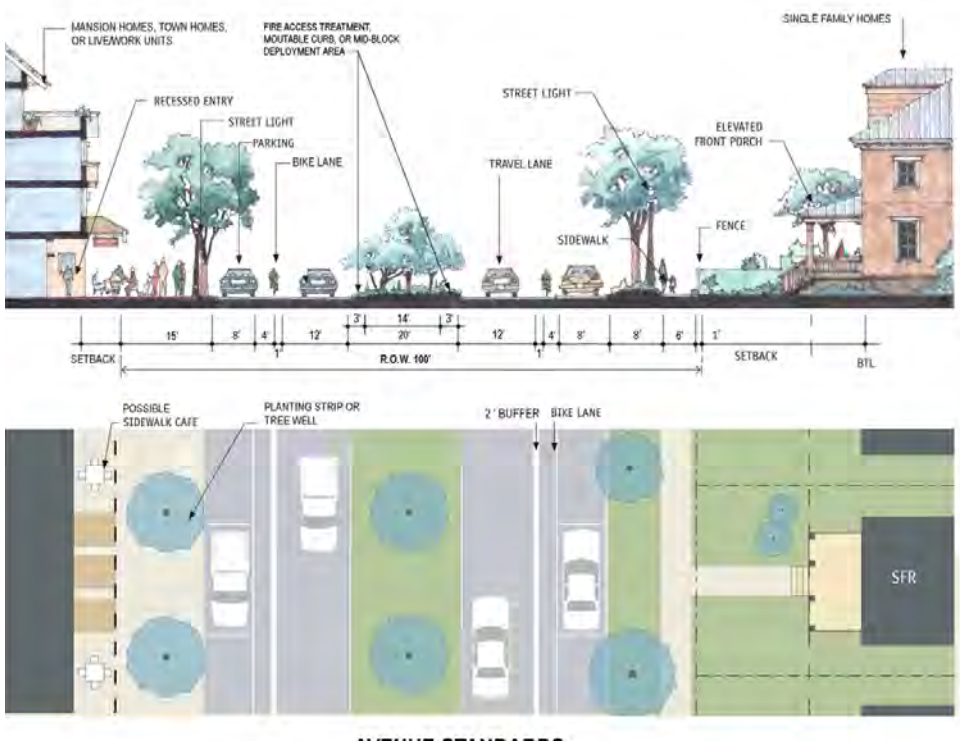
(b) Site Plan:

See Section 1.3.003 Site Plan Application and Review, for requirements.

DIAGRAM 1.1 PUBLIC FRONTAGE DIAGRAM EXAMPLE



CHAPTER 3: PUBLIC IMPROVEMENT PLANS & THE PUBLIC REALM



This chapter presents the City's Public Improvement Plans (PIPs) and Public Realm standards and procedures to assist design professionals and applicants in preparing PIPs, plans and designs for a well-defined public realm.

3.1 PUBLIC IMPROVEMENT PLANS (PIPs)

3.2 INFRASTRUCTURE REQUIREMENTS

ARTICLE 3.1 PUBLIC IMPROVEMENT PLANS

The applicant is responsible for planning, constructing, and financing all public improvements associated with Subdivisions and land development. The applicant must have an engineer registered in the State of Texas prepare a complete set of improvement plans for constructing required improvements. Such plans shall be based on the approved preliminary plat, Place Type, Building Types, and DRC approval stipulations. The applicant must prepare these plans in conjunction and in conformance with the final plat. Improvement plans shall be subject to City approval prior to recordation of the final plat.

SEC. 3.1.001 REASONS FOR PUBLIC IMPROVEMENTS

(a) Capital improvements.

(b) Subdivisions.

(c) Relocations for buildings, utility conflicts, infrastructure improvements, etc.

(d) New building construction building improvements.

(e) Connecting existing buildings to infrastructure.

SEC. 3.1.002 TYPES OF PUBLIC IMPROVEMENTS

(a) Streets, sidewalks, signals, intersection, streetscape, and/or paving.

(b) Storm Sewer detention (See City of Bastrop Drainage Manual Chapter 6).

(c) Water, Sanitary Sewer, trunklines, extensions.

(d) Erosion control.

ARTICLE 3.2 INFRASTRUCTURE REQUIREMENTS

SEC. 3.2.001 WATER SYSTEM

(a) The applicant shall provide all water lines necessary to properly serve each lot of the neighborhood and ensure that existing, and/or new water facilities can supply the required demand for domestic use and for fire protection at the desired pressure. The applicant shall bear all costs for extending water service from existing City water lines to the subdivision. All water lines and service connections shall meet the current City of Bastrop Construction Standards. The applicant shall submit a certificate to the Director of Planning and Development certifying that the system has been designed in accordance with the current

requirements of the State regulatory agency and the City of Bastrop.

SEC. 3.2.002 WATER LINES

(a) Piping for water mains and connections shall be ductile iron, or AWWA C900 polyvinyl chloride pipe. Service piping shall be copper for all commercial services and polyethylene for all residential services as approved by the City Engineer. All pipe and fittings shall be new and unused. All pipe and fittings shall conform to the latest standards as adopted by the City in Chapter 6, Construction Standards.

(b) When recommended by the City Engineer and approved by the City Council and so noted in the preliminary plat or final plat review, larger lines shall be installed.

SEC. 3.2.003 VALVES

(a) At intersections of water distribution lines, the number of valves shall be one less than the number of radiating lines, 2 valves for tee connection, and 3 valves for cross connection). Valves shall be located at the P.C. or P.T. of the nearest property line. All valves shall conform to the latest standards of the American Water Works Association.

SEC. 3.2.004 FIRE HYDRANTS

(a) Fire hydrants will be provided at a maximum spacing and shall meet the specifications per the IFC as adopted by the City. Hydrants shall be standard three-way post-type dry barrel hydrants complying to AWWA Standards with 6 inch or larger connections to mains.

SEC. 3.2.005 ON-SITE WASTEWATER SYSTEMS

(a) Lots 1 acre or greater outside the wastewater CCN shall be permitted to utilize individual on-site sewage facility methods for sewage disposal; except that lots in subdivisions properly platted, approved, and recorded prior to April 20, 1981, shall be exempt from this1 acre minimum lot size requirement, to the extent permitted by current design criteria for on-site sewage facilities and administrative rules of the state commission on environmental quality, or any successive agency.

(b) All individual surface and subsurface methods for sewage disposal (including septic systems) within the City jurisdiction shall have a site-specific design by a registered professional engineer or a registered sanitarian; and such engineer or sanitarian shall, upon development completion, certify that the installation has been completed in accordance with that engineer's or sanitarian's approved design plans. Such certification and

plans shall be satisfactory to the City's designated representative (City Engineer).

(c) Septic Systems will not be permitted within the wastewater CCN service territory of the City. No person may cause or allow the installation of an on-site sewage facility when any part of the facility is to be within 300 feet in horizontal distance (measured on the closest practical access route) of an existing TCEQ or any successive agency approved organized sewage disposal/collection system, unless one of the following requirements has been met.

(1) An applicant has received a written denial of service from the owner or governing body of the Texas Commission on Environmental Quality or any successive agency approved organized disposal/collection system; or

(2) An applicant can make a request to the Director of Public Works for exemptions.

SEC. 3.2.006 STREET LIGHTING

(a) Street lighting shall be provided by the applicant and shall be coordinated with Bastrop Power and Light or the electrical service provider department. Lighting levels and fixtures vary by Place Type. For more information, see Article 7.5 Public Lighting in the B[3] Code.

SEC. 3.2.007 STREETS AND ALLEYS

(a) The applicant shall grade and construct all streets and alleys within the development to cross sections, grades, and standards in Construction Standards as approved by the City.

SEC. 3.2.008 SIDEWALKS

(a) Sidewalks vary by Street Type and Place Type, and shall be determined during the Zoning Concept Scheme. During the Zoning Concept Scheme process, an applicant may submit a request for alternative sidewalk compliance to the DRC.

(a) Place Type P1 and P2 will have meandering sidewalks or trails located into the natural setting within the public right-of-way. Design approval will be determined by the DRC.

(b) P3 and P4 shall have a minimum of 5 foot sidewalks on both sides of the street or one 10 foot sidewalk located on one side of the street. Design and location approval will be determined by the DRC.

(c) P5 Sidewalks shall be not less than 10 feet in width, parallel to and not more than 2 feet above or below adjacent curb grade, and shall be located according to the Street Type selected and inside the dedicated right-of-way line and situated wholly within the dedicated right-of-way.

(d) The area between curb and sidewalk shall be excavated or filled to provide a uniform grade to match with the longitudinal street grade.

(e) The ground elevation at the right-of-way line shall be not more than 2 feet nor less than 3 inches above the elevation of the top of the adjacent curb.

(f) All sidewalks shall be of a continuing common surface, not interrupted by steps or abrupt changes in level.

(g) Wherever walks end, cross streets or parking areas, they shall bend to a common level by constructing handicapped ramps in compliance with ADA dimensions and regulations.

(h) All sidewalks shall be trowel smoothed on the surface Construction details shall be in accordance with the City's Construction Standard specifications.

SEC. 3.2.009 STREET TREES

(a) These standards and guidelines are designed to optimize conditions for street trees in all Place Types categories as defined in the B^3 Code.

(b) They address these key items:

(1) Soil Volumes based on Place Type, Street Type, and soil availability.

(2) 1,000 cubic feet for an individual large deciduous canopy tree. Alternative soil volume standards are defined for urban Place Types where recommended soil volume is not available.

(3) Design Methods to create soil volume where soil is not available. Design methods include soil cells to achieve soil volume, open soil areas, covered soil areas, and utility integration.

(4) Evaluate based on the Geographic Sensitive Nature of the B^3 Code, theses items shall be reviewed:

A. Height and Spread. Will the tree bump into anything such as power lines, awnings, tall trucks, etc. when mature?

B. Is the tree deciduous or coniferous? Will it lose its leaves in the winter?

C. Form or shape. A columnar tree will grow in less space. Round and V-Shaped species provide the most shade.

D. Growth rate. How long will it take for your tree to reach its full height? Slow growing species typically live longer than fast growing species.

E. Soil, sun, and moisture requirements.

F. Hardiness zone indicates the temperature extremes in that a tree can grow.

SEC. 3.2.010 SOIL VOLUME

(a) A tree's ability to grow and stay healthy is largely dependent on available rooting space. Trees in highly urbanized areas, where trees exist in small planting spaces with little available soil, tend to be short-lived with stunted growth. Trees in typical urban tree boxes rarely reach their full growth potential and cannot provide the wide range of environmental services that mature, healthy trees offer.

(b) Trees need 2 cubic feet of soil volume for every square foot of crown area spread. A tree in a typical 4-foot by 6-foot street tree space has 72 cubic feet of available soil. This is not adequate space. When the roots cannot grow out of the box, the tree is expected to grow to a canopy spread of 8 feet before declining. Larger soil volumes will yield larger trees.

(c) These guidelines focus on increased soil volumes as one of the best ways to enable larger and healthier trees to grow in cities.

(d) Design Methods for Achieving Soil Volume. To achieve the required soil volume in areas where native soil is available, several methods can be used.

(1) Continuous Trenches:

A. In areas where several trees are to be planted, the area shall be treated as one continuous trench, that connects several tree pits, to provide extra soil volume for root growth by allowing trees to share soil space, unless there are site constraints, and must be approved by the City Engineer.

(2) Shallow Geocelluar Sandwich System:

A. For uses with lightweight traffic, the sandwich system creates rootable soil volume for trees, underneath the hardscapes in urban areas. This system, also known as a suspended pavement system, consists of shallow, high-strength modular cells suitable for sub-base replacement that spread weight loads over a large area, preventing compaction of soil in the tree's root zone. At the same time, the open structure of the system prevents roots from causing any damage to the pavement and serves as a distribution and delivery mechanism for air and water for the entire rootable soil volume. This system can be used underneath sidewalks, bike-lanes, light weight traffic, and parking lots without reducing the available above ground urban space.

B. Soil Cells are plastic structures designed to be filled between the voids with soil and covered with pavement. Tree roots grow in the soil between the structural supports. There are many brands on the market. Install per manufacturer's instructions.

(3) Root Paths:

A. Native soils under or at back of sidewalk may count towards soil volume if there is an opportunity provided for the tree roots to pass under the paved area where they can grow at a normal rate and connect the tree to the adjacent open soil area. Root paths can make this connection.

B. Root paths are narrow trenches, roughly 4" wide by 1' deep, installed in a compacted subgrade before the gravel base for pavement is added.

C. A commercially available aeration mat material and quality topsoil can be added to the trench to support drainage. Root paths will be installed for new plantings during construction, at the time of subgrade preparation and before the paved surface is installed.

D. Root paths extend radially from the tree pit and may connect to adjacent tree pits, and/or other nearby planting areas such as native soil, lawns, or civic space on the opposite side of the sidewalk from the street.

E. Root paths may be most applicable in P4 and P5 areas where tree roots need to be directed around utilities and planting space is limited.

SEC. 3.2.011 DESIGN METHODS

(a) Creating Soil Volume in Place Types, some P5 or EC, and some designs for P4:

(1) For areas where little or no native soil is available, current research shows that soil cells are the best method for creating soil volume under pavement.

(2) An open soil area is an unpaved area of soil surrounding a tree, that contains existing, new or amended soil. An open soil area may be planted or covered with mulch.

(3) Open soil areas and benefit impervious surfaces and stormwater runoff.

(b) Root Barrier:

(1) Root barrier must be used in areas adjacent to sidewalks and buildings. Deflector barriers are acceptable. They must be 30" deep minimum and installed per manufacturer's instructions.

(c) Tree Well Openings:

(1) There must be space between the curb and the tree trunk. The opening around the base of the tree must allow a transition zone at maturity. For a 4' x 6' tree well opening at the mature trunk to flare as the tree matures. The minimum opening allowed is 4' x 6'.

(2) A variety of pavements, both solid and permeable, can be used to create a covered tree space. Pavers, such as granite cobbles and permeable paver blocks, placed with gaps between the stones allow water to flow to the soil below. Tree grates are not encouraged. If used, they must have removable center rings so the tree opening can expand as the tree grows. A long-term maintenance plan is required to address issues such as a trunk growing into a grate, watering, mulch and soil that needs replenishing, pavers that must be leveled, etc.

SEC. 3.2.012 COORDINATION OF UTILITIES WITH SOIL CELLS

(a) Using the Soil Cells in areas with utilities requires good coordination. The respective utility owners need to be involved in the conversation. They may have specific requirements that need to be addressed, such as vertical and/or horizontal separation, minimum depth/cover, or protective measures such as encapsulating their lines in granular bedding or insulating them to prevent freezing.

(b) In the event that Soil Cells will be installed over utility lines, it is also important to discuss what level of loading or ground pressure the utility line can withstand.

(c) Soil Cells must have openings on all four sides and because there is a considerable amount of void space in each frame, running utilities through the Cell frames is a simple way to integrate utilities directly in to the system. This approach can be applied to new or existing utilities.

(d) Each frame is its own separate component and can be maneuvered to leave the utility inside of the frame.

Note: This method is not applicable to storm, sanitary sewer, or water mains.

SEC. 3.2.013 STREET TREE SPECIFICATIONS

(a) These standards are for all Street Trees, in all Place Type:

(1) Spacing:

A. One 4" caliper canopy tree shall be planted in the public right-of-way along the length of the lot frontage at a minimum spacing of 30 feet.

(b) Overhead Conflict:

(1) Where there are conflicts with overhead lines, Understory trees shall be planted in the public right-of-way along the length of the lot frontage at a minimum spacing of 15 feet and a maximum spacing of 30 feet.

(c) Tree Species:

(1) Shall be chosen from Table 2.1.003 - Preferred Plant List.

A. Only use nursery-grown material that complies with all required inspection, grading, standards, and plant regulations in accordance with the latest edition of the 'American Standard for Nursery Stock'.

B. Provide sound, healthy, vigorous, freshly dug, nursery-grown stock, free from plant diseases ,and insect eggs. Heeled-in stock or stock from cold storage will not be accepted.

(2) Provide plants:

A. With healthy, normal root systems.

B. That have been grown for at least 2 years under climatic conditions similar to those where scheduled for planting.

C. That have been grown in properly spaced blocks.

D. That have been transplanted or root pruned at least twice, and at least once in the past three years.

E. That have a habit of growth normal for the species.

F. With symmetrical growth typical for the variety and species. Match plants for symmetry of a grouping where required.

(d) Delivery, Storage, and Handling:

(1) All plant materials shall be handled and packed in accordance with good nursery practices. Material shall be adequately protected during transit to prevent windburn, drying, or overheating. Upon delivery, plant materials will be adequately protected from the sun, freezing, and/or drying winds.

(2) When plants cannot be planted immediately after delivery:

A. Place plants on clean surface, in protected area, away from heat-gaining materials such as pavements and masonry.

B. Cover roots and root crowns with moist sod or approved mulch to protect them from sun and wind.

C. Water as necessary to keep them in good condition.

D. Where required, plant materials may be stored in a temporary shed or by heeling- in, using good nursery practice.

(3) Plant materials that are not adequately protected, left out of the ground un-protected overnight, left with roots exposed to the sun, improperly protected during transit, unloading, heeling-in, or during the planting operation shall be rejected and removed from the development.

(e) Protection of Plant Materials:

(1) Protect existing trees and other vegetation identified to remain in place against unnecessary cutting, breaking, and skinning of roots, skinning and bruising of bark, smothering of trees by stockpiling construction materials, or excavated materials within the drip line, excess foot or vehicular traffic, or parking of vehicles within the drip line. Provide temporary fences, barricades, or guards as required to protect trees and vegetation to be left standing.

(2) Provide protection for roots over 1-1/2 inches in diameter that are cut during construction operations.

(3) Temporarily cover all exposed roots with wet burlap to prevent roots from drying out. Provide earth cover as within 24 hours, making sure that burlap is kept wet until such time.

(4) Repair or replace trees and vegetation damaged by construction. Damaged trees are to be repaired and restored to full growth status, as determined by a qualified tree expert or arborists.

(5) No equipment, materials, trash, or other debris will be stored under trees to remain.

(f) Tree Pits:

(1) Pits shall be circular in outline. Pit depths shall be measured in relation to finished grade.

(2) Planter boxes and container grown plants:

A. Diameter: 2 times wider than rootball.

B. Depth: as deep as rootball.

C. Where pit depth is over-excavated, backfill with prepared topsoil to fill depth so that balls will be at correct height.

(g) Planting Trees:

(1) In individual pits, set plants so that after settlement they will be one quarter above finished grade.

(2) Center plants in pits and place them upright.

(3) Face each plant to give best appearance to closest observation point.

(4) Cut off broken, frayed, and dead roots.

(5) Handle plants to prevent damage.

(6) Set tree in pit. Thoroughly wet burlap. Loosen tie material and carefully roll back burlap so that ball is not broken. Cut the loose burlap and tie material. Pull back one-third of burlap. Do not pull tie material or burlap out from under balls.

(7) Before planting container grown plants, carefully remove from container and unwind any circulating roots; if bent cut back just behind the bend; or cut the roots back 1 inch on all sides and the bottom.

(h) Backfilling Tree Pits:

(1) Place prepared soil mixture medium until pit is approximately 3/4 full.

(2) Compact and settle soil by watering thoroughly. After water has soaked in, complete backfilling to finished grade and again compact and settle soil by thoroughly soaking.

(3) If further settling occurs, add additional soil so that finished backfilling is even with finished grade. Do not fill above root flare.

(4) Form ridge of soil around individual trees to form ring to hold water.

(5) Reinspect trees to ensure they take root over the next 3 weeks.

CHAPTER 4: SUBDIVISION PLAT SUBMISSION REQUIREMENTS

4.1 PLAT SUBMISSION

4.2 PLAT REQUIREMENTS

4.3 INCOMPLETE SUBMISSIONS

4.4 AUTHORITY RESPONSIBLE FOR APPROVAL

4.5 ACTION TAKEN BY PLANNING & ZONNG COMMISSION

4.6 EXPIRATION OF PRELIMINARY PLAT APPROVAL

4.7 RESPONSIBILITY

4.8 RECORDATION

4.9 FEES

ARTICLE 4.1 PLAT SUBMISSION

(a) The Applicant shall submit a plat of the entire area being subdivided. Each application shall contain the following documents in order to be deemed administratively complete. If all items are not present, the application will not be accepted. The submission will be considered a filed application on the next Uniform Submittal Date after which the submission has been considered administratively complete.

(1) Completed and signed Planning Application.

(2) Agent Authorization Letter.

(3) Signed Project Description Letter explaining proposed project, including number of lots existing and proposed, and if those lots are residential or commercial. If submission is for Vacating Plat, the Project Description Letter must provide evidence that the current plat does not meet the proposed development, granting the vacation would not be detrimental to the public health, safety, or welfare or otherwise injurious to the other property in the area, does not substantially conflict with the Comprehensive Plan and the purposes of the B^3 Code or B^3 Technical Manual, and would not generally apply to other properties in the area, and contain signatures of owners of all lots within the original subdivision, if not under common ownership.

(4) Bastrop Central Appraisal District Map highlighting the subject property.

(5) Copy of deed showing current ownership.

(6) Copy of current tax statement of account or tax receipt showing taxes have been paid.

(7) Plat prints, collated and folded:

	Prints	#	Size
(a)	Plat	8	24" x 36"
(b)	Preliminary Drainage Study (if submitting a Preliminary Plat)	8	11" x 17"
(c)	Infrastructure Plan	8	24" x 36"

	Prints	#	Size
(d)	Letter outlining Special District requirements and how those required are addressed on the plat, if Place Type zoning is derived from a Special District	8	8.5" x 11"

(8) Utility Easement Release approvals from all utility providers.

(9) Proof of ability to serve by each proposed utility or completed utility evaluation by the City, if utility is provided by the City.

(10) **Digital Submittal**: Digital submittals shall be provided on a labeled CD/DVD or flash drive in the format specified below in addition to the hard copy submittal. Application will not be accepted if not in the specified format listed below. The CD/DVD or flash drive will not be returned to the Applicant.

A. **PDF 1** - Main Application Materials shall be one document and include:

ii. Title page called Application - (Specify Project Name),

iii. Completed Application,

iv. Agent Authorization Form,

v. Waiver Letter, and

vi. Project Description Letter.

B. **PDF 2** - Plats & Utilities shall be one document and include:

i. Title page called Plat Details - (Specify Project Name),

ii. Plat(s),

iii. Drainage study, and

iv. Infrastructure Plan.

C. **PDF 3** - Remaining Checklist Items shall be one document and include:

i. Title page called Checklist Items - (Specify Project Name),

ii. Tax map,

iii. Deed(s),

iv. Tax certificate, and

v. Special District information (if applicable).

D. **GIS or AutoCAD Files** - should include files that show new parcel layout and easements formatted in a GIS geodatabase file or shape file; AutoCAD dwg file spatially referenced using NAD_1983_StatePlane_Texas_Central_FIPS_4203_ Feet. should be Parcels_ProjectName and Easements_ProjectName.

(11) Plat filing fee shall be paid at the time of the submission as set forth in City of Bastrop Code of Ordinances - Appendix A, Fee Schedule .

(12) Copy of original plat, if filing an Amending Plat or Replat.

(13) Proof of approved variances and warrants, if any.

(14) All other required submittals and approvals required by this chapter.

(15) Proof that all contractors have been paid.

ARTICLE 4.2 PLAT REQUIREMENTS

The plat shall be drawn to scale and shall show or be accompanied by the following information:

AP - AMENDING PLAT

MP - MINOR PLAT

RP - REPLAT

PP - PRELIMINARY PLAT

FP - FINAL PLAT

a) Plat Detail	**AP**	**MP**	**RP**	**PP**	**FP**
1. The name of the subdivision, which shall not duplicate an existing or pending subdivision.	**X**	**X**	**X**	**X**	**X**
2. The total acreage and the proposed total number of lots and blocks within the subdivision and the total acreage of rights-of-way.	**X**	**X**	**X**	**X**	**X**
3. The name of the owner and address. If the owner is a partnership, corporation, or other entity other than an individual, the name of the responsible individual such as president or vice-president must be given.	**X**	**X**	**X**	**X**	**X**

a) Plat Detail	AP	MP	RP	PP	FP
4. The name of the licensed public surveyor and licensed engineer, when required, responsible for preparing the plat.	X	X	X	X	X
5. Scale: 1" = 100'.	X	X	X	X	X
6. North arrow, north to be at top of sheet, if possible.	X	X	X	X	X
7. Legend, depicting all symbols, located beside the plat sketch.	X	X	X	X	X
8. Date, revision block, and each revision shall bear a new date.	X	X	X	X	X
9. Applicable Plat Notes as shown in Article 4.2b	X	X	X	X	X
10. Ownership boundaries shall be drawn in very heavy lines and shall include overall dimension and bearings.	X	X	X	X	X
11. Adjacent boundary lines and adjacent right-of-way lines of the proposed subdivision drawn with dashed lines.	X	X	X	X	X
12. A tie to an original corner of the tract of land of which subdivision is a part.	X	X	X	X	X
13 Name and location of adjacent subdivision, streets, easements, pipelines, water courses, etc. and the property lines and name of all adjoining property owners.		X	X	X	X
14. Name and location of adjacent subdivisions, streets, and property lines.	X				

a) Plat Detail	AP	MP	RP	PP	FP
15. Existing and proposed topographic and planimetric features within the subdivision, including water courses and ravines, high banks, width of existing and proposed easements, and any other physical features pertinent to the subdivision. Contour lines at two (2) foot intervals in terrain with a slope of two (2) percent or less and five (5) foot intervals in terrain with slope greater than two (2) percent.		X	X	X	X
16. Existing transportation features within the subdivision including the location and width of right-of-way, streets, alleys, and easements.	X	X	X	X	X
17. Proposed features to be dedicated for public use including location, right-of-way, pavement width, surfacing, and name of streets; approximate width and depth of all lots; and location of building lines, alleys, parks, squares, public easements, sanitary facilities, utilities, and sanitary control easements.	X	X	X	X	X
18. Lot and block lines and numbers of all lots and blocks proposed to be created with complete dimensions for front, rear and side lot lines.	X	X	X	X	X
19. Floodway, 100-year flood plain and finish floor elevation.	X	X	X	X	X
20. Locations and size of dimensions of existing utilities, drainage facilities, streets, alleys, and easements.	X	X	X	X	X
21. Location of City limits line, the outer border of the City's extraterritorial jurisdiction, and zoning district boundaries, if they traverse the subdivision, form part of the subdivision, or are contiguous to such boundary.	X	X	X	X	X

a) Plat Detail	AP	MP	RP	PP	FP
22. Key Map. A key map showing relation of subdivision to well-known streets in all directions to a distance of at least one (1) mile.	X	X	X	X	X
23. An accurate on-the-ground boundary survey of the property with bearing and distances and showing the lines of all adjacent land, streets, easements, and alleys with their names and width. (Streets, alleys and lot lines in adjacent subdivisions shall be shown dashed). All necessary data to reproduce the plat on the ground must be shown on the plat.		X	X	X	X
24. A complete legal description by metes and bounds of the land being subdivided (field notes).		X	X	X	X
25. For streets to be dedicated: Complete curve data (delta, length of curve, radius, point of reverse curvature, point of tangency, chord length, and bearing) shown on each side of the street; length and bearing of all tangents; dimensions from all angle points of curve to an adjacent side lot line shall be provided.			X		X
26. For water courses and easements to be dedicated: Distances to be provided along the side lot lines from the front lot line or the high bank of a stream. Travers line to be provided along the edge of all large water courses in a convenient location, preferably along a utility easement or drainage if paralleling the easement or stream. The 100-year flood plain easement shall be shown where applicable. A note shall be provided prohibiting construction within the 100-year flood plain except for public streets or roads or utilities.			X		X

a) Plat Detail	AP	MP	RP	PP	FP
27. A Certificate of ownership and dedication to the public of all streets, easements, alleys, parks, playgrounds, or other dedicated public uses, signed and acknowledged before a notary public by the owners and any holders of liens against the land.			X		X
28. A certificate of approval to be signed by the Planning & Zoning Chair shall be placed on the face of the plat.			X		X
29. The certificate of the licensed public surveyor who surveyed, mapped and monumented the land shall be placed on the face of the plat.			X		X
30. Phasing Plan				X	

b) Standard Plat Notes	AP	MP	RP	PP	FP
1. The Benchmarks used are INSERT BENCHMARK DATA AND MONUMENT DATA.	X	X	X	X	X
2. Water service is provided by the INSERT NAME OF PROVIDER.			X	X	X
3. Wastewater service is provided by INSERT NAME OF PROVIDER.			X	X	X
4. Electric service is provided by INSERT NAME OF PROVIDER.			X	X	X
5. All easements of record as indicated on the most recent title run, dated INSERT DATE, conducted by INSERT NAME for this property are shown on this plat.	X	X	X	X	X
6. This Plat conforms to the Preliminary Plat approved by the Planning & Zoning Commission on INSERT APPROVAL DATE.					X
7. All subdivision permits shall conform to the City of Bastrop Code of Ordinances, public improvement standards, and generally accepted engineering practices as defined in Chapter 1, Subdivisions of the B^3 Code.			X	X	X
8. Construction Plans and Specifications for all subdivision improvements shall be reviewed and accepted by the City of Bastrop prior to any construction within the subdivision.				X	X

b) Standard Plat Notes	AP	MP	RP	PP	FP
9. The owner of this subdivision, and his or her successors and assigns, assumes sole responsibility for plans for construction of subdivision improvements which comply with applicable codes and requirements of the City of Bastrop. The owner understands and acknowledges that plat vacation or re-platting may be required, at the owner's sole expense, if plans to construct this subdivision do not comply with such codes and requirements.			X	X	X
10. By approving this plat, the City of Bastrop assumes no obligation to construct any infrastructure in connection with this subdivision. Any subdivision infrastructure required for the development of the lots in this subdivision is the sole responsibility of the developer and/or the owners of the lots. Failure to construct any required infrastructure to City standards may be just cause for the City to deny applications for certain development permits including building permits, site plan approvals and/or Certificate of Occupancy.				X	X
11. Fiscal surety for subdivision construction, in a form acceptable to the City of Bastrop, shall be provided prior to plat approval by the City.				X	X
12. No lot in this subdivision shall be occupied until connected to the approved water distribution and wastewater connection facilities.			X	X	X
13 Wastewater and Water systems shall conform to Texas Commission on Environmental Quality (TCEQ).			X	X	X
14. All utilities will be underground.	X	X	X	X	X
15. Impact fees shall be assessed in accordance with the ordinance effective at the time of platting.		X	X	X	X

b) Standard Plat Notes	AP	MP	RP	PP	FP
16. Developer or property owner shall be solely responsible for all relocation and modifications to existing utilities.	X	X	X	X	X
17. A portion of this tract is within a flood hazard area as shown on the Flood Insurance Rate Map Panel # STATE NUMBER for Bastrop County, Effective INSERT DATE, INSERT COMMUNITY NUMBER Community Number, and is on Zone INSERT ZONE.	X	X	X	X	X
18. Temporary and permanent easements to be provided, as required at the City's sole discretion for off-site improvements.			X	X	X
19. As shown hereon, a ten (10) foot wide public utility easement (P.U.E.) is hereby dedicated adjacent to street Rights-of-Way on all lots. A five (5) foot wide P.U.E. is hereby dedicated along each street and rear lot line. (Change to 20 foot adjacent to ROW in BP&L service area.)	X	X	X	X	X
20. Property owner shall provide for access to all easements as may be necessary and shall not prohibit access by government authorities.	X	X	X	X	X
21. No building, fences, landscaping, or other structures are permitted within drainage easements shown, except as approved by the City of Bastrop and/or Bastrop County.	X	X	X	X	X
22. All easements on private property shall be maintained by the property owner or his or her assignees.	X	X	X	X	X

b) Standard Plat Notes	AP	MP	RP	PP	FP
23. No lot or structure shall be occupied prior to the Applicant submitting to the City of Bastrop documentation of subdivision/site registration with the Texas Department of Licensing and Regulations (TDLR) and provide documentation of review and compliance of the subdivision construction plans with Texas Architectural Barriers Act (TABA).					X
24. Erosion and sedimentation controls constructed in accordance with the Subdivision Ordinance of the City of Bastrop are required for all construction on each lot, including single family and duplex construction.		X	X	X	X
25. Public utility and drainage easements where shown and/or described hereon are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainage ways; including, but not limited to, sanitary sewers, force mains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines.		X	X	X	X
STANDARD PLAT NOTES SPECIFIC TO CITY LIMITS:					
26. Sidewalks shall be constructed in accordance with the Subdivision Chapter of the B^3 Code.	X	X	X	X	X
27. Prior to construction of any improvements on lots in the subdivision, building permits will be obtained from the City of Bastrop.		X	X	X	X
28. Building setbacks shall be in accordance with the Subdivision Chapter of the B^3 Code.	X	X	X	X	X

b) Standard Plat Notes	AP	MP	RP	PP	FP
STANDARD PLAT NOTES SPECIFIC TO EXTRATERRITORIAL JURISDICTION:					
29 A Bastrop County development permit is required prior to any site development.	X	X	X	X	X
STANDARD PLAT NOTES SPECIFIC TO BASTROP POWER & LIGHT:					
30 Blanket Temporary Access and Construction Easement Document # INSERT NUMBER has been provided for construction access.		X	X	X	X
31 Upon completion of construction and installation of the Electric Facilities on the Property, the developer/owner shall have the Permanent Utility Easement (20 foot easement, to include a 10 foot buffer around all non-opening sides and a 20 foot buffer around opening sides of equipment) surveyed by metes and bounds, at its sole cost and expense, and a copy of that Permanent Easement survey provided to BP&L for the granting and recording of a Permanent Public Utility Easement. The Blanket Temporary Access and Construction Easement shall be vacated as such time BP&L accepts and records the Permanent Public Utility Easement.		X		X	X
32 Any public utility has the right to prune and/or remove trees, shrubbery vegetation and other obstructions to the extent necessary to keep the easements clear. The owner/developer of this subdivision/lot shall provide such providers with any easement and or access required, in addition to those indicated, for the installation and ongoing maintenance of public utilities.	X	X	X	X	X

b) Standard Plat Notes	AP	MP	RP	PP	FP
33 The owner shall be responsible for installation of temporary erosion control, re-vegetation, and tree protection for electric utility work required to provide electric service to this project.		X		X	X
34 All fees must be paid before materials are ordered or construction of electric facilities will be scheduled.		X		X	X
35 Line extension fees are required to be assessed at the time of platting. Provide electric load calculations, number of services, or plans for review.		X	X	X	X
STANDARD PLAT NOTES, WHEN APPLICABLE:					
36 Variance from INSERT CODE AND VARIANCE DESCRIPTION was approved by the City of Bastrop on INSERT DATE.	X	X	X	X	X
37 Residential corner lots on unequal class street shall only access the street with the lower classification. Access for INSERT LOT is prohibited to INSERT STREET NAME.	X	X	X		X
38 All restrictions and notes from the previous existing subdivision, INSERT SUBDIVISION NAME, recorded in INSERT RECORDATION NUMBER, plat records, Bastrop County, Texas, shall apply to this plat.	X		X		X

c) Signature Block	AP	MP	RP	PP	FP
1 Planning & Zoning Commission Approval Format			X	X	X

Approved this INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D. by the Planning & Zoning Commission of the City of Bastrop, Texas.

Approved: **Attest:**

_____ _____

Planning & Zoning Commission Chair **City Secretary**

c) Signature Block	AP	MP	RP	PP	FP
2 Administrative Approval Format	**X**	**X**			

Administratively approved and accepted by the City of Bastrop this INSERT DAY day of INSERT MONTH, INSERT YEAR.

Approved: **Attest:**

_____ _____

City Manager **City Secretary**

_____

Director of Planning & Development

c) Signature Block	AP	MP	RP	PP	FP
3 Certificate of the Licensed Public Surveyor	X	X	X	X	X

The State of Texas§

County of Bastrop§

KNOW ALL MEN BY THESE PRESENTS

That I, INSERT NAME, do hereby certify that I prepared this plat from an actual and accurate on-the-ground survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Bastrop, Texas.

_____

Signature and Seal of Registered Public Surveyor Date

c) Signature Block	AP	MP	RP	PP	FP
4 Certificate of the Licensed Engineer	X	X	X	X	X

The State of Texas§

County of Bastrop§

KNOW ALL MEN BY THESE PRESENTS

That I, INSERT NAME, do hereby certify that the information contained on this plat complies with the subdivision regulations for the City of Bastrop, Texas and that the 100 year flood plain is as shown and will be contained within the drainage easement and or drainage right-of-way, as shown hereon.

_____

Signature and Seal of Registered Engineer **Date**

c) Signature Block	AP	MP	RP	PP	FP
5 Owner's Signature Block	X	X	X		X

The State of Texas§

County of Bastrop§

KNOW ALL MEN BY THESE PRESENTS

That we, INSERT NAME(S) OF OWNER(S), being the owners of INSERT NUMBER OF ACRES acres out of INSERT LEGAL DESCRIPTION, according to the map or plat recorded in Plat Cabinet INSERT NAME, Page INSERT NUMBER, plat records of Bastrop County, Texas and as conveyed to us by deeds recorded in Instrument Number INSERT NUMBER of the official public records of said county do hereby subdivide said land with the plat shown hereon, to be known asINSERT SUBDIVISION NAME subject to easements and restrictions heretofore granted and not released and do hereby dedicate any streets and/or easements shown hereon to the public.

Witness my hand this INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D.

_____

Property Owner Name

_____

Property Owner Address

c) Signature Block	AP	MP	RP	PP	FP
6 County Clerk Signature Block	X	X	X	X	X

The State of Texas§

County of Bastrop§

I, INSERT COUNTY CLERK'S NAME, County Clerk of Bastrop County, Texas, do hereby certify that the foregoing instrument of writing and its certificate of authentication was filed for record in my office on the INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D. at INSERT HOUR o'clock INSERT AM BEFORE NOON or PM AFTER NOON, in the plat records of Bastrop County, Texas in Plat Cabinet INSERT NAME, Page INSERT NUMBER.

Filed for record on the INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D.

_____

Deputy County Clerk, Bastrop County, Texas

ARTICLE 4.3 INCOMPLETE SUBMISSIONS

All plat submittals shall be reviewed for completeness and must be deemed administratively complete to be considered filed. All incomplete submissions will be returned to applicant on the date listed for completeness checks on the Plat Schedule of Uniform Submittal Dates adopted annually in September by City Council.

ARTICLE 4.4 AUTHORITY RESPONSIBLE FOR APPROVAL

The municipal authority responsible for approving plats is the City of Bastrop Planning & Zoning Commission unless authority is granted to the Director of Planning & Development for Administrative Plats.

ARTICLE 4.5 ACTION TAKEN BY PLANNING & ZONNG COMMISSION

(a) The Planning & Zoning Commission or Director of Planning & Development, as appropriate, shall approve, approve with conditions, or disapprove a plat within 30 days after the date the plat is filed on a Uniform Submittal Date in accordance with Chapter 212, Section 212.009. A plat is considered approved by the municipal authority unless it is approved with conditions or disapproved within that period.

(b) If the plat is disapproved, the Planning & Zoning Commission or Director of Planning & Development, as appropriate, shall provide a written statement to the Applicant listing the deficiencies that the plat has as related to specific City ordinances or state law.

(c) After disapproval, the Applicant may submit to the City a written response that remedies each reason for disapproval provided on a Uniform Submittal Date. If the Applicant responds to the written comments, the Planning & Zoning Commission or Director of Planning & Development, as appropriate, will approve or disapprove the plat within 15 days of resubmission. If disapproved, the Planning & Zoning Commission shall provide a written statement to the Applicant listing the deficiencies the plat has as related to specific this Code or state law.

ARTICLE 4.6 EXPIRATION OF PRELIMINARY PLAT APPROVAL

Approval of the Preliminary Plat does not constitute acceptance of the subdivision, but is authority to proceed with the preparation of the Final Plat. The approved Preliminary Plat shall expire 2 years from the date such plat was approved, if no progress has been made towards completion of the project pursuant to Texas Local Government Code Chapter 245, Issuance of Local Permits, Section 245.005 - Dormant Projects, and the Bastrop Code of Ordinances.

ARTICLE 4.7 RESPONSIBILITY

Notwithstanding the approval of any Final Plat by the Planning & Zoning Commission, the Applicant and the engineer that prepares and submits such plats shall be and remain responsible for the adequacy of the design and nothing in this chapter shall be deemed or construed to relieve or waive the responsibility of the Applicant's engineer with respect to any plat submitted.

ARTICLE 4.8 RECORDATION

After approval of the plat and only after the approval statement in the Plat Signature Blocks has been executed, the City shall file the original of the plat in the Bastrop County Clerk's office after all public improvements, if required, have received final acceptance in accordance with all City Ordinances and the B^3 Technical Manual or posted fiscal security under this Code. One copy of the plat shall be provided to the Director of Planning & Development for filing. The plat shall be submitted on a 24" x 36" mylar sheet(s) with all appropriate signatures provided on the City of Bastrop signature blocks. A current copy of a tax certificate showing all taxes have been paid will be required prior to the City filing the plat with the County.

ARTICLE 4.9 FEES

(a) Platting fees shall be paid at the time of the submittal in accordance with the Code of Ordinances, Appendix A - Fee Schedule.

(b) An application is not administratively complete until all applicable fees have been submitted.

APPENDIX A: DOCUMENTS TO REFERENCE

BASTROP BUILDING BLOCK (B^3) CODE

CITY OF BASTROP CONSTRUCTION STANDARDS MANUAL

CITY OF BASTROP DRAINAGE DESIGN MANUAL

CITY OF BASTROP CODE OF ORDINANCES APPENDIX A -FEE SCHEDULE

CITY OF BASTROP PATTERN BOOK

CITY OF BASTROP DEVELOPMENT MANUAL

BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

Building Bastrop Policy Statement:

A Purpose Statement and Explanation for all development related code revisions and rulemaking procedures to ensure clarity and consistency.

What is Building Bastrop?

The City of Bastrop launched **Building Bastrop** on August 15, 2018 to create a new set of tools that will support the community in a responsible manner for generations to come. It is all about connecting people to policy. It is about humanizing an otherwise complicated and mundane process of rewriting the City's land-use regulations. It is about the journey that the City of Bastrop has taken to get to this point, weaving together its history and the philosophies that define authentic Bastrop. It is about love, community pride, and defining the City's way of life. It's about Building Bastrop together. Honoring our authentic past. Planning for our sustainable future.

Why is Building Bastrop Important?

Planning for the Next 100 Years: Bastrop, Texas, established on June 8, 1832 making it one of the oldest towns in Texas, will celebrate its 187th birthday in 2019. Bastrop will celebrate 200 years as a city in 2032, just 13 years in the future. The original settlers of Bastrop discovered a lush landscape where several geographies of Texas collide along the banks of the Colorado River. They set out to build a unique and lovely place for the future. Using the tools they had at the time to plan a logical path for growth going forward, they laid the foundation for a resilient community. The geography of the area, the development pattern of the land, and the organization of the buildings established a pure and authentic Texas town. How the City uses the information, gifted from the founders, to guide Bastrop's future is the journey the City must afford itself to take, today, especially since existing codes and regulations would prevent such development from occurring today.

Comprehensive Plan Goals: The City updated its Comprehensive Plan in 2016 with significant participation from the community. Known as Comprehensive Plan 2036, it provides an innovative vision for all aspects of the community including transportation and land-use. This plan also recognized the detrimental effects of sprawl development. The Comprehensive Plan 2036 defines sprawl on Page 2-7 as "a spatial development pattern or condition that occurs when large tracts of land are devoted to a single use (single-use zoning); where individual buildings take up increasingly large portions of land (low-density development); and the only way to navigate from one area to another is by automobile (auto-dependency)."

Aging Infrastructure: Bastrop's infrastructure is aging, drainage and land-use regulations are outdated, and flooding is frequent and damaging. Traffic is increasing, and development, while following current regulations, is not indicative of a fiscally responsible, resilient city. Bastrop's position is not unique; many vulnerable cities throughout Texas and the U.S. are confronting similar issues resulting from decades-old policies and land use regulations.

Significant Growth: Year after year, Central Texas continues to top the charts as one of the fastest growing regions in the nation. The ever-growing industries and influx of people moving to the area create substantial opportunities and challenges for the cities in the metro area. Austin's high housing costs, unresolvable traffic congestion, and limited room for growth, created a shortage of attainable housing in Austin proper. Furthermore, its complicated and outdated development code and process further exacerbate the problems. The development patterns in these cities are on a scale, which is out of compliance with the way cities were historically built. There are many serious challenges associated with the pattern of development, referred to as sprawl. They range from the scale, speed, and cost of the streets to the separation of land uses, housing types, and isolation of schools, businesses and civic facilities. Terms often associated with suburban sprawl are placeless places, generic neighborhoods, or anywhere America.

The Need to Get Development Right: Bastrop is facing significant growth, and like most communities, has one shot to get it right! Bastrop currently lies just east of the rapid sprawling growth. It may not be long before the massive growth pressures arrive. As the growth heads eastward, it is imperative Bastrop understand its options and defines the path for its future or it too, could be a place run over with placeless characteristics. As the City of Bastrop prepares to take an eye-opening journey of planning a resilient City for the generation of today, and ones of the future, a connection must be made to understand and respect the history that shaped its past, while planning for a sustainable future.

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Building Bastrop Purpose Statement Adopted by Bastrop City Council:

Create a fiscally sustainable community through land-use regulations that are locally made (Authentic Bastrop) and geographically sensitive.

What does this Purpose Statement Really Mean?

Fiscally sustainable is the ability of a government to sustain its current spending, tax, and other policies in the long-run without threatening government solvency or defaulting on some of its liabilities or promised expenditures. In recent years, local governments have come to understand that suburban sprawl will never lead to fiscal sustainability.

All infrastructure is built as a part of a new development and typically paid for by the developer. The developer pays for the installation one time. The City pays to maintain and/or replace the infrastructure in perpetuity. Yet, the revenue generated from "sprawl" development does not cover the cost of the maintenance and/or replacement of its infrastructure leaving a deficit for the community to have to cover through other sources of revenue or risk letting their infrastructure decline to the point of catastrophic failure.

The City of Bastrop cannot fix the aging infrastructure it has, much less take on any additional infrastructure. Rather than play the "blame game," City Council is playing the "responsibility game." Recognizing that you cannot solve a problem with the same level of thinking that creating it, the City Council is changing the way the City addresses development through the creation and adoption of fiscally sustainable development standards, as noted in the Comprehensive Plan 2036.

Goal 2.1.1.2 of the Comprehensive Plan states "Prepare and utilize a fiscal impact analysis tool when determining the value of annexing property, or when reviewing proposed planned developments or other development proposals". The City of Bastrop hired Verdunity, Inc. to develop a fiscal sustainability model, which will do two (2) things. First, determine how unsustainable existing development is in Bastrop. Second, provide a mechanism to ensure all development built in the future IS fiscally sustainable.

Long term, fiscally sustainable development has to be a win-win for both the City of Bastrop and the development community. The development standards must be economically viable for the developer to build, while generating sufficient revenue for the City of Bastrop to maintain and replace the required infrastructure in perpetuity.

Locally made is another way of saying **Authentic Bastrop**. Authentic means being so in fact, genuine, not fraudulent or counterfeit. In order to be authentic, every development principle, philosophy, etc. that is included in any development related code revision or rulemaking procedure must meet the Building Bastrop Purpose Statement. There cannot be a "cut, copy, and paste" mindset using another city as a model when writing regulations. Every principle, philosophy, etc. included must have a proven history of meeting the elements required in the Purpose Statement, specifically tailored to fit Bastrop.

Geographically sensitive recognizes the differences in geography that exist in Bastrop, which can affect development. For example, part of Bastrop is located on a bluff. Part of Bastrop is flat. Part of Bastrop has clay soil. Part of Bastrop has various sandy soils. There is significant floodplain in Bastrop created from the Colorado River, Gils Branch, and Piney Creek. State Highway 71, a four-lane highway running east/west through Bastrop, creates a physical barrier challenging non-automobile related transportation. Union Pacific Railroad runs through the middle of the community with twelve (12) crossings. The Lost Pines Forest is a unique 13-mile belt of loblolly pines in the City of Bastrop, its extraterritorial jurisdiction (ETJ), and the County. A portion of Bastrop is included in the Lost Pines Conservation Area for the Houston Toad, an endangered species. Therefore, all codes must acknowledge the environment rather than taking a "one-size-fits-all" approach that can lead to the creation of detrimental development.

What are the Elements of Fiscally Sustainable?

In October 2018, SimpleCity Design presented a report on Bastrop DNA Analysis, an in-depth analysis of Downtown Bastrop's anatomy and how it functions as a complete neighborhood. The analysis serves a starting point to inform the conversation as the City plans for implementing new development standards mentioned within the Comprehensive Plan, not just Downtown, but city-wide. The DNA analysis quantified various elements of the original city fabric and captured the patterns of the built environment, which will inform the future of the City through integration into new locally made development standards.

The configuration of streets, buildings, and infrastructure have served Downtown Bastrop patrons, residents, and businesses for hundreds of years, and the value of the built environment continues to rise. The day the buildings were built Downtown was the lowest value they have ever had. The flexibility in design allows market trends to shift with little to no change to the built environment or street network.

Grid. Downtown Bastrop is laid out in an almost perfect series of small gridded blocks that are 330' X 330'. The gridded network of streets is a fundamental element, which creates the most effective and efficient structure for cities to be walkable, flexible, and timeless.

The grid creates flexible blocks. A block could be used as a farm lot, a series of small houses, main street buildings, or even a skyscraper, without reconfiguring the network of streets. The blocks provide a variety of density levels, lot sizes, and organization to fit what the market supports at that time in history.

Streets are sized appropriately to the scale of the buildings and lot makeup. Infrastructure is gridded and provides a series of intersections for redundancy. A natural hierarchy of streets are

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determined by building forms and land uses. Bike routes from existing infrastructure can be created based on the use and the design of existing streets. The navigable design makes it easy to move around on food, bike, skateboard or car with endless options for routes.

Diverse building types throughout Downtown Bastrop create fiscally viable options for small businesses and residents, with a variety of income levels. The integration of small buildings, located alongside larger buildings and small houses, located adjacent to larger homes, support a mix of options for people looking to move or open a business in Bastrop.

Walkable Place. Downtown Bastrop was built with clear and logical intentions, from the layout of the streets, the location along the waterfront, the orientation of the buildings, to the variety of building scales and types. The makeup of the original town functioned well for the population then and functions well for the population now. Downtown functions as a complete neighborhood, providing easy access to a wide range of services, housing types, office space, and parks and civic space with a comfortable walk, bike ride, or drive away. The arrangement of the small gridded network of streets further enhances the options provided to the people in Downtown.

It is important to note that Americans walk about a ¼ of a mile or a five (5) minute walk to services or places of interest. However, when the environment is comfortable, shaded and welcoming, they will walk about ½ of a mile. Bastrop's gridded tree-lined streets make it easy to access nature, services and restaurants all within a close proximity creating real opportunities for a walkable neighborhood.

Timeless place. The overall organization of the built environment Downtown Bastrop is timeless. It has already proven to withstand the test of time related to the introduction of cars, new market demands, new housing trends, how services are delivered, and how people choose to live in the modern world.

Key elements, which make Downtown Bastrop timeless and fiscally sustainable, include:

- the continuous rows of buildings and how they address the street;
- flexible space and building types to support a range of businesses and housing options;
- existing resources, infrastructure, and buildings are easily adaptable for modern trends;
- the blocks provide a variety of density levels, lot sizes, and organization to fit what is supported at that time in history;
- the shopfronts and ground floor characteristics at the street edge;
- upper story space to house offices, residents, or artists/creative spaces;
- awnings and street trees shading wide sidewalks;
- parks and civic spaces integrated into the built form of the City;
- human scale signs informing people what comes next;
- products spilling into the sidewalks from nearby storefronts;
- incremental development and lack of uniformity creates an inherit visual interest; and
- the people who live, work, and own shops and businesses Downtown.

Golden ratio, also known as Fibonacci sequence. Timeless, walkable places must be visually appealing, comfortable, and built to scale. The golden ratio, also known as divine proportion, appears in art, nature, and science including flower petals, pinecones, shells, trees, and storms. Utilizing the golden ratio into development standards provides a mathematical equation for creativity, when most architects and engineers of today's era have experience in "suburban sprawl" development techniques.

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STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM:** 9F

TITLE:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-54 of the City Council of the City of Bastrop, Texas adopting a development manual in compliance with Bastrop Building Block (B3) Code – enacting purpose, authority and jurisdiction, as attached in Exhibit A; establishing a repealing clause; providing severability; providing an effective date; and move to include on the November 12, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:
Matt Jones, Director of Planning & Development

BACKGROUND/HISTORY:
House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction.

POLICY EXPLANATION:
Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

In order to ensure compliance with Texas Local Government Code Chapters 211 and 212, City Council will annually adopt Schedule of Uniform Submittal Dates for Zoning Change & CUP applications, Public Improvement Plan applications, Plat applications, and Site Development Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and Planning & Zoning Commission meetings.

In order ensure compliance with the Bastrop Building Block Code (B^3) and the B^3 Technical Manual (B^3TM) - Purpose, Authority and Jurisdiction, which require a Development Manual, the City Council needs to adopt a Development Manual fulfilling both requirements.

FUNDING SOURCE: N/A

RECOMMENDATION:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-54 of the City Council of the City of Bastrop, Texas adopting a development manual in compliance with Bastrop Building Block (B3) Code – enacting purpose, authority and jurisdiction, as attached in

Exhibit A; establishing a repealing clause; providing severability; providing an effective date; and move to include on the November 12, 2019 agenda for a second reading.

ATTACHMENTS:

- Ordinance
- Development Manual
- Building Bastrop Policy Statement

ORDINANCE 2019-54

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ADOPTING A DEVELOPMENT MANUAL IN COMPLIANCE WITH BASTROP BUILDING BLOCK (B3) CODE – ENACTING PURPOSE, AUTHORITY AND JURISDICTION, AS SHOWN IN EXHIBIT A; ESTABLISHING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas ("City") is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Bastrop City Council ("City Council"), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations were not designed to address; and

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

WHEREAS, to ensure compliance with Texas Local Government Code Chapters 211 and 212, City Council will annually adopt Schedule of Uniform Submittal Dates for Zoning Changes, Public Improvement Plan applications, Plat applications, and Site Development Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and Planning & Zoning Commission meetings; and

WHEREAS, in compliance with the Bastrop Building Block (B3) Code and the B3 Technical Manual (B3TM) - Purpose, Authority and Jurisdiction, which require a Development Manual, City Council adopts a Development Manual dated August 27, 2019 in compliance with both requirements.

DRAFT

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ADOPTION AND AMENDMENT The City Council hereby adopts the Development Manual dated August 27, 2019, as attached in Exhibit A.

The Development Manual may be amended by the City Manager and the City Council shall be notified of any changes. The Development Manual may be amended at any time but shall be reviewed on an annual basis. Any proposed amendment that is in conflict with current Ordinance shall be presented to City Council for review.

SECTION 3. REPEALER In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 4. SEVERABILITY If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE This Ordinance shall take effect immediately upon passage and publication.

SECTION 7. OPEN MEETINGS It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

DRAFT

READ and APPROVED on First Reading on the 22nd day of October 2019.

READ and ADOPTED on Second Reading on the 12th day of November 2019.

APPROVED:

_____

Connie B. Schroeder, Mayor

ATTEST:

_____

Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____

Alan Bojorquez, City Attorney

DRAFT

City of Bastrop Development Manual



Adopted October 22, 2019

Planning & Development Department
1311 Chestnut Street
Bastrop, Texas 78602
(512) 332-8840

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Development Team

City of Bastrop, TX Development Process

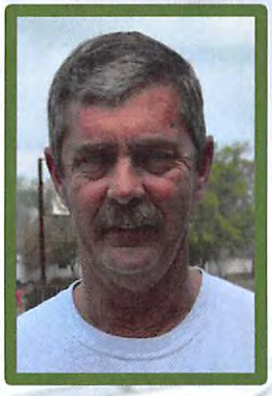
Development Team

Building Inspection



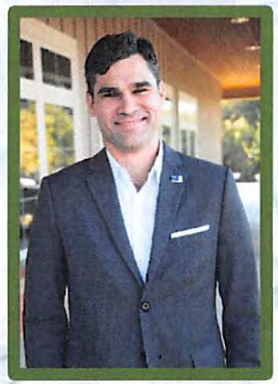
David Brasich
Building Official
dbrasich@cityofbastrop.org
512-332-8840

Electric



Curtis Ervin
Director of BP&L
cervin@cityofbastrop.org
512-332-8900

Engineering



Tony Buonodono
City Engineer
jbuonodono@cityofbastrop.org
512-332-8800

Fire



Chief Andres Rosales
Fire Chief
arosales@cityofbastrop.org
512-332-8800

Planning / Zoning

Vacant
Director of Planning
& Development
512-332-8840

Public Works



Trey Job
Assistant City Manager
– Development Services
tjob@cityofbastrop.org
512-332-8800



Chief James Altgelt
Assistant City Manager
– Public Safety &
Community Support
jaltgelt@cityofbastrop.org
512-332-8800



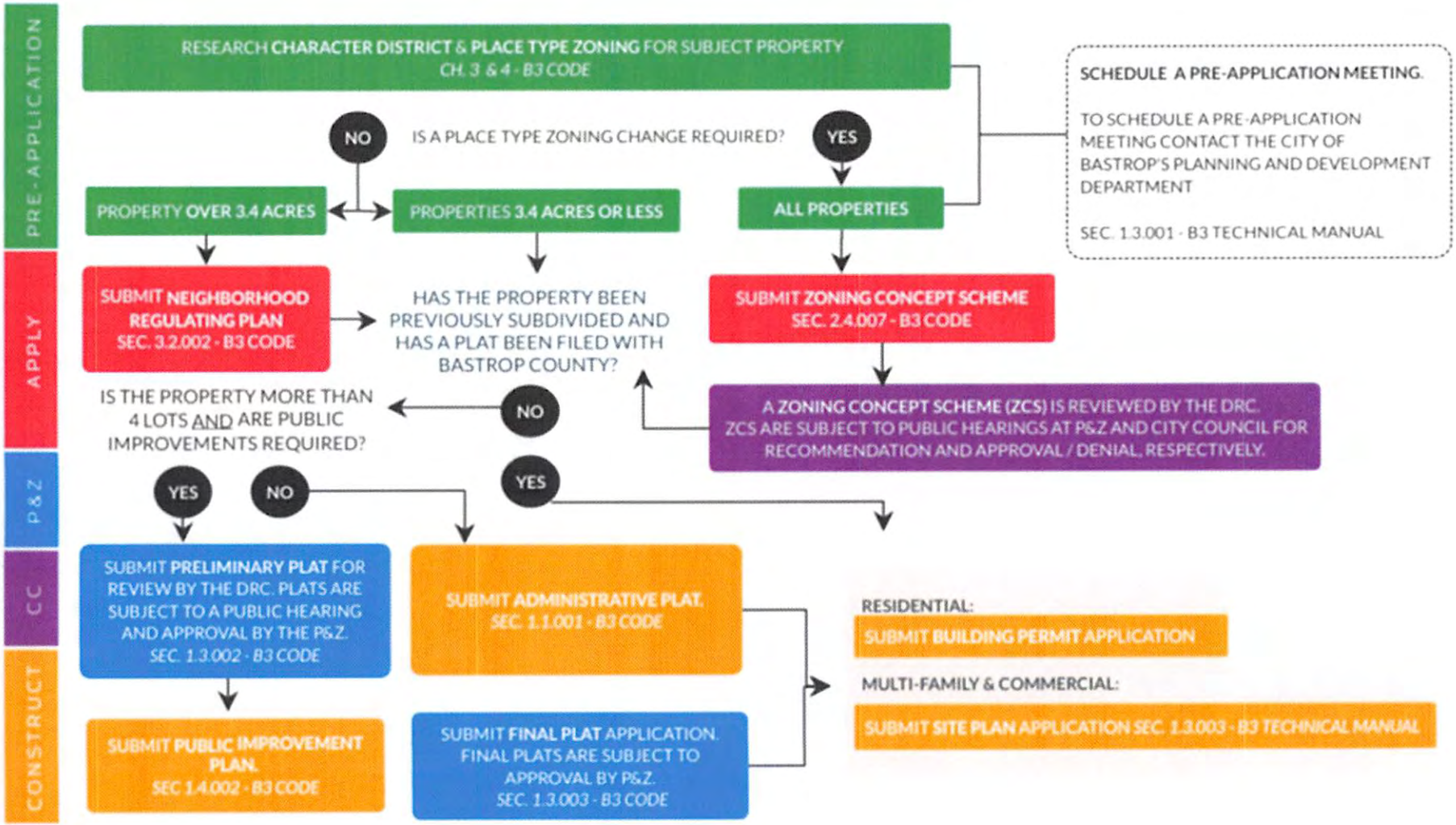
Vivianna Hamilton
Planning Technician
vhamilton@cityofbastrop.org
512-332-8840



Lynda Humble
City Manager
lhumble@cityofbastrop.org
512-332-8800

City of Bastrop, TX Development Process

Overview



City of Bastrop, TX Development Process

Planning Application

City of Bastrop, TX Development Process

Planning Application

Select Your Plan:					
	Subdivision		**Zoning & Development**		**Other**
	Minor Plat		**Planned Development**		**Abandonment – Easement**
	Amending Plat		**Site Development Plan**		**Abandonment – ROW**
	Replat		**Zoning Variance**		**License to Encroach – ROW**
	Preliminary Plat ☐ Yes ☐ No: TxDOT permits required (If yes, must attach to this application) ☐ Yes ☐ No: Temporary Construction Easements required (If yes, must attach to this application) ☐ Yes ☐ No: Lost Pines Conservation Permit required (If yes, must attach to this application)		**Conditional Use Permit**		**License to Encroach – Easement**
			Site Work (On-Site Infrastructure)		**Work in ROW**
			Infrastructure Plan		**Land Disturbance**
			Public Improvement Plan Agreement		**Administrative Appeal**
	Final Plat		**Conceptual Drainage Plan**		**Planning Appeal**
	Plat Vacation		**Preliminary Drainage Plan**		**Voluntary Annexation**
	Public Improvement Plans		**Final Drainage Plan**		**Certificate of Appropriateness**
	Subdivision Variance		**Regulating Plan**		

***See associated checklists to ensure a complete submittal.**

Project Information

Project Name (if any):_____

Project Address:_____ BCAD Property ID:_____

Legal Description: _____

Land Use Category (what is the property being used for now?):_____

Existing Zoning District:_____ Proposed Zoning District (If rezoning):_____

Name of Overarching Regulation (PD, MUD, DA, etc.):_____

Total Acreage:_____ Total Lots:_____

Acreage Not Designated as Lots:_____ Lots Subject to Parkland Fee:_____

Fiscal Impact Information

Price Points of Houses by Lot Size (i.e. Range of anticipated home purchase prices): _____

_____

Infrastructure Cost of Paving and Drainage:_____

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Heart of the Lost Pines / Est. 1832

Planning Application

Property Owner

Name/Entity/Trustee: _____

Address: _____

Phone Number: _____ E-mail Address _____

Applicant

Name: _____ Role (i.e. developer, agent, etc.): _____

Company Name: _____

Address: _____

Phone Number: _____ E-mail Address _____

Additional Contact (Optional)

Name: _____ Role (i.e. engineer, architect, etc.): _____

Company Name: _____

Address: _____

Phone Number: _____ E-mail Address _____

The applicant certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. **If this application is filed by anyone other than the property owner, an Agent Authorization form signed by all property owners must accompany this application.** Signature below also authorizes the City of Bastrop and its agents to visit and inspect the property for which this application is being submitted.

_____ _____

Signature and Title Date

Staff Use Only

Received by: _____ Date: _____ Fees Paid: $_____

Comments: _____

Administratively Complete Date: _____ Reviewed for Completeness by: _____

Date for Notice in Paper: _____ Date for Prop. Owner Notification: _____

Date of P&Z Commission Meeting: _____ Date of City Council Meeting: _____

Pre-Development Meeting

Pre-Development Meeting Request

INSTRUCTIONS: Please submit this completed form and required items electronically to Vivianna Hamilton, Planning Technician at vhamilton@cityofbastrop.org or provide one hard copy of all materials in-person at 1311 Chestnut Street, Bastrop, TX 78602. The meeting will be scheduled once ALL required items are provided.

Contact Information

Contact Name(s): _____

Owner's Name(s): _____

Project Name: _____

Project Address(s): _____

Owner's Email Address: _____

Owner's Phone Number: _____

Current Zoning (Place Type): _____

REQUIRED ITEMS FOR PRE-DEVELOPMENT MEETING	
	1. Completed Pre-Development Meeting Request Application
	2. Sketch Drawing of lots, blocks, and street layout.
	3. Concept Drainage Plan, as required by Section 2.B.3 of the Stormwater Drainage Design Manual.

I, the undersigned, request a pre-development meeting for the purpose of discussing a proposed project in general terms. I have proved the information requested in this form and understand that this meeting does not constitute City review for purposes of approval or permit issuance. A licensed professional engineer should be consulted independently by the applicant regarding potential drainage, utility, and floodplain impact issues prior to making any decisions regarding real estate or other business transactions.

Furthermore, I understand that this meeting is not a development permit application and does not constitute the first in a series of permits or projects, as defined by 245.001 et Seq. of the Texas Local Government Code, for this proposed project. Plans shall be prepared in accordance with the City of Bastrop Code of Ordinances, as well as any federal, state, or local codes incorporated or referenced therein.

_____ _____

Signature Date

_____

Print Name

Pre-Development Meeting Request

List of people who will attend the meeting and their responsibilities in the development:

_____

_____

_____

Please check any topics that you wish to discuss at the meeting: The following are general discussion topics. If you have specific questions, please provide more information in the box below:

	Planning - Zoning		Transportation		Building Code
	City Limits or ETJ		Master Thoroughfare Plan		Occupancy Class
	Current Place Type(s)		Driveway Locations		Exit Requirements
	Building Setbacks, Height, and Lot Size Requirements		Parking and Loading Design Requirements		Adopted Code Books
	Architectural Design Standards		Sidewalks		Signage
	Parking Requirements		Access Easements		Historical Preservation
	Bufferyard Requirements		Ingress & Egress		
	Screening Requirements		License to Encroach		**Iredell District Overlay**
	Application Process and Schedule		Street Design		Building Materials
	Other:		Other:		Certificate of Appropriateness
	Planning – Subdivision		**Engineering – Drainage & Utilities**		**Fire**
	Verify type of Plat required		Detention/Water Quality Requirements		Fire Access
	Preliminary Plats		Drainage Study Requirements		Lanes/Turning Radii
	Minor Plats/Replats		FEMA Flood Plain		Hydrants / Hose Lengths
	Easements		Water & Sewer Infrastructure		Sprinklers & Alarms
	Addressing / Street Signage		Verify Existing Lines and Size		
			Taps & Meters		
	Other:		Other:		Other:
	Electric – BP&L		**Parks & Recreation**		**Industrial Pre-Treatment**
	Power Needs in order to size transformers		Tree Preservation / Mitigation / Survey		Backflow Prevention Assemblies (BPAs)
	Underground Primary Electric Service		Landscaping Requirements		Pre-Treatment Requirements
	Underground Secondary Electric Service		Parkland Dedication / Fee-in-Lieu		
	Street Lighting		Public Realm		
	Other:		Other:		Other:

Additional Comments/Questions:

Conceptual Drainage Checklist

City of Bastrop, TX Development Process

City of Bastrop, Texas
Conceptual Drainage Plan Checklist

Planning Department • 1311 Chestnut Street • 512-332-8840

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	Bastrop Ordinance 2019-36 – Stormwater Drainage Design Manual – Appendix A requires:		Meets Standard	Does Not Meet Standard
	A.	**Conceptual Drainage Site Plan**		
		The conceptual drainage site plan shall be submitted at the time of Concept Plan submittal at the same scale as the Concept Plan, preferably one inch is equal to fifty feet (1"=50') and shall include:		
	1.	Project Description.		
	1a.	Address and legal description of site.		
	1b.	Vicinity map.		
	1c.	Land use.		
	2.	Existing Conditions.		
	2a.	Copy of applicable digital orthophotos showing the proposed boundaries.		
	2b.	A topographic map of existing site conditions (no greater than two-foot (2') contour interval with drainage basin boundaries indicated and project boundaries shown at the same scale as the Sketch Plat.		
	3.	Total area size of development in acres.		
	4.	Total impervious area as a percentage (%) of total area.		
	5.	Benchmarks used for site control.		
	6.	Perennial and intermittent streams.		
	7.	Map of predominant soils from USDA soil surveys.		
	8.	Boundaries of existing predominant vegetation.		
	9.	Location and boundaries of other natural feature protection and conservation areas, such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.		
	10.	Location of existing roads, buildings, parking areas and other impervious surfaces.		
	11.	Existing utilities (e.g., water, sewer, gas, electric) and easements.		
	12.	Location of existing drainage conveyance systems such as grass channels, swales, and storm drains.		
	13.	Flow paths.		
	14.	Location of floodplain/floodway limits and relationship of site to upstream and downstream properties and drainage systems.		
	15.	Location and dimensions of existing channels, bridges or culvert crossings.		
	B.	**Conceptual Site Layout**		
	1.	Hydrologic analysis to determine conceptual runoff rates, volumes, and velocities to support selection of stormwater controls.		
	2.	Conceptual site design identifying integrated site design practices used.		
	3.	Conceptual estimates of the three-storm design approach requirements (i.e. 2-year, 25-year and 100-year 24-hour storms)		
	4.	Conceptual selection, location and size of proposed structural stormwater controls.		
	5.	Conceptual limits of proposed grading and clearing.		
	6.	Total proposed impervious area, as a percentage of total area.		

Zoning Change Process

2019 – 2020 Place Type Zoning Change Schedule of Uniform Submittal Dates

Zoning Submission will only be accepted on these dates between 8:00 a.m. - 3:00 p.m.	All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.	Due Date for Public Notice Notification in the Bastrop Advertiser	Planning & Zoning Commission Meeting Date	City Council Meeting Date 1st Reading	City Council Meeting Date 2nd Reading
9/16/2019	9/17/2019	10/8/2019	10/31/2019	11/12/2019	11/26/2019
10/7/2019	10/8/2019	10/29/2019	11/21/2019	11/26/2019	12/10/2019
11/4/2019	11/5/2019	11/26/2019	12/19/2019	1/14/2020	1/28/2020
12/16/2019	12/17/2019	1/7/2020	1/30/2020	2/11/2020	2/25/2020
1/13/2020	1/14/2020	2/4/2020	2/27/2020	3/10/2020	3/24/2020
2/10/2020	2/11/2020	3/3/2020	3/26/2020	4/14/2020	4/28/2020
3/16/2020	3/17/2020	4/7/2020	4/30/2020	5/12/2020	5/26/2020
4/13/2020	4/14/2020	5/5/2020	5/28/2020	6/9/2020	6/23/2020
5/11/2020	5/12/2020	6/2/2020	6/25/2020	7/14/2020	7/21/2020
6/15/2020	6/16/2020	7/7/2020	7/30/2020	8/11/2020	8/25/2020
7/13/2020	7/14/2020	8/4/2020	8/27/2020	9/8/2020	9/22/2020
8/10/2020	8/11/2020	9/1/2020	9/24/2020	10/13/2020	10/27/2020
9/14/2020	9/15/2020	10/6/2020	10/29/2020	11/10/2020	11/24/2020
10/5/2020	10/6/2020	10/27/2020	11/19/2020	11/24/2020	12/8/2020
11/2/2020	11/3/2020	11/24/2020	12/17/2020	1/12/2021	1/26/2021

*Adopted by City Council on August 27, 2019 – Ordinance 2019-32

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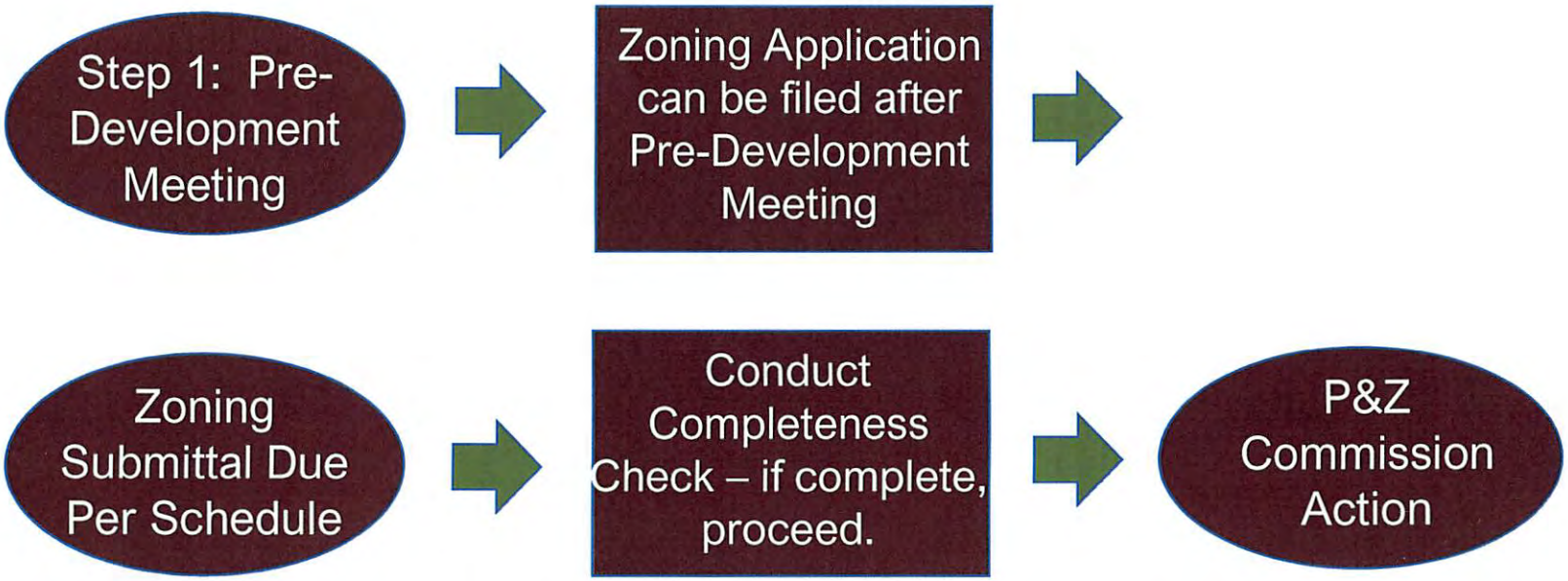
Process – Zoning

Pre-Development Meeting (Mandatory)
STEP 1

- Requires complete application and appointment
- Provide sketch drawing of lot, block and street layout
- Discuss land-uses/fiscal sustainability
- Feedback from Staff

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Heart of the Lost Pines / Est. 1832

Proposed Process Overview – Zoning Process



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Heart of the Lost Pines / Est. 1832

Process – Zoning

Zoning Submittal	Review for Completeness Check	Planning & Zoning Commission Consideration	City Council Consideration
• Once Pre-Development Mtg. occurs, a completed Zoning application can be submitted according to the Zoning Schedule Uniform Submittal Dates.	• Review for Administrative Compliance. • If complete, goes onto P&Z Commission agenda. • If incomplete, submittal is rejected.	• Conducts a Public Hearing. • Recommends approval or denial to City Council.	• Conducts a Public Hearing. • Approves or denies Zoning request.

Zoning Concept Scheme Checklist

City of Bastrop, Texas
Zoning Concept Scheme Checklist

Planning Department • 1311 Chestnut Street • 512-332-8840

BASTROPTX
Heart of the Lost Pines
Est. 1832

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, ZONING CONCEPT SCHEME REQUIREMENTS ARE AS FOLLOWS:		Meets Standard	Does Not Meet Standard
		Any application for zoning or for an amendment or change shall require a Zoning Concept Scheme – The concept scheme shall be submitted by the applicant at the time of the zoning request. The scheme shall show the applicant's intent for the use of the land within the proposed area in a graphic manner and as may be required, supported by written documentation of proposals and standards for development. The City may prepare application form(s) which further describe and explain the following requirements: 1. The Zoning Concept Scheme shall include:		
	a.	Boundary of the proposed area.		
	b.	A scaled drawing showing types and location of proposed uses.		
	c.	Thoroughfares and preliminary lot arrangements.		
	d.	A sketch drawing that shows the size, type and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and project scheduling.		
	e.	Physical features of the site including a scaled drawing showing major existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This shall include a delineation of any flood prone areas.		
	f.	Any existing thoroughfares and easements.		
	g.	Location of proposed public open spaces or civic spaces.		
	h.	The points of ingress and egress from existing and proposed streets.		
	i.	A landscape plan showing turf areas, screening walls, ornamental planting, wooded areas to be preserved, and trees to be planted. The landscape plan should provide types of plantings to be used and give a general landscape design scheme for the development.		
	j.	A conceptual infrastructure plan showing the location of any existing or proposed utilities needed to adequately serve the development.		
	k.	Architectural drawings (elevations, etc.) showing elevations and architectural style to be used throughout the development.		
	l.	A parks and trails plan showing any proposed parks, trails, hardscape, playscape, water feature or any other proposed improvements to any civic or open space		
	m.	A Conceptual Drainage Plan as required by Appendix A of the City of Bastrop Stormwater Drainage Design Manual.		

Neighborhood Regulating Plan Process

2019 – 2020 Regulating Plan Schedule of Uniform Submittal Dates

Regulating Plan Submission will only be accepted on these dates between 8:00 a.m. - 3:00 p.m.	All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.	Responses to Approval with Conditions will only be accepted on these dates between 8:00 a.m. – 3:00 p.m. for Director of Planning & Development Action calendared on same line*	DRC Review Approval with Conditions – Staff Recommendations to Approve /Disapprove	*Director of Planning & Development Action on Regulating Plans
11/11/2019	11/12/2019	11/22/2019	12/5/2019	12/5/2019
12/30/2019	12/31/2019	1/10/2020	1/16/2020	1/23/2020
1/13/2020	1/14/2020	1/24/2020	1/30/2020	2/6/2020
2/10/2020	2/11/2020	2/21/2020	2/27/2020	3/5/2020
3/9/2020	3/10/2020	3/20/2020	3/26/2020	4/2/2020
4/13/2020	4/14/2020	4/24/2020	4/30/2020	5/7/2020
5/11/2020	5/12/2020	5/22/2020	5/28/2020	6/4/2020
6/8/2020	6/9/2020	6/19/2020	6/25/2020	7/2/2020
7/13/2020	7/14/2020	7/24/2020	7/30/2020	8/6/2020
8/10/2020	8/11/2020	8/21/2020	8/27/2020	9/3/2020
9/21/2020	9/22/2020	10/2/2020	10/8/2020	10/15/2020
10/12/2020	10/13/2020	10/23/2020	10/29/2020	11/5/2020
11/9/2020	11/10/2020	11/20/2020	12/3/2020	12/3/2020

*Adopted by City Council on October 22, 2019 – Ordinance 2019-57

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Heart of the Lost Pines
Est. 1832

Neighborhood Regulating Plan Checklist

City of Bastrop, TX Development Process

City of Bastrop, Texas Neighborhood Regulating Plan Checklist

Planning Department • 1311 Chestnut Street • 512-332-8840

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, ZONING CONCEPT SCHEME REQUIREMENTS ARE AS FOLLOWS:		Meets Standard	Does Not Meet Standard
	a.	Submission includes:		
	1.	Legal description & geographic location map.		
	2.	Block and Place Type designation.		
	3.	Demonstrate the structure of the proposed neighborhood based on the standards associated with the property.		
	3A.	The proposed neighborhood must allocate a variety of Place Types on sites over 3.4 acres or per block of development, as defined in the B3 Code.		
	3B.	Each block may vary in design. Natural conditions, physical barriers, special site features or existing development shall be used to inform the patterns of the block. See the Pattern Book for alternative block configurations.		
	4.	Street Network		
	4A.	The street network plan must show existing streets and the transition Street Types into the proposed neighborhood.		
	4B.	A network of streets shall show streets to and through the development.		
	5.	Street Types		
	5A.	Each Street Type is scaled propositional to the associated Place Types and Building Types.		
	5B.	Blocks with Street Types with wider than 55.5 feet of right-of-way can chose to create smaller blocks or propose to adjust the grid to accommodate the selected street network of Street Types.		
	5C.	Blocks with Street Types wider than 55.5 feet of right-of-way must also demonstrate the fiscal sustainability of the requested Place Types and Street Types.		
	5D.	Blocks adjacent to undeveloped land, areas unsuitable for development, or pre-existing incomplete Blocks may be exempt from Block Face length and Block perimeter requirements by Warrant.		
	6.	Refer to the Transportation Masterplan and Thoroughfare Masterplan for street network requirements.		

Platting Process

2019 – 2020 Plat & Site Plan Schedule of Uniform Submittal Dates

Plat Submissions will only be accepted on these dates between 8:00 a.m. - 12:00 p.m.	All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.	Due Date for Public Notice Notification in the Bastrop Advertiser, if Public Hearing is Required.	Responses to Approval with Conditions will only be accepted on these dates between 8:00 a.m. – 3:00 p.m. for Inclusion on Planning & Zoning Commission Meeting Agenda or Administrative Review in the same month. (15 Day Review Requirement or Deemed Approved)	DRC Committee Review – Staff Recommendation to Approve, Approve with Conditions or Disapprove	Planning & Zoning Commission Packet Published	Planning & Zoning Commission Meeting Date / Administrative Decision for Amending Plats & Replats not requiring Public Hearing.
9/3/2019	9/3/2019	9/3/2019	9/13/2019	9/19/2019	9/20/2019	9/26/2019
10/7/2019	10/8/2019	10/8/2019	10/18/2019	10/24/2019	10/25/2019	10/31/2019
10/28/2019	10/29/2019	10/29/2019	11/08/2019	11/14/2019	11/15/2019	11/21/2019
11/25/2019	11/26/2019	11/26/2019	12/06/2019	12/12/2019	12/13/2019	12/19/2019
1/06/2020	1/7/2020	1/7/2020	1/17/2020	1/23/2020	1/24/2020	1/30/2020
2/3/2020	2/4/2020	2/4/2020	2/14/2020	2/20/2020	2/21/2020	2/27/2020
3/3/2020	3/3/2020	3/3/2020	3/13/2020	3/19/2020	3/20/2020	3/26/2020
4/6/2020	4/7/2020	4/7/2020	4/17/2020	4/23/2020	4/24/2020	4/30/2020
5/4/2020	5/5/2020	5/5/2020	5/15/2020	5/21/2020	5/22/2020	5/28/2020
6/1/2020	6/2/2020	6/2/2020	6/12/2020	6/18/2020	6/19/2020	6/25/2020
7/6/2020	7/7/2020	7/7/2020	7/17/2020	7/23/2020	7/24/2020	7/30/2020
8/3/2020	8/4/2020	8/4/2020	8/14/2020	8/20/2020	8/21/2020	8/27/2020
8/31/2020	9/1/2020	9/1/2020	9/11/2020	9/17/2020	9/18/2020	9/24/2020
10/5/2020	10/6/2020	10/6/2020	10/16/2020	10/22/2020	10/23/2020	10/29/2020
10/26/2020	10/27/2020	10/27/2020	11/6/2020	11/12/2020	11/13/2020	11/19/2020
11/23/2020	11/24/2020	11/24/2020	12/4/2020	12/10/2020	12/11/2020	12/17/2020

*Adopted by City Council on August 27, 2019 – Ordinance 2019-32

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Heart of the Lost Pines
Est. 1832

Plat & Site Plan Schedule of Uniform Submittal Dates – 2019/2020

City of Bastrop, Texas
Plat Checklist

Planning Department • 1311 Chestnut Street • 512-332-8840

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PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, PLAT CHECKLIST REQUIREMENTS ARE AS FOLLOWS:

The sub-divider shall submit a plat of the entire area being subdivided. Each Submittal Package shall contain the following documents in order to be deemed complete. If all items are not present, the submission will not be accepted. The submission will be considered a filed application on the next uniform submittal date after which the submission has been considered administratively complete.

A.	Completed and signed Planning Application.
B.	Agent Authorization Letter.
C.	Signed Project Description Letter explaining proposed project, including number of lots existing and proposed, and if those lots are residential or commercial. If submission is for Vacating Plat, the Project Description Letter must provide evidence that the current plat does not meet the proposed development, granting the vacation would not be detrimental to the public health, safety, or welfare or otherwise injurious to the other property in the area, does not substantially conflict with the Comprehensive Plan and the purposes of the Code, and would not generally apply to other properties in the area, and contain signatures of owners of all lots within the original subdivision, if not under common ownership.
D.	Bastrop Central Appraisal District Map highlighting the subject property.
E.	Copy of deed showing current ownership.
F.	Copy of current tax statement of account or tax receipt showing taxes have been paid.
G.	Plat prints, collated and folded: Eight (8) 24" X 36".
H.	Eight (8) prints of the approved Preliminary Drainage Study as required in Section 4.10.6, if submitting a preliminary plat. (Ordinance No. 2019-26)
I.	Eight (8) prints of the utility schematic/plan.
J.	Eight (8) copies of letter outlining Planned Development requirements and how those required are addressed on the plat, if zoning is derived from a Planned Development.
K.	Utility Easement Release approvals from all utility providers.
L.	Proof of ability to serve by each proposed utility or completed utility evaluation by the City if utility is provided by the City.
M.	Digital Submittal: Digital submittals shall be provided on a labeled CD/DVD or flash drive in the format specified below in addition to the hard copy submittal. Application will not be accepted if not in the specified format listed below. The CD/DVD or flash drive will not be returned to the applicant.
	1. PDF 1 – Main Application Materials shall be one document and include a title page called Application – (Specify Project Name), Completed Application, Agent Authorization Form, Waiver Letter, and Project Description Letter.
	2. PDF 2 – Plats & Utilities shall be one document and include a title page called Plat Details – (Specify Project Name), Plat(s), drainage study, and utility schematics.
	3. PDF 3 – Remaining Checklist Items shall be one document and include a title page called Checklist Items – (Specify Project Name), tax map, deed(s), tax certificate, and Planned Development Information (if applicable).
	4. GIS or AutoCAD Files – should include files that show new parcel layout and easements formatted in a GIS geodatabase file or shape file; AutoCAD dwg file spatially referenced using NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet. should be Parcels_ProjectName and Easements_ProjectName.

N.	Plat filing fee shall be paid at the time of the submission as set forth in City of Bastrop Code of Ordinances – Appendix A.
O.	Copy of original plat, if filing an amending plat or replat.
P.	Proof of approved variances, if any.
Q.	All other required submittals and approvals required by this chapter.
R.	For Final Plat, proof that all contractors have been paid.

	PLAT DETAIL	Amending	Minor	Replat	Preliminary Plat	Final Plat
1	The name of the subdivision, which shall not duplicate an existing or pending subdivision.	X	X	X	X	X
2	The total acreage and the proposed total number of lots and blocks within the subdivision and the total acreage of rights-of-way.	X	X	X	X	X
3	The name of the owner and address. If the owner is a partnership, corporation or other entity other than an individual, the name of the responsible individual such as president or vice-president must be given.	X	X	X	X	X
4	The name of the licensed public surveyor and licensed engineer, when required, responsible for preparing the plat.	X	X	X	X	X
5	Scale: 1" = 100'.	X	X	X	X	X
6	North arrow, north to be at top of sheet, if possible.	X	X	X	X	X
7	Legend, depicting all symbols, located beside the plat sketch.	X	X	X	X	X
8	Date, revision block, and each revision shall bear a new date.	X	X	X	X	X
9	Applicable Plat Notes as shown in Section 4.10.4	X	X	X	X	X
10	Ownership boundaries shall be drawn in very heavy lines and shall include overall dimension and bearings.	X	X	X	X	X
11	Adjacent boundary lines and adjacent right-of-way lines of the proposed subdivision drawn with dashed lines.	X	X	X	X	X
12	A tie to an original corner of the tract of land of which subdivision is a part.	X	X	X	X	X

	PLAT DETAIL	Amending	Minor	Replat	Preliminary Plat	Final Plat
13	Name and location of adjacent subdivision, streets, easements, pipelines, water courses, etc. and the property lines and name of all adjoining property owners.		X	X	X	X
14	Name and location of adjacent subdivisions, streets, and property lines.	X				
15	Existing and proposed topographic and planimetric features within the subdivision, including water courses and ravines, high banks, width of existing and proposed easements and any other physical features pertinent to the subdivision. Contour lines at two (2) foot intervals in terrain with a slope of two (2) percent or less and five (5) foot intervals in terrain with slope greater than two (2) percent.		X	X	X	X
16	Existing transportation features within the subdivision including the location and width of right-of-way, streets, alleys and easements.	X	X	X	X	X
17	Proposed features to be dedicated for public use including location, right-of-way, pavement width, surfacing, and name of streets; approximate width and depth of all lots; and location of building lines, alleys, parks, squares, public easements, sanitary facilities, utilities, and sanitary control easements.	X	X	X	X	X
18	Lot and block lines and numbers of all lots and blocks proposed to be created with complete dimensions for front, rear and side lot lines.	X	X	X	X	X
19	Floodway, 100-year flood plain and finish floor elevation.	X	X	X	X	X
20	Locations and size of dimensions of existing utilities, drainage facilities, streets, alleys, and easements.	X	X	X	X	X
21	Location of City limits line, the outer border of the City's extraterritorial jurisdiction and zoning district boundaries, if they traverse the subdivision, form part of the subdivision, or are contiguous to such boundary.	X	X	X	X	X
22	Key Map. A key map showing relation of subdivision to well-known streets in all directions to a distance of at least one (1) mile.	X	X	X	X	X
23	An accurate on-the-ground boundary survey of the property with bearing and distances and showing the lines of all adjacent land, streets, easements and alleys with their names and width. (Streets, alleys and lot lines in adjacent subdivisions shall be shown dashed). All necessary data to reproduce the plat on the ground must be shown on the plat.		X	X	X	X
24	A complete legal description by metes and bounds of the land being subdivided (field notes).		X	X	X	X
25	For streets to be dedicated: Complete curve data (delta, length of curve, radius, point of reverse curvature, point of tangency, chord length and bearing) shown on each side of the street; length and bearing of all tangents; dimensions from all angle points of curve to an adjacent side lot line shall be provided.			X		X

	PLAT DETAIL	Amending	Minor	Replat	Preliminary Plat	Final Plat
26	For water courses and easements to be dedicated: Distances to be provided along the side lot lines from the front lot line or the high bank of a stream. Travers line to be provided along the edge of all large water courses in a convenient location, preferably along a utility easement or drainage if paralleling the easement or stream. The 100-year flood plain easement shall be shown where applicable. A note shall be provided prohibiting construction within the 100-year flood plain except for public streets or roads or utilities.			X		X
27	A Certificate of ownership and dedication to the public of all streets, easements, alleys, parks, playgrounds, or other dedicated public uses, signed and acknowledged before a notary public by the owners and any holders of liens against the land.			X		X
28	A certificate of approval to be signed by the Planning & Zoning Chairman shall be placed on the face of the plat. See Section 4.10.7C1.			X		X
29	The certificate of the licensed public surveyor who surveyed, mapped and monumented the land shall be placed on the face of the plat.			X		X
30	Phasing Plan				X	
	STANDARD PLAT NOTES	Amending	Minor	Replat	Preliminary Plat	Final Plat
1	The Benchmarks used are: INSERT BENCHMARK DATA AND MONUMENT DATA.	X	X	X	X	X
2	Water service is provided by the INSERT NAME OF PROVIDER.			X	X	X
3	Wastewater service is provided by INSERT NAME OF PROVIDER.			X	X	X
4	Electric service is provided by INSERT NAME OF PROVIDER.			X	X	X
5	All easements of record as indicated on the most recent title run, dated INSERT DATE, conducted by INSERT NAME for this property are shown on this plat.	X	X	X	X	X
6	This Plat conforms to the Preliminary Plat approved by the Planning & Zoning Commission on INSERT APPROVAL DATE.					X
7	All subdivision permits shall conform to the City of Bastrop Code of Ordinances, public improvement standards, and generally accepted engineering practices per Section 5.10 of the Subdivision Ordinance.			X	X	X
8	Construction Plans and Specifications for all subdivision improvements shall be reviewed and accepted by the City of Bastrop prior to any construction within the subdivision.				X	X

	STANDARD PLAT NOTES	Amending	Minor	Replat	Preliminary Plat	Final Plat
9	The owner of this subdivision, and his or her successors and assigns, assumes sole responsibility for plans for construction of subdivision improvements which comply with applicable codes and requirements of the City of Bastrop. The owner understands and acknowledges that plat vacation or re-platting may be required, at the owner's sole expense, if plans to construct this subdivision do not comply with such codes and requirements.			X	X	X
10	By approving this plat, the City of Bastrop assumes no obligation to construct any infrastructure in connection with this subdivision. Any subdivision infrastructure required for the development of the lots in this subdivision is the sole responsibility of the developer and/or the owners of the lots. Failure to construct any required infrastructure to City standards may be just cause for the City to deny applications for certain development permits including building permits, site plan approvals and/or Certificate of Occupancy.				X	X
11	Fiscal surety for subdivision construction, in a form acceptable to the City of Bastrop, shall be provided prior to plat approval by the City.				X	X
12	No lot in this subdivision shall be occupied until connected to the approved water distribution and wastewater connection facilities.			X	X	X
13	Wastewater and Water systems shall conform to Texas Commission on Environmental Quality (TCEQ).			X	X	X
14	All utilities will be underground.	X	X	X	X	X
15	Impact fees shall be assessed in accordance with the ordinance effective at the time of platting.		X	X	X	X
16	Developer or property owner shall be solely responsible for all relocation and modifications to existing utilities.	X	X	X	X	X
17	A portion of this tract is within a flood hazard area as shown on the Flood Insurance Rate Map Panel # STATE NUMBER for Bastrop County, Effective INSERT DATE, INSERT COMMUNITY NUMBER Community Number, and is on Zone INSERT ZONE.	X	X	X	X	X
18	Temporary and permanent easements to be provided, as required at the City's sole discretion for off-site improvements.			X	X	X
19	As shown hereon, a ten (10) foot wide public utility easement (P.U.E.) is hereby dedicated adjacent to street Rights-of-Way on all lots. A five (5) foot wide P.U.E. is hereby dedicated along each street and rear lot line. (Change to 20 foot adjacent to ROW in BP&L service area.)	X	X	X	X	X
20	Property owner shall provide for access to all easements as may be necessary and shall not prohibit access by government authorities.	X	X	X	X	X
21	No building, fences, landscaping or other structures are permitted within drainage easements shown, except as approved by the City of Bastrop and/or Bastrop County.	X	X	X	X	X
22	All easements on private property shall be maintained by the property owner or his or her assignees.	X	X	X	X	X

	STANDARD PLAT NOTES	Amending	Minor	Replat	Preliminary Plat	Final Plat
23	No lot or structure shall be occupied prior to the Applicant submitting to the City of Bastrop documentation of subdivision/site registration with the Texas Department of Licensing and Regulations (TDLR) and provide documentation of review and compliance of the subdivision construction plans with Texas Architectural Barriers Act (TABA).					X
24	Erosion and sedimentation controls constructed in accordance with the Subdivision Ordinance of the City of Bastrop are required for all construction on each lot, including single family and duplex construction.		X	X	X	X
25	Public utility and drainage easements where shown and/or described hereon are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainage ways; including, but not limited to, sanitary sewers, force mains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines.		X	X	X	X
	STANDARD PLAT NOTES SPECIFIC TO CITY LIMITS:					
26	Sidewalks shall be constructed in accordance with the Subdivision Ordinance of the City of Bastrop.	X	X	X	X	X
27	Prior to construction of any improvements on lots in the subdivision, building permits will be obtained from the City of Bastrop.		X	X	X	X
28	Building setbacks shall be in accordance with City of Bastrop Subdivision Ordinance.	X	X	X	X	X
	STANDARD PLAT NOTES SPECIFIC TO EXTRATERRITORIAL JURISDICTION:					
29	A Bastrop County development permit is required prior to any site development.	X	X	X	X	X
	STANDARD PLAT NOTES SPECIFIC TO BASTROP POWER & LIGHT:					
30	Blanket Temporary Access and Construction Easement Document #INSERT NUMBER has been provided for construction access.		X	X	X	X
31	Upon completion of construction and installation of the Electric Facilities on the Property, the developer/owner shall have the Permanent Utility Easement (20 foot easement, to include a 10 foot buffer around all non-opening sides and a 20 foot buffer around opening sides of equipment) surveyed by metes and bounds, at its sole cost and expense, and a copy of that Permanent Easement survey provided to BP&L for the granting and recording of a Permanent Public Utility Easement. The Blanket Temporary Access and Construction Easement shall be vacated as such time BP&L accepts and records the Permanent Public Utility Easement.		X		X	X
32	Any public utility has the right to prune and/or remove trees, shrubbery vegetation and other obstructions to the extent necessary to keep the easements clear. The owner/developer of this subdivision/lot shall provide such providers with any easement and or access required, in addition to those indicated, for the installation and ongoing maintenance of public utilities.	X	X	X	X	X
33	The owner shall be responsible for installation of temporary erosion control, re-vegetation and tree protection for electric utility work required to provide electric service to this project.		X		X	X

	STANDARD PLAT NOTES	Amending	Minor	Replat	Preliminary Plat	Final Plat
34	All fees must be paid before materials are ordered or construction of electric facilities will be scheduled.		X		X	X
35	Line extension fees are required to be assessed at the time of platting. Provide electric load calculations, number of services, or plans for review.		X	X	X	X
	STANDARD PLAT NOTES, WHEN APPLICABLE:					
36	Variance from INSERT CODE AND VARIANCE DESCRIPTION was approved by the City of Bastrop on INSERT DATE.	X	X	X	X	X
37	Residential corner lots on unequal class street shall only access the street with the lower classification. Access for INSERT LOT is prohibited to INSERT STREET NAME.	X	X	X		X
38	All restrictions and notes from the previous existing subdivision, INSERT SUBDIVISION NAME, recorded in INSERT RECORDATION NUMBER, plat records, Bastrop County, Texas, shall apply to this plat.	X		X		X
	4.10.8.C - SIGNATURE BLOCK					
1	Planning & Zoning Commission Approval Format			X	X	X

Approved this INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D. by the Planning & Zoning Commission of the City of Bastrop, Texas.

Approved: Attest:

_____ _____

Planning & Zoning Commission Chairman City Secretary

	STANDARD PLAT NOTES	Amending	Minor	Replat	Preliminary Plat	Final Plat
2	Administrative Approval Format	X	X			

Administratively approved and accepted by the City of Bastrop this INSERT DAY day of INSERT MONTH, INSERT YEAR.

Approved: Attest:

_____ _____

City Manager City Secretary

_____

Director of Planning

3	Certificate of the Licensed Public Surveyor	X	X	X	X	X

The State of Texas§
County of Bastrop§

KNOW ALL MEN BY THESE PRESENTS

That I, INSERT NAME, do hereby certify that I prepared this plat from an actual and accurate on-the-ground survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Bastrop, Texas.

_____ _____

Signature and Seal of Registered Public Surveyor Date

4	Certificate of the Licensed Engineer	X	X	X	X	X

The State of Texas§
County of Bastrop§

KNOW ALL MEN BY THESE PRESENTS

That I, INSERT NAME, do hereby certify that the information contained on this plat complies with the subdivision regulations for the City of Bastrop, Texas and that the 100 year flood plain is as shown and will be contained within the drainage easement and or drainage right-of-way, as shown hereon.

_____ _____

Signature and Seal of Registered Engineer Date

	STANDARD PLAT NOTES	Amending	Minor	Replat	Preliminary Plat	Final Plat
5	Owner's Signature Block	X	X	X		X

The State of Texas§
County of Bastrop§

KNOW ALL MEN BY THESE PRESENTS

That we, INSERT NAME(S) OF OWNER(S), being the owners of INSERT NUMBER OF ACRES acres out of INSERT LEGAL DESCRIPTION, according to the map or plat recorded in Plat Cabinet INSERT NAME, Page INSERT NUMBER, plat records of Bastrop County, Texas and as conveyed to us by deeds recorded in Instrument Number INSERT NUMBER of the official public records of said county do hereby subdivide said land with the plat shown hereon, to be known as:

INSERT SUBDIVISION NAME

Subject to easements and restrictions heretofore granted and not released and do hereby dedicate any streets and/or easements shown hereon to the public.

Witness my hand this INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D.

_____
Property Owner Name
Property Owner Address

6	County Clerk Signature Block	X	X	X	X	X

The State of Texas§
County of Bastrop§

I, INSERT COUNTY CLERK'S NAME, County Clerk of Bastrop County, Texas, do hereby certify that the foregoing instrument of writing and its certificate of authentication was filed for record in my office on the INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D. at INSERT HOUR o'clock INSERT AM BEFORE NOON or PM AFTER NOON, in the plat records of Bastrop County, Texas in Plat Cabinet INSERT NAME, Page INSERT NUMBER.

Filed for record on the INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D.

_____ _____
Deputy County Clerk, Bastrop County, Texas

Preliminary Plat Process

Proposed Process Overview – Preliminary Plat Process

Step 1: Pre-Development Meeting → Step 2: Preliminary Drainage Plan – Admin. Approval → Step 3: Infrastructure Plan – Admin. Approval →

Steps 1 – 3 are SEQUENTIAL and MUST be completed before proceeding to next step.

Step 4: TxDOT Permitting → Step 5: Lost Pines Habitat Permit, if required → Step 6: Temporary Construction Easements

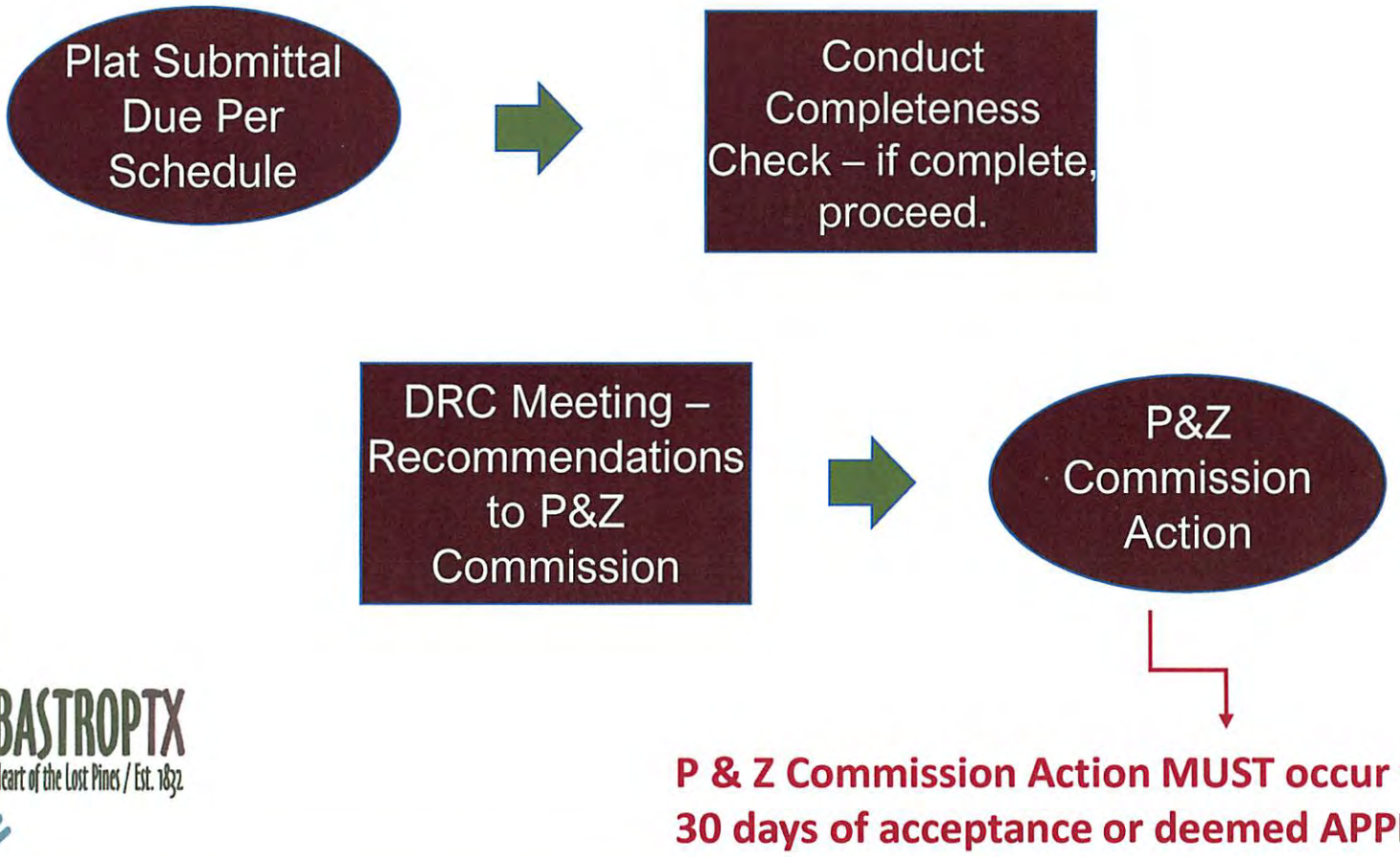
Steps 4 - 6 are CONCURRENT and MUST be completed before plat submittal.

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→ File Preliminary Plat Submittal

NOTE: At this point, ALL engineering elements have been removed from platting and approved. ALL permits that impact a plat have been acquired. The Plat should be "lines on a map."

Proposed Process Overview – Preliminary Plat Process



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P & Z Commission Action MUST occur within 30 days of acceptance or deemed APPROVED.

Platting Process – Preliminary Plat

Pre-Submittal Meeting for Subdivision (Optional)	Pre-Development Meeting (Mandatory) STEP 1
• Meet with Staff to discuss process, design standards, and drainage requirements.	• Requires complete application and appointment • Provide sketch drawing of lot, block and street layout • Provide concept drainage plan • Discuss land-uses/fiscal sustainability • Comments from Staff within five (5) days that provide a roadmap

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Platting Process – Preliminary Plat

(Sequential Process – Removes all Engineering Elements)

Preliminary Drainage Plan (Step 2)	Infrastructure Plan (Step 3)
• As required in Stormwater Drainage Manual – Checklist provided • Requires a Geotechnical Report • Shall be submitted and approved by City Engineer before going to Step 3.	• Provides a "bird's eye" view of proposed infrastructure improvements and how improvements will connect to existing infrastructure. • Reviewed by City Engineer, Public Works (Parks, Water, Wastewater), Fire, Electric. • Shall be submitted and approved by City Engineer before going to Step 4 – 6.

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Platting Process – Preliminary Plat

(Concurrent Process – External Processes Outside City Control)

TxDOT Permits (Step 4)	Lost Pines Habitat Conservation Permit (Step 5)	Temporary Construction Easements (Step 6)
• If a TxDOT permit is required (use of their ROW) for sidewalks, driveways, etc., a copy of the issued TxDOT permit is required with the Preliminary Plat application.	• If a Lost Pines Conservation Permit is required from County, a copy of this County issued permit is required with the Preliminary Plat application.	• All temporary construction easements for infrastructure must be acquired and submitted with the Preliminary Plat application.

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Platting Process – Preliminary Plat

(Submission Process – 30 Approval Process Required by HB 3167)

Preliminary Plat Submittal	Review for Completeness Check	Planning & Zoning Commission Consideration
• Once all of the required steps are met, a completed Preliminary Plat application can be submitted according to the Plat & Site Plan Schedule Uniform Submittal Dates.	• Review for Administrative Compliance. • If complete, goes onto P&Z Commission agenda. • If incomplete, submittal is rejected.	• Municipal authority for Plat approval. • If all standards are met, must approve within 30 days or deemed approved. • If disapprove, must give written reason.

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Preliminary Drainage Checklist

City of Bastrop, Texas
Preliminary Drainage Plan Checklist

Planning Department • 1311 Chestnut Street • 512-332-8840

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	Bastrop Ordinance 2019-36 – Stormwater Drainage Design Manual – Appendix B requires:		Meets Standard	Does Not Meet Standard
		For a standard plat, this sheet shall be submitted with the preliminary plat and shall be at the same scale as the preliminary plat. For a minor plat, this sheet shall be submitted with the final plat. The preliminary drainage site plan should consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The scale of supplementary plans, profiles and cross-sections shall be sufficient to clearly show details, if required to demonstrate the adequacy of existing or proposed facilities. The Preliminary Drainage Plan shall include the following sections:		
	1.	Existing Conditions Hydrologic Analysis. Provide an existing condition hydrologic analysis for stormwater runoff rates, volumes, and velocities which includes:		
	1a.	Existing conditions data developed in the conceptual drainage site plan;		
	1b.	All existing stormwater conveyances and structural control facilities;		
	1c.	Direction of flow and exits from the site;		
	1d.	Analysis of runoff provided by off-site areas upstream of the project site;		
	1e.	Methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology.		
	2.	Project Description and Design Considerations. Provide an updated description of the project and the considerations and factors affecting the design approach that have changed between the conceptual and preliminary plans, including:		
	2a.	A description of the overall project and the site plan showing facility locations, roadways, etc.;		
	2b.	A discussion of the applicable local criteria and how it will be integrated into the design of the project;		
	2c.	Evaluate the integrated and low impact design site design practices and their applicability to this site;		
	2d.	A discussion of any credits for integrated site design being requested;		
	2g.	Identify hotspot land uses, if applicable, and how runoff will be addressed.		
	3.	Post-Development Hydrologic Analysis. Provide a post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities, which includes:		
	3a.	A topographic map of developed site conditions (minimum one-foot (1') contour interval recommended) with post development basin boundaries indicated;		
	3b.	Total area of post development impervious surfaces and other land cover areas for each sub-basin affected by the project;		
	3c.	Runoff calculation for flood control and streambank protection for each sub-basin.		
	3d.	Location and boundaries of proposed natural feature protection and conservation areas;		
	3e.	Methodologies, assumptions, site parameters and supporting design calculations used in analyzing the post-development conditions site hydrology;		
	3f.	Supporting documentation that there is existing streambank protection/reinforcement or that the planned development will provide streambank protection downstream;		
	3g.	Supporting calculations for a downstream peak flow analysis to show safe passage of post-development design flows downstream. Document point downstream at which analysis ends, and how it was determined.		
	3h.	Where a lot is located adjacent to a major drainage course or overflow channel, such that a part of all of the lot lies within the regulatory 100-year flood boundary, the drainage plan shall show proposed building sites and elevations required to put finish floor a minimum of one foot (2') above the 100-year flood level of drainage course		

		or overflow channel as stipulated in the City of Bastrop's Flood Damage Prevention Regulations, as periodically amended.		
		In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. Depending on the site characteristics and given local design criteria, upstream lands may need to be modeled as "existing conditions" of "projected buildout/future condition" when sizing and designing on-site conveyances and stormwater controls.		
	4.	Stormwater Management System Design. Provide drawings and design calculations for the proposed stormwater management system, including:		
	4a.	A drawing or sketch of the stormwater management system including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls. This drawing should show design water surface elevations, storage volumes available from zero to maximum head, location of inlets and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes;		
	4b.	Narrative describing that appropriate and effective structural stormwater controls have been selected;		
	4c.	Cross-section and profile drawings and design details for each of the structural stormwater controls in the system. This should include supporting calculations to show that the facility is designed to the applicable design criteria;		
	4d.	Hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (should include stage-storage or outlet rating curves, and inflow and outflow hydrographs);		
	4e.	Drawings, design calculations and elevations for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow.		
	5.	Plans shall show storm (flood) water routing and all drainage structures with sizes of culverts, retarding and retaining structures, drainage easements with course and distance of centerline and boundaries, lot lines, street layout, proposed inlets, culverts, roadside swales, channel sections and slopes, bridges, channel improvements, levees, or berms, fills necessary to elevate land above flood levels, and remove same from the flood area.		
	6.	The limits of the 100-year frequency storm watershed area shall be shown for all water ways, including overflow of structures and related backwater effects. Storm water runoff resulting from a design storm of 100-year frequency shall be contained within the available right-of-way and/or drainage easement. All drainage facilities must be designed for a capacity to safely contain storm water from a design storm of 25-year frequency and sufficient right-of-way and drainage easements to accommodate the 100-year frequency.		
	7.	The drainage plan shall be prepared by a Licensed Professional Engineer of the State of Texas, whose seal and signature shall appear on the plan.		
	8.	Engineering drainage report to support all drainage designs shall be submitted to the City. Computations shall be complete and orderly and shall clearly state all assumptions and design basis.		
	9.	Profiles, cross-sections, or substantiating data may be required at the City's request as necessary to support flood levels and backwater analysis.		

Infrastructure Plan Checklist

City of Bastrop, TX Development Process

City of Bastrop, Texas
Infrastructure Plan Checklist

Planning Department • 1311 Chestnut Street • 512-332-8840

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, INFRASTRUCTURE PLAN REQUIREMENTS ARE AS FOLLOWS:		Meets Standard	Does Not Meet Standard
	1	**COVER SHEET**		
	1.1	Title of Project, Location, and Type of Plans		
	1.2	Sheet Index/Table of Contents		
	1.3	Vicinity Map of the Project including surrounding streets with a north arrow pointing in the correct direction		
	2	**NOTE SHEET(S)**		
	2.1	City of Bastrop general construction notes, water notes, wastewater notes, and erosion, sedimentation control and tree protection notes.		
	2.2	Project Specific Notes (Must not conflict with other required notes).		
	2.3	Street Summary Design Table with Pavement		
	3	**EROSION, SEDIMENTATION AND TREE PROTECTION SHEET**		
	3.1	Drainage flow arrows/patterns		
	3.2	Clearly marked limits of construction		
	3.3	Location of all known underground storage tanks		
	3.4	Location of all critical environmental features and their required setbacks		
	3.5	All areas of cut and fill > or = 4' clearly labeled		
	4	**DEMOLITION PLAN**		
	4.1	Show all structures being demolished		
	4.2	Will there be a need for infill, call-outs for infill material and positions?		
	5	**STREET PLAN AND PROFILE**		
	5.1	Street names, lot and block numbers		
	5.2	Benchmarks that are spotted in plain view, conveniently spaced (500'±), located outside construction limits, set on permanent structure		
	5.3	Match lines for continuations of streets on other streets		
	5.4	Clearly show the beginning and ending of project		
	5.5	All fill areas shaded/hatched on profile		
	5.6	Sidewalks and approved ADA ramps		
	5.7	Existing street slopes at tie-ins to existing		
	5.8	Verify sufficient clearance exists for driveways from inlet transitions, streetlights, fire hydrants, etc.		
	5.9	ADA ramp wings shown		
	5.10	Street end barricades shown		
	5.11	Intersecting and adjacent streets: type and width of private, walks, alleys		
	5.12	Mailbox locations		
	6	**OVERALL WASTEWATER LAYOUT**		
	6.1	Street names, lot names, and block letters		
	6.2	Lot dimensions		
	6.3	Surrounding subdivision names/property owners		
	6.4	Services applied to lateral to each lot		
	6.5	Street names, street/alley widths, fences, and right-of-way widths		
	6.6	Existing pavements (type) and existing/proposed easements (type and width)		
	6.7	Adjoining buildings and improvements		
	6.8	"Connect to" note to an existing wastewater main		
	6.9	Wastewater designation, size, and direction of flow		
	6.10	Manholes at all future stub outs		
	6.11	Easements for all offsite sewer lines		
	6.12	Centerline station every 300', deflection angles at points of intersection		
	6.13	Detail for water/wastewater crossing		

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, INFRASTRUCTURE PLAN REQUIREMENTS ARE AS FOLLOWS:		Meets Standard	Does Not Meet Standard
	6.14	Main lines between manholes must be straight, with no more than 300 feet between manholes		
		WASTEWATER PLAN AND PROFILE		
	7.1	All wastewater main overall plan		
	7.2	Vertical scale of 1" = 5'		
	7.3	Existing ground and proposed ground/subgrade/top of curb		
	7.4	Direction, length, size and type of pipe		
	7.5	Elevations of all crossing utilities in the wastewater overall plan		
	7.6	Size of manholes		
	7.7	Drop manholes identified		
	7.8	Existing/proposed manholes, pipes and sizes (parallel to mains)		
	7.9	Existing/proposed bridges, culverts and drainage channels		
	8	**OVERALL WATER PLAN**		
	8.1	Water service at each lot		
	8.2	Existing/proposed main lines		
	8.3	Street names, lot numbers, and block letters		
	8.4	Street/alley widths, rights-of-way, and lot dimensions		
	8.5	Valves provided on all legs of pipe intersections		
	8.6	All bends are 45 degrees or less		
	8.7	Automatic flush valves at all dead ends		
	8.8	Air release valves at all high points		
	8.9	Utility easements for all pipes off-site		
	8.10	Fittings, fire hydrants, manholes, services, and taps are shown		
	8.11	Utility crossing details		
	8.12	Main designation with stationing		
	8.13	Material call-out for water main(s)		
	8.14	All existing pavements (type), existing and proposed easements (type and width)		
	8.15	Show location and size of existing/proposed water meter(s)		
	8.16	All fire lines must be ductile iron , =>6"		
	9	**WATER PLAN AND PROFILE (ALL WATER LINES MUST BE PROFILED)**		
	9.1	Clearly labeled vertical scale of 1" = 5' (All plans must be drawn to scale)		
	9.2	Direction, linear foot, size, and material callout for all water mains		
	9.3	Existing underground utilities (parallel)		
	9.4	Existing and proposed storm sewer manhole, pipes, sizes (parallel to mains)		
	9.5	All existing and proposed utilities (including gas lines, buried or overhead power or telephone lines)		
	10	**SIGN, STRIPING, AND SLEEVE LAYOUT**		
	10.1	Stop bars at all stop sign locations		
	10.2	"No through truck" signs at all subdivision entrances		
	10.3	Note for all signs and striping to be installed per TX Manual on Uniform Traffic Control		
	10.4	Show all sleeves and conduit for dry utilities (i.e. gas, cable, phone)		
	11	**LIGHTING PLAN**		
	11.1	Street Light Locations with coverage areas		
	11.2	All utility lines must be installed underground.		
	12	**PHASING PLAN**		
	12.1	Provide Applicable Phasing Plan		
	13	**TRAFFIC CONTROL PLAN**		
	13.1	Provide applicable traffic control and detour details		
	14	**WASTEWATER DETAILS**		
	14.1	Current City of Bastrop detail (when inside Bastrop CCN)		
	14.2	Current Utility Provider detail (when outside Bastrop CCN)		
	15	**WATER DETAILS**		
	15.1	Current City of Bastrop detail (when inside Bastrop CCN)		
	15.2	Current Utility Provider detail (when outside Bastrop CCN)		

Public Improvement Plan Process

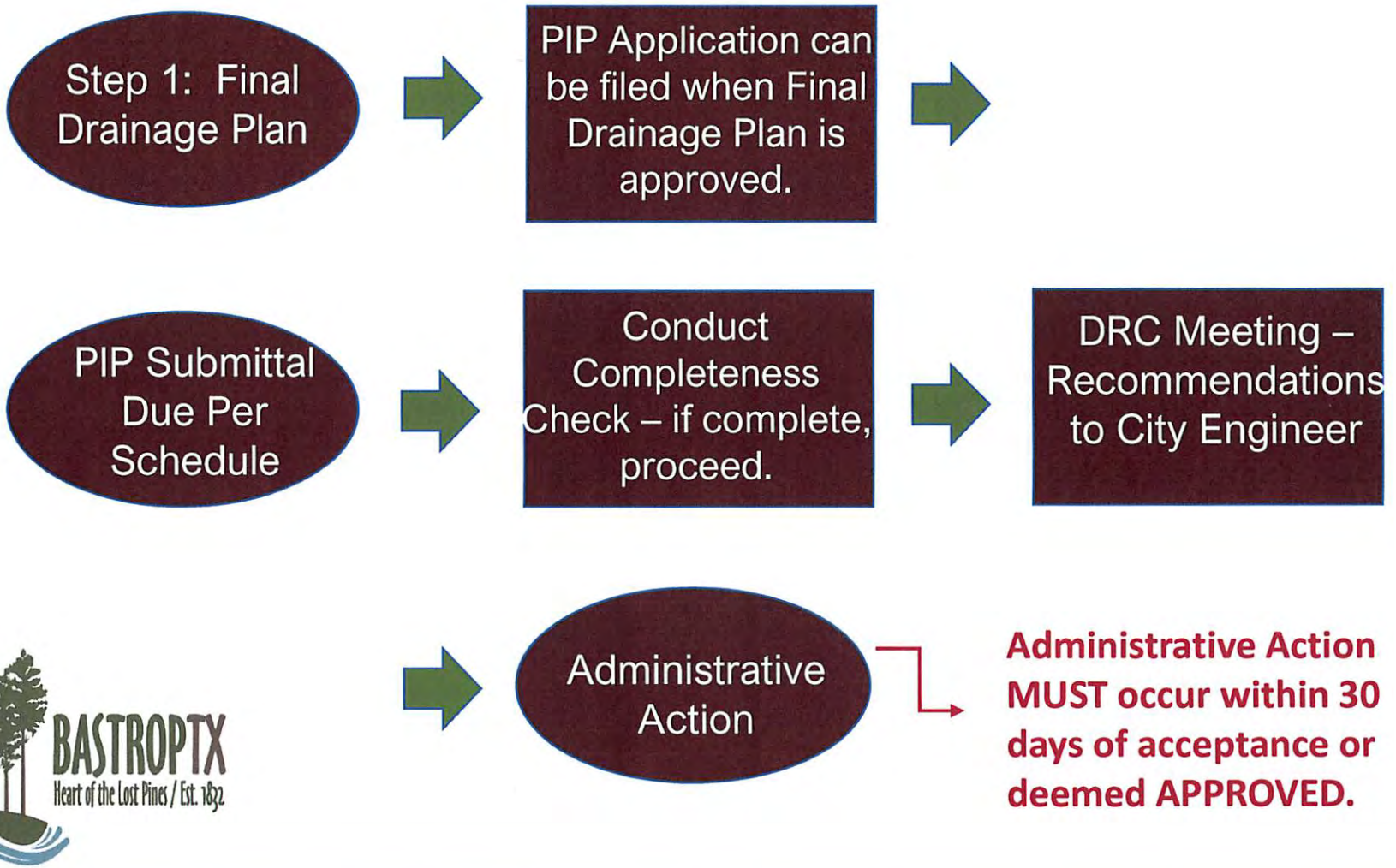
2019 – 2020 Public Improvement Plan Schedule of Uniform Submittal Dates

Public Improvement Plan Submission will only be accepted on these dates between 8:00 a.m. - 3:00 p.m.	All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.	Responses to Approval with Conditions will only be accepted on these dates between 8:00 a.m. – 3:00 p.m. for City Engineer Action calendared on same line*	DRC Review Approval with Conditions – Staff Recommendations to Approve /Disapprove	*City Engineer Action on Public Improvement Plans
9/16/2019	9/17/2019	9/27/2019	10/3/2019	10/10/2019
10/21/2019	10/22/2019	11/1/2019	11/7/2019	11/14/2019
11/18/2019	11/19/2019	12/2/2019	12/5/2019	12/12/2019
12/30/2019	12/31/2019	1/10/2020	1/16/2020	1/23/2020
1/20/2020	1/21/2020	1/31/2020	2/6/2020	2/13/2020
2/17/2020	2/18/2020	2/28/2020	3/5/2020	3/12/2020
3/16/2020	3/17/2020	3/27/2020	4/2/2020	4/9/2020
4/20/2020	4/21/2020	5/1/2020	5/7/2020	5/14/2020
5/18/2020	5/19/2020	5/29/2020	6/4/2020	6/11/2020
6/15/2020	6/16/2020	6/26/2020	7/2/2020	7/9/2020
7/20/2020	7/21/2020	7/31/2020	8/6/2020	8/13/2020
8/17/2020	8/18/2020	8/28/2020	9/3/2020	9/10/2020
9/14/2020	9/15/2020	9/25/2020	10/1/2020	10/8/2020
10/19/2020	10/20/2020	10/30/2020	11/5/2020	11/12/2020
11/16/2020	11/17/2020	11/30/2020	12/3/2020	12/10/2020

*Adopted by City Council on August 27, 2019 – Ordinance 2019-32

BASTROPTX
Heart of the Lost Pines
Est. 1832

Proposed Process Overview – Public Improvement Plan (PIP)



BASTROPTX
Heart of the Lost Pines / Est. 1832

Process - Public Improvement Plan

Final Drainage Plan – Step 1

- As required in Stormwater Drainage Manual – Checklist provided
- Requires a Geotechnical Report
- Shall be submitted and approved by City Engineer before filing Public Improvement Plan Application.

BASTROPTX
Heart of the Lost Pines / Est. 1832

Process – Public Improvement Plan (PIP)

(Submission Process – 30 Approval Process Required by HB 3167)

PIP Submittal	Review for Completeness Check	City Engineer – Administrative Review
• Once all of the required steps are met, a completed PIP application can be submitted according to the PIP Schedule Uniform Submittal Dates.	• Review for Administrative Compliance. • If complete, goes onto Development Review Committee agenda. • If incomplete, submittal is rejected.	• Technical details that must meet City Council approved standards. • Must take action within 30 days or deemed approved. • If disapprove, must give written reason.

BASTROPTX
Heart of the Lost Pines / Est. 1832

Final Drainage Checklist

City of Bastrop, Texas
Final Drainage Plan Checklist

Planning Department • 1311 Chestnut Street • 512-332-8840

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	Bastrop Ordinance 2019-36 – Stormwater Drainage Design Manual – Appendix C requires:		Meets Standard	Does Not Meet Standard
	1.	Final Drainage Plans. Upon approval of the preliminary drainage study, the developer shall submit detailed plans, specifications and cost projections prepared by a registered professional engineer registered in the State of Texas and experienced in municipal drainage work. Existing and proposed flow lines of all improvements shall be shown. Unless otherwise specified herein, drainage requirements shall be based on the City of Bastrop Stormwater Drainage Design Manual. The Hydraulic Manual prepared and compiled by the Texas Department of Transportation Bridge Division, with current revisions, may be used in cases not covered by the City of Bastrop Stormwater Drainage Design Manual. The following shall be included in the Plans:		
	1.a.	Final drainage site plan, which includes all the revised elements included in the preliminary drainage site plan, plus a construction stormwater pollution prevention plan (SWPPP), a landscaping plan, stormwater maintenance plan, maintenance agreement (if needed), financial guarantee, stormwater permit application, evidence of acquisition of applicable federal and state permits, and any waiver requests		
	1.a.1.	Existing and proposed topographic information, with minimum two-foot contour intervals.		
	1.a.2.	Location map.		
	1.a.3.	Off-site and on-site drainage area maps.		
	1.a.4.	Centerline of watercourses.		
	1.a.5.	Regulatory flood elevations and boundaries of flood prone areas, including Floodways where designated.		
	1.a.6.	Drainage easements.		
	1.a.7.	All street widths and grades.		
	1.a.8.	Calculations showing the anticipated stormwater flow, including watershed area, runoff coefficient, and time of concentration. When a drainage structure or storm sewer is proposed, calculations shall be submitted showing basis for design.		
	1.a.9.	Storm sewer plans and profiles showing size, grade, and pipe or culvert material. Runoff, inlet, conduit hydraulic grade line calculations are required.		
	b.	Final grading and drainage construction plans, indicating two-foot contours. All street width and grades shall be indicated on the plan, and runoff figures shall be indicated on the outlet and inlet side of all drainage ditches and storm sewers, and at all points in the street at changes of grade or where the water enters another street or storm sewer or drainage ditch. Drainage easements shall be indicated. A grading plan shall be prepared for each subdivision and show in sufficient detail grading of all roads, streets, drainage structures, channels, swales, or other drainage related features and provide minimum finished floor elevations, based on an acceptable elevation datum, for proposed structures to assure a minimum of two feet (2') of freeboard to computed flood elevations for the rainfall runoff events for a one hundred (100) year frequency storm.		
	c.	The location and dimensions of proposed storm drainage easements. The limits of the one hundred-year floodplain shall be shown and encompassed in a dedicated easement (see paragraph gg below). Minimum finished floor elevations at least two feet (2') above the one hundred-year (100-year) water surface elevations shall be shown for any lot within the 100-year and five-hundred-year floodplain, or adjacent to any channel, sump inlets or drainage facilities. For water courses and easement: Distances to be provided along the side lot lines from the front lot line or the high bank of a stream. Traverse line to be provided along the edge of all large water courses in a convenient location, preferably along a utility		

		easement or drainage if paralleling the easement or stream. The 100-year flood plain easement shall be shown where applicable. A note shall be provided prohibiting construction within the 100-year flood plain except for public streets or roads and utilities.		
	d.	When a drainage channel or storm sewer is proposed, complete plans, profiles and specifications shall be submitted showing complete construction details. Scales shall be no greater than one inch equals to forty or fifty feet (1" = 40' or 50') horizontally and one inch equal four or five feet (1" = 4' or 5') vertically.		
	e.	Two (2) copies of detailed cost estimates.		
	f.	A plan of the development shall be submitted depicting the final grading contours and elevations, earthwork, slopes, retaining walls, minimum finished floor elevations of all affected structures, and any other information considered necessary by the City Engineer at a scale of one inch is equal to one hundred feet (1" = 100') minimum.		
	g.	Complete detention pond plans and calculations.		
	h.	All drainage calculations are required to be present on the plans or in an engineering report signed and sealed by an engineer licensed in the State of Texas. Computations shall be complete and orderly and shall clearly state all assumptions and design basis.		
	i.	The following full statement of restrictions shall be placed in the dedication instrument of any subdivision plat that contains land designated as part of a one hundred-year (100 year) floodplain by FEMA: "Floodplain Restriction No construction shall be allowed within a floodplain easement unless specifically approved by the City of Bastrop. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) foot above the base flood elevation (100-year flood or one percent probability flood elevation.) Any existing creeks, lakes, reservoirs, or drainage channels traversing along or across portions of this addition, will remain as an open channel at all times and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots. The City of Bastrop will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion. Each property owner shall keep the natural drainage channels traversing adjacent to their property clean and free of debris, silt, or any substance which would result in unsanitary conditions and the City shall have the right of ingress and egress for inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage channel, as in the case of all-natural drainage channels, is subject to storm water overflow and natural bank erosion to an extent that cannot be defined definitively. The City of Bastrop shall not be liable for damages of any nature resulting from the occurrence of these natural phenomena, nor resulting from a failure of any structures within the natural drainage channels. The natural drainage channel crossing each lot is shown by the floodplain easement line as shown on the plat."		

Public Improvement Plan Checklist

City of Bastrop, TX Development Process

City of Bastrop, Texas
Public Improvement Plan Checklist

Planning Department • 1311 Chestnut Street • 512-332-8840

BASTROPTX
Heart of the Lost Pines
Est. 1832

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, PUBLIC IMPROVEMENT PLAN REQUIREMENTS ARE AS FOLLOWS:		Meets Standard	Does Not Meet Standard
	1	**COVER SHEET**		
	1.1	Title of Project, Location, and Type of Plans		
	1.2	City Approval Signature Block		
	1.3	City Approval Signature Notes		
	1.4	Sheet Index/Table of Contents		
	1.5	Vicinity Map of the Project including surrounding streets with a north arrow pointing in the correct direction		
	2	**PRELIMINARY PLAT SHEET**		
	2.1	Legible Copy of Planning & Zoning Commission Approved, Preliminary Plat		
	3	**NOTE SHEET(S)**		
	3.1	City of Bastrop general construction notes, water notes, wastewater notes, and erosion, sedimentation control and tree protection notes.		
	3.2	Current TCEQ Notes.		
	3.3	Project Specific Notes (Must not conflict with other required notes).		
	3.4	Temporary survey monuments		
	3.5	Permanent survey monuments		
	3.6	Street Summary Design Table with Pavement		
	3.7	Description of proposed brass benchmark(s) locations		
	4	**EROSION, SEDIMENTATION AND TREE PROTECTION SHEET**		
	4.1	Drainage flow arrows/patterns		
	4.2	Stabilized construction entrance		
	4.3	Existing and proposed grade(s)		
	4.4	Clearly marked limits of construction		
	4.5	Contractor staging area(s) with silt fence on downstream side		
	4.6	Location and type of all proposed temporary and permanent erosion controls		
	4.7	Location of all known underground storage tanks		
	4.8	Location of all critical environmental features and their required setbacks		
	4.9	Location of all tree protection measures		
	4.10	Survey of all trees six (6) inches in diameter or larger		
	4.10a	Indicate trees by circles with radius of 1' per inch of trunk diameter		
	4.10b	Dashed/broken circles for trees to be removed		
	4.10c	Solid/unbroken circles for trees to remain		
	4.11	All areas of cut and fill > or = 4' clearly labeled		
	4.12	Limits and type of slope stabilization		
	5	**DEMOLITION PLAN**		
	5.1	Show all structures being demolished		
	5.2	Are there any hazardous materials or designated substances in or below structure being demolished?		
	5.3	Will there be a need for infill, call-outs for infill material and positions?		
	6	**OVERALL DRAINAGE**		
	6.1	Submit Approved & Signed Copy of Final Drainage Plan by City Engineer		
	7	**STREET PLAN AND PROFILE (Construction Standards Manual)**		
	7.1	Clearly labeled horizontal scale of 1" – 50' and vertical scale of 1" – 5' (All plans MUST be drawn to scale)		
	7.2	Street names, lot and block numbers		
	7.3	Benchmarks that are spotted in plain view, conveniently spaced (500'±), located outside construction limits, set on permanent structure		

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, PUBLIC IMPROVEMENT PLAN REQUIREMENTS ARE AS FOLLOWS:		Meets Standard	Does Not Meet Standard
	7.4	Drainage facilities within or intersecting right-of-way and indicate stationing (show inlet type)		
	7.5	Drainage flow arrows		
	7.6	Grade breaks (high and low points)		
	7.7	Match lines for continuations of streets on other streets		
	7.8	Labeled concrete valley gutter at intersections where appropriate		
	7.9	Clearly show the beginning and ending of project		
	7.10	Limits of inlet transition		
	7.11	All point of curve, point of tangency, compound curvature, point of reverse curvature stations and vertical curve information		
	7.12	All fill areas shaded/hatched on profile		
	7.13	Sidewalks and approved ADA ramps		
	7.14	Existing street slopes at tie-ins to existing		
	7.15	Labeled set-backs, face-of-curb to face-of-curb width, and right-of-way width (all proposed right-of-way dedications)		
	7.16	Verify sufficient clearance exists for driveways from inlet transitions, streetlights, fire hydrants, etc.		
	7.17	Erosion matting on all slopes 3:1 or steeper		
	7.18	ADA ramp wings shown		
	7.19	Street end barricades shown		
	7.20	Buildings on developed property with addresses		
	7.21	Intersecting and adjacent streets: type and width of private, walks, alleys		
	7.22	Show spot elevation in ditches and gutters to clarify drainage and transitions		
	7.23	Existing concrete paving clearly shown according to standard symbols and accurately dimensioned. Curb and gutter dimension. Pavement thickness indicated.		
	7.24	Size and construction of fences		
	7.25	Signs; if commercial in right-of-way, state if electrical		
	7.26	Mailbox locations		
	8	**OVERALL WASTEWATER LAYOUT**		
	8.1	Street names, lot names, and block letters		
	8.2	Existing contours		
	8.3	Lot dimensions		
	8.4	Surrounding subdivision names/property owners		
	8.5	Services applied to lateral to each lot		
	8.6	Street names, street/alley widths, fences, and right-of-way widths		
	8.7	Existing pavements (type) and existing/proposed easements (type and width)		
	8.8	Adjoining buildings and improvements		
	8.9	Minimum finished floor elevation for each lot		
	8.10	"Connect to" note to an existing wastewater main		
	8.11	Wastewater designation, size, and direction of flow		
	8.12	"Construct" notes for sewer and sewer appurtenances		
	8.13	Manholes at all future stub outs		
	8.14	Easements for all offsite sewer lines		
	8.15	Centerline station every 300', deflection angles at points of intersection		
	8.16	Centerline station at points of curvature, points of tangency, and C.O.s		
	8.17	Centerline curve data		
	8.18	Note for all existing manholes modified by construction to be tested, repaired, and recoated		
	8.19	Detail for water/wastewater crossing		
	8.20	Main lines between manholes must be straight, with no more than 300 feet between manholes		
	8.21	Easements that need separate instruments		
	8.22	Minimum finished floor elevation(s)		
	9	**WASTEWATER PLAN AND PROFILE**		
	9.1	All wastewater main profiled		
	9.2	Vertical scale of 1" = 5'		
	9.3	Existing ground and proposed ground/subgrade/top of curb		
	9.4	Special notes and references to appurtenance sheet numbers		
	9.5	Direction, grade, length, size and type of pipe		

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, PUBLIC IMPROVEMENT PLAN REQUIREMENTS ARE AS FOLLOWS:		Meets Standard	Does Not Meet Standard
	9.6	Embedment of pipe		
	9.7	Identify elevation of the invert, flow out, flow in, and rim		
	9.8	Minimum drop of 0.1' across manhole		
	9.9	Elevations of all crossing utilities in the wastewater profile		
	9.10	Size of manholes		
	9.11	Drop manholes identified		
	9.12	Stationing and manhole numbers		
	9.13	Existing/proposed manholes, pipes and sizes (parallel to mains)		
	9.14	Existing/proposed bridges, culverts and drainage channels		
	10	**OVERALL WATER PLAN**		
	10.1	Water service at each lot		
	10.2	Existing/proposed main lines		
	10.3	Street names, lot numbers, and block letters		
	10.4	Street/alley widths, rights-of-way, and lot dimensions		
	10.5	Valves provided on all legs of pipe intersections		
	10.6	All bends are 45 degrees or less		
	10.7	Thrust restraints on dead ends		
	10.8	Restraints on dead ends		
	10.9	Automatic flush valves at all dead ends		
	10.10	Air release valves at all high points		
	10.11	Utility easements for all pipes off-site		
	10.12	Fittings, fire hydrants, manholes, services, and taps are shown		
	10.13	Utility crossing details		
	10.14	Main designation with stationing		
	10.15	Material call-out for water main(s)		
	10.16	All existing pavements (type), existing and proposed easements (type and width)		
	10.17	Show location and size of existing/proposed water meter(s)		
	10.18	All fire lines must be ductile iron , =>6"		
	11	**WATER PLAN AND PROFILE (ALL WATER LINES MUST BE PROFILED)**		
	11.1	Clearly labeled vertical scale of 1" = 5' (All plans must be drawn to scale)		
	11.2	References to appurtenance sheet numbers		
	11.3	Show all mains		
	11.4	Existing and proposed ground at Water Main Centerline		
	11.5	Direction, linear foot, size, grade and material callout for all water mains		
	11.6	Embedment for water main		
	11.7	Wastewater/storm sewer crossing with stations and elevation		
	11.8	Existing underground utilities (parallel)		
	11.9	Existing and proposed storm sewer manhole, pipes, sizes (parallel to mains)		
	11.10	Existing and proposed bridges, culverts and drainage channels		
	11.11	Elevation of existing and proposed storm sewer pipes and drainage		
	11.12	All existing and proposed utilities (including gas lines, buried or overhead power or telephone lines)		
	12	**SIGN, STRIPING, AND SLEEVE LAYOUT**		
	12.1	Stop bars at all stop sign locations		
	12.2	Speed limit signs at all entrances (Maximum 30 mph)		
	12.3	"No through truck" signs at all subdivision entrances		
	12.4	Note for all signs and striping to be installed per TX Manual on Uniform Traffic Control		
	12.5	Show all sleeves and conduit for dry utilities (i.e. gas, cable, phone)		
	13	**LIGHTING PLAN**		
	13.1	Street Light Locations with coverage areas		
	13.2	All utility lines must be installed underground.		
	14	**PHASING PLAN (Ordinance)**		
	14.1	Provide Applicable Phasing Plan		
	15	**TRAFFIC CONTROL PLAN**		
	15.1	Provide applicable traffic control and detour details		
	16	**WASTEWATER DETAILS (Construction Standards)**		
	16.1	Current City of Bastrop detail (when inside Bastrop CCN)		

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, PUBLIC IMPROVEMENT PLAN REQUIREMENTS ARE AS FOLLOWS:		Meets Standard	Does Not Meet Standard
	16.2	Current Utility Provider detail (when outside Bastrop CCN)		
	17	**WATER DETAILS (Construction Standards)**		
	17.1	Current City of Bastrop detail (when inside Bastrop CCN)		
	17.2	Current Utility Provider detail (when outside Bastrop CCN)		
	18	**EROSION CONTROL AND TREE PROTECTION DETAILS (Construction Standards)**		
	18.1	All applicable details		
	19	**PUBLIC IMPROVEMENT PLAN NOTES**		
		GENERAL NOTES		
		1. All construction shall be in accordance with the City of Bastrop Construction Technical Manual.		
		2. Any existing utilities, pavement, curbs, sidewalks, structures, trees, etc., not planned for demolition that are damaged or removed shall be repaired or replaced at the Applicant's expense.		
		3. The Contractor shall verify all depths and locations of existing utilities prior to any construction. Any discrepancies with the construction plans found in the field shall be brought immediately to the attention of the Engineer who shall be responsible for revising the plans are appropriate.		
		4. Manhole frames, covers, valves, cleanouts, etc. shall be raised to finished grade after to final paving construction. A concrete square shall be poured around all appurtenances.		
		5. The Contractor shall give the City of Bastrop 48 hours notice before beginning each phase of construction. Notice shall be given to the Planning and Development Department: 512-332-8840.		
		6. All areas disturbed or exposed during construction shall follow the required best management practices. a) Each site shall provide an access drive and parking area of sufficient dimensions and design, surfaced with a material that will prevent erosion and minimize tracking or washing of soil onto public or private roadways. All non-paved access drives shall be designed so that stormwater runoff from adjacent areas does not flow down the drive surface. b) Any significant amount of runoff from upslope land area, rooftops, or other surfaces that drain across the proposed land disturbance shall be diverted around the disturbed area, if practical. Any diversion of upslope runoff shall be done in a manner that prevents erosion of the flow path and the outlet. c) Any cuts and fills shall be planned and constructed to minimize the length and steepness of slope and stabilized in accordance with the approved erosion control plan timelines and standards of this document. d) Open channels shall be stabilized as required to prevent erosion. e) Inlets to storm drains, culverts, and other stormwater conveyance systems shall be protected from siltation until final site stabilization. f) Water pumped from the site shall be treated by temporary sedimentation basins or other appropriate controls designed for the highest dewatering pumping rate. Water may not be discharged in a manner that causes erosion of the site or receiving channels.		

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		g) All waste and unused building materials shall be properly disposed of and not allowed to be carried by runoff into a receiving channel or storm sewer system. h) All off-site sediment deposits occurring as a result of a storm event shall be cleaned up by the end of the next workday. All other off-site sediment deposits occurring as a result of land-disturbing activities shall be cleaned up by the end of the workday. Flushing may not be used unless the sediment will be controlled by a filter fabric barrier, sediment trap, sediment basin, or equivalent. i) All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at one time. Existing vegetation shall be maintained as long as possible. j.) Soil stockpiles shall be located no closer than 25-feet from lakes, streams, wetlands, ditches, drainage ways, or roadway drainage systems. Stockpiles shall be stabilized by mulching, vegetative cover, tarps, or other means if remaining for 20 days or longer.		
		7. Prior to any construction, the Applicant's Engineer shall convene a preconstruction conference between himself, the City of Bastrop, the Contractor, utility companies, any affected parties and any other entity the City or the Engineer may require. Reference Development Packet for guidance on how to schedule a preconstruction conference.		
		8. The Contractor and the Engineer shall keep accurate records of all construction that deviates from the plans. The Engineer shall furnish the City of Bastrop accurate "As-Built" drawings following completion of all construction. These "As-Built" drawings shall meet with the satisfaction of the City Engineer prior to final acceptance.		
		9. The Bastrop City Council shall not be petitioned for acceptance until all necessary easement documents have been signed and recorded.		
		10. When construction is being carried out within easements, the Contractor shall confine his work to within the permanent and any temporary easements. Prior to final acceptance, the Contractor shall be responsible for removing all trash and debris within the permanent and temporary easements. Clean-up shall be to the satisfaction of the City Engineer.		
		11. Prior to any construction, the Contractor shall apply for and secure all proper permits from the appropriate authorities.		
		12. Available benchmarks that may be utilized for the construction of this project are described as follows: (INSERT HERE)		
		TRENCH SAFETY NOTES		
		1. In accordance with the Laws of the State of Texas and the U. S. Occupational Safety and Health Administration regulations, all trenches over 5 feet in depth in either hard and compact or soft and unstable soil shall be sloped, shored, sheeted, braced or otherwise supported. Furthermore, all trenches less than 5 feet in depth shall also be effectively protected when hazardous ground movement may be expected. Trench safety systems to be utilized for this project will be provided by the contractor to the City. Trench safety system plans are on sheet of the plan set.		

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Included in Submittal		**PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, PUBLIC IMPROVEMENT PLAN REQUIREMENTS ARE AS FOLLOWS:**	Meets Standard	Does Not Meet Standard
		2. In accordance with the U. S. Occupational Safety and Health Administration regulations, when persons are in trenches 4-feet deep or more, adequate means of exit, such as a ladder or steps, must be provided and located so as to require no more than 25 feet of lateral travel.		
		3. If trench safety system details were not provided in the plans because trenches were anticipated to be less than 5 feet in depth and during construction it is found that trenches are in fact 5 feet or more in depth or trenches less than 5 feet in depth are in an area where hazardous ground movement is expected, all construction shall cease, the trenched area shall be barricaded and the Engineer notified immediately. Construction shall not resume until appropriate trench safety system details, as designed by a professional engineer, are retained and copies submitted to the City of Bastrop.		
		STREET AND DRAINAGE NOTES		
		1. All testing shall be done by an independent laboratory at the Applicant's expense. A City Inspector shall be present during all tests. Testing shall be coordinated with the City of Bastrop Construction Manager and he shall be given a minimum of 24 hours notice prior to any testing. Contact the Planning and Development Department with notice 512-332-8840.		
		2. Backfill behind the curb shall be compacted to obtain a minimum of 85% maximum density to within 3 inches of top of curb. Material used shall be primarily granular with no rocks larger than 3 inches in the greatest dimension. The remaining 3 inches shall be clean topsoil free from all clods and suitable for sustaining plant life.		
		3. Depth of cover for all crossings under pavement including gas, electric, telephone, cable TV, water services, etc., shall be a minimum of 36 inches below subgrade unless approved by the City Engineer.		
		4. Street rights-of-way shall be graded at a slope of 1/4 inch per foot toward the curb unless otherwise indicated. However, in no case shall the width of right-of-way at 1/4 inch per foot slope be less than 10 feet unless a specific request for an alternate grading scheme is made to and accepted by the City of Bastrop Planning and Development Department.		
		5. Barricades built to City of Bastrop standards shall be constructed on all dead-end streets and as necessary during construction to maintain job and public safety.		
		6. All RCP shall be minimum Class III.		
		7. The subgrade material for the streets shown herein was tested by _____. The paving sections were designed by _____ in accordance with the current City of Bastrop design criteria. The paving sections are to be constructed as follows:		

Street	Station	Flex. Base Thickness	HMAC Thickness	Lime Stab. Thickness

		8. The Geotechnical Engineer shall inspect the subgrade for compliance with the design assumptions made during preparation of the Soils Report. Any adjustments that are required shall be made through revision of the construction plans.		

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		9. Where PI's are over 20, subgrades must be stabilized utilizing a method acceptable to the City Engineer. The Geotechnical Engineer shall recommend an appropriate subgrade stabilization if sulfates are determined to be present.		
		WATER AND WASTEWATER NOTES		
		1. Pipe material for water mains shall be PVC (AWWA C-900, minimum Class 200), or Ductile Iron (AWWA C-100, minimum Class 200). Water services (2 inches or less) shall be polyethylene tubing (black, 200 psi, DR 9).		
		2. Pipe material for pressure wastewater mains shall be PVC, or Ductile Iron (minimum Class 250). Pipe material for gravity wastewater mains shall be PVC (ASTM D2241 or D3034, maximum DR-26), Ductile Iron (AWWA C-100, minimum Class 200200).		
		3. Unless otherwise accepted by the City Engineer, depth of cover for all lines out of the pavement shall be 42 inches minimum, and depth of cover for all lines under pavement shall be a minimum of 30 inches below subgrade.		
		4. All fire hydrant leads shall be PVC (AWWA C-900, minimum Class 200) or ductile iron pipe (AWWA C-100, minimum Class 200). as approved by the Director of Water and Wastewater during plan review.		
		5. All iron pipe and fittings shall be wrapped with minimum 8-mil polyethylene and sealed with duct tape or equal accepted by the City Engineer.		
		6. The Contractor shall contact the City Inspector, telephone at 512-332-8840 to coordinate utility tie-ins and notify him at least 48 hours prior to connecting to existing lines.		
		7. All manholes shall be concrete with cast iron ring and cover. All manholes located outside of the pavement shall have bolted covers. Tapping of fiberglass manholes shall not be allowed.		
		8. The Contractor must obtain a bulk water permit or purchase and install a water meter for all water used during construction. A copy of this permit must be carried at all times by all who use water.		
		9. Line flushing or any activity using a large quantity of water must be scheduled with the City Inspector, telephone at 512-332-8840.		
		10. The Contractor, at his expense, shall perform sterilization of all potable water lines constructed and shall provide all equipment (including test gauges), supplies (including concentrated chlorine disinfecting material), and necessary labor required for the sterilization procedure. The sterilization procedure shall be monitored by City of Bastrop personnel. Water samples will be collected by the City of Bastrop to verify each treated line has attained an initial chlorine concentration of 50 ppm. Where means of flushing is necessary, the Contractor, at his expense, shall provide flushing devices and remove said devices prior to final acceptance by the City of Bastrop.		
		11. Sampling taps shall be brought up to 3 feet above grade and shall be easily accessible for City personnel. At the Contractor's request, and in his presence, samples for bacteriological testing will be collected by the City of Bastrop not less than 24 hours after the treated line has been flushed of the concentrated chlorine solution and charged with water approved by the City. The Contractor shall supply a check or money order, payable to the City of Bastrop, to cover the fee charged for testing each water sample. City of Bastrop fee amounts may be obtained by calling the Water and Wastewater Department, telephone at 512-332-8960.		

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		12. The Contractor, at his expense, shall perform quality testing for all wastewater pipe installed and pressure pipe hydrostatic testing of all water lines constructed and shall provide all equipment (including pumps and gauges), supplies and labor necessary to perform the tests. Quality and pressure testing shall be monitored by City of Bastrop personnel.		
		13. The Contractor shall coordinate testing with the City of Inspector and provide no less than 24 hours notice prior to performing sterilization, quality testing or pressure testing.		
		14. The Contractor shall not open or close any valves unless authorized by the City of Bastrop.		
		15. All valve boxes and covers shall be in accordance with the City of Bastrop Construction Technical Manual.		
		16. Contact the Water and Wastewater Department, telephone at 512-332-8960 for assistance in obtaining existing water and wastewater locations.		
		17. The Planning and Development Department, telephone at 512-332-8840, shall be notified 48 hours prior to testing of any building sprinkler piping in order that the Building Official and/or Fire Department may monitor such testing.		
		18. Sand, as described in Specification item 510 pipe, shall not be used as bedding for wastewater lines. Acceptable bedding materials are pipe bedding stone, pea gravel and in lieu of sand, a naturally occurring or manufactured stone material conforming to ASTM C33 for stone quality and meeting the following gradation specification:		
		19. The Contractor is hereby notified that connecting to, shutting down, or terminating existing utility lines may have to occur at off-peak hours. Such hours are usually outside normal working hours and possibly between 12 a.m. and 6 a.m		
		20. All wastewater construction shall be in accordance with the Texas Commission on Environmental Quality (TCEQ) Regulations, 30 TAC Chapter 213 and 317, as applicable. Whenever TCEQ and City of Bastrop Specifications conflict, the more stringent shall apply.		
		TRAFFIC MARKING NOTES		
		1. Any methods, street markings and signage necessary for warning motorists, warning pedestrians or diverting traffic during construction shall conform to the Texas Manual of Uniform Traffic Control Devices for Streets and Highways, latest edition. 2. All pavement markings, markers, paint, traffic buttons, traffic controls and signs shall be installed in accordance with the Texas Department of Transportation Standard Specifications for Construction of Highways, Streets and Bridges and, the Texas Manual of Uniform Traffic Control Devices for Streets and Highways, latest editions.		

Sieve Size	Percent Retained By Weight
1/2"	0
3/8"	0-2
#4	40-85
#10	95-100

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		EROSION AND SEDIMENTATION CONTROL NOTES		
		1. Erosion control measures, site work and restoration work shall be in accordance with the City of Bastrop Code of Ordinances.		
		2. All slopes shall be sodded or seeded with approved grass, grass mixtures or ground cover suitable to the area and season in which they are applied.		
		3. Silt fences, rock berms, sedimentation basins and similarly recognized techniques and materials shall be employed during construction to prevent point source sedimentation loading of downstream facilities. Such installation shall be regularly inspected by the City of Bastrop for effectiveness. Additional measures may be required if, in the opinion of the City Engineer, they are warranted.		
		ELECTRIC		
		4. All temporary erosion control measures shall not be removed until final inspection and approval of the project by the City Inspector. It shall be the responsibility of the Contractor to maintain all temporary erosion control structures and to remove each structure as approved by the City Inspector.		
		5. All mud, dirt, rocks, debris, etc., spilled, tracked or otherwise deposited on existing paved streets, drives and areas used by the public shall be cleaned up immediately.		
		1. All utilities are to be underground.		
		2. A Blanket Temporary Access and Construction Easement for the construction of Electric Facilities is currently on file for the property.		
		3. A plat note referencing the Blanket Temporary Access and Construction Easement to be added to the final plat.		
		4. Upon completion of construction and installation of the Electric Facilities on the Property the developer/owner shall have the Permanent Utility Easement Area (20-foot easement, to include a 10-foot buffer around all non-opening sides and a 20-foot buffer around opening sides of equipment) surveyed by metes and bounds, at its sole cost and expense, and a copy of that Permanent Easement survey provided to BP&L for the granting and recording of a Permanent Public Utility Easement. The Blanket Temporary Access and Construction Easement shall be vacated at such time as BP&L accepts and records the Permanent Public Utility Easement.		
		5. As shown herein, a twenty (20) foot wide Public Utility Easement is hereby dedicated adjacent to street ROW on all lots.		
		6. The electric utility has the right to prune and/or remove trees, shrubbery vegetation and other obstructions to the extent necessary to keep the easements clear. The owner/developer of this subdivision/lot shall provide the City of Bastrop electric utility department with any easement and/or access required, in addition to those indicated, for the installation and ongoing maintenance of overhead and underground electric facilities.		
		7. The owner shall be responsible for installation of temporary erosion control, re-vegetation and tree protection for electric utility work required to provide electric service to this project		

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		8. All fees must be paid before materials are ordered or construction of Electric Facilities will be scheduled.		
		9. Provide electric schedule and load calculations.		

Construction of Public Improvements Process

Proposed Process Overview – Construction of PIP

Step 1: PIP Agreement approved by Council

Step 2: Once PIP Agreement approved, Hold Pre-Construction Meeting

Step 3: Notice to Proceed Letter will be issued.

Step 4: Walk-Through. Create & Complete Punchlist

Step 5: Letter from Dev. Engineer – Letter of Compliance

Step 6: Letter from City Engineer – Concurrence Built to PIP

Eligible to submit Final Plat

BASTROPTX
Heart of the Lost Pines / Est. 1832

Construction of Approved Public Improvement Plan

Approved PIP Agreement	Pre-Construction Meeting	Notice to Proceed
• Council must approve the PIP Agreement PRIOR to scheduling Pre-Construction Meeting.	• Mandatory Meeting scheduled by City Engineer.	• Issued in writing by City Engineer.

BASTROPTX
Heart of the Lost Pines / Est. 1832

Acceptance Process of Completed Public Infrastructure

Walk-Thru & Punch List	Maintenance Bond	Certification Process
• Walk-Thru with City Engineer & Developer Representative • Create punch-list • Complete punch-list	• File 2 – year maintenance bond in accordance with approved PIP agreement.	• Developer's Engineer must issue letter of compliance. • City Engineer must issue letter of concurrence.

BASTROPTX
Heart of the Lost Pines / Est. 1832

Sample Public Improvement District Agreement

City of Bastrop, TX Development Process

CITY OF BASTROP, TEXAS

Public Improvement Plan Agreement

INSERT PROJECT NAME

The State of Texas

County of Bastrop

WHEREAS, ***INSERT OWNER NAME*** hereinafter referred to as, "Developer", is the developer of the following described property and desires to make certain improvements to the following lots and blocks in ***INSERT PROJECT NAME,*** a proposed addition to the City of Bastrop, Texas: being ***INSERT LOTS AND BLOCKS***; and

WHEREAS, the said Developer has requested the City of Bastrop, a Home Rule Municipality of Bastrop County, Texas, hereinafter referred to as, "City", to provide approvals and cooperative arrangements in connection with said improvements:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That said Developer, acting herein by and through ***INSERT OWNER REPRESENTATIVE,*** its duly authorized officer, and the City, acting herein by and through ***INSERT CITY MANAGER*** it's City Manager, for and in consideration of the covenants and agreements herein performed and to be performed, do hereby covenant and agree as follows regarding assurance of construction of sanitary sewer facilities, streets, drainage, street lights and street signs, and park/trail improvements; summary of infrastructure (development) amounts; assurance payments to the City; payment of impact fees; and miscellaneous provisions relating to the acceptable completion of said construction according to the plans for ***INSERT PROJECT NAME*** approved by the City on ***INSERT DATE OF PUBLIC IMPROVEMENT PLAN APPROVAL.***

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1.00 Assurance of Infrastructure Construction

1.10 Employment of Contractors

In accordance with this agreement, the Developer agrees to employ a general contractor or contractors in accordance with the conditions set forth in Section 4.00 for work for which the Developer is providing as stated herein and indicated in the Summary of Infrastructure (Development) Assurance Amounts, Section 2.30 on page 4 of this agreement.

1.11 Payment of Developer Infrastructure Assurance Fees

The Developer and the City agree that the final plat of ***INSERT PROJECT NAME*** will not be filed for record until payment of the Final Assurance Amount. Except as otherwise provided in Section 4.40 of this contract, no building permits will be issued for any lots prior to the plat recording.

1.12 Payment of Miscellaneous Construction Costs

It is further agreed and understood that additional costs may be required of the Developer to cover such additional work, materials and/or other costs as may be made necessary by conditions encountered during construction and within the scope of this project.

1.13 Compliance with Tree Preservation Ordinance

The Developer is responsible to fully comply with the City's Tree Preservation Ordinance during all phases of construction. The Developer submitted a tree protection plan and protected tree survey on ***Insert Date,*** showing the protected trees on site and the measures of tree protection to be employed during

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construction prior to any site work on the project. The Developer submitted landscape, hardscape, irrigation, and materials plans that were approved by the City on ***INSERT DATE*** and these plans have been included in the final Public Improvement Plans which were approved on ***INSERT DATE.***

2.00 Infrastructure (Development) Improvement Costs

All infrastructure (development) improvement costs are the full responsibility of the Developer unless otherwise noted, or unless otherwise funded with ****public improvement district revenue, tax increment reinvestments zone revenue, or a Chapter 380*** grant pursuant to a separate agreement. The following improvement costs have been developed using the Developer's plans and specifications and recommendations by the City in accordance with the construction guidelines set forth by the City:

2.10 Sanitary Sewer Improvements

The distribution of costs between the City and the Developer for all sanitary sewer improvements are as follows:

ON-SITE IMPROVEMENTS:

	Full Project Cost	Developer's Assurance Amount	City Participation
Sanitary Sewer Facilities	$1,000,000.00	$1,000,000.00	$0.00
Other Related Facilities	$0.00	$0.00	$0.00
Total Construction Cost	$1,000,000.00	$1,000,000.00	$0.00

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OFF-SITE IMPROVEMENTS: ***DELETE IF NOT NEEDED***

	Full Project Cost	Developer's Assurance Amount	City Participation
Sanitary Sewer Facilities	$1,000,000.00	$1,000,000.00	$0.00
Other Related Facilities	$0.00	$0.00	$0.00
Total Construction Cost	$1,000,000.00	$1,000,000.00	$0.00

2.20 Street and Storm Drainage Improvements

The distribution of costs between the City and the Developer for all street and drainage improvements are as follows:

	Full Project Cost	Developer's Assurance Amount	City Participation
Storm Drainage Facilities	$1,000,000.00	$1,000,000.00	$0.00
Streets & Sidewalks	$1,000,000.00	$1,000,000.00	$0.00
Total Construction Cost	$2,000,000.00	$2,000,000.00	$0.00

2.30 Summary of Infrastructure (Development) Assurance Amounts

	Final Assurance Amount
Sanitary Sewer Facilities	$1,000,000.00
Storm Drainage Facilities	$1,000,000.00
Streets & Sidewalks	$1,000,000.00
Total Construction Cost	$3,000,000.00

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ASSURANCE FEES TO BE PAID PRIOR TO PRE-CONSTRUCTION MEETING*:

	Percentage of Construction	Construction Cost	Final Assurance Amount
Sanitary Sewer Inspection Fee	2.5%	$1,000,000.00	$25,000.00
Storm Drainage Inspection Fee	2.5%	$1,000,000.00	$25,000.00
Streets & Sidewalks Inspection Fee	2.5%	$1,000,000.00	$25,000.00
Payment to the City			**$75,000.00**

The final construction amount is $***INSERT DOLLAR AMOUNT***, and the final assurance amount is $***INSERT DOLLAR AMOUNT*** (the "Final Assurance Amount").

RECOMMENDED:

_____

Jerry Palady, P. E. Date
Director of Engineering

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3.00 Miscellaneous Improvements

3.10 Drainage Operation and Maintenance Plan

The developer will provide the City with a Drainage Operation and Maintenance Plan (plan) in accordance with the Stormwater and Drainage Manual. The plan shall provide detailed information regarding the obligation of responsible parties for any drainage system, stormwater system, or other improvement which will not be dedicated to the City as part of this agreement. Proof of payment to the surety and that all other obligations of the developer or contractor have been met in order for the bonds to be binding upon the surety.

3.10 Sidewalks

The Developer shall be responsible for installing sidewalks along right-of-ways on open space lots and other lots that will not contain single family residential units within ***INSERT DEVELOPMENT NAME*** as shown on the approved Public Improvement Plans, as required by the Master Transportation Plan, and as approved by the Regulating Plan by the City on ***INSERT DATE.*** All sidewalks shall be in compliance with the City's Master Transportation Plan, and conform to the City of Bastrop Standard Construction Details. * ***INSERT LANGUAGE AS NEEDED, Ex:*** *The Developer shall also be responsible for installing a ten-foot (10') trail within the dedicated open space along the eastern property boundary that extends from the southern boundary along Agnes St., to the northern boundary along HWY 71 West.*

3.20 Screening Wall, Landscaping, and Irrigation

The Developer shall be responsible for installing screening walls, retaining walls,

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landscaping, and irrigation in accordance with the approved Public Improvement Plans, landscape plans approved on ***INSERT DATE***, and Regulating Plan as approved by the City on ***INSERT DATE.***

3.30 Street Lights and Street Name and Regulatory Signs

The Developer is responsible for the initial installation and maintenance of all street lights. Street name and regulatory signs shall be installed by the Developer at the Developer's expense at locations specified by the City's Director of Public Works per the signage regulations on ***INSERT CONTROLLING DOCUMENT*** of the City of Bastrop Standard Construction Details. The signs shall conform to The State of Texas Manual on Uniform Traffic Control Devices and City requirements, including but not limited to, exact placement, sign height and block numbers. The City shall not be responsible or obligated to maintain and/or replace any non-standard street light poles, sign poles, street name signs or regulatory signs. Installation shall be completed prior to the acceptance of the subdivision.

FEES TO BE PAID UPON EXECUTION OF THE DEVELOPER AGREEMENT:

WOULD REQUIRE AN ORDINANCE AMENDMENT

	Quantity	Unit Cost	Participation Payment to the City
Power for Streetlights	25	$25.00 per pole per montl for 24 months	$15,000.00
Payment to the City			**$15,000.00**

RECOMMENDED:

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_____

Trey Job Date
Managing Director of Public Works & Leisure Services

3.50 Land Dedication

The Developer shall dedicate to the City the area shown as public open space on the ***INSERT PLAN NAME*** attached to Ordinance 201***X-XX*** (the "Public Open Space"), including, but not limited to, the ***INSERT DESCRIPTION*** parcel identified on the Parcel Plan attached to Ordinance 201***X-XX***. A private home owners association or property owners association shall maintain the Public Open Space. ****INSERT LANGUAGE AS NEEDED, Ex.*** *This dedication shall be credited to the Developer in the amount of $75,000.00. In no case shall the amount of dedicated open space to the City be less than 1.50 acres.*

The following table identifies the Park Development Fees due by the Developer for this project at the time of single family building permit issuance, subject to a credit reduction as described above in this Section 3.50:

Number of Lots	**Fee Per Lot**	**Total Amount of Park Development Fees Owed (Subject to Credits)**
10	$500.00	$5,000.00

The above open space dedications and fees in lieu of shall fully satisfy all City requirements for dedication of park land or payment of fees in lieu of dedication.

OR

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The following table identifies the Park Land Dedication by the final plat:

Lots	Blocks	Acres
1	A	7.0046
1	C	30.4158

RECOMMENDED:

_____

Matthew Jones Date
Director of Planning and Development

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3.60 Impact Fees

Water Impact Fees and Wastewater Impact Fees as set forth by City ordinances will be assessed at the time of final plat recording and shall be paid by the builder, property owner or developer at the time of Building Permit issuance for each individual lot within ***DEVELOPMENT NAME*** and shall be based on the Water and Wastewater Impact Fee for Service as set forth in the City of Bastrop Impact Fee Ordinance that is in effect as of the final plat recording date.

IMPACT FEES TO BE PAID AT THE TIME OF BUILDING PERMIT ISSUANCE:

	Lots	Fee per Lot	Final Assessment Amount
Waste Water Impact Fee	10	$5,020.00	$50,200.00
Water Impact Fee	10	$1,785.00	$17,850.00
Total Impact Fees To Be Collected			**$68,050.00**

RECOMMENDED:

Trey Job Date
Managing Director of Public Works & Leisure Services

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4.00 Miscellaneous Provisions

4.10 Bonds

The Developer agrees to require the contractor(s) to furnish the City with a payment and performance bond if the contract cost exceeds $25,000.00. The payment and performance bonds shall be submitted prior to the City issuing the Notice to Proceed.

The Developer agrees to require the contractor(s) to furnish the City with a two (2) year maintenance bond in the name of the City, subject to City approval for one hundred twenty-five percent (125%) of the contract price of the residential streets, sanitary sewer, and underground stormwater drainage facilities improvements. The maintenance bond(s) shall be submitted and approved prior to the final acceptance of the improvements.

The developer will provide the City with proof of payment to the surety and that all other obligations of the developer or contractor have been met in order for the bonds to be binding upon the surety.

4.20 Public Liability

The Developer shall further require the contractor(s) to secure Public Liability Insurance. The amount of Insurance required shall include Public Liability, Bodily Injury and Property Damage of not less than $100,000 one person, $300,000 one accident and $100,000 property damage. The minimum requirements for automobile and truck public liability, bodily injury and property damage shall also include not less than $100,000 one person, $300,000 one accident, and $100,000 property damage.

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The Contractor shall provide Worker's Compensation Insurance in accordance with the most recent Texas Workers' Compensation Commission's rules.

4.30 General Indemnity Provisions

The Developer shall waive all claims, fully release, indemnify, defend and hold harmless the City and all of its officials, officers, agents, consultants, employees and invitees in both their public and private capacities, from any and all liability, claims, suits, demands or causes of action, including all expenses of litigation and/or settlement which may arise by injury to property or person occasioned by error, omission, intentional or negligent act of Developer, its officers, agents, consultants, employees, invitees, or other person, arising out of or in connection with the Agreement, or on or about the property, and Developer will, at its own cost and expense, defend and protect the City and all of its officials, officers, agents, consultants, employees and invitees in both their public and private capacities, from any and all such claims and demands. Also, Developer agrees to and shall indemnify, defend and hold harmless the City and all of its officials, officers, agents, consultants, employees and invitees in both their public and private capacities, from and against any and all claims, losses, damages, causes of action, suit and liability of every kind, including all expenses of litigation, court costs and attorney fees for injury to or death of any person or for any damage to any property arising out of or in connection with this Agreement or any and all activity or use pursuant to the Agreement, or on or about the property. This indemnity shall apply whether

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the claims, suits, losses, damages, causes of action or liability arise in whole or in part from the intentional acts or negligence of developer or any of its officers, officials, agents, consultants, employees or invitees, whether said negligence is contractual, comparative negligence, concurrent negligence, gross negligence or any other form of negligence. The City shall be responsible only for the City's sole negligence. Provided, however, that nothing contained in this Agreement shall waive the City's defenses or immunities under Section 101.001 et seq. of the Texas Civil Practice and Remedies Code or other applicable statutory or common law. Notwithstanding anything to the contrary in this section, the Developer shall not be required to indemnify the City in the event the claims, suits, losses, damages, causes of action or liability arise in whole or in part as a result of the City's breach of this agreement or a separate agreement pertaining to the property governed by this agreement.

4.31 Indemnity Against Design Defects

Approval of the City Engineer or other City employee, official, consultant, employee, or officer of any plans, designs or specifications submitted by the Developer under this Agreement shall not constitute or be deemed to be a release of the responsibility and liability of the Developer, its engineer, contractors, employees, officers, or agents for the accuracy and competency of their design and specifications. Such approval shall not be deemed to be an assumption of such responsibility or liability by the City for any defect in the design and specifications prepared by the consulting engineer, his officers, agents, servants,

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or employees, it being the intent of the parties that approval by the City Engineer or other City employee, official, consultant, or officer signifies the City's approval of only the general design concept of the improvements to be constructed. In this connection, the Developer shall indemnify and hold harmless the City, its officials, officers, agents, servants and employees, from any loss, damage, liability or expense on account of damage to property and injuries, including death, to any and all persons which may arise out of any defect, deficiency or negligence of the engineer's designs and specifications incorporated into any improvements constructed in accordance therewith, and the Developer shall defend at his own expense any suits or other proceedings brought against the City, its officials, officers, agents, servants or employees, or any of them, on account thereof, to pay all expenses and satisfy all judgments which may be incurred by or rendered against them, collectively or individually, personally or in their official capacity, in connection herewith. Notwithstanding anything to the contrary in this section, the Developer shall not be required to indemnify the City in the event the claims, suits, losses, damages, causes of action or liability arise in whole or in part as a result of the City's breach of this agreement or a separate agreement pertaining to the property governed by this agreement.

4.32 Approval of Plans

The Developer and City agree that the approval of plans and specifications by the City shall not be construed as representing or implying that improvements built in accordance therewith shall be free of defects. Any such approvals shall in no event be construed as representing or guaranteeing that any improvement built in accordance therewith will be designed or built in a good and workmanlike manner.

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Neither the City nor its elected officials, officers, employees, contractors and/or agents shall be responsible or liable in damages or otherwise to anyone submitting plans and specifications for approval by the City for any defects in any plans or specifications submitted, revised, or approved, in the loss or damages to any person arising out of approval or disapproval or failure to approve or disapprove any plans or specifications, for any loss or damage arising from the non-compliance of such plans or specifications with any governmental ordinance or regulation, nor any defects in construction undertaken pursuant to such plans and specifications.

4.33 Venue

Venue of any action brought hereunder shall be in Bastrop, Bastrop County, Texas.

4.40 Release of Building Permits

The Developer may request, and the Director of Planning and Development may approve, the release of up to ten percent (10%) of the total building permits for the lots listed on pg. 1 of this agreement upon completion of the public streets, to include street lights, and final acceptance of the sanitary sewer and underground stormwater drainage facilities that are not deemed private. Building permits for all lots will be released upon final acceptance of all public and private infrastructure improvements, park and trail construction, screening walls, retaining walls, landscaping, irrigation, and tree mitigation in accordance with the Public Improvement Plans that were approved by the City on ***INSERT APPROVAL DATE.***

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4.50 Dedication of Infrastructure Improvements

Upon final acceptance of ***INSERT DEVELOPMENT NAME***, the public streets, sanitary sewer, and underground stormwater drainage facilities shall become the property of the City.

4.60 Assignment

This agreement, any part hereof, or any interest herein shall not be assigned by the Developer without written consent of the City Manager, said consent shall not be unreasonably withheld, and it is further agreed that such written consent will not be granted for the assignment, transfer, pledge and/or conveyance of any refunds due or to be come due to the Developer except that such assignment, transfer, pledge and/or conveyance shall be for the full amount of the total of all such refunds due or to become due hereunder nor shall assignment release assignor or assignee from any and all Development assurances and responsibilities set forth herein.

4.70 Conflicts

In the event of a conflict between this agreement and that certain Development Agreement between the City of Bastrop and ***INSERT DEVELOPER NAME*** effective ***INSERT DATE*** (the "Development Agreement"), the Development Agreement shall control. In the event of a conflict between this agreement and that certain ***MUD, PID, 380*** agreement between the City of Bastrop and ***INSERT DEVELOPER NAME*** effective ***INSERT DATE*** (the "***MUD,PID,380*** Reimbursement Agreement"), the ***PID, MUD, 380*** Reimbursement Agreement shall control. Nothing in this agreement shall be construed as amending the Development

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Agreement or the PID Reimbursement Agreement.

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IN TESTIMONY WHEREOF, the City of Bastrop has caused this instrument to be executed in duplicate in its name and on its behalf by its City Manager, attested by its City Secretary, with the corporate seal of the City affixed, and said Developer has executed this instrument in duplicate, at the City of Bastrop, Texas this the **XX** day of **XXXXXXXXX**, **20__**.

INSERT DEVELOPMENT NAME

_____
Developer Name
Company Name

City of Bastrop, Texas

_____
Lynda Humble
City Manager

ATTEST:

_____ _____
Ann Franklin Date
City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____ _____
Alan Bojorquez Date
City Attorney

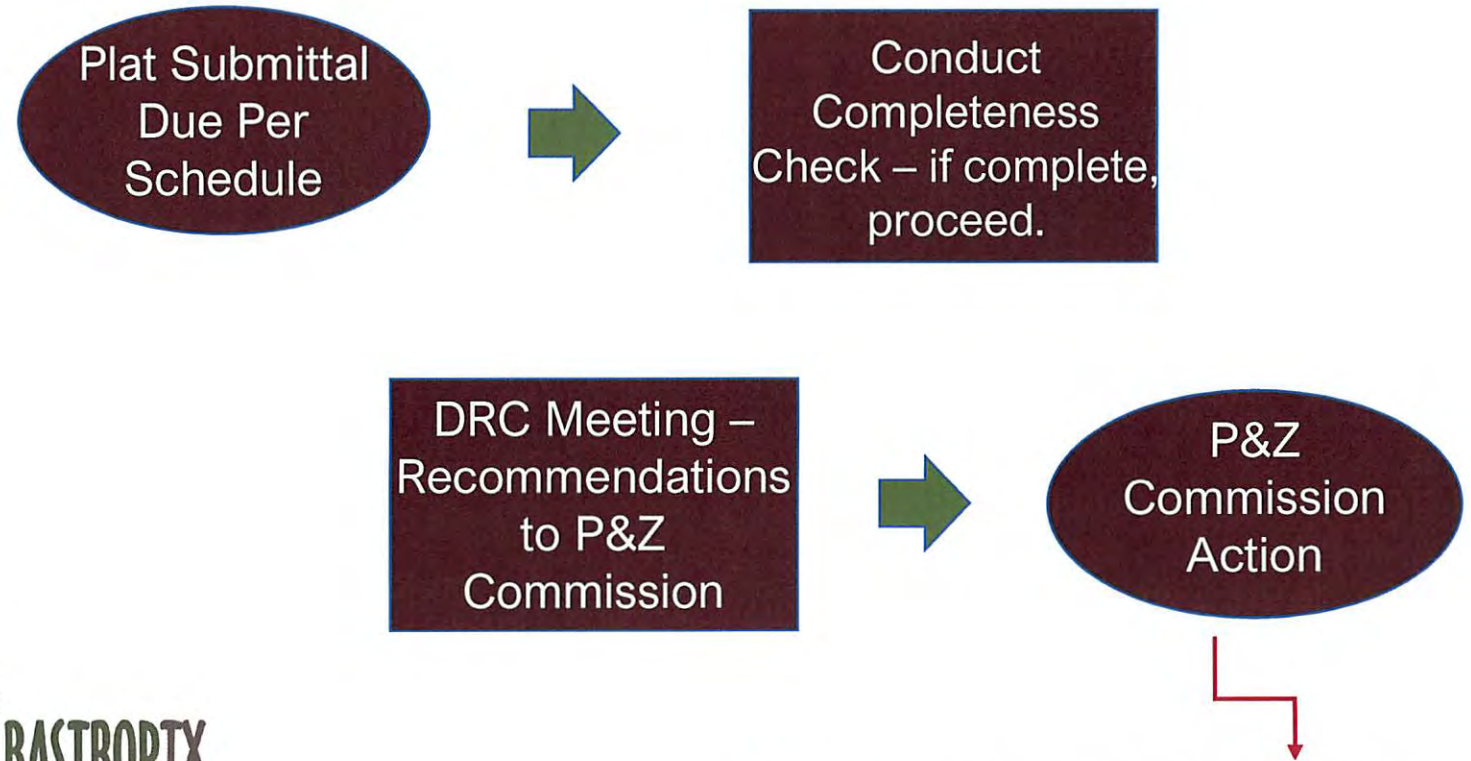
Distribution of Originals: Developer
City Secretary
Planning and Development Department

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Final Plat Process

Proposed Process Overview – Final Plat Process

Once P&Z Commission Approves Final Plat – Infrastructure is Deemed Accepted by City



BASTROPTX
Heart of the Lost Pines / Est. 1832

Process – Final Plat

All requirements MUST be met:

- Preliminary Plat must be valid.
- All public infrastructure must be built.
- Letter of Concurrence issued by City Engineer.

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Platting Process – Final Plat

(Submission Process – 30 Approval Process Required by HB 3167)

Final Plat Submittal	Review for Completeness Check	Planning & Zoning Commission Consideration
• Once all of the required steps are met, a completed Final Plat application can be submitted according to the Plat & Site Plan Schedule Uniform Submittal Dates.	• Review for Administrative Compliance. • If complete, goes onto P&Z Commission agenda. • If incomplete, submittal is rejected.	• Municipal authority for Plat approval. • If all standards are met, must approve within 30 days or deemed approved. • If disapprove, must give written reason.

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Once Planning & Zoning Commission approves the Final Plat, the infrastructure is deemed accepted by the City of Bastrop.

Site Plan Process

2019 – 2020 Plat & Site Plan Schedule of Uniform Submittal Dates

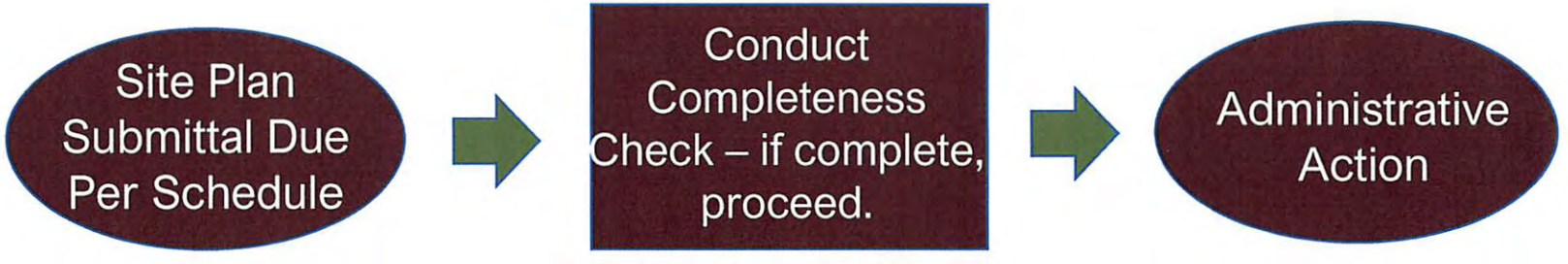
Plat Submissions will only be accepted on these dates between 8:00 a.m. - 12:00 p.m.	All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.	Due Date for Public Notice Notification in the Bastrop Advertiser, if Public Hearing is Required.	Responses to Approval with Conditions will only be accepted on these dates between 8:00 a.m. – 3:00 p.m. for Inclusion on Planning & Zoning Commission Meeting Agenda or Administrative Review in the same month. (15 Day Review Requirement or Deemed Approved)	DRC Committee Review – Staff Recommendation to Approve, Approve with Conditions or Disapprove	Planning & Zoning Commission Packet Published	Planning & Zoning Commission Meeting Date / Administrative Decision for Amending Plats & Replats not requiring Public Hearing.
9/3/2019	9/3/2019	9/3/2019	9/13/2019	9/19/2019	9/20/2019	9/26/2019
10/7/2019	10/8/2019	10/8/2019	10/18/2019	10/24/2019	10/25/2019	10/31/2019
10/28/2019	10/29/2019	10/29/2019	11/08/2019	11/14/2019	11/15/2019	11/21/2019
11/25/2019	11/26/2019	11/26/2019	12/06/2019	12/12/2019	12/13/2019	12/19/2019
1/06/2020	1/7/2020	1/7/2020	1/17/2020	1/23/2020	1/24/2020	1/30/2020
2/3/2020	2/4/2020	2/4/2020	2/14/2020	2/20/2020	2/21/2020	2/27/2020
3/3/2020	3/3/2020	3/3/2020	3/13/2020	3/19/2020	3/20/2020	3/26/2020
4/6/2020	4/7/2020	4/7/2020	4/17/2020	4/23/2020	4/24/2020	4/30/2020
5/4/2020	5/5/2020	5/5/2020	5/15/2020	5/21/2020	5/22/2020	5/28/2020
6/1/2020	6/2/2020	6/2/2020	6/12/2020	6/18/2020	6/19/2020	6/25/2020
7/6/2020	7/7/2020	7/7/2020	7/17/2020	7/23/2020	7/24/2020	7/30/2020
8/3/2020	8/4/2020	8/4/2020	8/14/2020	8/20/2020	8/21/2020	8/27/2020
8/31/2020	9/1/2020	9/1/2020	9/11/2020	9/17/2020	9/18/2020	9/24/2020
10/5/2020	10/6/2020	10/6/2020	10/16/2020	10/22/2020	10/23/2020	10/29/2020
10/26/2020	10/27/2020	10/27/2020	11/6/2020	11/12/2020	11/13/2020	11/19/2020
11/23/2020	11/24/2020	11/24/2020	12/4/2020	12/10/2020	12/11/2020	12/17/2020

*Adopted by City Council on August 27, 2019 – Ordinance 2019-32

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Est. 1832

Plat & Site Plan Schedule of Uniform Submittal Dates – 2019/2020

Proposed Process Overview – Site Plan Process



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City of Bastrop, TX Development Process

Process – Site Plan

Site Plan – Step 1

- Property must be appropriately zoned.
- Property must be platted, unless it is a lot of record.
- All public improvements must be constructed and accepted, if required.
- NOTE: ONLY MULTI-FAMILY AND COMMERCIAL DEVELOPMENTS REQUIRE A SITE PLAN.

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Heart of the Lost Pines / Est. 1832

Process – Site Plan

(Submission Process – 30 Approval Process Required by HB 3167)

Final Plat Submittal	Review for Completeness Check	Director of Planning & Development – Administrative Review
• Once all of the required steps are met, a completed Site Plan application can be submitted according to the Plat & Site Plan Schedule Uniform Submittal Dates.	• Review for Administrative Compliance. • If complete, goes onto Development Review Committee agenda. • If incomplete, submittal is rejected.	• Technical details that must meet City Council approved standards. • Must take action within 30 days or deemed approved. • If disapprove, must give written reason.

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Utility Plan Checklist (Infill Development Only – Pre-requisite for Site Plan Submittal)

City of Bastrop, TX Development Process

City of Bastrop, Texas
Utility Plan Checklist
(Infill Development Only)

Planning Department • 1311 Chestnut Street • 512-332-8840

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, UTILITY PLAN REQUIREMENTS ARE AS FOLLOWS:		Meets Standard	Does Not Meet Standard
	1	**COVER SHEET**		
	1.1	Title of Project, Location, and Type of Plans		
	1.2	Sheet Index/Table of Contents		
	1.3	Vicinity Map of the Project including surrounding streets with a north arrow pointing in the correct direction		
	2	**NOTE SHEET(S)**		
	2.1	City of Bastrop general water notes, wastewater notes, and erosion, sedimentation control and tree protection notes.		
	2.2	Project Specific Notes (Must not conflict with other required notes).		
	3	**EROSION, SEDIMENTATION AND TREE PROTECTION SHEET**		
	3.1	Drainage flow arrows/patterns		
	3.2	Clearly marked limits of construction		
	3.3	Location of all known underground storage tanks		
	3.4	Location of all critical environmental features and their required setbacks		
	3.5	All areas of cut and fill > or = 4' clearly labeled		
		STREET & DRAINAGE PLAN AND PROFILE		
		Street names, lot and block numbers		
		Sidewalks and approved ADA ramps		
		Existing street slopes at tie-ins to existing		
		Verify sufficient clearance exists for driveways from inlet transitions, streetlights, fire hydrants, etc.		
		Existing/proposed bridges, culverts and drainage channels. All culverts must be reinforced concrete pipe unless approved by the City Engineer.		
		ADA ramp wings shown		
		Mailbox locations		
	5	**OVERALL WASTEWATER PLAN**		
		Street names, lot names, and block letters		
		Lot dimensions		
		Surrounding subdivision names/property owners		
		Proposed wastewater service and tap size and location		
		Street names, street/alley widths, fences, and right-of-way widths		
		Existing pavements (type) and existing/proposed easements (type and width)		
		Adjoining buildings and improvements		
		"Connect to" note to an existing wastewater manhole		
		Detail for water/wastewater crossing		
	8	**OVERALL WATER PLAN**		
	8.2	Existing/proposed main lines		
	8.3	Street names, lot numbers, and block letters		
	8.4	Street/alley widths, rights-of-way, and lot dimensions		
	8.5	Valves provided on all legs of pipe intersections		
	8.6	All bends are 45 degrees or less		
	8.7	Automatic flush valves at all dead ends		
	8.8	Air release valves at all high points		
	8.9	Utility easements for all pipes off-site		
	8.10	Fittings, fire hydrants, manholes, services, and taps are shown		

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal	PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, INFRASTRUCTURE PLAN REQUIREMENTS ARE AS FOLLOWS:		Meets Standard	Does Not Meet Standard
	8.11	Utility crossing details		
	8.12	Proposed water service and meter size and location		
	8.13	Material call-out for water main(s)		
	8.14	All existing pavements (type), existing and proposed easements (type and width)		
	8.15	Proposed fire line size and location		
	8.16	All fire lines must be ductile iron , =>6"		
	13	**ELECTRICAL DEMAND REQUIREMENTS**		
		Total Load required		
		No. of Services required for site & Size of each Service		
		Proposed location of transformer location(s)		
	14	**WASTEWATER DETAILS**		
	14.1	Current City of Bastrop detail (when inside Bastrop CCN)		
	14.2	Current Utility Provider detail (when outside Bastrop CCN)		
	15	**WATER DETAILS**		
	15.1	Current City of Bastrop detail (when inside Bastrop CCN)		
	15.2	Current Utility Provider detail (when outside Bastrop CCN)		

Site Plan Checklist

City of Bastrop, TX Development Process

City of Bastrop, Texas
Site Plan Checklist

Planning Department • 1311 Chestnut Street • 512-332-8840

BASTROPTX
Heart of the Lost Pines
Est. 1832

APPLICANT:			OFFICIAL USE ONLY	
Included in Submittal		PER ORDINANCE 2019-54, ADOPTION OF CITY OF BASTROP DEVELOPMENT MANUAL, SITE PLAN REQUIREMENTS ARE AS FOLLOWS:	Meets Standard	Does Not Meet Standard
		SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS		
	1	Completed and signed Application		
	2	Agent Authorization Form if Applicant is not the Property Owner		
	3	Location map highlighting the subject property in context of the surrounding area		
	4	Copy of deed showing current ownership		
	5	Copy of current statement of account showing taxes have been paid.		
	6	Six (6) paper copies of the Site Development Plan with all Required Details listed in the section below. Plans shall be on 24" x 36" sheets collated and folded into 8 ½" x 11"		
	7	Copy of the Approved Final Drainage Plan – attached to the plan sheets		
		Copy of the Approved Final Utility Plan – attached to the plan sheets		
	8	Paper copy of a Bastrop Fire Dept. (BFD) witnessed fire hydrant flow test report that is less than 1 year old (IFC 507.1 and 507.4)		
	9	Digital Submittal – Labeled CD/DVD or flash drive PDF 1 – Combined Application and Checklist Items PDF2 – Combined plan sheets for Required Details		
	10	Site Development Plan filing fee		
	11	Two (2) copies of TIA when required		
	12	Three (3) copies of a letter outlining Planned Development Requirements and how those requirements are addressed on the Site Development Plan when required		
	13	If any required fire code requirements cross into a property other than the owners, a joint-use access agreement or unified development agreement shall be provided and recorded		
	14	For projects involving an Alternative Method of Compliance (AMoC); documentation showing that an alternate method has been approved per IFC 104.8 and 104.9.		
	15	Stamped and signed plans by Texas Professional Engineer.		
	16	Bastrop Fire Department Table must be shown on Cover Sheet.		
		SITE DEVELOPMENT PLAN DETAIL REQUIREMENTS		
	1	**COVER SHEET**		
	1.1	Project Name		
	1.2	Contact name and information for property owner, engineer, surveyor, and any other parties responsible in preparing the Site Development Plan		
	1.3	Signature blocks for Owner, City Engineer, Fire Dept., and Director of Planning and Development. See Signature Blocks section below		
	1.4	Fire Department cover sheet table. See BFD Table in section below		
	1.5	List of ordinances or codes that the site was designed using		
	1.6	List of jurisdiction and service providers for the site		
	1.7	Date of preparation and any subsequent revisions		
	1.8	Acceptable scale: 1" = 40', 1" = 100', or similar		
	1.9	North arrow, graphic and written scale in close proximity		

	1.10	Small scale location map showing the location of the property		
	2	FINAL PLAT SHEET		
	2.1	Copy of Final Plat. Note recordation information or if plat is under review.		
	3	OVERALL SITE PLAN SHEET		
	3.1	**Site Data Summary Chart to include the following:** 1. Existing zoning 2. Gross acreage and net acreage 3. Percentage of impervious coverage (building footprint and impervious areas) 4. Area of open space 5. Open space as a percentage 6. Gross building area 7. Total building area by floor 8. Square footage broken down by use 9. Parking spaces required and provided. Provide location, if offsite. 10. Number of proposed lots 11. Residential density		
	3.2	Location of existing and proposed building(s), structure(s) or other improvement(s), as well as proposed modifications of the external configuration of the building(s), structure(s) or improvement(s)		
	3.3	Entrances and exits to the buildings		
	3.4	Required front, side, and rear setbacks from property lines		
	3.5	Existing or proposed easements or right of way, within or abutting the lot where the development is being proposed		
	3.6	The dimensions of any street, sidewalk, alley, accessibility route, or other part of the property intended to be dedicated to public use. These dedications must be made by separate instrument and referenced on the Site Development Plan		
	3.7	On and off-site circulation (including truck loading and pickup areas) and fire lanes		
	3.8	All types of surfacing (asphalt, brick, concrete, sod, crushed granite) not under roof		
	3.9	Location of dumpster and screening with materials		
	3.10	Required parking with dimensions given for layout; location, if off-site.		
	3.11	The location and ownership of adjacent properties		
	3.12	The location and boundary of any regulatory floodplain or floodway		
	3.13	All improvements located in the ROW		
	3.14	Curb return radii of all driveways and access aisles		
	3.15	Safety barriers, fencing, wheel stops, curbing or other restrictive barriers adjacent to driveways, aisles, maneuvering, or parking areas		
	3.16	All existing or proposed driveways		
	3.17	Dimensions from each driveway from property lines, intersections, or other driveways. Distances shall be measured from the nearest radii		
	4	LANDSCAPE PLAN SHEET		
	4.1	Location, size and species of all trees to be preserved		
	4.2	Tree protection plan		
	4.3	Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), topography of site		
	4.4	Species of all plant material to be used		
	4.5	Size of all plant material to be used		
	4.6	All types of surfacing (asphalt, brick, concrete, sod, crushed granite) not under roof		
	4.7	Spacing of plant material where appropriate		
	4.8	Layout and description of irrigation, sprinkler, or water systems including placement of water sources		
	4.9	Description of maintenance provisions		
	4.10	Person(s) responsible for the preparation of the landscape plan		

	4.11	Vegetative Screening: Planted height, full growth height, distance between plants		
	4.12	60-foot radius around each tree to show there is one tree within 60 feet of every parking space		
	4.13	List of all plants to be used, legend, and location of all plants and landscape elements		
	4.14	Location of screening with dimensions and material used		
	5	**BUILDING ELEVATIONS SHEET**		
	5.1	Architectural renderings or elevations of all proposed buildings and structures		
	6	**FIRE ACCESS AND CONTROL PLAN SHEET**		
	6.1	Curb markings and/or signs indicating No Parking – Fire Zone on the designated fire lane		
	6.2	The location of any existing and proposed fire hydrants		
	6.3	Note if any of the buildings required to have an automatic fire sprinkler system (IFC 903)		
	6.4	The location of the fire sprinkler riser room labeled, if applicable. (IFC 901.4.6/105.4.2)		
	6.5	Distance between all exterior building walls and all required fire apparatus access areas. (IFC 503.1)		
	6.6	Location of motorized gates in the path of a fire lane have been labeled and provided with a Knox key switch, if applicable. (IFC 503.6)		
	6.7	Show any fuel tanks to be stored on site and indicate the volume, type of fuel, and tank construction standard (propane, gasoline, diesel, etc.). (IFC 5001.5.1 SUB 6)		
	6.8	Show location of any diesel-fueled emergency generators and the UL listing number of the tank, the fuel capacity of the tank in gallons, and fuel tank impact protection. (IFC 5001.5.2)		
	7.0	**LIGHTING PLAN SHEET**		
	7.1	Detailed lighting plan showing locations, types, and fixtures. Plan shall include both freestanding and wall mounted lighting		
	7.2	Photometric plan for the proposed site extending out to the property lines		
	8.0	**TRAFFIC CONTROL & PEDESTRIAN SAFETY SHEET**		
	8.1	Temporary Traffic Control Plan for any impacted (closed or reduced width) roadways.		
	8.2	Barricade Summary Table including impacted roadway, roadway classification, street intersection, planned improvements, traffic control detail plan sheet, allowed barricade times, and duration.		
	8.3	Temporary pedestrian route/protection if pedestrian route is impacted.		
	8.4	Provide calculations, if overhead fall protection is proposed.		
	8.5	Safety fencing to prevent public access to construction activities.		
	8.6	Sealed by a Texas Professional Engineer.		
		SUPPLEMENTAL REQUIREMENTS		
	1.	Site Development Plan cannot be approved until Final Plat is recorded.		
	2.	Site Development Plan must be prepared by a licensed and registered professional land surveyor and/or a licensed professional engineer.		
	3.	Building permits will not be issued for any development until the Site Development Plan is approved.		
	4.	Property taxes must be paid prior to approval of plan.		
	5.	Irrigation plans require separate permits – approval of Site Development Plan does not constitute approval of any included irrigation plans or elements of the Landscape Plan.		

	6.	Signs require separate permits – approval of the Site Development Plan does not constitute approval of any included sign plans or elements.		
	7.	The following table illustrates the requirements of the Bastrop Fire Department in each line item: **(MUST SHOW ON COVER SHEET)**		

Bastrop Fire Department	
Fire Design Codes	*International Fire Code Edition with adopted appendices*
Fire Flow Demand @ 20 psi (gpm)	*Most demanding building's calculated fire flow demand – 2009 IFC Appendix B, Table B105.1 – Based on SF and Construction Type*
Intended Use	*Most demanding building's intended use*
Construction Classification	*Most demanding building's IBC construction classification*
Building Fire Area (S.F.)	*Most demanding building's fire area in gross square feet (all floor levels combined) per 2009 IFC Appendix B.*
Automatic Fire Sprinkler System Type (If applicable)	*The sprinkler system type that is in the most demanding building's fire area - NFPA 13, NFPA 13R or NFPA 13D*
Reduced Fire Flow Demand @ 20 psi for having a sprinkler system (gpm) (If applicable)	*Reduced fire flow demand, as permitted by BFD and Appendix B.*
Fire Hydrant Flow Test Date	*Not more than 1 yr from the date of Site Development Plan submittal*
Fire Hydrant Flow Test Location	*Block and Street Name*
Alternative Method of Compliance AMOC (If applicable)	*AMOC number and the date the AMOC was approved by the City.*

	8.	Signature blocks shall be placed on the Site Development Plan. Signature blocks shall also be placed for any additional entities responsible in preparing the Site Development Plan. The following are the approved signature blocks:		
		The certificate of the licensed public surveyor: THE STATE OF TEXAS § COUNTY OF BASTROP § KNOW ALL MEN BY THESE PRESENTS That I, _____ do hereby certify that I prepare this plat from an actual and accurate on-the-ground survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Bastrop, Texas. _____ Signature and Seal of Registered Public Surveyor with date.		

		Owner's Signature Block: As owner of this property, I promise to develop and maintain this property as described by this plan. _____ _____ Name of Owner/Trustee Date		
		City Approval Signature Block: All responsibility for the adequacy of these plans remains with the engineer who prepared them. In accepting these plans, the City of Bastrop must rely upon the adequacy of the work of the design engineer. Accepted for Construction: _____ _____ Director of Planning and Development Date _____ _____ City of Bastrop Engineer Date _____ _____ City of Bastrop Fire Department Date		
		Signed and sealed certification of the licensed engineer who prepared the Site Development Plan: I, _____, do hereby certify that the information contained in these engineering documents are complete, accurate, and adequate for the intended purposes, including construction, but are not authorized for construction prior to formal City approval. _____ Signature and Seal of Registered Engineer with date		

When is it time to move from the Development Process to Building Permitting?

Proposed Process Overview – Building Permits

At this point in the process:

Property is appropriately zoned. ✔ → Property has an approved Final Plat. ✔ → Infrastructure has been accepted by the City. ✔ → Site Plan is approved. ✔ → Development Process is complete. Property is ready for "vertical" construction.

BASTROPTX
Heart of the Lost Pines / Est. 1832

BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

Building Bastrop Policy Statement:

A Purpose Statement and Explanation for all development related code revisions and rulemaking procedures to ensure clarity and consistency.

What is Building Bastrop?

The City of Bastrop launched **Building Bastrop** on August 15, 2018 to create a new set of tools that will support the community in a responsible manner for generations to come. It is all about connecting people to policy. It is about humanizing an otherwise complicated and mundane process of rewriting the City's land-use regulations. It is about the journey that the City of Bastrop has taken to get to this point, weaving together its history and the philosophies that define authentic Bastrop. It is about love, community pride, and defining the City's way of life. It's about Building Bastrop together. Honoring our authentic past. Planning for our sustainable future.

Why is Building Bastrop Important?

Planning for the Next 100 Years: Bastrop, Texas, established on June 8, 1832 making it one of the oldest towns in Texas, will celebrate its 187th birthday in 2019. Bastrop will celebrate 200 years as a city in 2032, just 13 years in the future. The original settlers of Bastrop discovered a lush landscape where several geographies of Texas collide along the banks of the Colorado River. They set out to build a unique and lovely place for the future. Using the tools they had at the time to plan a logical path for growth going forward, they laid the foundation for a resilient community. The geography of the area, the development pattern of the land, and the organization of the buildings established a pure and authentic Texas town. How the City uses the information, gifted from the founders, to guide Bastrop's future is the journey the City must afford itself to take, today, especially since existing codes and regulations would prevent such development from occurring today.

Comprehensive Plan Goals: The City updated its Comprehensive Plan in 2016 with significant participation from the community. Known as Comprehensive Plan 2036, it provides an innovative vision for all aspects of the community including transportation and land-use. This plan also recognized the detrimental effects of sprawl development. The Comprehensive Plan 2036 defines sprawl on Page 2-7 as "a spatial development pattern or condition that occurs when large tracts of land are devoted to a single use (single-use zoning); where individual buildings take up increasingly large portions of land (low-density development); and the only way to navigate from one area to another is by automobile (auto-dependency)."

Aging Infrastructure: Bastrop's infrastructure is aging, drainage and land-use regulations are outdated, and flooding is frequent and damaging. Traffic is increasing, and development, while following current regulations, is not indicative of a fiscally responsible, resilient city. Bastrop's position is not unique; many vulnerable cities throughout Texas and the U.S. are confronting similar issues resulting from decades-old policies and land use regulations.

Significant Growth: Year after year, Central Texas continues to top the charts as one of the fastest growing regions in the nation. The ever-growing industries and influx of people moving to the area create substantial opportunities and challenges for the cities in the metro area. Austin's high housing costs, unresolvable traffic congestion, and limited room for growth, created a shortage of attainable housing in Austin proper. Furthermore, its complicated and outdated development code and process further exacerbate the problems. The development patterns in these cities are on a scale, which is out of compliance with the way cities were historically built. There are many serious challenges associated with the pattern of development, referred to as sprawl. They range from the scale, speed, and cost of the streets to the separation of land uses, housing types, and isolation of schools, businesses and civic facilities. Terms often associated with suburban sprawl are placeless places, generic neighborhoods, or anywhere America.

The Need to Get Development Right: Bastrop is facing significant growth, and like most communities, has one shot to get it right! Bastrop currently lies just east of the rapid sprawling growth. It may not be long before the massive growth pressures arrive. As the growth heads eastward, it is imperative Bastrop understand its options and defines the path for its future or it too, could be a place run over with placeless characteristics. As the City of Bastrop prepares to take an eye-opening journey of planning a resilient City for the generation of today, and ones of the future, a connection must be made to understand and respect the history that shaped its past, while planning for a sustainable future.

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Building Bastrop Purpose Statement Adopted by Bastrop City Council:

Create a fiscally sustainable community through land-use regulations that are locally made (Authentic Bastrop) and geographically sensitive.

What does this Purpose Statement Really Mean?

Fiscally sustainable is the ability of a government to sustain its current spending, tax, and other policies in the long-run without threatening government solvency or defaulting on some of its liabilities or promised expenditures. In recent years, local governments have come to understand that suburban sprawl will never lead to fiscal sustainability.

All infrastructure is built as a part of a new development and typically paid for by the developer. The developer pays for the installation one time. The City pays to maintain and/or replace the infrastructure in perpetuity. Yet, the revenue generated from "sprawl" development does not cover the cost of the maintenance and/or replacement of its infrastructure leaving a deficit for the community to have to cover through other sources of revenue or risk letting their infrastructure decline to the point of catastrophic failure.

The City of Bastrop cannot fix the aging infrastructure it has, much less take on any additional infrastructure. Rather than play the "blame game," City Council is playing the "responsibility game." Recognizing that you cannot solve a problem with the same level of thinking that creating it, the City Council is changing the way the City addresses development through the creation and adoption of fiscally sustainable development standards, as noted in the Comprehensive Plan 2036.

Goal 2.1.1.2 of the Comprehensive Plan states "Prepare and utilize a fiscal impact analysis tool when determining the value of annexing property, or when reviewing proposed planned developments or other development proposals". The City of Bastrop hired Verdunity, Inc. to develop a fiscal sustainability model, which will do two (2) things. First, determine how unsustainable existing development is in Bastrop. Second, provide a mechanism to ensure all development built in the future IS fiscally sustainable.

Long term, fiscally sustainable development has to be a win-win for both the City of Bastrop and the development community. The development standards must be economically viable for the developer to build, while generating sufficient revenue for the City of Bastrop to maintain and replace the required infrastructure in perpetuity.

Locally made is another way of saying **Authentic Bastrop**. Authentic means being so in fact, genuine, not fraudulent or counterfeit. In order to be authentic, every development principle, philosophy, etc. that is included in any development related code revision or rulemaking procedure must meet the Building Bastrop Purpose Statement. There cannot be a "cut, copy, and paste" mindset using another city as a model when writing regulations. Every principle, philosophy, etc. included must have a proven history of meeting the elements required in the Purpose Statement, specifically tailored to fit Bastrop.

Geographically sensitive recognizes the differences in geography that exist in Bastrop, which can affect development. For example, part of Bastrop is located on a bluff. Part of Bastrop is flat. Part of Bastrop has clay soil. Part of Bastrop has various sandy soils. There is significant floodplain in Bastrop created from the Colorado River, Gils Branch, and Piney Creek. State Highway 71, a four-lane highway running east/west through Bastrop, creates a physical barrier challenging non-automobile related transportation. Union Pacific Railroad runs through the middle of the community with twelve (12) crossings. The Lost Pines Forest is a unique 13-mile belt of loblolly pines in the City of Bastrop, its extraterritorial jurisdiction (ETJ), and the County. A portion of Bastrop is included in the Lost Pines Conservation Area for the Houston Toad, an endangered species. Therefore, all codes must acknowledge the environment rather than taking a "one-size-fits-all" approach that can lead to the creation of detrimental development.

What are the Elements of Fiscally Sustainable?

In October 2018, SimpleCity Design presented a report on Bastrop DNA Analysis, an in-depth analysis of Downtown Bastrop's anatomy and how it functions as a complete neighborhood. The analysis serves a starting point to inform the conversation as the City plans for implementing new development standards mentioned within the Comprehensive Plan, not just Downtown, but city-wide. The DNA analysis quantified various elements of the original city fabric and captured the patterns of the built environment, which will inform the future of the City through integration into new locally made development standards.

The configuration of streets, buildings, and infrastructure have served Downtown Bastrop patrons, residents, and businesses for hundreds of years, and the value of the built environment continues to rise. The day the buildings were built Downtown was the lowest value they have ever had. The flexibility in design allows market trends to shift with little to no change to the built environment or street network.

Grid. Downtown Bastrop is laid out in an almost perfect series of small gridded blocks that are 330' X 330'. The gridded network of streets is a fundamental element, which creates the most effective and efficient structure for cities to be walkable, flexible, and timeless.

The grid creates flexible blocks. A block could be used as a farm lot, a series of small houses, main street buildings, or even a skyscraper, without reconfiguring the network of streets. The blocks provide a variety of density levels, lot sizes, and organization to fit what the market supports at that time in history.

Streets are sized appropriately to the scale of the buildings and lot makeup. Infrastructure is gridded and provides a series of intersections for redundancy. A natural hierarchy of streets are

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determined by building forms and land uses. Bike routes from existing infrastructure can be created based on the use and the design of existing streets. The navigable design makes it easy to move around on food, bike, skateboard or car with endless options for routes.

Diverse building types throughout Downtown Bastrop create fiscally viable options for small businesses and residents, with a variety of income levels. The integration of small buildings, located alongside larger buildings and small houses, located adjacent to larger homes, support a mix of options for people looking to move or open a business in Bastrop.

Walkable Place. Downtown Bastrop was built with clear and logical intentions, from the layout of the streets, the location along the waterfront, the orientation of the buildings, to the variety of building scales and types. The makeup of the original town functioned well for the population then and functions well for the population now. Downtown functions as a complete neighborhood, providing easy access to a wide range of services, housing types, office space, and parks and civic space with a comfortable walk, bike ride, or drive away. The arrangement of the small gridded network of streets further enhances the options provided to the people in Downtown.

It is important to note that Americans walk about a ¼ of a mile or a five (5) minute walk to services or places of interest. However, when the environment is comfortable, shaded and welcoming, they will walk about ½ of a mile. Bastrop's gridded tree-lined streets make it easy to access nature, services and restaurants all within a close proximity creating real opportunities for a walkable neighborhood.

Timeless place. The overall organization of the built environment Downtown Bastrop is timeless. It has already proven to withstand the test of time related to the introduction of cars, new market demands, new housing trends, how services are delivered, and how people choose to live in the modern world.

Key elements, which make Downtown Bastrop timeless and fiscally sustainable, include:

- the continuous rows of buildings and how they address the street;
- flexible space and building types to support a range of businesses and housing options;
- existing resources, infrastructure, and buildings are easily adaptable for modern trends;
- the blocks provide a variety of density levels, lot sizes, and organization to fit what is supported at that time in history;
- the shopfronts and ground floor characteristics at the street edge;
- upper story space to house offices, residents, or artists/creative spaces;
- awnings and street trees shading wide sidewalks;
- parks and civic spaces integrated into the built form of the City;
- human scale signs informing people what comes next;
- products spilling into the sidewalks from nearby storefronts;
- incremental development and lack of uniformity creates an inherit visual interest; and
- the people who live, work, and own shops and businesses Downtown.

Golden ratio, also known as Fibonacci sequence. Timeless, walkable places must be visually appealing, comfortable, and built to scale. The golden ratio, also known as divine proportion, appears in art, nature, and science including flower petals, pinecones, shells, trees, and storms. Utilizing the golden ratio into development standards provides a mathematical equation for creativity, when most architects and engineers of today's era have experience in "suburban sprawl" development techniques.

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STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 9G

TITLE:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-55 of the City Council of the City of Bastrop, Texas adopting the 2036 Comprehensive Plan as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:
Matt Jones, Director of Planning and Development

BACKGROUND/HISTORY:
Under Texas Local Government Code, a governing body of a municipality may adopt a comprehensive plan for the long-range development of the city, which may include planning for land use, transportation, and public facilities. Additionally, the City Charter states that the Comprehensive Plan will contain recommendations for the growth, development, and beautification of the City and its extraterritorial jurisdiction.

On November 22, 2016, the City Council held a public hearing and adopted the Comprehensive Plan 2036 by Resolution R2016-32. The plan was accomplished through extensive public input, and public meetings by the Comprehensive Plan Steering Committee, Planning & Zoning Commission and City Council that began in July 2015.

The ratification of the adoption by ordinance is necessary to comply with the Texas Local Government Code.

POLICY EXPLANATION:
Local Government Code Section 213. Municipal Comprehensive Plans

Sec. 213.003. Adoption or amendment of comprehensive plan.

(a) A comprehensive plan may be adopted or amended by ordinance following:

(1) a hearing at which the public is given the opportunity to give testimony and present written evidence; and

(2) review by the municipality's planning commission or department, if one exists.

(b) A municipality may establish, in its charter or by ordinance, procedures for adopting and amending a comprehensive plan.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-55 of the City Council of the City of Bastrop, Texas adopting the 2036 Comprehensive Plan as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

ATTACHMENTS:

- Ordinance
- Exhibit A - Comprehensive Plan 2036 (***Not included in packet given the size of the document. Please click on link below to access the Comprehensive Plan)***
  https://www.cityofbastrop.org/upload/page/0051/docs/Final%202036%20Comp%20Plan.pdf

ORDINANCE 2019-55

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ADOPTING THE 2036 COMPREHENSIVE PLAN AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, ADOPTION, ENFORCEMENT, A REPEALER, AND SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Bastrop, Texas ("City") is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Charter of the City of Bastrop, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development, and beautification of the City and its extraterritorial jurisdiction; and

WHEREAS, Chapter 213 of Texas Local Government Code states that a governing body of a municipality may adopt a comprehensive plan for the long-range development of the city, which may include planning for land use, transportation, and public facilities; and

WHEREAS, the City Council of the City of Bastrop adopted the 2036 Comprehensive Plan by Resolution No. R2016-32 November 22, 2016; and

WHEREAS, Chapter 213 of Local Government Code, Comprensive Plans, states that a Comprehensive Plan shall be adopted by Ordinance; and

WHEREAS, the citizens of the City of Bastrop were involved in the development of the Comprehensive Plan through participation committee and public meetings; and

WHEREAS, Chapter 213 of the Texas Local Government Code states that the adoption of or amendment to a Comprehensive Plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence and as required by the City Charter, a public hearing was held for the Comprehensive Plan when it was adopted by Resolution No. R2016-32; and

WHEREAS, The Comprehensive Plan shall serve as a guide for all future City Council actions concerning land use, development regulations, and expenditures for capital improvements; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ADOPTION AND AMENDMENT The City Council hereby adopts the 2036 Comprehensive Plan by Ordinance, ratifing Resolution No. R2016-32, as attached in Exhibit A.

SECTION 3. REPEALER In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 4. SEVERABILITY If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE This Ordinance shall be effective immediately upon passage and publication.

SECTION 7. OPEN MEETINGS It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ & ACKNOWLEDGED on First Reading on the 22nd day of October 2019.

READ & APPROVED on the Second Reading on the 12th day of November 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM:** 9H

TITLE:
Consider action to approve the first reading of Ordinance 2019-57 of the City Council of the City of Bastrop, Texas adopting Schedules of Uniform Submittal Dates for 2019/2020 for Neighborhood Regulating Plans as shown as Exhibit A, in order to comply with Texas Local Government Code Chapter 212, which requires Neighborhood Regulating Plans to be reviewed within thirty (30) days of submittal or deemed approved; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager
Matt Jones, Director of Planning & Development

BACKGROUND/HISTORY:
House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction.

POLICY EXPLANATION:
Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

In order to ensure compliance with Texas Local Government Code Chapter 212, City Council will annually adopt Schedule Uniform Submittal Dates in September in order to comply with Texas Local Government Code Chapter 212 for Zoning Change & CUP applications, Public Improvement Plan applications, Plat applications, Site Plan, and Neighborhood Regulating Plan applications. The Schedule Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and Planning & Zoning Commission meetings.

FUNDING SOURCE: N/A

RECOMMENDATION:
Consider action to approve the first reading of Ordinance 2019-57 of the City Council of the City of Bastrop, Texas adopting Schedules of Uniform Submittal Dates for 2019/2020 for Neighborhood Regulating Plans as shown as Exhibit A, in order to comply with Texas Local

Government Code Chapter 212, which requires Neighborhood Regulating Plans to be reviewed within thirty (30) days of submittal or deemed approved; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

ATTACHMENTS:

- Ordinance
- Exhibit A - Schedule

ORDINANCE 2019-57

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ADOPTING A SCHEDULE OF UNIFORM SUBMITTAL DATES FOR 2019/2020 FOR NEIGHBORHOOD REGULATING PLANS AS SHOWN AS EXHIBIT A, IN ORDER TO COMPLY WITH TEXAS LOCAL GOVERNMENT CODE CHAPTER 212, WHICH REQUIRES NEIGHBORHOOD REGULATING PLANS TO BE REVIEWED WITHIN THIRTY (30) DAYS OF SUBMITTAL OR DEEMED APPROVED; AND PROVIDING FOR FINDINGS OF FACT, ENACTMENT, ENFORCEMENT, A REPEALER, AND SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules grant authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

WHEREAS, City Council will annually adopt a Schedule of Uniform Submittal Dates in September in order to comply with Texas Local Government Code Chapter 212 for Neighborhood Regulating Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and dates when administrative decisions will be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ENACTMENT The City Council hereby adopts the Neighborhood Regulating Plan Schedule of Uniform Submittal Dates for 2019/2020, as attached in Exhibit A.

SECTION 3. REPEALER In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 4. SEVERABILITY If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE This Ordinance shall be effective immediately upon passage and publication.

READ and APPROVED on First Reading on the 22nd day of October 2019.

READ and ADOPTED on Second Reading on the 12th day of November 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

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2019 – 2020 Regulating Plan Schedule of Uniform Submittal Dates

Regulating Plan Submission will only be accepted on these dates between 8:00 a.m. - 3:00 p.m.	All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.	Responses to Approval with Conditions will only be accepted on these dates between 8:00 a.m. – 3:00 p.m. for Director of Planning & Development Action calendared on same line*	DRC Review Approval with Conditions – Staff Recommendations to Approve /Disapprove	*Director of Planning & Development Action on Regulating Plans
11/11/2019	11/12/2019	11/22/2019	12/5/2019	12/5/2019
12/30/2019	12/31/2019	1/10/2020	1/16/2020	1/23/2020
1/13/2020	1/14/2020	1/24/2020	1/30/2020	2/6/2020
2/10/2020	2/11/2020	2/21/2020	2/27/2020	3/5/2020
3/9/2020	3/10/2020	3/20/2020	3/26/2020	4/2/2020
4/13/2020	4/14/2020	4/24/2020	4/30/2020	5/7/2020
5/11/2020	5/12/2020	5/22/2020	5/28/2020	6/4/2020
6/8/2020	6/9/2020	6/19/2020	6/25/2020	7/2/2020
7/13/2020	7/14/2020	7/24/2020	7/30/2020	8/6/2020
8/10/2020	8/11/2020	8/21/2020	8/27/2020	9/3/2020
9/21/2020	9/22/2020	10/2/2020	10/8/2020	10/15/2020
10/12/2020	10/13/2020	10/23/2020	10/29/2020	11/5/2020
11/9/2020	11/10/2020	11/20/2020	12/3/2020	12/3/2020

*Adopted by City Council on October 22, 2019 – Ordinance 2019-57

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Est. 1832

Regulating Plan Schedule of Uniform Submittal Dates – 2019/2020

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 9I

TITLE:
Consider action to approve Resolution No. R-2019-106 of the City Council of the City of Bastrop, Texas authorizing the City Manager to execute a Special Warrant Deed transferring 2.07 acres of land in Lake Bastrop acres to Bastrop County for use as park land in consideration of Ten Dollars and 00/100 cents ($10.00), as attached in Exhibit A; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:
Trey Job, Assistant City Manager of Development Services

BACKGROUND/HISTORY:
The City of Bastrop owns 2.07 acres of land in the Issac Harris Survey Abstract #38 in Bastrop County, Texas. The property was a proposed well site for the City of Bastrop but was not used for that purpose. Due to the proximity of other production wells within one mile of the site it is not feasible or favorable to place a production well in this location.

The City of Bastrop believes the citizens of Bastrop County would benefit from park land in this area and wishes to deed the property to the County for this purpose.

POLICY EXPLANATION:
This Resolution, if passed, continues the policy previously established by the City Council to assist other local government agencies with projects that are mutually beneficial to the community.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve Resolution No. R-2019-106 of the City Council of the City of Bastrop, Texas authorizing the City Manager to execute a Special Warrant Deed transferring 2.07 acres of land in Lake Bastrop acres to Bastrop County for use as park land in consideration of Ten Dollars and 00/100 cents ($10.00), as attached in Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:
- Resolution
- Special Warranty Deed

RESOLUTION NO. R-2019-106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A SPECIAL WARRANTY DEED TRANSFERRING 2.07 ACRES OF LAND IN LAKE BASTROP ACRES TO BASTROP COUNTY FOR USE AS PARK LAND IN CONSIDERATION OF TEN DOLLARS AND 00/100 CENTS ($10.00), AS ATTACHED IN EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The City Council of the City of Bastrop, Texas has appointed the City Manager as the Chief Administrative Officer of the City; and

WHEREAS, The City Manager is responsible for the proper administration of all affairs of the City; and

WHEREAS, The City Council of the City of Bastrop, Texas wishes to assist other local government agencies with projects that are mutually beneficial to the community; and

WHEREAS, The City of Bastrop, Texas owns 2.07 acres of land in the Issac Harris Survey Abstract #38 in Bastrop County, Texas; and

WHEREAS, the property was a proposed well site for the City of Bastrop, but ultimately not used for that purpose due to the proximity of neighboring wells; and

WHEREAS, The City Council of the City of Bastrop, Texas believes the citizens of Bastrop County would benefit from park land in this area and wishes to deed the property to the County for this purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: That the City Manager is hereby authorized to execute a Special Warranty Deed transferring 2.07 acres of property in the Issac Harris Survey Abstract #38 to Bastrop County in consideration of Ten Dollars ($10.00).

Section 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 22nd day of October, 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS)
)
COUNTY OF BASTROP)

known all persons by these presents:

That the City of Bastrop, Texas, a home rule municipality of the State of Texas ("Grantor"), for Ten Dollars ($10.00) cash and valuable consideration to it in hand paid by Grantee herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD and CONVEYED and by these presents does hereby GRANT, SELL and CONVEY unto the County of Bastrop, Texas a political subdivision of the State of Texas, herein referred to as "Grantee", all of Grantor's interest in and to the following described tract of land located in Bastrop County, Texas ('Property"):

THAT CERTAIN 2.07 ACRE REAL PROPERTY TRACT OF LAND OUT OF AND A PORTION OF A 142.635 ACRE TRACT IN THE ISAAC HARRIS SURVEY ABSTRACT #38 OF BASTROP COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN DEED RECORDED IN VOLUME 596, PAGE 190 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS, AND ASSIGNING ALL RIGHTS TO THE TWO WATERLINE EASEMENTS DESCRIBED THEREIN, as more particularly described in Exhibit A, attached hereto and incorporated into and made a part of this document for all purposes

Restrictions and Reservations from Exceptions to Conveyance and Warranty: None

Exceptions to Conveyance and Warranty: All validly existing easements, rights-of-way and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than the Grantor, and other instruments, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and taxes, and all encumbrances, restrictions, easements and reservations of record in

Bastrop County Clerk's Office to the extent that they may be in effect and enforceable; and any validly existing titles or rights asserted by anyone, including but not limited to persons, the public, corporations, governments, or other entities, to (a) tidelands or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, (b) lands beyond the line of the harbor or bulkhead lines as established or changed by any government, (c) filled-in lands or artificial islands, (d) statutory water rights, including riparian rights, or (e) the area extending from the line of mean low tide to the line of vegetation or the right of access to that area or easement along and across that area. Ad valorem taxes attendant to the Property shall be assumed by the Grantee, if any.

"AS IS, WHERE IS SALE. OWNER ACKNOWLEDGES AND AGREES THAT GRANTOR HAS NOT MADE, IS NOT MAKING, AND SPECIFICALLY DISCLAIMS AND NEGATES ANY WARRANTIES, REPRESENTATIONS, GUARANTEES OR ASSURANCES (EXPRESS OR IMPLIED) REGARDING THE PROPERTY WHETHER REGARDING ENVIRONMENTAL MATTERS OR OTHERWISE, GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT IT IS PURCHASING THE PROPERTY "AS IS, WHERE IS" WITH ALL FAULTS AND ALL LATENT OR PATENT DEFECTS.

TO HAVE AND TO HOLD the property together with all and singular the rights and appurtenances thereto in any way belonging to Grantee, Grantee's successors and assigns forever. This conveyance is made WITHOUT ANY WARRANTIES, EXPRESS OR IMPLIED, and the Property is conveyed to Grantee in as "AS-IS" condition, with all faults.

EXECUTED this _____ day of _____, 2019

Grantor:

By: _____

Its: _____

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF BASTROP)

The foregoing instrument was sworn to and acknowledged before me, on the _____ day of _____ 2019, by _____, _____(*Title of person*) as authorized signer for Bastrop County.

_____
Notary Public

My Commission Expires: _____

EXHIBIT "A"

LEGAL DESCRIPTION

WARRANTY DEED AND WATERLINE EASEMENT AGREEMENT

THE STATE OF TEXAS §
§
COUNTY OF BASTROP §

KNOW ALL MEN BY THESE PRESENTS that the undersigned, Hubert L. Linenberger, and wife, Anita Kay Linenberger, of P.O. Box 669, Bastrop, County of Bastrop, and State of Texas, hereinafter called Grantor (whether one or more), for and in consideration of the sum of Twelve Thousand Five Hundred Dollars ($12,500.00) and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY unto The City of Bastrop, Texas, its successors and assigns (hereinafter called Grantee), whose address is 904 Main Street, P.O. Box 427, Bastrop, Bastrop County, Texas 78602, the fee simple interest in the following described 2.07 acre tract of land located in Bastrop County, Texas, as more fully described by metes and bounds in Exhibit "A" attached hereto and made a part hereof; and, in addition, does GRANT, SELL, AND CONVEY unto said Grantee two (2) waterline easements across the following described 142.6 acre tract of land located in Bastrop County, Texas for the purposes set out below; said easements across the 142.6 acre tract being more particularly described by metes and bounds in Exhibit "B" attached hereto and made a part hereof.

Said waterline easements being a 15 foot wide and a 20 foot wide easement for waterline purposes in connection with the proposed City well site to be located upon the said 2.07 acre parcel out of the said 142.6 acre tract to be used to transport water from said 2.07 acre site to the City of Bastrop facilities.

In addition to the said 15 and 20 foot wide permanent waterline easements, Grantee shall have the temporary use of a 20 f t wide temporary working space easement located adjacent to the southern boundary of the 20 foot waterline easement described above and adjacent to the eastern boundary of the 15 foot waterline asement, and being parallel to same for their entire length. Said

20 foot wide temporary working space easements to exist only during the construction and installation of waterlines to connect said well site to the City of Bastrop facilities, and said temporary working space easements shall automatically expire and cease to exist upon the completion of such waterlines and associat d facilities.

The Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the easement rights herein granted, including, but without limiting the same t , construction, maintenance and reconstruction of water lines, the free right of ingress to and egress over and across said lands to and from any public or private right-of-way or easement. The Grantee shall have the right to assign this grant in whole or in part.

As further consideration for this easement agreement, the Grantee agrees that after any construction, reconstruction, or maintenance, Grantee shall, at its expense, restore Grantors' property to the same or similar condition in which it was found, and, further, to maintain the integrity of Grantors' fencing and gates so as to prevent loss of livestock during any construction or maintenance by Grantee.

TO HAVE AND TO HOLD the above described premises and easement rights, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the Grantees herein, their successors and assigns, forever; and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises and easement rights unto the Grantee herein, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

IN TESTIMONY WHEREOF, the parties hereto have executed this conveyance and Waterline Easement Agreement this the 10th day of December, 19 90.

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GRANTOR:

Hubert L. Linenberger

Anita Kay Linenberger

GRANTEE:

David Lock, Mayor

ATTEST:

Phyllis Mathison, City Secretary

CORPORATION SEAL

STATE OF TEXAS §
§
COUNTY OF BASTROP §

This instrument was acknowledged before me on this 10th day of December, 1990, by Hubert L. Linenberger, for th purposes and consideration aforesaid.

Notary Public, State of Texas

PHYLLIS MATHISON

Printed or typed name

My commission expires: 11-20-93

STATE OF TEXAS §
§
COUNTY OF BASTROP §

This instrument was acknowledged before me on this 10th day of December, 1990, by Anita Kay Linenberger, for the purposes and consideration aforesaid.

Notary Public, State of Texas

PHYLLIS MATHISON

Printed or typed name

My commission expires: 11-20-93

STATE OF TEXAS §
§
COUNTY OF BASTROP §

This instrument was acknowledged before me on this 10th day of December, 1990, by David Lock, Mayor of the City of Bastrop, for the purposes and consideration aforesaid.

Notary Public, State of Texas

JoAnn Wilcoxen

Printed or typed name

My commission expires: 7-28-92

AFTER RECORDING RETURN TO GRANTEE:

City Secretary
City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

VOL 596 PAGE 193

LH1190/33

VOL 596 PAGE 194

JAMES E. GARON & ASSOC.
PROFESSIONAL LAND SURVEYORS

LEGAL DESCRIPTION: BEING 2.07 ACRES OF LAND LYING AND BEING SITUATED IN THE ISAAC HARRIS SURVEY, ABSTRACT 38 OF BASTROP COUNTY, TEXAS AND BEING A PORTION OF A CERTAIN CALLED 142.635 ACRE TRACT CONVEYED TO HUBERT L. LINENBERGER BY DEED RECORDED IN VOLUME 178, PAGE 104 OF THE BASTROP COUNTY DEED RECORDS; SAID 2.07 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN JULY 1990:

BEGINNING at an iron pipe found for the most northeasterly corner of said Linenberger tract and the herein described tract;

THENCE S 11°56' 21" W, 300.00 feet along the westerly right - of - way (60') line of Cool Water Lane to an iron rod set for corner;

THENCE N 78°03' 21" W, 300.00 feet to an iron rod set for corner;

THENCE N 11°56' 21" E, 300.00 feet to an iron rod set for corner on the northerly line of said Lineberger tract;

THENCE S 78° 03' 21" E, 300.00 feet along said line to the POINT OF BEGINNING and containing 2.07 acres of land more or less.

Surveyed By:

James E. Garon
Registered Professional Land Surveyor

7-23-1990
Date

Job #B-141-90
FB 16/75; 20/1; 23/13

STATE OF TEXAS
JAMES E. GARON
4303
PUBLIC SURVEYOR

COUNTY CLERK'S MEMO
PORTIONS OF THIS
DOCUMENT NOT
REPRODUCIBLE
WHEN RECORDED

EXHIBIT: A

1101 CAPITAL OF TEXAS HIGHWAY, SOUTH • BLDG. E, SUITE 230 • AUSTIN, TEXAS 78746 • (512) 328-9202
906 MAIN STREET • BASTROP, TEXAS 78602 • (512) 321-4185

JAMES E. GARON & ASSOC.
PROFESSIONAL LAND SURVEYORS

VOL. 596 PAGE 195

LEGAL DESCRIPTION
FOR
20' WATERLINE EASEMENT
&
15' WATERLINE EASEMENT

BEING A 20 FOOT AND 15 FOOT STRIP OR PARCEL OF LAND LYING AND BEING SITUATED IN THE ISAAC HARRIS SURVEY, ABSTRACT 38 OF BASTROP COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN CALLED 142.6 ACRE TRACT CONVEYED TO HUBERT L. LINENBERGER BY DEED RECORDED IN VOLUME 178 PAGE 104 OF THE BASTROP COUNTY DEED RECORDS; SAID EASEMENT HAVING A CENTERLINE DESCRIBED AS FOLLOWS:

COMMENCING from an iron pipe found on the westerly right-of-way of Cool Water Drive for the northeasterly corner of said Linenberger tract;

THENCE S 11°66' 21" W, 300.00 feet along said line of Cool Water Drive and N 78°03' 21" W, 173.15 to the POINT OF BEGINNING of the herein described centerline of said 20' easement;

THENCE S 44°42' 00" W, 1,033.66 feet to a point for corner;

THENCE N 77°58' 25" W, 1358.42 feet to a point of non-tangent curvature to the left;

THENCE 411.92 feet along the arc of said curve to the left having a central angle of 17°31' 28", a radius of 1346.76 feet and a chord bearing N 86° 25' 35" W, 410.31 feet to a point of non-tangency;

THENCE S 81°51' 02" W, 225.37 feet to a point for corner; being the termination of said 20' easement and beginning of said 15' easement;

THENCE S 07°08' 15" W, 2,697.05 feet along a line 7.50 feet east of and parallel to the east right-of-way line of State Highway 95 to a point for corner;

THENCE N 82°51' 45" W, 7.50 feet to a point for termination on the east right-of-way line of State Highway 95 from which the southwest corner of said Linenberger tract bears S 07°08' 15" W, 348.37 feet.

COUNTY CLERK'S MEMO
PORTIONS OF THIS
DOCUMENT NOT
REPRODUCIBLE
WHEN RECORDED

Prepared By:

James E. Garon
Registered Professional Land Surveyor

10-11-1990
Date

STATE OF TEXAS
REGISTERED
JAMES E. GARON
4303
PROFESSIONAL
LAND SURVEYOR

FILED
MAR 1 9
11:20 A
COUNTY CLERK
BASTROP COUNTY, TEXAS

Job # B-141-90
FB 15-75, 20-1, 23-13, 23-70

EXHIBIT B

1101 CAPITAL OF TEXAS HIGHWAY, SOUTH • BLDG. E, SUITE 230 • AUSTIN, TEXAS 78746 • (512) 328-9302
905 MAIN STREET • BASTROP, TEXAS 78602 • (512) 321-4183

MAR 2 8 1991
COUNTY CLERK
BASTROP COUNTY, TEXAS

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 9J

TITLE:
Consider action to approve the first reading of Ordinance No. 2019-55 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date, and move to include on the November 12, 2019 City Council agenda for a second reading.

STAFF REPRESENTATIVE:
Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:
The FY2019 budget was approved by City Council on September 25, 2018. Since that approval, the City has spent more than it anticipated. The budget amendment explanations are as follows:

Budget Amendment #1: General Fund-Legal Services

Legal Services in the General Fund were originally budgeted at $200,000. The total expense is anticipated to be closer to $400,000 as stated in the City Manager's FY 2020 Budget Memo. Staff has been monitoring this account since April and started identifying available funds within the General Fund to help cover this difference of $200,000. The detail provided in Exhibit A to the Ordinance identifies the accounts that will make up this difference from the original budget to the actual expense.

Budget Amendment #2: General Fund-Legal Settlement

The Vandiver Settlement was a known liability by City Staff, but the timing of when this settlement would need to be paid out was unknown. This settlement was resolved during FY 2019 and the City paid this $100,000 liability. Once staff became aware of this expenditure, the funds to cover this expense were identified. The Innovation Fund was created with excess available fund balance over the 25% reserve requirement from the General Fund. The Innovation Fund is used to fund one-time projects. This money can be transferred back to the General Fund to cover one-time expenditures, if needed. The detail provided in Exhibit A to the Ordinance identifies the details of this transfer from Innovation Fund to General Fund.

Budget Amendment #3: Cemetery Fund

The Cemetery Fund amendment is to use available fund balance to cover the approved purchase of real property adjacent to the Fairview Cemetery. This was not in the budget for FY 2019. This approval to purchase the real property was made during the June 25, 2019 Council Meeting. The sale of this property did not close until August 15, 2019 and totaled $117,900.

POLICY EXPLANATION:
The Financial Management Policy states that the level of budgetary control is at the department level in all Funds. If transfers are required between departments, this must be approved by Council.

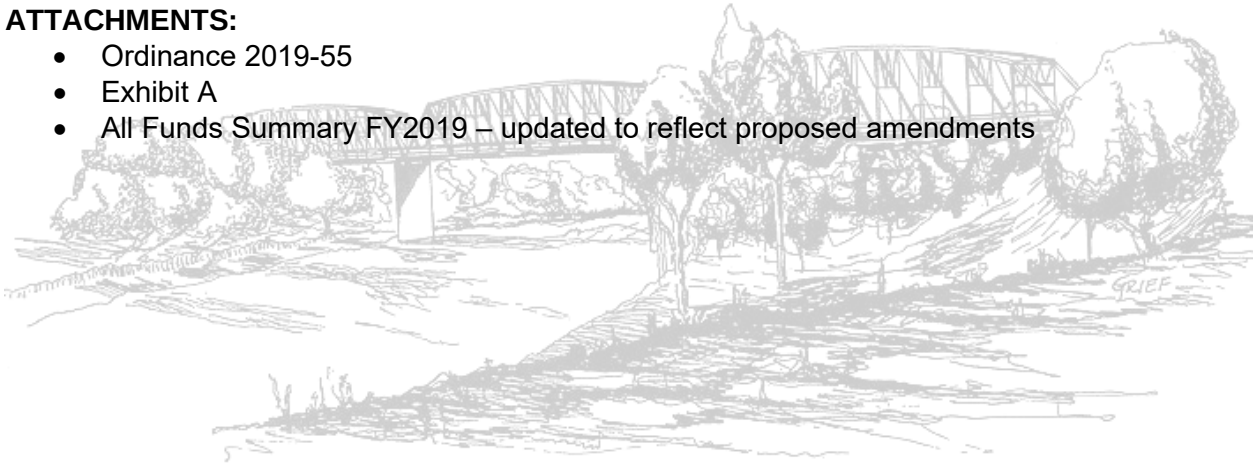
The City Charter requires that when the budget is amended, that the amendment be made by Ordinance.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve the first reading of Ordinance No. 2019-55 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date, and move to include on the November 12, 2019 City Council agenda for a second reading.

ATTACHMENTS:

- Ordinance 2019-55
- Exhibit A
- All Funds Summary FY2019 – updated to reflect proposed amendments



ORDINANCE NO. 2019-55

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2019 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop, Texas has submitted to the Mayor and City Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2019; and

WHEREAS, the Mayor and City Council have now provided for and conducted a public hearing on the budget as provided by law.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

Section 1: That the proposed budget amendment(s) for the Fiscal Year 2019, as submitted to the City Council by the City Manager and which budget amendment(s) are attached hereto as Exhibit A, are hereby adopted and approved as the amended budget of said city for Fiscal Year 2019.

Section 2: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 3: This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ and APPROVED on First Reading on the 22nd day of October 2019.

READ and ADOPTED on Second Reading on the 12th day of November 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

FY 2019 Budget Book (Page 126)
Organizational – Contractual Services

Original Budget	$437,957
Expected Expenditure	$737,957
Difference	**$300,000**

This difference will be handled through two amendments as follows:

Budget Amendment #1: General Fund-Legal Services

The legal services were originally budgeted at $200,000. This year we have had additional legal expenses outside the normal general business of the City. This additional work was highlighted in the FY 2020 City Managers budget memo: (Budget Book Page 18-19)

- In FY 2019, there was $315,000 in unbudgeted expenses that have been covered by additional salary savings and unspent expenditures. Staff anticipated in the April/May timeframe that these expenditures could occur. An operational plan was established to monitor monthly. There is $100,000 in litigation expenses that paid for the Vandiver settlement, which was not budgeted due to the unknown timing of payments per the agreement. City Attorney legal fees are projected to be $415,000, which is $215,000 more than budgeted due to the significant amount of work accomplished in FY2019 associated with ***Building Bastrop codes, the moratorium, the 1445 Ordinance, the Grandfathering Ordinance, the Storm Drainage Ordinance, and contract reviews for all new engineering contracts and CIP projects, just to name a few.*** The increase in attorney fees are due to one-time projects and not anticipated to be a reoccurring expense in FY 2020 at the FY 2019 level. A budget amendment will be required in September to cover these expenses, once we have a better grasp of final numbers.

The difference needs to be applied to the following accounts:

Legal Services (101-02-00-5525) **$200,000**

The difference will be addressed through the following:

Salary Savings from following departments due to vacancies:		
City Manager	101-03-00-5101	$25,000
Finance	101-05-00-5101	$30,000
Information Technology	101-07-00-5101	$6,000
Police-Administration	101-09-10-5101	$20,000
Police-Code/Animal Control	101-09-12-5101	$3,000
Fire	101-11-00-5101	$10,000
Development Services-Planning	101-15-00-5101	$14,000
Public Works	101-18-15-5101	$23,000

Parks	101-18-19-5101	$13,000
Library	101-21-00-5101	$23,000
	Total Salary Savings	***$167,000***
Other accounts in the General Fund with available funds:		
Information Technology-Travel & Training	101-07-00-5605	$6,000
Police-Admin-Prisoner Housing	101-09-10-5663	$6,000
Police (Code/Animal Control)-Contractual Services	101-09-12-5561	$4,000
Public Works (Admin)-Contractual Services	101-18-10-5530	$7,000
Development Services (Engineering)-Contractual Services	101-15-16-5505	$10,000
	Total Other Savings	***$33,000***
	TOTAL AVAILABLE FUNDS	***$200,000***

This amendment is only a transfer between departments and has no effect on the General Funds fund balance.

Budget Amendment #2: General Fund-Legal Settlement

The settlement fees for the Vandiver lawsuit was not originally budgeted in FY2019. This settlement resulted in two payments of $50,000 for a total of $100,000 difference.

The difference needs to be applied to the following accounts:

Legal Services-Settlement (101-02-00-5527) **$100,000**

The difference will be addressed through the following:

Transfer in from the Innovation fund **$100,000**

As stated in the staff report, staff had identified the source of funding to cover this settlement liability. After the FY 2019 budget was approved the Fire Department re-evaluated several item requests that had been included in the Innovation Fund (see pages 222 & 223 of the FY 2020 Budget Book). The SCBA refurbished packs and bottles totaling ($16,400 + $71,000=$**87,400**) would only extend the life for an additional two years. It was determined that purchasing new packs and bottles for a life of 15-20 years (which has now been included in the FY 2020 Certificate of Obligation for fire equipment) is the more responsible option. The additional $**12,600** needed, is coming from the Chicken Capture-relocate line item that was not needed due to staff performing this function versus paying an outside party. These two items equal the **$100,000** amount needed to cover the settlement liability.

This amendment is only a transfer between departments and has no effect on the General Funds fund balance.

Budget Amendment #3: Cemetery Fund

During the month of June, the City was approached regarding property that was for sale adjacent to the front of Fairview Cemetery. The City had attempted to purchase this same piece of property several years prior, but the sale fell through. City Council approved the purchase of this property at the June 25, 2019 Council Meeting. The sale was completed in August 2019.

FY 2019 Budget Book (Page 293)

Original Budget – Total Expenditures	$92,780
Actual Expense	$210,680
Difference	**$117,900**

The difference needs to be applied to the following accounts:

Capital Outlay-Real Property (525-00-00-6060) **$117,900**

The difference will be addressed through the following:

Reduction in Fund Balance within the Cemetery Fund **$117,900**

City of Bastrop

All Funds Summary FY2019

	GENERAL FUND	STREET MAINTENANCE FUND	DEBT SERVICE FUNDS	HOTEL TAX FUND	SPECIAL REVENUE FUNDS	WATER/ WASTEWATER FUNDS	BP&L FUND	CAPITAL IMPROVEMENT FUNDS	INTERNAL SERVICE FUND	TOTAL ALL FUNDS
BEGINNING FUND BALANCES	$ 2,566,858	$ -	$ 306,992	$ 3,425,181	$ 2,440,787	$ 5,824,328	$ 4,072,418	$ 8,260,931	$ 1,866,409	$ 28,763,904
REVENUES:										
AD VALOREM TAXES	3,533,514		1,863,009		-	-	-	-		5,396,523
SALES TAXES	4,864,390				-	-	-	-		4,864,390
FRANCHISE & OTHER TAXES	517,966			2,736,000	23,000	-	-	-		3,276,966
LICENSES & PERMITS	699,500			2,000	-	-	-	-		701,500
SERVICE FEES	543,936			283,350	1,166,548	5,667,190	7,648,040	-	311,563	15,620,627
FINES & FORFEITURES	334,000				14,500	-	-	-		348,500
INTEREST	50,000	6,000	10,850	44,500	35,850	88,386	56,000	85,500	15,500	392,586
INTERGOVERNMENTAL	72,878			62,312	1,644,576	-	-	-		1,779,766
OTHER	84,768		247,619	-	30,700	8,000	17,000	102,291	30,000	520,378
TOTAL REVENUES	10,700,952	6,000	2,121,478	3,128,162	2,915,174	5,763,576	7,721,040	187,791	357,063	32,901,236
OTHER SOURCES										
Other Financing Sources								465,000		465,000
Interfund Transfers	909,750	1,100,000	516,185	486,084	4,700	2,334,257	-	453,825	254,500	6,059,301
TOTAL REVENUE & OTHER SOURCES	11,610,702	1,106,000	2,637,663	3,614,246	2,919,874	8,097,833	7,721,040	1,106,616	611,563	39,425,537
TOTAL AVAILABLE RESOURCES	$ 14,177,560	$ 1,106,000	$ 2,944,655	$ 7,039,427	$ 5,360,661	$ 13,922,161	$ 11,793,458	$ 9,367,547	$ 2,477,972	$ 68,189,441
EXPENDITURES:										
GENERAL GOVERNMENT	4,318,584	566,797			1,416,576	-	-	707,807		7,009,764
PUBLIC SAFETY	4,288,702				466,950	-	133,800	228,000		5,117,452
DEVELOPMENT SERVICES	1,057,874				-	-	-	514,325		1,572,199
COMMUNITY SERVICES	1,589,458			346,994	322,175	-	160,493	533,854		2,952,974
UTILITIES					18,500	3,938,419	6,123,910	-		10,080,829
DEBT SERVICE			2,716,641		-	1,425,805	-	-		4,142,446
ECONOMIC DEVELOPMENT				3,108,866	-	-	-	-		3,108,866
CAPITAL OUTLAY					732,355	2,857,105	585,000	4,559,109	423,764	9,157,333
TOTAL EXPENDITURES	11,254,618	566,797	2,716,641	3,455,860	2,956,556	8,221,329	7,003,203	6,543,095	423,764	43,141,863
OTHER USES										
Interfund Transfers	266,084		-	516,186	575,392	1,883,565	1,341,575	1,476,500	-	6,059,301
TOTAL EXPENDITURE & OTHER USES	11,520,702	566,797	2,716,641	3,972,046	3,531,948	10,104,894	8,344,778	8,019,595	423,764	49,201,164
ENDING FUND BALANCES	$ 2,656,858	$ 539,203	$ 228,014	$ 3,067,381	$ 1,828,713	$ 3,817,267	$ 3,448,680	$ 1,347,952	$ 2,054,208	$ 18,988,277
% of Expenditures	26.4%	95.1%	8.4%	88.8%	52%	71.2%	53.7%	20.6%	484.8%	55.9%

City Council Amendment October 22, 2019

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM:** 9K

TITLE:
Consider action to approve the first reading of Ordinance No. 2019-49 of the City Council of the City of Bastrop, Texas amending Construction Standards Technical Manual dated January 2012, amending Chapter 1 – Section II References, Abbreviations and Definitions and adding Street Typical Street Cross-Sections, as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting and move to include on the November 12, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:
Trey Job, Assistant City Manager of Development Services

BACKGROUND/HISTORY:
House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision Construction plan be approved within 30 days. The attached City of Bastrop Construction Standards Manual provides the technical specification referencing the City's updated typical street cross-sections to align with the B³ Codes. The City of Bastrop Construction Standards latest revision from August 27, 2019 reflected changes incorporating the newly adopted Stormwater Drainage Design Manual, and the new street sign specifications.

POLICY EXPLANATION:
It has been the policy of this City Council to ensure that any development that takes place in the City of Bastrop meets the envisioned community purpose to be geographically sensitive, fiscally sustainable and authentic to ensure development complies with the long term goals of the community. The manual's standards are in compliance with City of Bastrop codes, state law, and engineering best practices, and the right amount of local input and amendments to include items such as:

a) New Typical Street Cross-sections.
b) Chapter 5 - **PAVING STANDARDS FOR STREETS AND SIDEWALKS**, **B**. **Design Requirements**

Current Language	**Proposed Language**
1. No streets shall be designed having a slope of less than 0.40 feet per 100 feet. 2. Streets shall have standard concrete curb and gutter unless otherwise approved by the City Engineer. 3. Streets shall be constructed per the geotechnical report and pavement recommendations prepared for the Public Improvement Construction Plans.	1. No streets shall be designed having a slope of less than 0.40 feet per 100 feet. 2. Paving surfaces and subgrade shall be constructed in conformance with the Plans shown on the Detail Sheet, unless otherwise approved by the City Engineer per the geotechnical report and pavement recommendations prepared for the Public Improvement Construction Plans.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve the first reading of Ordinance No. 2019-49 of the City Council of the City of Bastrop, Texas amending Construction Standards Technical Manual dated January 2012, amending Chapter 1 – Section II References, Abbreviations and Definitions and adding Street Typical Street Cross-Sections, as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting and move to include on the October 22, 2019 agenda for a second reading.

ATTACHMENTS:
- Ordinance
- Typical street Cross-section

ORDINANCE 2019-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING CONSTRUCTION STANDARDS TECHNICAL MANUAL DATED JANUARY 2012, AMENDING CHAPTER 1 – SECTION II REFERENCES, ABBREVIATIONS, AND DEFINITIONS AND ADDING STREET TYPICAL STREET CROSS_SECTIONS, AS ATTACHED IN EXHIBIT A; PROVIDING FOR FINDINGS OF FACT, ADOPTION, ENFORCEMENT, A REPEALER AND SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

WHEREAS, City Council adopts a Construction Standards Technical Manual dated January 2012, adding typical street cross-sections and amending Chapter 5-Paving Standards for streets and sidewalks (B) Design Requirements, as attached in Exhibit A.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ADOPTION The City Council hereby amends the Construction Standards Technical Manual dated January 2012, adding typical street cross-sections and amending Chapter 5-Paving Standards for streets and sidewalks (B) Design Requirements, as attached in Exhibit A.

SECTION 3. REPEALER In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 4. SEVERABILITY If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE This Ordinance shall be effective immediately upon passage and publication.

SECTION 7. OPEN MEETINGS It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ & ACKNOWLEDGED on First Reading on the 22nd day of October 2019.

READ & APPROVED on the Second Reading on the 12th day of November 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

DRAFT

CHAPTER 1 - PAVING STANDARDS FOR STREETS AND SIDEWALKS

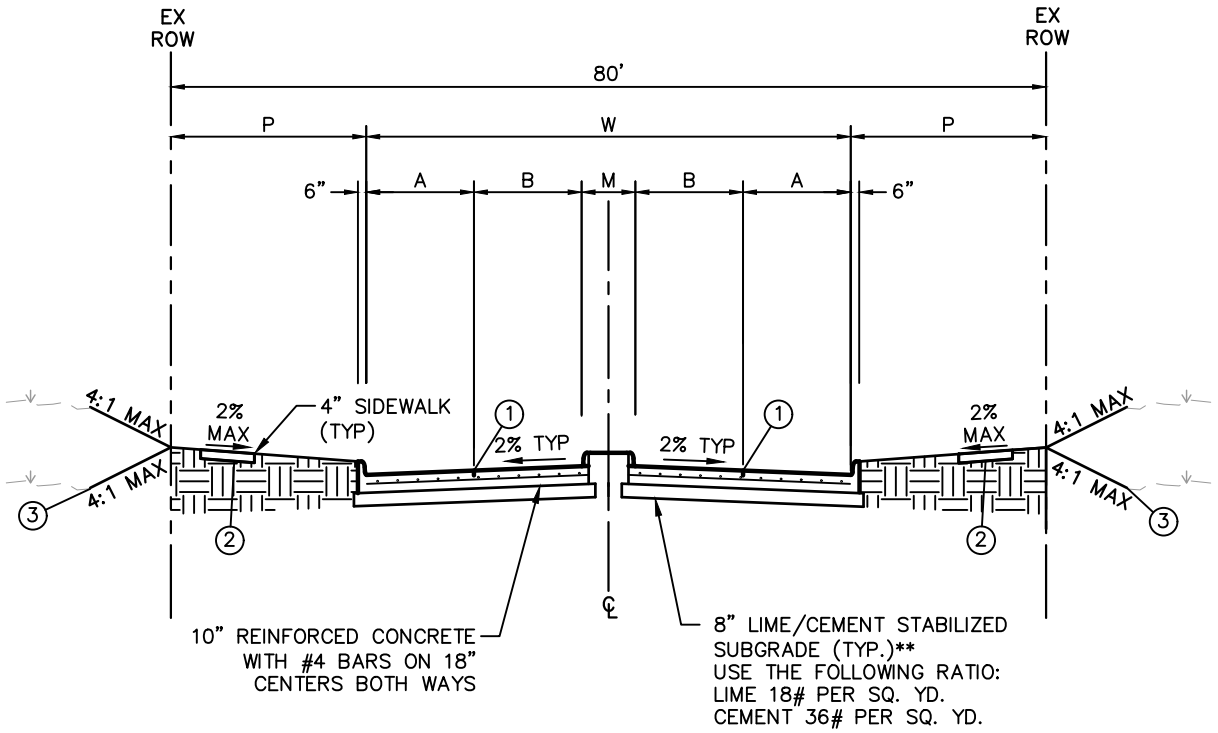
I. STREET DESIGN

A. General

All construction of new streets within the City of Bastrop or it's Extraterritorial Jurisdiction shall be designed in accordance with of the City of Bastrop B³ Codes and the City of Bastrop B³ Technical Manual.

B. Design Requirements

1. No streets shall be designed having a slope of less than 0.40 feet per 100 feet.
2. Paving surfaces and subgrade shall be constructed in conformance with the plans shown on the Detail Sheet, unless otherwise approved by the City Engineer per the geotechnical report and pavement recommendations prepared for the Public Improvement Construction Plans.



① INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.

② SIDEWALK CROSS SLOPE 2% MAX. SIDEWALK WIDTH VARIES.

③ SLOPE EXCEEDING 4:1 ONLY ALLOWED WITH STABILITY ANALYSIS

④ CURB HEIGHT AND WIDTH SHALL BE 6" OR AS SPECIFIED BY CITY.

**SUBGRADE (MIN. REQUIREMENTS – UNLESS OTHERWISE APPROVED BY CITY ENGINEER). SUBGRADE UNDER ALL PAVEMENT SHALL BE INITIALLY MIXED 8" THICK AND RE-MIXED 6" THICK AND SHALL BE STABILIZED WITH 6% MIN. BY WEIGHT OF HYDRATED LIME (GENERALLY ±40 # PER SY) AND COMPACTED TO A DENSITY NOT LESS THAN 95% STANDARD PROCTOR DENSITY. ALTERNATIVE SUBGRADES, SUPPORTED BY LABORATORY TESTS. MAY BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.

STREET TYPE	STREET WIDTH (W)	A	B	MEDIAN WIDTH (M)	R.O.W. WIDTH	PARKWAY WIDTH (P)	MAX PAVING THICKNESS
BOULEVARD	54'	8'	11'	24'	80'	VARIES	10"
AVENUE	60'	8'	11'	22'	80'	10'	10"
REGIONAL COMMERCIAL	36'	8'	10'	0'	80'	22'	10"

⑤ ALL DIMENSIONS TO BACK OF CURB AND IN FEET UNLESS OTHERWISE SHOWN.

⑥ REFERENCE CONSTRUCTION STANDARDS MANUAL FOR MORE DETAILS. REFERENCE B3TM FOR MORE INFORMATION ON PARKWAY AND OUTSIDE OF R.O.W.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS

APPROVED

11-12-19

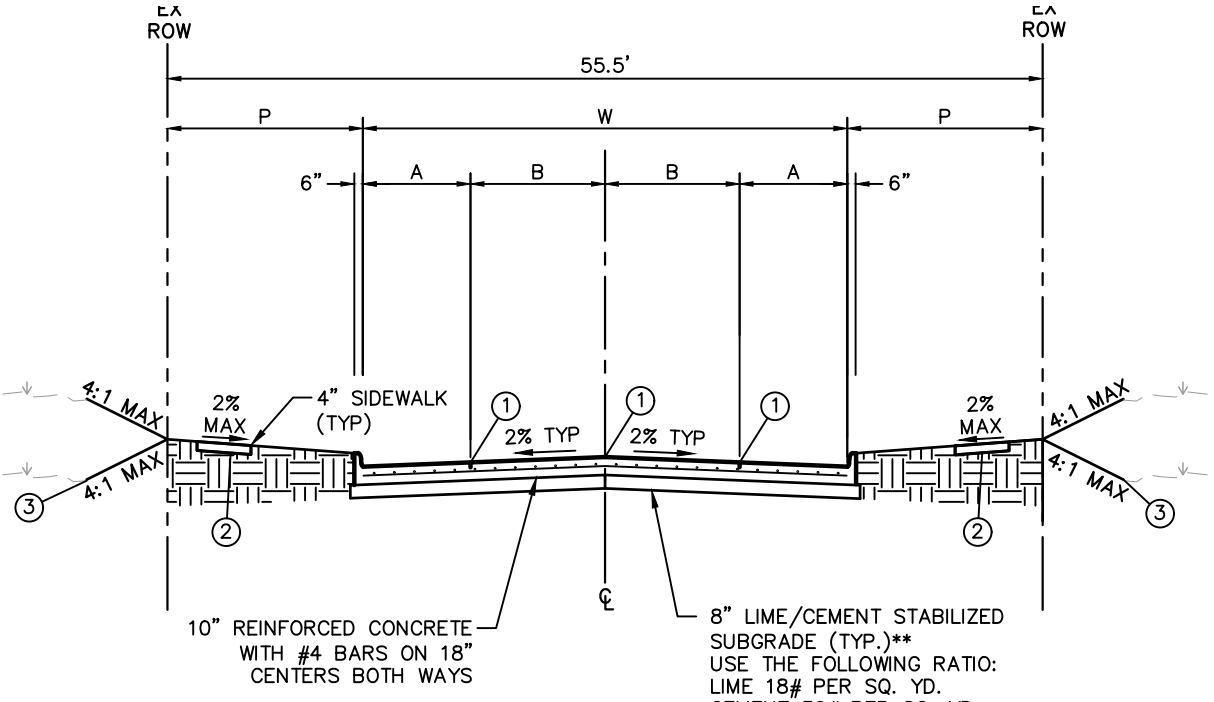
DATE

THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.

CITY OF BASTROP

80' RIGHT-OF-WAY TYPICAL SECTION

DRAWING NO: XX-XX



1. INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.
2. SIDEWALK CROSS SLOPE 2% MAX. SIDEWALK WIDTH VARIES.
3. SLOPE EXCEEDING 4:1 ONLY ALLOWED WITH STABILITY ANALYSIS. BUILDINGS MAY BE LOCATED ON BACK OF R.O.W., IN THIS CASE TIE INTO BUILDING AS DIRECTED BY THE CITY.
4. CURB HEIGHT AND WIDTH SHALL BE 6" OR AS SPECIFIED BY CITY.

**SUBGRADE (MIN. REQUIREMENTS – UNLESS OTHERWISE APPROVED BY CITY ENGINEER). SUBGRADE UNDER ALL PAVEMENT SHALL BE INITIALLY MIXED 8" THICK AND RE-MIXED 6" THICK AND SHALL BE STABILIZED WITH 6% MIN. BY WEIGHT OF HYDRATED LIME (GENERALLY ±40 # PER SY) AND COMPACTED TO A DENSITY NOT LESS THAN 95% STANDARD PROCTOR DENSITY. ALTERNATIVE SUBGRADES, SUPPORTED BY LABORATORY TESTS. MAY BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.

STREET TYPE	STREET WIDTH (W)	A	B	R.O.W. WIDTH	PARKWAY WIDTH (P)	MAX PAVING THICKNESS
CONNECTOR	36'	8'	10'	55.5'	14'	10"

5. ALL DIMENSIONS TO BACK OF CURB AND IN FEET UNLESS OTHERWISE SHOWN.
6. REFERENCE CONSTRUCTION STANDARDS MANUAL FOR MORE DETAILS. REFERENCE B3TM FOR MORE INFORMATION ON PARKWAY AND OUTSIDE OF R.O.W.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS

APPROVED

11-12-19

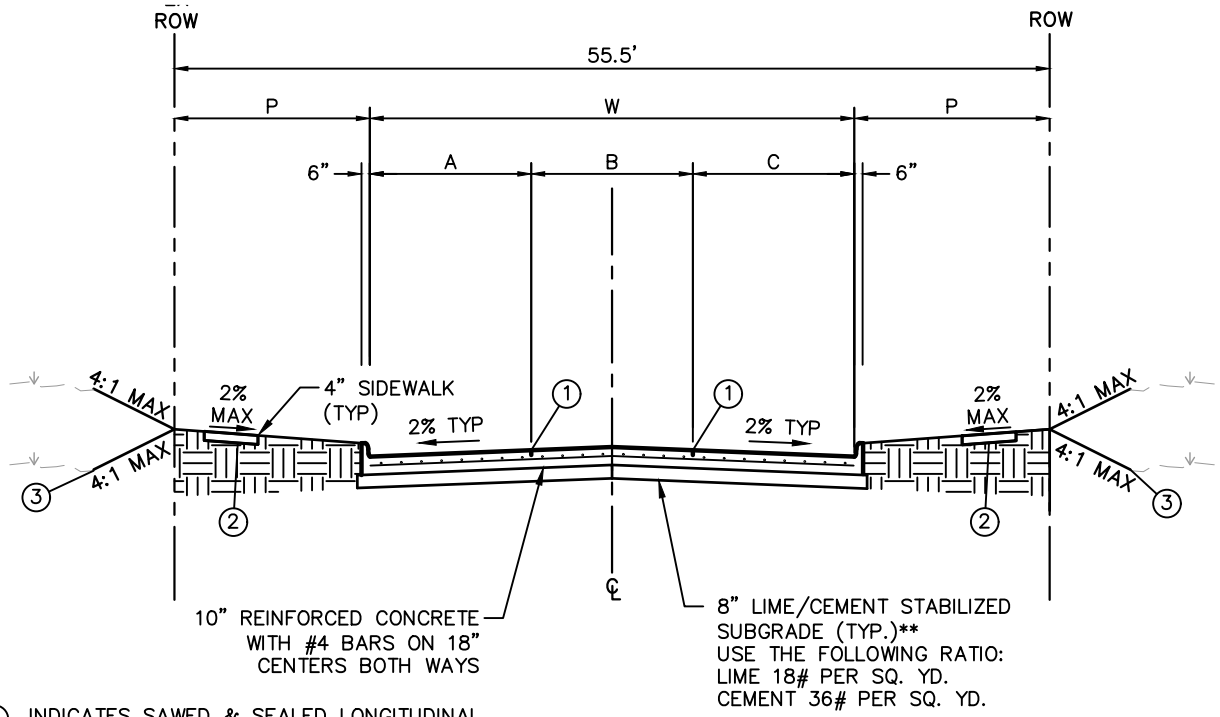
DATE

THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.

CITY OF BASTROP

DRAWING NO: XX-XX

55.5' RIGHT-OF-WAY 4-LANE CONCRETE PAVING SECTION



1. INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.
2. SIDEWALK CROSS SLOPE 2% MAX. SIDEWALK WIDTH VARIES.
3. SLOPE EXCEEDING 4:1 ONLY ALLOWED WITH STABILITY ANALYSIS
4. CURB HEIGHT AND WIDTH SHALL BE 6" OR AS SPECIFIED BY CITY.

**SUBGRADE (MIN. REQUIREMENTS – UNLESS OTHERWISE APPROVED BY CITY ENGINEER). SUBGRADE UNDER ALL PAVEMENT SHALL BE INITIALLY MIXED 8" THICK AND RE-MIXED 6" THICK AND SHALL BE STABILIZED WITH 6% MIN. BY WEIGHT OF HYDRATED LIME (GENERALLY ±40 # PER SY) AND COMPACTED TO A DENSITY NOT LESS THAN 95% STANDARD PROCTOR DENSITY. ALTERNATIVE SUBGRADES, SUPPORTED BY LABORATORY TESTS. MAY BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.

STREET TYPE	STREET WIDTH (W)	A	B	C	R.O.W. WIDTH	PARKWAY WIDTH (P)	MAX PAVING THICKNESS
NEIGHBORHOOD STREET A	28'	8'	12'	8'	55.5'	VARIES	10"
NEIGHBORHOOD STREET B	32.5'	8.5'	16'	8'	55.5'	11.5'	10"
LOCAL COMMERCIAL	28'	8'	10'	10'	55.5'	13.75'	10"
COURT STREET	29'	9'	8'	12'	55.5'	VARIES	10"
SLIP STREET	19'	0'	11'	8'	55.5'	10.5'	10"
PARK DRIVE	28'	10'	10'	8'	55.5'	VARIES	10"
BOARDWALK	28'	8'	10'	10'	55.5'	VARIES	10"
PEDESTRIAN STREET	29'	12'	12'	5'	55.5'	VARIES	10"

5. ALL DIMENSIONS TO BACK OF CURB AND IN FEET UNLESS OTHERWISE SHOWN.
6. REFERENCE CONSTRUCTION STANDARDS MANUAL FOR MORE DETAILS. REFERENCE B3TM FOR MORE INFORMATION ON PARKWAY AND OUTSIDE OF R.O.W.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS

APPROVED

11-12-19

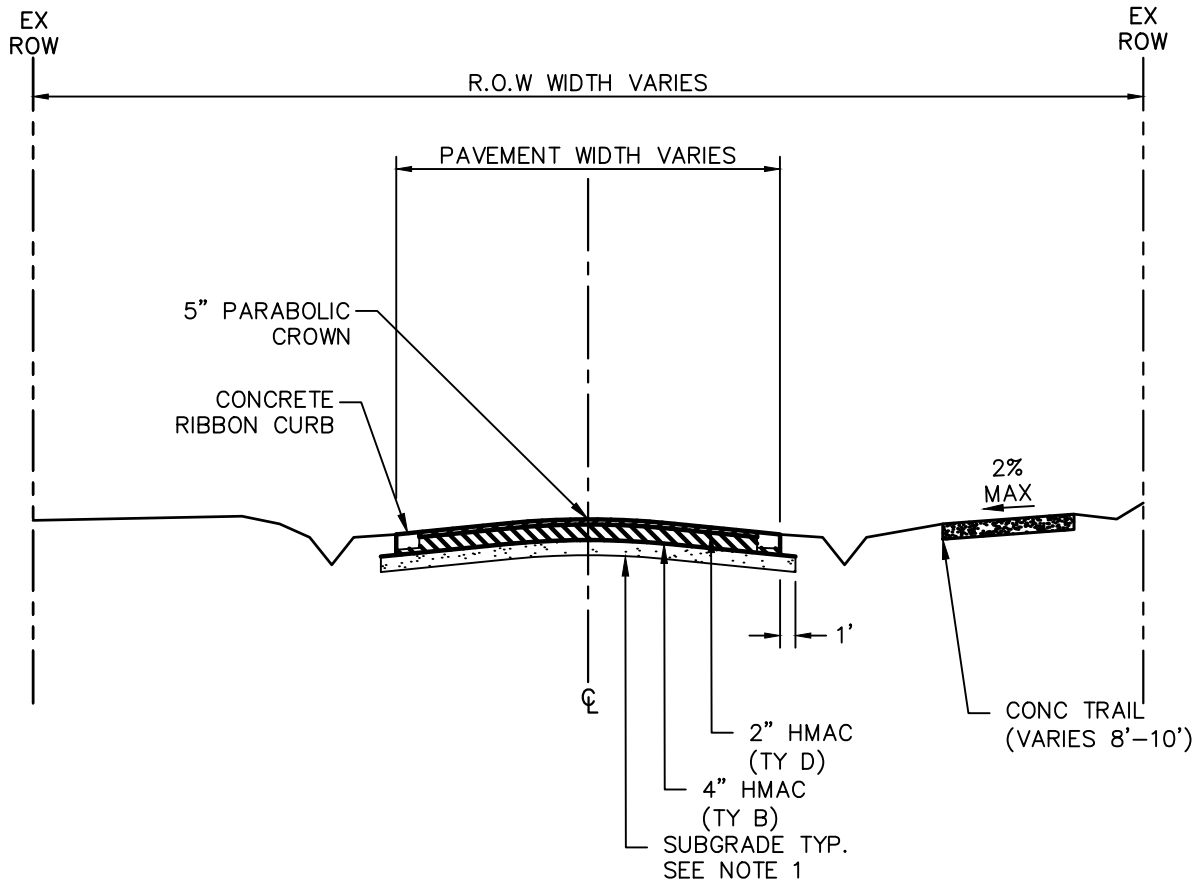
DATE

THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.

CITY OF BASTROP

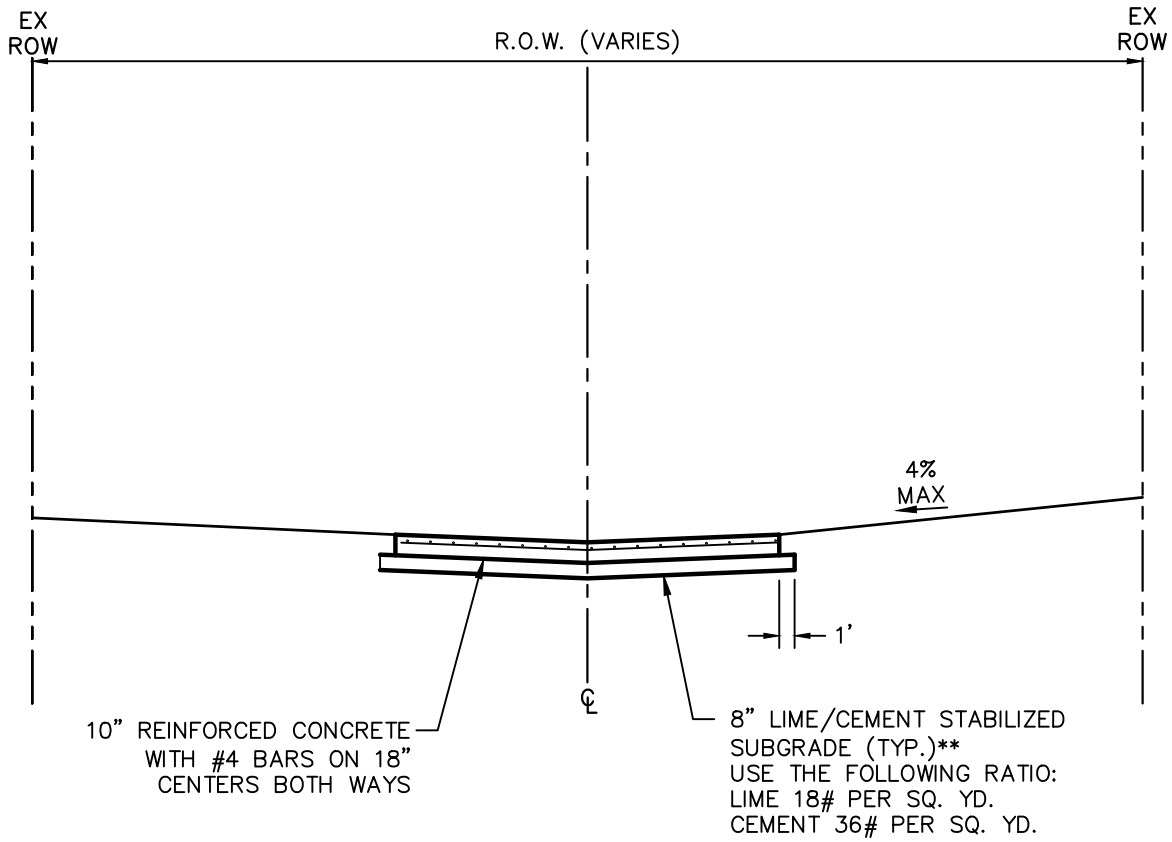
DRAWING NO: XX-XX

55.5' RIGHT-OF-WAY 3-LANE CONCRETE PAVING SECTION



1. SUBGRADE (MIN. REQUIREMENTS – UNLESS OTHERWISE APPROVED BY CITY ENGINEER). SUBGRADE UNDER ALL PAVEMENT SHALL BE INITIALLY MIXED 8" THICK AND RE–MIXED 6" THICK AND SHALL BE STABILIZED WITH 6% MIN. BY WEIGHT OF HYDRATED LIME (GENERALLY ±40 # PER SY) AND COMPACTED TO A DENSITY NOT LESS THAN 95% STANDARD PROCTOR DENSITY. ALTERNATIVE SUBGRADES, SUPPORTED BY LABORATORY TESTS. MAY BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS APPROVED 11–12–19 DATE THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.	# CITY OF BASTROP RURAL ASPHALT PAVING SECTION	DRAWING NO: XX–XX



1. MINIMUM PAVEMENT STRENGTH SHALL BE CLASS "C", OR AS SPECIFIED BY THE CITY.

**SUBGRADE (MIN. REQUIREMENTS – UNLESS OTHERWISE APPROVED BY CITY ENGINEER). SUBGRADE UNDER ALL PAVEMENT SHALL BE INITIALLY MIXED 8" THICK AND RE-MIXED 6" THICK AND SHALL BE STABILIZED WITH 6% MIN. BY WEIGHT OF HYDRATED LIME (GENERALLY ±40 # PER SY) AND COMPACTED TO A DENSITY NOT LESS THAN 95% STANDARD PROCTOR DENSITY. ALTERNATIVE SUBGRADES, SUPPORTED BY LABORATORY TESTS. MAY BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS APPROVED 11-12-19 DATE THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.	CITY OF BASTROP ALLEY PAVING SECTION	DRAWING NO: XX-XX

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM:** 9L

TITLE:
Consider action to approve Resolution No. R-2019-108 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to return the Capital Area Metropolitan Planning Organization (CAMPO) Surface Transportation Program grant intended to fund the construction of the State Park Trail project; providing for a repealing clause and establishing an effective date.

STAFF REPRESENTATIVE:
Trey Job, Assistant City Manager of Development Services

BACKGROUND/HISTORY:
The State Park Trail Project received funding from Capital Area Metropolitan Planning Organization (CAMPO). It was one of multiple pedestrian enhancement projects applied for by the City of Bastrop in the 2014/15 cycle. The project was reviewed by Horizon Environmental Services, Inc. Once the trail project was approved and funded, an advanced funding agreement was executed in 2017.

In 2017, the City issued a Request for Qualifications (RFQ) for the design and construction of the trail. MWM DesignGroup was awarded the contract for design and construction in February of 2018. Recently, TxDOT raised the following concerns:

- SH 21 could be expanded in the future. This trail is located in the ROW and would be the City's responsibility to relocate.
- If the trail is removed due to SH 21 right-of-way improvements, the City would have to reimburse CAMPO.
- There are considerable concerns about pedestrian traffic interacting with the traffic flow at SH 95 and SH 21.

On September 17, 2019, the City Council of the City of Bastrop, Texas reviewed a letter from the Texas Department of Transportation (TxDOT) regarding the above concerns and came to a general consensus the project feasibility was threatened by a safe route to while crossing SH 95 and with the possibility of the expansion of SH 21. If TxDOT did expand SH 21 from the State Park to Chestnut St. the financial responsibility for relocating the trail over the next decade would fall to the City's tax payers.

POLICY EXPLANATION:
Two of the nine focus areas provided by are Fiscal Sustainability, and Public Safety. During the September 17, 2019 Bastrop City Council Meeting strong concern in both areas was noted by staff and are now being brought forward for a decision.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve Resolution No. R-2019-108 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to return the Capital Area Metropolitan Planning Organization (CAMPO) Surface Transportation Program grant intended to fund the construction of the State Park Trail project; providing for a repealing clause, and establishing an effective date.

ATTACHMENTS:
- Resolution

RESOLUTION R-2019-108

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE CITY MANAGER TO RETURN THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) SURFACE TRANSPORTATION PROGRAM GRANT INTENDED TO FUND THE CONSTRUCTION OF THE STATE PARK TRAIL PROJECT; PROVIDING FOR A REPEALING CLAUSE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop applied in 2015 for and received funding from the Capital Area Metropolitan Planning Organization (CAMPO) Surface Transportation Program to fund the construction of the State Park Trail project; and

WHEREAS, the Project has been reviewed by Bastrop City Council; and

WHEREAS, an Advanced Funding Agreement was executed previously and has provided the necessary engineering work to make a determination that pedestrian safety and fiscal sustainability has been threated; and

WHEREAS, the City of Bastrop wishes to be good stewards of the funding provided by Capital Area Metropolitan Planning Organization; and

WHEREAS, the City Council of Bastrop, Texas reviewed a letter from the Texas Department of Transportation (TxDOT) on September 17, 2019, about various concerns with the Project; and

WHEREAS, The City Council of Bastrop, Texas has determined the Project is no longer feasible based on TxDOT's concerns.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: That the City Council authorizes the City Manager to return the CAMPO Surface Transportation Program grant funds.

Section 2: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 22nd day of October, 2019.

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney



STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 9M

TITLE:
Consider action to approve Resolution No. R-2019-109 of the City Council of the City of Bastrop, Texas, approving an Interlocal agreement with Tarrant County allowing the City of Bastrop to participate in the Tarrant County Cooperative Purchasing Program, attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing for an effective date.

STAFF REPRESENTATIVE:
Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:
The City of Bastrop has a Purchasing Policy that allows the use of purchasing cooperatives that comply with the bidding requirements of state law. The use of cooperative agreements increases the cities efficiency and effectiveness when making purchases. The Tarrant County Purchasing Program allows smaller municipalities, like Bastrop, to benefit from the purchasing power of a larger community. Tarrant County will have the responsibility of complying with the competitive bidding laws set by the state. The City of Bastrop will be able to utilize the contracts created by these bid contracts through this cooperative agreement. Suppliers will bill the City of Bastrop directly for all purchases. Having this agreement in place will expand the City's ability to secure the best pricing during the procurement process.

POLICY EXPLANATION:
This cooperative agreement is authorized by Sections 791.001-791.009 of the Texas Government Code. This agreement requires Council approval and authorizes the City Manager to execute the agreement.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve Resolution No. R-2019-109 of the City Council of the City of Bastrop, Texas, approving an Interlocal agreement with Tarrant County allowing the City of Bastrop to participate in the Tarrant County Cooperative Purchasing Program, attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing for an effective date.

ATTACHMENTS:
- Resolution 2019-109
- Interlocal Agreement

RESOLUTION NO. R-2019-109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH TARRANT COUNTY ALLOWING THE CITY OF BASTROP TO PARTICIPATE IN THE TARRANT COUNTY COOPERATIVE PURCHASING PROGRAM, ATTACHED AS EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, it is the responsibility of local government to ensure that purchasing laws are followed; and

WHEREAS, pursuant to the authority granted by the "Texas Interlocal Cooperation Act," Chapter 791 of the Texas Government Code providing for the cooperation between local governmental bodies; and

WHEREAS, the governing bodies of each party find that the subject of this contract is necessary for the benefit of the public and that each party has the legal authority to perform and to provide the governmental function or service which is the subject matter of this contract ; and

WHEREAS, at the September 17, 2019 Council Meeting, staff presented the Financial Management Policy for annual review by the City Council; and

WHEREAS, the governing bodies find that the performance of this contract is in the common interest of both parties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

SECTION 1: The City Council hereby approves the City of Bastrop Interlocal Agreement with Tarrant County, which is attached as Exhibit A, and authorizes the City Manager to execute all necessary documents.

SECTION 2: Any prior resolution of the City Council in conflict with the provisions contained in this resolution are hereby repealed and revoked.

SECTION 3: Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 4: This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop, Texas on the 22th day of October 2019.

CITY OF BASTROP, TEXAS

APPROVED:

_____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

EXHIBIT A

TARRANT COUNTY COOPERATIVE PURCHASING PROGRAM

ENTITY INFORMATION SHEET

If your entity is currently participating or plans to participate in Tarrant County's Cooperative Purchasing Program, please complete this Entity Information Sheet and return to Jennice Anderson, Tarrant County Cooperative Purchasing Administrator. ***(Address and additional information below regarding the Interlocal Agreement Form).*** Please contact Ms. Anderson at (817) 884-1414 if you have any questions.

Name of Entity: City of Bastrop

Point of Contact: Tracy Waldron

Title: CFO

Phone Number: 512-332-8823

Fax Number: 512-332-8829

Internet Address: www.cityofbastrop.org

E-Mail Address: twaldron@cityofbastrop.org

Additional Contacts: Halee Delarosa

Complete Mailing Address: PO Box 427 Bastrop, TX 78602

Information as of this Date: 10/14/2019

NOTE: **To complete the Interlocal Agreement, please sign and return FOUR (4) DUPLICATE ORIGINAL AGREEMENTS, EACH CONTAINING AN ORIGINAL SIGNATURE, to the attention of Jennice Anderson, Cooperative Purchasing Administrator, Tarrant County Purchasing Department, 100 E. Weatherford Street, Suite 303, Fort Worth, Texas 76196.**



INTERLOCAL AGREEMENT

BETWEEN COUNTY OF TARRANT AND CITY OF BASTROP

This Agreement is made this 14 day of OCTOBER, 2019 between the County of Tarrant, Texas and CITY OF BASTROP.

Pursuant to the authority granted by the "Texas Interlocal Cooperation Act," Chapter 791 Texas Government Code providing for the cooperation between local governmental bodies, the parties hereto, in consideration of the premises and mutual promises contained herein, agree as follows:

WHEREAS, the contract is made under the authority of Sections 791.001-791.029 of the Texas Government Code; and,

WHEREAS, the parties, in performing governmental functions or in paying for the performance of governmental functions hereunder shall make that performance or those payments from current revenues legally available to that party;

WHEREAS, the governing bodies of each party find that the subject of this contract is necessary for the benefit of the public and that each party has the legal authority to perform and to provide the governmental function or service which is the subject matter of this contract; furthermore, the governing bodies find that the performance of this contract is in the common interest of both parties; and that the division of cost fairly compensates the performing party for the services under this contract.

I.

CITY OF BASTROP, hereby makes, constitutes and appoints Tarrant County its true and lawful purchasing agent for the purchase of various commodities using Annual Contracts (Bids). Tarrant County will maintain a listing of Annual Contracts which are available for local entities use. Tarrant County will forward a copy of requested Annual Contract to the requesting entity. CITY OF BASTROP agrees that Tarrant County shall serve as the purchasing agent for selected items, and agrees that the bidding shall be conducted by Tarrant County according to its usual bidding procedures and in accordance with applicable State statutes.

II.

CITY OF BASTROP agrees that all specifications for selected items shall be determined by Tarrant County.

III.

CITY OF BASTROP agrees to pay the supplier for all goods, equipment and products pursuant to this Agreement. The successful bidder or bidders shall bill CITY OF BASTROP directly for all items purchased, and CITY OF BASTROP shall be responsible for vendor's compliance with all conditions of delivery and quality of the purchased items.

IV.

LYNDA HUMBLE (name), CITY MANAGER (title) is hereby designated as the official representative to act for CITY OF BASTROP in all matters relating to this Agreement.

V.

This Agreement shall take effect upon execution by both signatories.

VI.

This Agreement shall be in effect from the date of execution until terminated by either party to the Agreement upon written thirty (30) days' notice prior to cancellation.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their authorized officers the day and year first above written.

TARRANT COUNTY	**(Entity)** CITY OF BASTROP
BY: _____	BY: _____
TITLE: _____	TITLE: CITY MANAGER
DATE: _____	DATE: 10/14/2019

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 9N

TITLE:
Consider action to approve the first reading of Ordinance No. 2019-56 of the City Council of the City of Bastrop, Texas repealing and replacing Chapter Six, Health and Sanitation, as attached in Exhibit A; and repealing and replacing Chapter Eight Offenses and Nuisances, as attached in Exhibit B; and providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; and proper notice and meeting, and move to include on the November 12, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:
Clint Nagy, Assistant Chief of Police

BACKGROUND/HISTORY:
The City of Bastrop and the City of Bastrop's Attorney's office was asked to review and consolidate current ordinances and codes relating to nuisances, nuisance enforcement, and nuisance abatement. The ultimate goal of this process was to ensure that the City of Bastrop's ordinances were current, less ambiguous, easy to locate, follow, understand, and enforceable. This review was necessary to ensure that the City could enforce Building Block (B3) Codes effectively.

The following is a chart of changes to Public Nuisances: (a landscape version of the following has also been attached.)

PUBLIC NUISANCES – EXHIBIT A		
Code Reference	**Change**	**Discussion**
Article 6.01	Updated the definition for abandoned motor vehicle to match Texas Transportation Code, added definition for dangerous building or structure, and updated the definition for junked vehicle to match Texas Transportation Code.	The City can create a more inclusive definition of a junked vehicle per Tex. Trans. § 683.0711.
Article 6.02	Deleted the "health officer" in its entirety.	Staff confirmed that this position is not being utilized. We need to scrub the rest of the Code and remove references to this position throughout.

Sec. 6.06.002(d)	Changed this from being an administrative hearing conducted before the City Manager to the Police Chief.	This is a recommended change, but council can designed the hearing officer as they see fit.
Sec. 6.06.002	Changed provision regarding abating weeds without notice to those situations where weeds have (1) have grown higher than 48 inches; and (2) are an immediate danger to the health, life, or safety of any person	This previously stated "or" but Health and Safety Code Sec. 342.008 requires that both elements be satisfied.
Sec. 6.06.003	Changed "shall" to "may" Changed list of people who can file a lien to mirror state law.	Liens require a lot of paperwork. I think it makes sense for this to be discretionary depending on the amount owed.
Article 6.07	Updated abatement procedures for substandard buildings to be more specialized.	TEX. LOC. GOV'T CODE § 214 has specific requirements for abating substandard buildings through an administrative process. Additionally, Dallas v. Stewart raises concerns about demolishing buildings without a court order so these procedures take that into account and require the City to wait until all appeals have been exhausted before demolishing a nuisance building. The Construction Standards Board of Adjustments and Appeals has been designated as the body to her these appeals, but the ordinance can declare any competent body to handle these hearings.
Article 6.08	Directly references Texas Transportation Code instead of copy and pasting state law into the Code.	This reduced the chance that state law will change and conflict with the City's procedures.
Article 6.09	Confirmed that the Bastrop Code is compliant with State law (a)-(f) recite state law.	Kept the recitation of these procedures because this section of state law says, "A municipality or county may adopt procedures that conform to this subchapter." Therefore, I think it is better to clearly adopt specific procedures for junk vehicles.
Sec. 6.09.002	This section now references Texas Transportation Code instead of having the law copy and pasted.	This reduced the chance that state law will change and conflict with the City's procedures.
Sec. 6.09.003(a)	Change the language to state that the presiding judge would	State law requires that the governing body or the official designated by the governing

	conduct the public hearings instead of "the court."	body to conduct these hearings. Therefore, I think it is important we designated the presiding judge not just "the court."
Sec. 6.09.003(g)	Clarified that "the department" is the "Texas Department of Motor Vehicles."	This is to be consistent with state law.
Sec. 6.09.004	Changed the "Abatement when persons entitled to notice cannot be found" to mirror state law.	To be consistent with state law.
GENERAL HEALTH AND SANITATION REGULATIONS – EXHIBIT B		
Chapter 8	Major reorganization. Moved offenses from Ch. 6 here, moved nuisance provisions to Ch. 8, organized regulations by those that regulate public property and those that regulate private property, then minors and firearms.	
Sec. 8.02.001 ;002	Removed regulations for occupying, enclosing or using city land, and fencing public streets.	Penal Code 42.03 already prohibits any kind of obstruction of a public roadway.
Current Code Article 8.08	Removed article offering rewards for reporting vandalism and criminal mischief.	As written the sections limited discretion to give rewards and required budgeting for rewards I was not sure was happening. If City Council would like to still keep the section regarding offering rewards we can revise and put back in the ordinance.
Sec. 8.02.004	Deleted the specific abatement and notice procedures for the "visibility obstructions at intersections."	No need to have a separate procedure to abate this process. This conduct was added to the specific conditions list in Ch. 6 and can be abated via the general abatement procedures included in Ch. 6.
8.02.005	Reorganized and clarified language of the Loitering, Camping, Solicitation in Public Area violations.	Council may want to review this section critically. There has a been a recent surge of political activism about criminalizing homelessness.
8.02.005	Deleted the definition for aggressive, because it mimicked the definition of harassing solicitation. Reworded the definition of harassing.	Provides clarity.
8.02.005	Removed language that stated "this section does not proscribe a demand for payment…"	It was unclear what the purpose of the language was and it did not seem necessary.

8.02.005	Removed language prohibiting public bathing.	Already a Disorderly Conduct violation that could be cited under Penal Code 42.01.
8.02.005	Removed section regarding mental state.	The default is that if the fine is less than $500 no culpable mental state is required. We don't need to repeat that here.
Current Code Sec. 8.01.004	Removed section prohibiting driving across sidewalks.	Already prohibited under Texas Transportation Code Section 545.422
Current Code Sec. 8.04.001	Removed section prohibiting putting up an awning over a sidewalk.	Current version is in conflict with the sign ordinance, and the intent of this section could be enforced through the sign ordinance.
Current Code Sec. 8.04.002	Removed section prohibiting one to delay, hinder or in any way inconvenience the traveling public.	This is already prohibited by Texas Penal Code § 42.03 no need to repeat.
Current Code Sec. 8.04.003	Removed section prohibiting congregation of persons if obstructs traveling public.	This is already prohibited by Texas Penal Code § 42.03 no need to repeat.
Sec. 8.02.006	Added "after 5 p.m." because the language made it seem like stores were never able to have merchandise in front of the store. Also, removed the language regarding not being able to keep merchandise overnight on the sidewalk if obstructs traveling public.	This section calls out the "Central Business District." If there is a better name for the downtown, we should change the language to that. Obstructing sidewalks is already prohibited under Texas Penal Code 42.03.
8.03.004	Incorporated language regarding animal odor nuisances.	Animal "nuisances" are mentioned in Chapter 2 – Animal Control. But they basically restate the general sanitations, odor and noise nuisances as they relate to animals. So we just include animals in the examples here.
8.03.005	Reworked the noise ordinance to be more enforceable. Changed the general prohibition to include any noise that "unreasonably disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city."	Limited violations to just those that are over a certain decibel level make a lot of noise nuisances unenforceable. Think constantly crowing rooster. You will probably not get an offending decibel reading on that, but it could still be a nuisance.
Current Code Sec. 8.01.005	Removed the section on "injuring trees or shrubbery."	This regulation was vague and seemed unenforceable.
8.03.019	Removed the separate notice and abatement procedure for removal	For consistency I think we should notice and abate all violations using the procedures in

	of trees and defers to the basic abatement procedures in Ch. 6.	Ch. 6. No need for additional notice procedures in Ch. 8.
Section 8.04.003	Removed section that states "It shall be unlawful for any person, other than a peace officer, who is not duly licensed by the state to carry a handgun, to enter into or remain on the premises of any city building or in a city vehicle while carrying a firearm."	I'm concerned about this section. I don't think it would pass constitutional review if it trying to keep all guns out of city buildings? People take long arm guns (shotguns etc...) anywhere (except those specific places, courts, meetings etc..).
Article 8.05	Changed title from "Minors" to "Minors Curfew"	If we don't include tobacco regulations as suggested this is the only subject of that article so I changed title.
Current Code Sec. 8.03.036	Removed section on "periodic review of regulations."	Not necessary City Council can review the regulations at any given time that it's deemed necessary.
Division 2 – Tobacco	Removed in its entirety.	Tobacco possession/use by a minor is already a criminal violation against state law (Health and Safety Code Sec. 161.252). I do not think we need to cut and paste those violations. But if we add back in make sure we update to be compliant with recent change in state law.

POLICY EXPLANATION:
Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve the first reading of Ordinance No. 2019-56 of the City Council of the City of Bastrop, Texas repealing and replacing Chapter Six, Health and Sanitation, as attached in Exhibit A; and repealing and replacing Chapter Eight Offenses and Nuisances, as attached in Exhibit B; and providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; and proper notice and meeting, and move to include on the November 12, 2019 agenda for a second reading.

ATTACHMENTS:
- Memo-Nuisance Ordinance- 10.17.2019
- BASTROP-Chart of Changes – Nuisance 10.17.19

ORDINANCE 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS REPEALING AND REPLACING CHAPTER SIX, HEALTH AND SANITATION AS ATTACHED IN EXHIBIT A; AND REPEALING AND REPLACING CHAPTER EIGHT OFFENSES AND NUISANCES AS ATTACHED IN EXHIBIT B; AND PROVIDING FOR FINDINGS OF FACT, ADOPTION, REPEALER, SEVERABILITY, AND ENFORCEMENT; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Bastrop, Texas ("City") is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Bastrop City Council ("City Council"), as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations were not designed to address; and

WHEREAS, the City Council has determined that it was necessary to update and reorganize sections of their Code of Ordinances where nuisances are identified; and

WHEREAS, the City Council has determined it should adopt this Ordinance prohibiting the growth of grass, weeds, and other vegetation in an uncultivated manner, the accumulation of rubbish, brush, or any other objectionable, unsightly, and unsanitary matter, and litter within the City, and to declare other nuisances, including but not limited to excessive noise, odor and light; and

WHEREAS, the City Council has found and determined that to properly implement portions of this Ordinance and abate violations thereof, it is necessary to investigate complaints, determine the property owner's name and address, prepare and send out appropriate notices, file certain notices and liens with the Bastrop County Clerk, and supervise conduct of the work; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapters 341, 342, 343, 344, 361, and 365 of the Texas Health and Safety Code, as amended; and Chapter 683 of Texas Transportation Code, as amended, the City Council wishes to establish public nuisance regulations; and

WHEREAS, the City Council finds it necessary to regulate public nuisances in order to preserve health, property, good government, and order in a Home-Rule municipality as defined under Chapter 54 of Local Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ADOPTION

The City Council hereby adopts Chapter 6, Nuisances Ordinance, as attached in Exhibit A; and adopts Chapter 8, General Health and Sanitation Regulations, as attached in Exhibit B.

SECTION 3. REPEALER

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 4. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

SECTION 7. OPEN MEETINGS

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ & ACKNOWLEDGED on First Reading on the 22nd day of October 2019.

READ & APPROVED on the Second Reading on the 12th day of November 2019.

APPROVED:

by _____
Connie B. Schroeder, Mayor

ATTEST:

_____
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____
Alan Bojorquez, City Attorney

Attachment "A"

Bastrop Code of Ordinances

Chapter 6: Public Nuisances

ARTICLE 6.01 - AUTHORITY OF CITY

The governing body of a municipality may:

(1) Abate and remove a nuisance and punish by fine the person responsible for the nuisance;

(2) Define and declare what constitutes a nuisance and authorize and direct the summary abatement of the nuisance; and

(3) Abate in any manner the governing body considers expedient any nuisance that may injure or affect the public health or comfort.

ARTICLE 6.02 - DEFINITIONS

Abandoned motor vehicle. A motor vehicle that is inoperable, is more than five years old, and has been left unattended on public property for more than 48 hours; has remained illegally on public property for more than 48 hours; has remained on private property without the consent of the owner or person in charge of the property for more than 48 hours; has been left unattended on the right-of-way of a designated county, state, or federal highway for more than 48 hours; has been left unattended for more than 24 hours on the right-of-way of a turnpike project constructed and maintained by the Texas Turnpike Authority division of the Texas Department of Transportation or a controlled access highway; or is considered an abandoned motor vehicle under Texas Transportation Section 644.153(r).

Abate. To eliminate by removal, repair, rehabilitation, or demolition.

Brush. An uncultivated growth or dense undergrowth that may create a fire or other hazard, unsanitary condition, or harborage for rodents, vermin or pests.

Building. Any structure, moveable premises, or fence built for support, shelter, or the enclosure of a person, animal, chattel, machine, or piece of equipment.

Carrion. The dead and putrefying flesh of any animal, fowl or fish.

Dangerous building or structure. Any premises, building or structure that meets the definition of an improperly maintained building or substandard building.

Filth. Any matter in a putrescent state.

Garbage. Decayable waste from a public or private source, including establishments, residences, or restaurants.

Garage keeper. An owner or operator of a storage facility.

Improperly maintained building. A building, or part of a building, or the premises on which the building is located that is maintained in such a condition as to become so defective, unsightly, or in such a condition of deterioration or disrepair that the same is a nuisance causing appreciable diminution of the property values of the surrounding property or is materially detrimental to proximate properties and improvements. This includes, but is not limited to permitting or allowing or the keeping or disposing of or the scattering over the property or premises of any of the following:

(1) Lumber, junk, trash or debris.
(2) Excavation material.
(3) Graffiti on any premises which is unshielded so as to cause substantial diminution of the enjoyment, use, or property values of the adjacent properties.
(4) Buildings which are abandoned boarded up, partially destroyed, or left unreasonably in a state of partial construction.
(5) Buildings, including unpainted buildings, which cause, or in which exist dry rot, warping, rodent, and/or termite infestation.

Impure or unwholesome matter. Any putrescible or non-putrescible condition, object or matter which tends, may, or could produce injury, death, or disease to human beings.

Junk. An accumulation for a period of five (5) days or longer of rubbish, old machinery or parts of same, old iron or other metal, glass, cordage, building materials, newspapers, abandoned vehicles, bicycles, refrigerators, stoves, washing machines, dryers, furniture, tires, cans, scrap metal, or any other object that is not completely enclosed in a building or is visible from any public street or right-of-way.

Junked vehicle. A vehicle that is self-propelled, and is:

(A) wrecked, dismantled or partially dismantled, or discarded; or
(B) inoperable and has remained inoperable for more than:
    (i) 72 consecutive hours, if the vehicle is on public property; or
    (ii) 30 consecutive days, if the vehicle is on private property.
(C) This definition only includes a motor vehicle with an expired license plate or does not display a license plate, aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations, or watercraft that does not have lawfully on board an unexpired certificate of number and is not a watercraft described by Section 31.055 of Texas Parks and Wildlife Code.

Motor vehicle. A vehicle that is subject to registration under Texas Transportation Code, Chapter 501.

Motor vehicle demolisher. A person in the business of:

(1) Converting motor vehicles into processed scrap or scrap metal; or
(2) Wrecking or dismantling motor vehicles.

Objectionable, unsightly or unsanitary matter. Any matter, condition, or object which could attract rodents, reptiles or insects, and which is or could be objectionable, unsightly, or unsanitary to a person of ordinary sensitivities.

Outboard motor. An outboard motor subject to registration under Chapter 31 of Texas Parks and Wildlife Code.

Owner. A person having title to real property and/or the person or entity identified as the owner in the appraisal records of the county appraisal district, or, for purposes of this chapter, the individual occupying, leasing or controlling the property at issue.

Person. Any individual, firm, partnership, association, business, corporation, or other entity.

Police department. The police department of the City of Bastrop.

Premises. A privately owned or controlled property, including vacant lots, buildings designed or used for residential, commercial, business, industrial or religious purposes, or otherwise. The term includes a yard, ground, walk, private alleyway, driveway, fence, porch, steps or other structural appurtenant to the premises.

Private swimming pool. A swimming pool that is privately owned, not opened to the public, and located at a private residence, condominium, or similar facility used or intended to be used, solely by the owner or occupants of such premises or the family and friends of the owner or occupants without the payment of a fee.

Refuse. A heterogeneous accumulation of worn-out, used-up, broken, rejected or worthless materials, including but not limited to garbage, rubbish, paper, or litter, and other decayable or nondecayable waste.

Rubbish. Trash, debris, rubble, stone, fragments of building materials, or other miscellaneous useless waste or rejected matter.

Rubble. Any non-decayable waste greater than fifty (50) lbs. in weight or greater than three (3) cubic feet in size.

Substandard building. A building, or part of a building, or the premises on which a building is located that has inadequate sanitation, structural hazards, hazardous electrical wiring, hazardous plumbing, hazardous mechanical equipment, faulty weather protection, fire hazard, faulty materials of construction, hazardous or unsanitary premises, inadequate exits, inadequate fire-protection or firefighting equipment or improper occupancy or any other condition that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof. Specific examples of a substandard building include, but are not limited to:

(a) A building which does not have an adequate mechanism for the disposal of wastewater.
(b) A building that lacks or has improper hot and cold running water to plumbing fixtures.
(c) A building that lacks or has an improper water closet, lavatory, bathroom, or shower.
(d) A building which has been constructed or which now exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure, of the building regulations of this city, or of any law or ordinance of this state or city relating to the condition, location or structure of buildings.

(e) A building used or intended to be used for dwelling purposes because of dilapidation, decay, damage, or faulty construction or arrangement, or otherwise, that is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or is likely to work injury to the health, safety or general welfare of those living within the city when so determined by the Chief of Police, health officer, code enforcement officer, or building official.
(f) A building used or intended to be used for dwelling purposes with light, air, and/or sanitation facilities inadequate to protect the health, safety or general welfare of persons living within.
(g) A building that by reason of obsolescence, dilapidated condition, deterioration, damage, electric wiring, gas connections, heating apparatus, or other causes is in such condition as to be a fire hazard and endangers life or other buildings or property in the vicinity or provides a ready fuel supply to augment the spread and intensity of fire arising from any cause.
(h) Any sidewalk or driveway which is debilitated, broken, damaged, or raised to such a degree as to be injurious to property or injurious to persons using said driveway or sidewalks.
(i) Any portion, part or appurtenance of a building that is likely to fall, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
(j) A building that has become dilapidated or deteriorated to such an extent, regardless of the cause, that it has become an attractive nuisance to children who might play therein to their danger, or has become a harbor for vagrants, criminals or immoral persons, or enable persons to resort thereto for the purpose of committing nuisance or unlawful or immoral acts.

Storage facility. Includes a garage, parking lot, or establishment for the servicing, repairing, or parking of motor vehicles.

Swimming pool. A permanent swimming pool, wading or reflection pool, or hot tub or spa over eighteen (18) inches deep, located at ground level, above ground, below ground, or indoors.

Watercraft. A vessel subject to registration under Chapter 31 of Texas Parks and Wildlife Code.

Any word not defined herein shall be construed in the ordinary context used and by ordinary interpretation, not as a term of art.

ARTICLE 6.03 – NUISANCE DECLARED

Whatever is dangerous to human life or health; whatever renders the ground, the water, the air or any food or drink unwholesome and a hazard to human life and health, and whatever may injure or affect the public health or comfort in any manner is declared to be a nuisance and unlawful.

ARTICLE 6.04 - SPECIFIC CONDITIONS

The things or conditions listed in this section, among others, are declared to be nuisances, but are in no way to be construed as being an exclusive enumeration. Nuisances are liable for abatement, and the persons guilty of causing, permitting, or suffering any of them upon such person's premises or in any building occupied and/or controlled by such person or on any yard or grounds surrounding such building owned and/or controlled by such person, or in or upon any street, alley, sidewalk, right-of-way, or any property, public or private, shall, be fined upon expiration of the appropriate notification for abatement, as provided in this Chapter. The City can also use abatement by City forces, whether an emergency or not as provided for in this Chapter. Nuisances are further defined as follows:

(a) The act by any person of permitting or allowing any stagnant or unwholesome water, filth, carrion, weeds, rubbish, rubble, brush, lumber, building materials, refuse, junk, machinery or garbage, or impure or unwholesome matter of any kind, or objectionable, unsightly matter of whatever nature to accumulate or remain on any real property or premises which is owned by them or in their control, unless the offending material is entirely contained within a closed receptacle or a building and is not visible from the public right-of-way;

(b) The act by any person of throwing, depositing or leaving any trash, debris, refuse, junk, garbage or other rubbish in any public street, thoroughfare, alley or ditch in the city;

(c) The act by any person of owning, leasing, or having charge or possession of any premises or building in the city to maintain or fail to maintain same so that it becomes or is allowed to remain a substandard building or improperly maintained building;

(d) The act by any person of occupying a substandard building;

(e) The act by any person in control of or owning any premises permitting or allowing the premises to exist in an unsanitary, unhealthy, or contaminated condition or maintain the premises in such a manner that it is likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests, is a possible or probable medium of disease transmission to or between humans, or is a danger to public safety, health or welfare;

(f) The act by any person owning, in control of, or operating any swimming pool, including a private swimming pool, of maintaining the swimming pool in a manner that is unsafe, unsanitary, or a danger to public safety, health or welfare;

(g) The act by any person of planting, fixing or maintaining any trees, shrubbery or other vegetation on any parking or property within the city adjacent to the intersection of any

two (2) or more streets which obstructs the driving vision of the operator of any vehicle upon any street approaching such intersection.

(h) The act by any person of grading, filling, blocking, or otherwise obstructing a drainage easement, failing to maintain a drainage easement, or maintaining a drainage easement in a manner that allows the easement to be clogged with debris, sediment, or vegetation;

(i) The act by any person of grading, filling, blocking, altering or otherwise obstructing a premises or property that is located in either a floodplain and/or a floodway, or in areas that affect drainage into such regulated areas;

(j) The act by any person of grading, filling, blocking, altering, constructing, or obstructing property so that water is discharged on to adjoining property or premises to the detriment of person or property or in a manner that causes the water to affect the safe use or stability of the adjacent property;

(k) The act by any person of conducting any activity or harboring any animals in a manner that creates or results in noxious or offensive odors that extend beyond the property line of the originating tract.

(l) The act by any person of making, assisting in making, permitting, continuing, causing to be made or continued or permitting the continuance of any sound which either exceeds the maximum permitted sound levels specified in section 8.03.005(c) or otherwise unreasonably disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city, this includes but is not limited to the specific conditions listed in section 8.03.005(e).

(m)The act by any person of bringing, depositing, or having in the city limits a carcass or other offensive or unwholesome substance or matter;

(n) The act by any person of permitting or disposing of any human waste in any manner other than in a toilet;

(o) The act by any person of discharging household, industrial or commercial waste into any watercourse, impoundment, storm sewer or public thoroughfare or permitting treated or untreated domestic wastewater or the effluent from a septic tank or domestic tank or domestic on-site sewage management system to drain directly or indirectly into a ditch or stream, or across any adjacent land owner;

(p) The act by any person of failing to connect sinks, lavatories, garbage disposals, dishwashers, clothes washing machines, shower baths, bathtubs, basins and similar plumbing fixtures or appliances to a potable water system and public sewer or to an approved domestic on-site wastewater system.

(q) The act by any person who own property abutting the streets of the city on which shade trees are growing of failing to prune such trees or remove such trees when dead.

(r) The act by any person of allowing an abandoned vehicle, including a part of an abandoned vehicle, to be visible from a public place or public right-of-way.

(s) The act by any person of allowing a junked vehicle, including a part of a junked vehicle, to be visible at any time of the year from a public place or public right-of-way.

ARTICLE 6.05 - VIOLATION DECLARED TO BE A NUISANCE PER SE; PUNISHABLE BY FINE

All violations of this chapter shall be declared to be nuisances per se. A person committing an offense of this chapter, and upon conviction thereof, shall be guilty of a misdemeanor and shall be subject to a fine, as provided for the general penalty provision found in section 1.01.009 of this code. Said fine shall be in addition to any cost or expense that is incurred by the city to remedy the nuisance should the responsible party fail to do so after notice and a demand for compliance by the city. Each and every day that a violation declared to be a nuisance continues shall constitute a separate offense of this article.

ARTICLE 6.06 - NUISANCE ABATEMENT AND NOTICE PROCEDURES

Sec. 6.06.001 – General Notice of Violation and Abatement Procedures.

(a) In the event that any person fails or refuses to take necessary action to comply with this chapter within seven (7) days after notice of a violation, in writing, by the city, a representative of the city may:
  (1) Enter upon the premises upon which the violation exists without further notice and remedy the nuisance or make the improvements required; and
  (2) Pay for all work necessary to remedy the nuisance or make a required improvement and charge all expenses and cost expended by the city to the owner.

(b) The notice must be given:
  (1) Personally, in writing, to the owner;
  (2) By letter addressed to the owner at the owner's address, as recorded in the appraisal district records of the appraisal district in which the premises is located; or
  (3) If personal service cannot be obtained or the premises owner's address is unknown:
    (A) By publication at least once;
    (B) By posting the notice on or near the front door of each building on the premises to which the violation relates; or
    (C) By posting the notice on a placard attached to a stake driven into the ground on the premises to which the violation relates, if the premises contain no buildings.

(c) If the city mails a notice to a premises' owner in accordance with subsection (b), and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

(d) In a notice provided pursuant to the terms of this article, the city may inform the owner of the property or premises that if another violation of the same kind or nature that poses a danger to the public health and safety occurs on or before the first anniversary of the date the violation was committed, the city may without the seven-day notice period stated in article 6.06.001(a), correct the violation at the owner's expense and assess the expense against the premises.

(e) If a violation covered by a notice under this subsection occurs within the one-year period, and the city has not been informed in writing by the owner of an ownership change, then the city may, without notice, take any action permitted by this article and assess its expenses as provided for herein.
(f) Notwithstanding anything stated herein to the contrary, the city shall have the right to immediately issue a citation and/or abate a condition that is an immediate danger to the health, life, or safety of any person and to charge the owner of the premises on which the condition occurred or the person who caused the condition with all expenses and costs expended by the city in the abatement.

Sec. 6.06.002 - Authority to abate weeds without notice.

(a) The city may abate, without prior notice to a premises owner, weeds that:
    (1) Have grown higher than forty-eight (48) inches; and
    (2) Are an immediate danger to the health, life, or safety of any person.
(b) Not later than the tenth day after the date the City abates weeds under this section, the Code Enforcement Officer or designee, shall give notice to the property owner in the manner consistent with section 6.06.001(b).
(c) The notice shall contain:
    (1) An identification of the premises, which is not required to be a legal property description;
    (2) A description of the violations that occurred on the premises;
    (3) A statement that the municipality abated the weeds; and
    (4) An explanation of the premises owner's right to request an administrative hearing about the municipality's abatement of the weeds.
(d) The city shall conduct an administrative hearing before the Police Chief or his or her designee, on the abatement of weeds under this section if, not later than the 30th day after the date of the abatement of the weeds, the premises owner files with the city a written request for a hearing with the City Secretary.
(e) An administrative hearing conducted under this section shall be conducted not later than the 20th day after the date of a request for a hearing is filed. The owner may testify or present any witness or written information relating to the city's abatement of the weeds.
(f) After the hearing conducted in accordance with this section, the Police Chief may uphold, modify, or overturn the actions of the Code Enforcement Officer or designee.
(g) A municipality may assess expenses and create liens as set forth in section 6.06.003 of this chapter.
(h) The authority of the city under this section is in addition to any other authority granted pursuant by law.

Sec. 6.06.003 - Assessment of Expenses; Lien

(a) The city may assess expenses incurred under this article against the real estate on which the work to remedy the nuisance is done or improvements made.
(b) To obtain a lien against a premises, the mayor, municipal health authority, or municipal official designated by the mayor must file a statement of expenses with the county clerk. The lien statement must state the name of the owner of the premises or property, if known, and the legal description of the premises or property. A signature on a lien

statement may be a facsimile signature as defined by Section 618.002, Government Code. The lien attaches upon the filing of the lien statement with the county clerk.

(c) The lien obtained by the city is security for the expenditures made and the interest accruing at the rate of 10% on the amount due from the date of payment by the city.

(d) The lien is inferior only to:
(1) Tax liens; and
(2) Liens for street improvements.

(e) The city may bring a suit for foreclosure in the name of the city to recover the expenditures and interest due.

(f) The statement of expenses or a certified copy of the statement is prima facie proof of the expenses incurred by the city in doing the work or making the improvements.

(g) The remedy provided by this section is in addition to any other remedy allowed by law.

(h) The city may foreclose a lien on a premises and/or property under this article in a proceeding relating to the property and/or premises described in Chapter 33, Subchapter E, of the Texas Tax Code.

(i) All charges shall bear interest at the maximum legal rate per annum from the date the city incurs the expense.

(j) The owner or any other person responsible, as provided herein, shall be jointly and severally liable for the charges.

ARTICLE 6.07 – ABATEMENT OF SUBSTANDARD OR IMPROPERLY MAINTAINED BUILDINGS

Sec. 6.07.001. - Application.

This Chapter shall apply to all substandard or improperly maintained buildings and shall apply equally to new and existing conditions.

Sec. 6.07.002. - Standards for repair, vacation or demolition.

The following standards shall be followed in ordering repair, vacation and/or demolition: If the dangerous building or structure can be feasibly repaired or the condition remedied so that it will no longer exist in violation of the terms of this Article, it shall be ordered remedied or repaired.

(a) Repairs shall be deemed feasible only if less than 50 percent of the structure of the building must be repaired or replaced or the value of the structure is reduced by less than 50 percent because of the violations. Value shall be determined by comparing the most recent valuation for the building or structure by the Bastrop County Appraisal District with the valuation of the building or structure two years prior to the most recent valuation by the Bastrop County Appraisal District.

(b) If the dangerous building or structure is in such a condition as to make it hazardous to the health, safety or general welfare of its occupants or the public, it shall be ordered vacated and secured, and the order may also require the occupants to be relocated.

(c) In any case where more than 50 percent of a building or structure is damaged, decayed or deteriorated, it shall be ordered demolished or removed, unless the Construction Standards Board of Adjustments and Appeals deems that the structure can be feasibly

repaired or the condition remedied. In all cases where a building cannot be repaired, it shall be ordered demolished.

(d) If a building is ordered demolished execution of the demolition order shall not commence until 30 days after the order is mailed to the owner. The Building Official shall confirm that a verified petition appealing the demolition order has not been filed in district court before executing a demolition order.

Sec. 6.07.003. - Minimum standards for continued use or occupancy.

In this Article, the minimum standards that shall determine the suitability of a building for continued use or occupancy, regardless of the date of construction, are those found in the City's adopted building code, supplemental building code, mechanical code, supplemental mechanical code, gas code, supplemental gas code, plumbing code, supplemental plumbing code, electrical code, housing code, existing buildings code, and fire prevention codes, as amended by the City from time to time.

Sec. 6.07.004. - Commencement of proceedings.

Whenever the Building Official has determined that a building or structure is a dangerous building or structure, he shall obtain a date and time for a public hearing before the Board to determine whether the building complies with the standards set out in this Chapter. The Building Official may seek voluntary compliance with this Chapter with the owner, lienholder or mortgagee of the building or structure before seeking a hearing before the Commission. If the Building Official receives voluntary compliance from the owner, lienholder or mortgagee, the Building Official need not seek a public hearing from the Board.

Sec. 6.07.005. - Notice of hearing.

(a) Notice of the public hearing required under Section 6.07.004 shall be sent to the owner of record, lienholder and mortgagee of the affected property. The notice shall be served at least ten calendar days prior to the hearing date. The notice may be served personally or by certified mail, return receipt requested. The executed return receipt shall be prima facie evidence of service. If the owner of record, lienholder or mortgagee of the building cannot be identified, the City shall make a diligent effort, use its best efforts, or make a reasonable effort to determine the identity and address of an owner, a lienholder or mortgagee. If a notice is mailed according to this subsection and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice shall be deemed to be delivered.

(b) The City must post a notice of the public hearing on the front door of each improvement situated on the affected property or as close to the front door as practicable on or before the 10th day before the date fixed for the public hearing.

(c) The City must publish a notice of the public hearing in a newspaper of general circulation in the municipality on one occasion on or before the 10th day before the date fixed for the public hearing.

(d) The City may file a notice of the hearing in the Official Public Records of Real Property for Bastrop County.

(e) The filing of the notice of hearing in the Official Public Records of Real Property for Bastrop County is binding on subsequent grantees, lienholders or other transferees of an interest in the property who acquire such interest after the filing of the notice and constitutes notice of the hearing on any subsequent recipient of any interest in the property who acquires such interest after the filing of the notice.

Sec. 6.07.006. - Contents of notice.

(a) The notice must contain:
  (1) The name and address of the owner of the affected property if that information can be determined;
  (2) A legal description of the affected property; and
  (3) A description of the hearing.
(b) A notice of a public hearing required by Section 6.07.004 sent to an owner, lienholder or mortgagee:
  (1) Must include a statement that the owner, lienholder or mortgagee will be required to submit at (1) the hearing proof of the scope of any work that may be required to comply with this Chapter and the time it will reasonably take to perform the work;
  (2) May contain a description of each violation which allegedly exists, a statement that the City may perform the required work to abate the violation if the owner fails to do so, and an explanation of the owner's right to a hearing before the Commission.

Sec. 6.07.007. - Public hearing.

At the hearing the Building Official shall present evidence of the condition of the structure and may recommend a course of action. The owner, lienholder, mortgagee or any other interested party may present evidence on any relevant issues.

Sec. 6.07.008. - Construction Standards Board of Adjustments and Appeals orders.

(a) After the public hearing, if a building is found in violation of standards set out in this Chapter or any other applicable ordinances, the Board may:
  (1) Find the building or structure to be a dangerous building or structure and order that the building be vacated, secured, repaired, removed or demolished by the owner within a reasonable time. The Board may order that the owner relocate the occupants within a reasonable time; or
  (2) In the case of a single-family dwelling occupied by the owner where the health, safety and welfare of other persons will not be affected, grant an exception to any provision of this Chapter to avoid the imposition of an unreasonable hardship.
(b) The mortgagees and lienholders shall be provided an additional reasonable amount of time to comply with the ordered action in the event the owner fails to comply with the order within the time provided for action by the owner.
(c) A Board order shall require the owner, lienholder or mortgagee of the building to within 30 days:
  (1) Secure the building from unauthorized entry; or

(2) Repair, remove or demolish the building, unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.

(d) If the Board allows the owner, lienholder or mortgagee more than 30 days to repair, remove or demolish the building, the Board shall set specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the Board.

(e) The Board may not allow the owner, lienholder or mortgagee more than 90 days to repair, remove or demolish the building or fully perform all work required to comply with the order unless the owner, lienholder or mortgagee:
(1) Submits a detailed plan and time schedule for the work at the hearing; and
(2) Establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work.

(f) If the Board allows the owner, lienholder or mortgagee more than 90 days to complete any part of the work required to repair, remove or demolish the building, the Board will require the owner, lienholder or mortgagee to regularly submit progress reports, as defined by the Board, to the Building Official to demonstrate compliance with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder or mortgagee appear before the Board or the Building Official to demonstrate compliance with the time schedules.

(g) If the Board allows the owner, lienholder or mortgagee to repair, remove or demolish the building, the work shall be done in compliance with all permitting requirements of the City, Bastrop County and State of Texas. Any repair work must comply with the applicable codes for the work to be completed.

(h) If the owner, lienholder or mortgagee owns property, including structures and improvements on property, within the City limits of the City with a value that exceeds $100,000.00 in total value, the Board may require the owner, lienholder or mortgagee to post a cash or surety bond in an amount adequate enough to cover the cost of repairing, removing or demolishing a building or structure. In lieu of a bond, the Board may require the owner, lienholder or mortgagee to provide a letter of credit from a financial institution or guaranty from a third-party approved by the Board. The bond must be posted, or the letter of credit or third-party guaranty provided, not later than the 30th day after the Board issues the order. Value may be determined by using the appraised value of real property and improvements as determined by the Bastrop County Appraisal District, or its successor in interest.

(i) The owner, lienholder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with the applicable City ordinances and the time it will take to reasonably perform the work.

Sec. 6.07.009. - Actions subsequent to board order.

(a) Within ten days after the date the order is issued, the City shall:
(1) File a copy of the order in the office of the City Secretary; and
(2) Publish in a newspaper of general circulation in the municipality in which the building is located a notice containing:

(A) The street address or legal description of the property;
(B) The date of the hearing;
(C) A brief statement indicating the results of the order; and
(D) Instructions stating where a complete copy of the order may be obtained.

(b) The Building Official shall promptly mail by certified mail, return receipt requested, a copy of the order to the owner of the building and to any lienholder or mortgagee of the building. The municipality shall use its best efforts to determine the identity and address of any owner, lienholder or mortgagee of the building. If a copy of the order is mailed according to this subsection and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the mailing is not affected, and the copy of the order shall be deemed to be delivered.

Sec. 6.07.010. - Compliance with Board order.

(a) If the building is not vacated, secured, repaired, removed or demolished, or the occupants are not relocated within the allotted time, the City may vacate, secure, remove, or demolish the building or relocate the occupants at its own expense.
(b) If the City incurs expenses under subsection (a) of this section, the City may assess the expenses on, and the City has a lien against, unless it is a homestead as protected by the Texas Constitution, the property on which the building is located. The lien is extinguished if the property owner or another person having an interest in the legal title to the property reimburses the City for the expenses. The lien arises and attaches to the property at the time the notice of the lien is recorded and indexed in the office of the County Clerk of Bastrop County. The notice must contain the name and address of the owner if that information can be determined with a reasonable effort, a legal description of the real property on which the building was located, the amount of expenses incurred by the City, and the balance due.
(c) This section does not limit the City's ability to collect on a bond or other financial guaranty that may have been required by Section 6.07.008(h).

Sec. 6.07.011. - City's authority to secure a dangerous building.

(a) The City may secure a building the Building Official determines:
    (1) Violates the minimum standards; and
    (2) Is unoccupied or is occupied only by persons who do not have a right of possession to the building.
(b) Before the 11th day after the date the building is secured, the Building Official shall give notice to the owner by:
    (1) Personally serving the owner with written notice;
    (2) Depositing the notice in the United States mail addressed to the owner at the owner's post office address;
    (3) Publishing the notice in a newspaper of general circulation if personal service cannot be obtained and the owner's post office address is unknown; or
    (4) Posting the notice on or near the front door of the building if personal service cannot be obtained and the owner's post office address is unknown.

(c) The notice must contain:
  (1) An identification, which is not required to be a legal description, of the building and the property on which it is located;
  (2) A description of the violation of the municipal standards that is present at the building;
  (3) A statement that the municipality will secure or has secured, as the case may be, the building; and
  (4) An explanation of the owner's entitlement to request a hearing about any matter relating to the municipality's securing of the building.

(d) The Board shall conduct a hearing at which the owner may testify or present witnesses or written information about any manner relating to the City's securing of the building if, within 30 days after the date the City secures the building, the owner files with the Building Official a written request for the hearing. The Board shall conduct the hearing within 20 days after the date the request is filed.

(e) If the City incurs expenses under this section, the City may assess the expenses on, and the City has a lien against, unless it is a homestead as protected by the Texas Constitution, the property on which the building is located. The lien is extinguished if the property owner or another person having an interest in the legal title to the property reimburses the City for the expenses. The lien arises and attaches to the property at the time the notice of the lien is recorded and indexed in the office of the County Clerk in the county in which the property is located. The notice must contain the name and address of the owner if that information can be determined with a reasonable effort, a legal description of the real property on which the building was located, the amount of expenses incurred by the City, and the balance due.

(f) After the hearing conducted in accordance with subsection (d) of this section, the Board may:
  (1) Uphold the City's actions; or
  (2) Order that the amount of the lien assessed under subsection (e) of this section be reduced or extinguished.

(g) The authority granted by this section is in addition to any other remedy provided in this Chapter or by state law.

Sec. 6.07.011. - Additional authority regarding substandard building.

(a) A Board order issued pursuant to Section 6.07.010 may require that after the expiration of the time allotted for repair, removal or demolition of a building:
  (1) That the City repair the building or structure at the expense of the City and may place a lien on the land which the building stands or to which it is attached for the expenses of the repair; or
  (2) Assess a civil penalty against the property owner for failure to repair, remove or demolish the building and may recover the penalty by placing a lien on the property.

(b) The City may repair a building under subsection (a) of this section only to the extent necessary to bring the building into compliance with the minimum standards and only if the building is a residential building with ten or fewer dwelling units. The repairs may not improve the building to the extent that the building exceeds minimum housing standards.

(c) If the Board orders the building or structure repaired or assesses a civil penalty against the owner under section 6.07.011, the City shall impose a lien against the land on which the building stands or stood, unless it is a homestead as protected by the Texas Constitution, to secure the payment of the repair expenses or the civil penalty. Promptly after the imposition of the lien, the City must file for record, in recordable form in the office of the County Clerk of Bastrop County, a written notice of the imposition of the lien. The notice must contain a legal description of the land.
(d) Any civil penalty or other assessment imposed under this section accrues interest at the rate of ten percent from the date of the assessment until paid in full.
(e) The City's right to the assessment lien cannot be transferred to third parties.
(f) A lien acquired under this section by the City for repair expenses may not be foreclosed if the property on which the repairs were made is occupied as a residential homestead by a person 65 years of age or older.
(g) The Board may assess and the City may recover a civil penalty, if ordered, against a property owner at the time of the Board hearing on violations of this Chapter, in an amount not to exceed $1,000.00 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed $10.00 a day for each violation, if the municipality proves:
    (1) The property owner was notified of the requirements of the ordinance and the owner's need to comply with the requirements; and
    (2) After notification, the property owner committed acts in violation of the ordinance or failed to take an action necessary for compliance with the ordinance.
(h) Notice of an action taken under subsection (a) of this section shall be the same notice provided for in Section 6.07.009.
(i) The authority granted by this section is in addition to any other remedy provided in this Chapter or by State law.

Sec. 6.07.011. - Diligent or best efforts by the city.

Under this Article, the City is deemed to have made a diligent effort, used its best efforts, or made a reasonable effort to determine the identity and address of an owner, a lienholder, or mortgagee if it searches the following records:
(a) County real property records of the county in which the building is located;
(b) Appraisal district records of the appraisal district in which the building is located;
(c) Records of the secretary of state;
(d) Assumed name records of the county in which the building is located;
(e) Tax records of the City; and
(f) Utility records of the City.

Sec. 6.07.012. - Inspection of buildings, schools, churches, etc.

The Building Official, or their designee, may inspect or cause to be inspected periodically all public buildings, schools, halls, churches, theaters, hotels, apartments, commercial premises or tents for the purpose of determining whether any condition exist which render any such place a dangerous building or structure. The Building Official shall also inspect buildings under the following conditions:

(a) Any premises, building, wall or structure about which complaints are filed by any person to the effect that any premises or building, wall or structure is or may be existing in violation of this Chapter;
(b) Any premises, building, wall or structure reported by the Health, Fire or Police departments of the City as possibly existing in violation of the terms of this Chapter;
(c) Any premises, building, wall or structure that the Building Official has reason to believe may be in violation of this Chapter, wherein such inspection is conducted in accordance with the law.

Sec. 6.07.013. - Responsibility for expense of repair, removal, demolition, etc.

(a) Demolition, closure, removal or repair of a structure may be accomplished by the owner in compliance with this section or by the City. The expense of demolition, closure, correction, removal or repair, when performed under contract with the City or by City forces and filed in accordance with the law, constitutes a lien against the real property on which a structure stood and the lien runs and is attached to the land.
(b) The City may use all other lawful means to collect costs from an owner.

Sec. 6.07.014. - Timely vacation of structure.

(a) Each occupant of a structure or dwelling unit that has been ordered vacated shall vacate the structure or dwelling unit within the time specified in the order. It is unlawful for any person to occupy a structure or dwelling unit that has been ordered vacated.
(b) A person who is ordered to vacate a structure shall not be considered a displaced person and shall not be eligible for relocation assistance if:

    (1) The person is ordered to vacate a structure as a consequence of his own intentional or negligent conduct;
    (2) The person began occupying the structure after the Building Official placed a red placard on the structure warning of its dangerous condition.

Sec. 6.07.015. - Reduction of occupancy load—Notice.

(a) The Building Official shall, by certified mail, return receipt requested, sent to the last known address of the owner and occupant of a structure, as shown on the tax roll of the official records of the Tax Assessor-Collector and the records of utility service for that address of the City, give notice of a hearing to consider reduction of occupancy load of a structure or portion thereof that is overcrowded. The notice shall state:

    (1) Identification of the building that is over-occupied;
    (2) A description of the violation(s) with reference to the appropriate regulations;
    (3) Required action to abate the violation;
    (4) The right to a hearing and the time, date and location of such hearing.

Sec. 6.07.016. - Reduction of occupancy load—Public hearing.

A public hearing to consider occupancy load of a structure shall be held before a hearing panel of the Board at least ten days after receipt of notice by the owner and occupants or at least five days after the mail is returned undelivered. The Building Official shall present evidence of the overcrowded or dangerous condition of the structure and the owner, lessor or occupants may present evidence on relevant issues.

Sec. 6.07.017. - Reduction of occupancy load—Criteria for determination.

(a) A structure or dwelling unit is overcrowded if the following standards are not met:
  (1) Floor Space Per Person. Each structure or dwelling unit shall contain at least 150 square feet of habitable floor space for the first occupant and at least 100 square feet of additional habitable floor space for each additional occupant;
  (2) Sleeping Space Per Person. In each structure or dwelling unit of two or more rooms, each room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor space, and every room occupied for sleeping purposes by more than one person shall contain at least 50 square feet of floor space for each occupant;
  (3) Special Provisions. Children under 12 months of age shall not be considered occupants, and children under 12 years of age shall be considered as ½ of one occupant for purposes of Subsections 1 and 2.;
  (4) Ceiling Height. For purposes of Subsections 1 and 2, a room of a structure must have a ceiling height of at least seven feet to be considered habitable space.

Sec. 6.07.018. - Reduction of occupancy load—Findings of hearing panel.

The hearing panel shall order reduction of occupancy load if it finds that the structure is overcrowded. The order to reduce the occupancy load shall be given to the occupants and the order shall also be filed in the deed records of Bastrop County.

Sec. 6.07.019. - Reduction of occupancy load—Timely compliance with order.

The occupants of a structure or dwelling unit that has been ordered reduced in occupancy load shall reduce the occupancy to the number and within the time specified in the order.

Sec. 6.07.020. - Reduction of occupancy load—Violation of order unlawful.

It is unlawful for the owner of the building or structure referred to in Section 6.07.008 to permit occupancy in violation of the order.

Sec. 6.07.021. - Emergency cases.

(a) In cases where it reasonably appears there is an immediate and imminent danger to the life or safety of any person unless a dangerous building as defined in this Chapter is immediately vacated, repaired, closed or demolished, the Building Official of building inspections shall cause the immediate vacation, repair, closure or demolition of such

dangerous building or part thereof. The Building Inspector shall use the least intrusive means to abate the emergency.

(b) The Building Inspector shall make reasonable attempts to notify the affected persons in accordance with Section 6.07.008. The costs of such emergency repair, vacation or demolition of such dangerous building shall be collected in the manner as provided for by Section 6.07.013.

Sec. 6.07.022. - Disconnecting public utilities.

The Building Official of building inspections may request that public utilities be disconnected in order that demolition may be accomplished without delay when an order for demolition has been issued or when an emergency situation exists.

ARTICLE 6.08 – ABATEMENT OF ABANDONED VEHICLES

Sec. 6.08.001 –Abatement of Abandoned Vehicles, Notice, Seizure, Auction Demolition Procedures.

(a) The Police Department shall follow the procedures for taking into custody an abandoned motor vehicle, aircraft, watercraft, or outboard motor found on public or private property as provided by Texas Transportation Code, Chapter 683, Subsection B.

(b) The Police Department shall follow the procedures for taking into custody an abandoned motor vehicle in a storage facility operated for commercial purposes as provided by Texas Transportation Code, Chapter 683, Subsection C.

(c) The Police Department shall follow the procedures for selling, giving away, or disposing of an abandoned motor vehicle as provided by Texas Transportation Code, Chapter 683, Subsection D.

ARTICLE 6.09 – ABATEMENT OF JUNKED VEHICLES

Sec. 6.09.001 – Authority to Abate

(a) The city may abate and remove from private or public property or a public right-of-way a junked vehicle or part of a junked vehicle that is a public nuisance pursuant to section 8.05.142 in accordance with the procedures and requirements of this article.

(b) An appropriate court of the municipality or county may issue necessary orders to enforce the procedures.

(c) Procedures for abatement and removal of a public nuisance shall be administered by regularly salaried, full-time employees of the city, except that any authorized person may remove the nuisance.

(d) A person authorized by the city to administer the nuisance abatement procedures may enter private property to examine a public nuisance, to obtain information to identify the nuisance, and to remove or direct the removal of the nuisance.

(e) The relocation of a junked vehicle that is a public nuisance to another location in the city or the county after a proceeding for abatement and/or removal of the public nuisance has

commenced has no effect on the proceeding if the junked vehicle constitutes a public nuisance at the new location.

(f) In addition to any other remedies specified herein and available to the city, the city may enforce this article pursuant to section 217.002 of the Texas Local Government Code.

Sec. 6.09.002 - Notice.

The Chief of Police or his designee must provide not less than ten (10) days' notice of the nature of the nuisance to the last known registered owner of the nuisance; each lienholder of record of the nuisance; and the owner or occupant of: the property on which the nuisance is located; or if the nuisance is located on a public right-of-way, the property adjacent to the right-of-way. Said notice shall comply with Texas Transportation Code section 683.075

Sec. 6.09.003 - Hearing.

(a) The City Council designates the presiding judge of the Bastrop Municipal Court of Record as the official to conduct hearings under the procedures adopted under this section and in Subchapter E of Texas Transportation Code Chapter 683.

(b) On request of a person who receives notice as provided by Section 6.08.003 must be set if the request is made not later than the date by which the nuisance must be abated and removed. If a hearing is requested by a person for whom notice is required under section 6.08.003(a)(3), the hearing shall be held not earlier than the 11th day after the date of the service of notice.

(c) A person for whom notice is required under section 6.08.003(a)(3) may, within ten (10) days after service of a notice to abate said nuisance, request of the clerk of the municipal court, either in person or in writing, and without the requirement of the bond, that a date and a time be set when he or she may appear before the presiding judge of the municipal court for a hearing to determine whether or not the motor vehicle is a junked motor vehicle. Notice of any hearing set under this section shall be delivered to the Chief of Police.

(d) The judge of the municipal court shall hear any case brought before such court, as set out herein, and shall determine by a preponderance of the evidence whether or not the motor vehicle is a junked motor vehicle and in violation of this article. Such hearing shall not be criminal in nature and shall be as summary as due process and orderly procedure allows. At the hearing, the junked motor vehicle is presumed, unless demonstrated otherwise by the owner, to be inoperable.

(e) Upon finding that a motor vehicle is in violation of this article, the judge of such court shall order such defendant to remove and abate such nuisance within ten (10) days. If the party fails or refuses to remove and abate the nuisance within the allotted time, the presiding judge of the municipal court may issue an order directing the Chief of Police or his designee to have the same removed from its location. If so ordered, the Chief of Police or designee shall take possession of such nuisance and remove it from its location.

(f) If the information is available at the location of the nuisance, a resolution or order requiring removal of the nuisance must include:

(1) for a motor vehicle, the vehicle's:

(A) description;
(B) vehicle identification number; and
(C) license plate number;

(2) for an aircraft, the aircraft's:
(A) description; and
(B) federal aircraft identification number as described by Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; and

(3) for a watercraft, the watercraft's:
(A) description; and
(B) identification number as set forth in the watercraft's certificate of number.

(g) If the court determines that the junked vehicle must be removed, the vehicle cannot be reconstructed or made operable after removal.

(h) If the court determines that the junked vehicle must be removed, notice identifying the vehicle or part of the vehicle shall be given to the Texas Department of Motor Vehicles not later than the fifth day after the date of removal.

Sec. 6.09.004 - Abatement when persons entitled to notice cannot be found.

(a) If the post office address of the last known registered owner of the nuisance is unknown, notice may be placed on the nuisance or, if the owner is located, personally delivered.

(b) If notice is returned undelivered, action to abate the nuisance shall be continued to a date not earlier than the 11th day after the date of the return.

(c) Upon a showing of compliance with the applicable notice provisions, the presiding judge of the municipal court, the abatement procedures may continue and if it is determined that the nuisance is a junked vehicle the presiding judge may issue an order that complies with this Chapter.

Sec. 6.09.005 - Exemptions.

(a) Procedures adopted under section 6.09 may not apply to a vehicle or vehicle part:
(1) That is completely enclosed in a building in a lawful manner and is not visible from the street or other public or private property; or
(2) That is stored or parked in a lawful manner on private property in connection with the business of a "licensed vehicle dealer" or "junkyard" as those terms are defined in the Texas Transportation Code and the rules promulgated thereunder, or that is an antique or special interest vehicle stored by a motor vehicle collector on the collector's property, if the vehicle or part and the outdoor storage area, if any, are:
(A) Maintained in an orderly manner;
(B) Not a health hazard; and
(C) Screened from ordinary public view by appropriate means, including a fence, rapidly growing trees, or shrubbery.

(b) In this section:
Antique vehicle. A passenger car or truck that is at least thirty-five (35) years old.
Motor vehicle collector. A person who:

(1) Owns one or more antique or special interest vehicles; and
(2) Acquires, collects, or disposes of an antique or special interest vehicle or part of an antique or special interest vehicle for personal use to restore and preserve an antique or special interest vehicle for historic interest.

Special interest vehicle. A motor vehicle of any age that has not been changed from original manufacturer's specifications and, because of its historic interest, is being preserved by a hobbyist.

Sec. 6.09.006 – Junk Vehicle Disposal.

(a) A junked vehicle, including a part of a junked vehicle, may be removed to a scrapyard, a motor vehicle demolisher, or a suitable site operated by a municipality or county.
(b) The city may operate a disposal site if the City Council determines that commercial disposition of junked vehicles is not available or is inadequate. The city may:
    (1) Finally dispose of a junked vehicle or vehicle part; or
    (2) Transfer it to another disposal site if the disposal is scrap or salvage only.

ARTICLE 6.10 - ENFORCEMENT

The provisions of this article shall be enforced by representatives of the city. Notwithstanding any provisions of this article to the contrary, the City Manager, building official, or his or her designee, code enforcement officer, and the Chief of Police or his or her designee has authority to issue immediate citations to persons violating any provision of this article in the presence of said official. The building official, or his or her designee, code enforcement officer, or the Chief of Police, or his or her designee, upon the showing of proper identification, are authorized to enter upon any private property and/or premises to inspect for violations of this article and to insure compliance with same. It shall be unlawful for any person to interfere with the building official, or his or her designee, code enforcement officer, or the Chief of Police or his or her designee, in the exercise of their duties under this article.

Attachment "B"

CHAPTER 8: GENERAL HEALTH AND SANITATION REGULATIONS

ARTICLE 8.01 – GENERAL

Section 8.01.001 – Enforcement

(a) A person who violates a provision of this chapter, or who fails to perform an act required of them by this chapter, commits an offense.
(b) A person violating a provision of this chapter commits a separate offense for each day or part of a day during which a violation is committed, continued, or permitted.
(c) The culpable mental state required for the commission of an offense under this chapter is governed by Section 1.01.009 of this code.
(d) Unless specifically provided otherwise in this chapter, an offense under this chapter is punishable by a fine not to exceed:
    (1) $2,000 if the provision violated governs public health or sanitation;
    (2) the amount fixed by State Law if the violation is one for which the state has fixed a fine; or
    (3) $500 for all other offenses.
(e) Prosecution for an offense under Subsection (a) does not prevent the use of civil enforcement remedies or procedures applicable to the person charged with or the conduct involved in the offense.
(f) Prosecution for an offense under Subsection (a) does not prevent the use of the abatement procedures enacted in Chapter 6 and the assessment of the costs associated with abatement.
(g) In addition to imposing a criminal penalty, the city may, in accordance with Section 54.012(5) and (10) of the Texas Local Government Code, bring a civil action against a person violating a provision of this chapter. The civil action may include, but is not limited to, a suit to recover a civil penalty pursuant to Section 54.017 of the Texas Local Government Code not to exceed $1,000 for each day or portion of a day during which each violation is committed, continued, or permitted.

ARTICLE 8.02 – PUBLIC PROPERTY

Section 8.02.001 - Defacing or tearing down public notices.

A person commits an offense if they mark, alter, deface or tear down any notice of any kind posted for public inspection by order of the City Council.

Section 8.02.002 - Sale, possession and consumption of alcohol prohibited in public areas.

(a) *Prohibited areas.* It shall be unlawful for any person to knowingly or willfully sell, possess with the intent to sell, possess, consume or possess with the intent to consume any alcoholic beverage in the following areas, except as provided herein:

(1) Within any public park, playground or recreation area in the city, not including park land owned by the State.
(2) Within any area with a Civic Space designation within the city, not including park land owned by the State.
(3) Within any park, recreation area, playground, athletic field or athletic facility owned by a public school district and located within the city.
(4) Upon any public street, sidewalk, or right-of-way which is located within a public park, playground, recreation area, or area with a Civic Space designation within the city, not including land owned by the state. Streets which have been temporarily closed for the use of parties, dances or other recreational purposes shall be considered to be public recreational areas for purposes of this section.

(b) *Administrative waivers by City Manager.* Notwithstanding any provision contained herein, the City Manager shall have the authority to approve an administrative waiver for the sale, possession, and consumption of alcoholic beverages in parks and other public areas, on a case-by-case basis when, in their sole discretion, an administrative waiver is in the best interest of the applicant, the city and the citizens of Bastrop, with all pertinent factors considered, and when the request for a waiver involves the sale, possession and consumption of alcoholic beverages: (1) for a special event to be held by a non-for profit entity, pursuant to a Special Event Permit issued by the city; (2) in a City of Bastrop public park or public area or property controlled by the city; (3) the applicant for the waiver adequately demonstrates to the City Manager that the sales, possession and consumption will not negatively impact immediately surrounding property owners or the public at large, and (4) the applicant provides the City Manager with any pertinent licensing, insurance and/or other applicable business information and documentation deemed necessary by the City Manager to grant the waiver. The City Manager is authorized to require applicants for waivers to provide proof of insurance in amounts approved by the city for the event(s), on a case-by-case basis, and to establish other reasonable and necessary limits and conditions when granting such waivers, such as hiring private security personnel or posting a refundable security deposit for post-event clean-up cost and/or trash collection, or other necessary services related to the event and the sale/consumption of alcoholic beverages. All waivers will be in effect for a stated location and period of time, as determined by the City Manager, but in no event to be longer than seventy-two (72) hours.

(c) *Deferral of waivers to the City Council.* In the event that the City Manager so desires, they may defer the administrative decision on a requested waiver related to the sale, possession and consumption of alcoholic beverages in city parks and in public areas to the City Council, for its evaluation and determination. If a request for a waiver is to be deferred to the Council, the City Manager will place the request for a waiver on an upcoming council agenda. In making exemption council decision on a requested waiver, the City Council may consider all pertinent information provided, the possible impact on the immediately adjacent neighborhood, as well as any citizen input deemed relevant and presented to the Council at the meeting. Further, the City Council shall require an applicant for exemption waiver to provide proof of liability insurance in amounts that adequately protect the public and the city.

Section 8.02.003 - Reward for reporting acts of vandalism to city property.

(a) A reward shall be paid for information leading to arrest and conviction of vandals damaging city property, as follows:
  (1) The city shall pay a reward of up to $500 to a person who furnished information to the city that leads to the arrest and conviction of any person who damages property that is owned, operated, or under the control and responsibility of the city. One and only one reward shall be paid for each separate incident of vandalism.
  (2) Law enforcement personnel, city employees, and city officials shall not be eligible for payment of any such reward.
  (3) The City Council shall make the determination of who shall receive the reward when more than one person makes a claim for the payment of the reward noted herein, pursuant to this section. The City Council shall have and reserve the right to file a petition in the nature of a bill of interpleader in any court of competent jurisdiction if more than one person claims the reward.

Section 8.02.004 - Visibility obstructions at intersections.

No person shall plant, fix or maintain any trees, shrubbery or other vegetation on any parking or property within the city adjacent to the intersection of any two (2) or more streets which obstructs the driving vision of the operator of any vehicle upon any street approaching such intersection. This section shall not prohibit the owner of any property from erecting or maintaining buildings or structures permitted by this code.

Section 8.02.005 -Loitering, Camping, Solicitation in Public Area.

(a) Definitions.
  (1) Automated teller machine in this section means a devise, linked to a bank's account records, which is able to carry out banking transactions.
  (2) Automated teller facility in this section means the area comprised of one or more automatic teller machines, and any adjacent space that is made available to banking customers.
  (3) Bank in this section includes savings banks, savings and loan associations, credit unions, trust companies, or similar financial institutions.
  (4) Camping in this section means the use of a public area for living accommodation purposes including, storing personal belongings; making a campfire; using a tent, shelter, vehicle or other structures and/or materials for a living accommodation; carrying on cooking activities; or digging or earth breaking activities.
  (5) Check cashing business in this section means a person or entity that is in the business of cashing checks, drafts, or selling or cashing money orders for consideration.
  (6) Loitering in this section means sitting, lying down, sleeping or stowing personal belongings in or on a public area, without the express permission of the entity or person who owns or otherwise controls such public areas.

(7) Public area in this section means an area that is accessible to the public including a street, highway, park, sidewalk, parking lot, alleyway, pedestrian way, and the common areas of a school, hospital, apartment building, office building, transport facility, shop, business, bank, rights-of-way between a roadway and the abutting property line or structure, and/or upon public rights-of-way.

(8) Harassing in this section means aggressively approaching or following a pedestrian or vehicle, repetitive soliciting despite refusals, the use of abusive, profane or offensive language that causes fear and intimidation, unwanted physical contact (whether intentional or recklessly made) or a threat thereof, and/or the intentional blocking of pedestrian and vehicular traffic.

(9) Solicit in this section means to request, by spoken, written, or printed word or by other means of communication a donation or transfer of money, food, or any other thing from another person, regardless of the solicitor's purpose or intended use of the money or other thing, and regardless of whether consideration is offered.

(b) Loitering prohibited. A person shall not loiter in a public area. A person commits an offense if the person, after being notified by a law enforcement officer or the person that owns or controls the property that a person's activities violate a city regulation, fails to vacate the property in question.

(1) Defenses. It is a defense to prosecution under subsection (a) that a person:

(A) Was sitting or lying down because of a medical emergency;

(B) As a result of a disability, used a wheelchair or similar device to move about;

(C) Participated in or viewed a parade, festival, performance, rally, demonstration, or similar event;

(D) Waited in line to purchase a ticket to or attend a performance or a public event;

(E) Sat on a chair or bench that was supplied by an agency, entity, individual or business, unless the agency, entity, individual, or business requested that the person leave the chair or bench provided; or

(F) Operated or patronized a commercial establishment that conducts business on the sidewalk, during the time business was being conducted thereon.

(c) Camping prohibited. Camping is not allowed in public areas. A person commits an offense if the person camps in a public area that is not designated as a camping area by the city and/or parks department.

(1) This section does not apply to permitted camping or cooking in a park in compliance with park regulations or if the person is engaged in a sanctioned outdoor cooking event.

(2) It is an affirmative defense to prosecution under this subsection that a person owns the property or has secured the permission of the property owner to camp in a public area, unless such activities are otherwise prohibited by state or local regulations.

(3) Harassing solicitation prohibited. A person commits an offense if the person solicits in a harassing manner in:

(A) A public area;

(B) At a transportation stop;

(C) Within twenty-five (25) feet of:

(i) An automated teller facility.

(ii) The entrance to a bank.

(iii) The entrance or exit of a check cashing business.

(D) At a marked crosswalk;

(E) On either side of the street on a block where a school attended by minors or a childcare facility has an entrance or exit;

(F) At a sidewalk eatery.

(d) Penalty for violations. A person committing an offense of this section, and upon conviction thereof, shall be guilty of a class c misdemeanor and shall be subject to a fine of not less than $50 or more than $500.

Section 8.02.006 - Leaving merchandise or other items in front of store at night.

No goods, boxes, barrels or obstructions of any kind shall be left in front of any store on any street after 5pm in the central business district. Each night, or part of a night, that such article is so left shall constitute a separate offense.

Section 8.02.007 - Duty of adjacent owners and occupants to remove litter, weeds, etc.

A person owning, occupying, or controlling real property adjacent to a public sidewalk commits an offense if they allow such sidewalk, or any part thereof, to become littered or obstructed by weeds, trash, rubbish, or other items.

Section 8.02.008 - Littering.

A person commits an offense if they throw, deposit or leave any trash, debris, refuse, junk, garbage or other rubbish in any public street, thoroughfare, alley or ditch in the city.

ARTICLE 8.03 – PRIVATE PROPERTY

Section 8.03.001 - Unsanitary conditions; generally.

(a) No person in control of or owning any premises shall permit the premises to exist in an unsanitary, unhealthy, or contaminated condition or maintain the premises in such a manner that it is likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests, is a possible or probable medium of disease transmission to or between humans, or is a danger to public safety, health or welfare.

(b) Sewage, human excreta, wastewater, garbage, or other organic material may not be deposited, stored, discharged, or exposed in such a way as to be a potential instrument or medium in disease transmission to a person or between persons.

(c) The presence of bedbugs, lice, mites, or other ectoparasites suspected to be disease carriers in a place in which sleeping accommodations are offered to the public is prohibited.

Section 8.03.002 - Swimming pools.

(a) No person owning, in control of, or operating any swimming pool, including a private swimming pool, shall maintain the swimming pool in a manner that is unsafe, unsanitary, or a danger to public safety, health or welfare.
(b) Swimming pools located outside must be enclosed in an enclosure that completely surrounds the swimming pool and is at least six (6) feet in height, but which may include an adjoining fence, wall, or building.
(c) A swimming pool enclosure that is in compliance with this section shall not contain an opening large enough to permit the passage of a two (2) inch diameter sphere.
(d) Gates leading to a swimming pool yard must be designed so as not to permit access by unauthorized persons and shall have:
    (1) A self-closing and self-latching device; or
    (2) Hardware enabling the gate to be locked by a padlock or a built-in lock operated by key, card, or combination.

Section 8.03.003 – Light

A person commits an offense if they fail to comply with the lighting requirements of the Bastrop Building Code and/or the Bastrop Building Block Code Technical Manual, as amended.

Section 8.03.004 – Odor.

A person commits an offense if they conduct any activity or harbor any animals in a manner that creates or results in noxious or offensive odors that extend beyond the property line of the originating tract.

Section 8.03.005 – Noise.

(a) Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

Daytime hours. The hours between 7:00 a.m. on one day and 9:00 p.m. the same day.

dB(A). The intensity of a sound expressed in decibels read from a calibrated sound level meter utilizing the A-level weighting scale and the slow meter response, as specified by the American National Standards Institute.

Emergency. Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage or loss which demands immediate action.

Emergency work. Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency, or which is otherwise necessary to restore property to a safe condition following a fire, accident or natural

disaster, or which is required to protect persons or property from exposure to danger, or which is required to restore public utilities.

Nighttime hours. The hours between 9:00 p.m. on one day and 7:00 a.m. the following day.

Nonresidential property. Any real property within the limits of the city which is not included in the definition of residential property as defined in this section.

Person. Any individual, association, partnership, or corporation.

Property line. The line along the ground surface, and its vertical extension, which separates the real property owned, leased or occupied by one person from that owned, leased or occupied by another person, and the imaginary line which represents the legal limits of property of any person who owns, leases or otherwise occupies an apartment, condominium, hotel or motel room, office or any other type of occupancy.

Public right-of-way. Any street, avenue, boulevard, highway, road, thoroughfare, sidewalk, alley or other property which is owned or controlled by a governmental entity.

Residential property. Any real property developed and used for human habitation and which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, unless such premises are actually occupied and used primarily for purposes other than human habitation.

Responsible person. Any owner, operator, or lessee of the property or premises from which a sound emanates, whether real property or personal property; or any other person who causes, suffers, allows or permits a sound.

Penalty. Any person who violates any provision of this article is guilty of a misdemeanor and, upon conviction, shall be subject to a fine in accordance with the general penalty provision found in section 1.01.009 of this code. Each occurrence of any violation shall constitute a separate offense. To the extent that any conduct prohibited under this article also constitutes an offense under state law, then it shall be punishable as provided by state law.

Maximum permissible sound levels. No person shall conduct, permit or allow any activity or sound source to produce a sound that is discernible beyond the property lines of the property on which the sound is being received that when measured as provided in section 8.03.005(g) of this article exceeds the applicable dB(A) level listed below for the property on which the sound is received:

(a) Residential property: 85 dB(A) during daytime, and 80 dB(A) during nighttime hours.

(b) Nonresidential property: 85 dB(A) during daytime, and 80 dB(A) during nighttime hours.

Prima facie evidence. The dB(A) levels set forth in this section apply to the property where the sound is being received. Evidence that an activity or sound source produces a sound that exceeds the dB(A) levels specified in this section, when measured at the site where the sound is being received, if available, shall be prima facie evidence of a noise which unreasonably

disturbs, injuries or endangers the comfort, repose, health, peace or safety of others within the limits of the city in violation of this article.

(b) *General prohibition*. It shall be unlawful for any person to make, assist in making, permit, continue, cause to be made or continued or permit the continuance of any sound which either exceeds the maximum permitted sound levels specified in section 8.03.005(c) or otherwise unreasonably disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city. The acts enumerated in the following sections of this article, among others, are specifically prohibited, but such enumeration shall not be deemed to be exclusive.

(1) *Noisy vehicles*. The use of any automobile, motorcycle, or other vehicle so out of repair, so loaded, or in such a manner so as to create loud and unreasonable grating, grinding, rattling or any other loud and unreasonable sound is hereby prohibited and declared to be unlawful.

(2) *Amplified sound from motor vehicle*. It is unlawful for any person to operate a radio, tape or CD player, or other electronic or mechanical sound-making device from within a motor vehicle in the city in a manner that emits sounds that are audible on a public right-of-way, street, or highway, to the human ear of a person with average and normal hearing, at a distance of thirty-five (35) feet or more from the motor vehicle. It shall be presumed that the driver of any vehicle is the operator of the sound-making device(s).

(A) The following exceptions shall apply to the prohibitions noted in subsection (e) above:

1. The provisions of this section shall not apply to any law enforcement motor vehicle equipped with any communication device necessary in the performance of law enforcement duties or to any emergency vehicle equipped with any communication device necessary in the performance of any emergency procedures.
2. The provisions of this section do not apply to motor vehicles used for business or political purposes, which in the normal course of conducting such business use sound-making devices.
3. The provisions of this section do not apply to the noise made by a horn or other warning device required or permitted by state law.

(3) *Engine braking*. The use of engine brakes or similar mechanical/vehicular devices in such a manner or resulting in noises of a volume that a person of ordinary sensibilities is annoyed and/or otherwise disturbed by them, while operating equipment and/or vehicles within the city's municipal boundaries, is hereby prohibited.

(c) *Defenses*. The following defenses shall apply to any offense established in this article:

(1) The emission of any sound was for the purpose of alerting persons to the existence of an emergency, danger or attempted crime or an authorized test or drill for emergency, danger or attempted crime.

(2) The sound was produced by emergency or regularly scheduled work necessary to restore public utilities, or to restore property to a safe condition, or to protect

persons or property from imminent danger, following a fire, accident or natural disaster, or to collect garbage, or to clean city streets with a street sweeper.

(3) The sound was generated:

(A) At a lawfully scheduled stadium event;

(B) By a parade and spectators and participants on the parade route during a permitted parade;

(C) By spectators and participants at a lawfully scheduled amphitheater event;

(D) By patrons and participants using cannons and gunfire during historical battle reenactments for which a pyrotechnic permit was obtained and the explosives were inspected by the fire marshal;

(E) By a pyrotechnic display that was inspected and approved by the fire marshal;

(F) By spectators and participants of any outdoor event, fun run, race, festival, fiesta, or concert which was sponsored, cosponsored, or permitted by the city; or

(G) By any other lawful activity which constitutes protected expression pursuant to the First Amendment of the United States Constitution.

(H) The sound was produced by the erection, excavation, construction, demolition, alteration, or repair work, or the permitting or causing thereof, of any building or other structure, or facility, or the operation or the permitting or causing the operation of any tools or equipment used in any such activity, conducted between the hours of 7:00 a.m. and 9:00 p.m. and which activity did not produce a sound exceeding 95 dB(A) when measured from the nearest residential property where the sound is being received.

(I) The sound was produced by aircraft in flight or in operation at an airport, or railroad equipment in operation on railroad rights-of-way.

(J) The sound was produced by operating or permitting the operation of any mechanically powered saw, drill, sander, router, grinder, lawn or garden tool, lawnmower, or any other similar device used between the hours of 7:00 a.m. and 9:00 p.m. and used for the maintenance or upkeep of the property on which it was used.

(K) The sound was generated as authorized under the terms of a permit issued under section 8.03.005(h) of this article.

(L) The sound was produced by the operation of any air conditioning unit which did not produce a sound exceeding 80 dB(A) on residential property or 85 dB(A) on nonresidential property, when measured at or near fifteen (15) feet from the air conditioning unit producing the sound being measured.

(M) The sound was produced by church bells or church chimes when used as part of a religious observance or service during daytime hours and

which did not exceed five (5) continuous minutes in duration in any one-hour period.

(d) *Method of sound measurement*. Whenever portions of this article prohibit sound over a certain decibel limit, measurement of said sound shall be made with a calibrated sound level meter. Noise levels shall be measured in decibels. The unit of measurement shall be designated as dB(A). Meters shall be maintained in calibration and good working order. Measurements recorded shall be taken so as to provide a proper representation of the sound being measured. The microphone of said meter shall be positioned so as not to create any unnatural enhancement or diminution of the measured sound. Except as provided in sections 8.03.005(e)(1) and 8.03.005(e)(2), measurements shall be taken at or near the nearest property line of the property where the sound is being received.

(h) *Permit for use of outdoor sound amplification equipment*. No person shall use or cause to be used any loudspeaker, loudspeaker system, sound amplifier or any other machine or device which produces, reproduces, or amplifies sound outside of buildings or other enclosed structures in a manner which exceeds the levels specified in section 8.03.005(c), when measured from the property where the sound is being received, without first obtaining a permit to do so. Such permit:

(1) May be obtained by making application to the director of the city department so designated by the City Manager.

(2) Is valid for one fourteen-hour period between the hours of 8:00 a.m. and 10:00 p.m., except for events in city parks, for which the permit is valid for two sixteen-hour periods ending at 12:00 midnight on Thursday and Friday and one seventeen-hour period between the hours of 8:00 a.m. on Saturday and ending at 1:00 a.m. on the next following Sunday.

(3) Shall not be issued for the same location more than twice during the thirty-day period, except for events at city parks, for which there may be three (3) permits issued during any thirty-day period.

(4) Shall not authorize, allow, or otherwise permit the production, reproduction, or amplification of sound which exceeds 85 dB(A) when measured from the nearest receiving property.

(5) The use of any loudspeaker, loudspeaker system, sound amplifier or any other similar machine or device which is permitted pursuant to this section is subject to the following regulations:

i. The only sound permitted shall be either music or human speech or both.

ii. The volume of the sound amplified pursuant to this section shall not exceed 85 dB(A) when measured from the nearest receiving property.

iii. No equipment permitted pursuant to this section shall be operated during the hours between 10:00 p.m. and 8:00 a.m.

(6) The application for the permit required to be filed pursuant to this section shall contain the following information:

i. The date of the application and the date and hours for which the permit is requested.

ii. The name and address of the applicant.

iii. The name and address of the person who will have charge of the sound amplifying equipment.
iv. The purpose for which the sound equipment will be used.
v. The address and a description of the location where the sound equipment will be used.
vi. A description of the type of sound amplifying equipment to be used.

Section 8.03.006 – Drainage

(a) No person may grade, fill, block, or otherwise obstruct a drainage easement, fail to maintain a drainage easement, or maintain a drainage easement in a manner that allows the easement to be clogged with debris, sediment, or vegetation.
(b) No person shall grade, fill, block, alter or otherwise obstruct a premises or property that is located in either a floodplain and/or a floodway, or in areas that affect drainage into such regulated areas.
(c) No person shall grade, fill, block, alter, construct, or obstruct property so that water is discharged on to adjoining property or premises to the detriment of person or property or in a manner that causes the water to affect the safe use or stability of the adjacent property.
(d) Property owners are responsible for maintaining drainage easements on their property to the point that all such easements abut the adjacent street surfaces (whether gravel, dirt, or pavement, etc.) or if not abutting a street surface then at the point their property abuts the back of curb, or the public right-of-way, whichever is applicable to a particular property and owner.

Section 8.03.007 - Control of mosquitoes.

(a) Conditions under which mosquitoes are likely to breed. Collections of water in which mosquitoes breed or are likely to breed are those contained in ditches, ponds, pools, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, troughs, urns, cans, boxes, bottles, tubs, buckets, defective house roof gutters, tanks of flush closets and other water containers.
(b) Treatment required. No person shall have, keep, maintain, cause or permit within the city any collection of standing or flowing water in which mosquitoes breed or are likely to breed unless such collection of water is treated so as effectually to prevent such breeding.
(c) Evidence of breeding. The natural presence of mosquito larvae in standing or running water shall be evidence that mosquitoes are breeding therein.
(d) Methods of treatment. Collections of water in which mosquitoes breed or are likely to breed shall be treated by one or more of the following methods as shall be approved by the city health officer:
    (1) Screening with wire netting of at least sixteen (16) meshes to the inch each way, or any other materials which will effectually prevent the ingress or egress of mosquitoes.
    (2) Complete emptying every seven (7) days of unscreened containers, together with their thorough drying or cleaning.

(3) Using a larvicide approved by and applied under the direction of the city health officer.
(4) Covering completely the surface of the water with kerosene, petroleum or paraffin oil once every seven (7) days.
(5) Cleaning and keeping free of vegetable growth and other obstructions, and stocking with mosquito-destroying fish.
(6) Filling and draining to the satisfaction of the city health officer.
(7) Disposal by removal or destruction of broken or empty containers likely to hold water.

Section 8.03.008 - Wastewater disposal and potable water system.

(a) No person shall permit or dispose of any human waste except in a toilet. Flush toilets must be connected to a potable water system and public sewer or an approved domestic on-site wastewater system.
(b) No household, industrial or commercial waste shall be discharged into any watercourse, impoundment, storm sewer or public thoroughfare. In no case shall treated or untreated domestic wastewater or the effluent from a septic tank or domestic tank or domestic on-site sewage management system be permitted to drain directly or indirectly into a ditch or stream, nor shall it be allowed to surface or run or drain across any adjacent land owner.
(c) All sinks, lavatories, garbage disposals, dishwashers, clothes washing machines, shower baths, bathtubs, basins and similar plumbing fixtures or appliances shall be connected to a potable water system and public sewer or to an approved domestic on-site wastewater system.

Section 8.03.009 – Pruning and removal of trees abutting streets.

(a) Duties of property owners; notice of violation.
(1) All owners of property abutting the streets of the city on which shade trees are now growing shall provide for the pruning of such trees or for their removal when dead.

Section 8.03.010 – Weeds.

(a) No person shall permit rank and/or uncultivated vegetable growth or matter to:
(1) Grow to twelve (12) inches or more in height on any lot, tract or parcel of land within the corporate limits of the city that is five (5) acres or less in size;
(2) Create an unsightly or unsanitary condition that is a harborage for rodents, vermin or other disease carrying pests, regardless of the height of weeds;
(3) Grow in excess of twelve (12) inches in height on tracts of land more than five acres in size that is located within twenty-five (25) feet of a public street or right-of-way within the corporate limits of the city or within twenty-five (25) feet of any lot that is occupied by a residence or business; or
(4) Persons are responsible for removal of grass and weeds from their property, as noted above, to the back of the curb of an abutting roadway, or, in the absence of a curb, then to the surface of an adjacent abutting roadway or abutting public

right-of-way; or to the point on the property as otherwise determined by the code enforcement officer to be required for weed/grass abatement necessary to protect and maintain the public's health, welfare and safety.

(b) For purposes of this section the following shall not constitute a weed:
  (1) Shrubs, bushes, and trees;
  (2) Cultivated flowers and cultivated wild flowers; or
  (3) Cultivated crops.

ARTICLE 8.04 – FIREARMS

Section 8.04.001 – Definitions.

As used in this article:

City building and city vehicle. Any building or portion of a building or any vehicle owned, occupied, leased, or under the authorized use or control of the city for city operations and activities. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

Gun, pistol, rifle, shotgun, and firearm. Any device designed, made, or adapted to expel a projectile through a barrel by using explosive energy generated by an explosion or burning substance, or any device readily convertible to that use, and shall include all air guns, air pistols, air rifles, and all other firearms using air pressure to propel a projectile. For purposes of this section, "taser" type weapons, crossbows, and bows and arrows are considered to be firearms.

Handgun. Any firearm that is designed, made, or adapted to be fired with one (1) hand.

Section 8.04.002 – Discharge.

(a) Prohibitions.
  (1) It shall be unlawful for any person to discharge or cause to be discharged any BB gun, pellet gun, gun, pistol, rifle, shotgun, or firearm of any kind within the city limits, except within a properly secured indoor firearms range constructed and maintained in accordance with National Rifle Association specifications and standards or upon a range owned and operated by a governmental entity.
  (2) It shall be unlawful for any person to discharge or cause to be discharged any BB gun, pellet gun, gun, pistol, rifle, shotgun, or firearm of any kind on, along, across, over, or into any portion of the Colorado River situated within the city's municipal limits.
  (3) It shall be unlawful for any person to discharge or cause to be discharged any BB gun, pellet gun, gun, pistol, rifle, shotgun, or firearm of any kind in a manner that results in any shot, projectile, slug or ammunition falling within the city's municipal limits.

(b) Exemptions. The provisions of this section do not apply to:
  (1) This section shall not be construed to prohibit any peace officer of the law, or authorized animal control officer, from discharging a firearm in the performance

of his or her duty, nor does this section prohibit any citizen from discharging a firearm when lawfully defending person or property.

(2) This section shall not be construed to prohibit the exhibition and sale of firearms at approved firearm trade shows in the city.

(3) Nothing contained herein shall be deemed to prohibit the use of pneumatic nail guns or similar construction tools, when used for their intended purpose.

(4) This section does not apply to members of the U.S. armed forces and members of the military forces of the state while engaged in the performance of official duties.

(5) This section does not apply to the discharge of airguns, BB guns, toy guns, or bows and arrows by citizens on their own property, provided that no projectile fired from these weapons is fired onto or into, or reaches, another person's property.

Section 8.04.003 – Carrying in city building or city vehicle.

(a) It shall be unlawful for any person, other than a peace officer, while carrying a firearm, regardless of whether or not the person is duly licensed by the state to carry a handgun, to enter into or remain on the premises of:

(1) Any city building that is utilized by a court, while carrying a firearm, unless written authorization is first obtained from the court;

(2) Any city building that is serving as a polling place on the day of an election or at any time while early voting is in progress in the city building; and

(3) Any city building in which a public meeting, of the city is being held, pursuant to the Open Meetings Act requirements.

(b) The City Manager shall direct the city staff to:

(1) Provide notice at all entries to all city buildings in the form and language prescribed by Chapter 30 of the Texas Penal Code, and as that chapter may be amended from time to time, that entry into that city building is forbidden to any person carrying a firearm in accordance with this section.

(2) Provide a notice to anyone who is found to be carrying a firearm in accordance with this section and applicable state law, to exit the city building and/or the city vehicle.

(c) This section does not apply to a peace officer or a commissioned security officer hired by or under contract with the city and acting within the scope of that employment, or to a peace officer of another unit of government lawfully acting within the scope of the peace officer's duties.

ARTICLE 8.05 – MINORS CURFEW

Section 8.05.001 – Definitions

In this division the following terms have the following meanings:

Curfew hours.

(1) 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday, until one-half hour before sunrise of the following day; and
(2) 12:01 a.m. until one-half hour before sunrise on any Friday or Saturday; and
(3) During school hours on any Monday, Tuesday, Wednesday, Thursday, or Friday when Bastrop Independent School District public schools are in session.

Custodian. A person over the age of 21 who is authorized or designated by a parent, guardian, or court of competent jurisdiction to supervise and control a minor.

Emergency. An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment. Any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian.
(1) A person who, under court order, is the guardian of the person of a minor; or
(2) A public or private agency with whom a minor has been placed by a court.

Minor. Any person:
(1) Ten years of age or older and under 17 years of age; or
(2) 17 years of age or older and under 18 years of age.

Operator. Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent. A person who is a natural parent, adoptive parent, or stepparent of the minor (excluding any person whose parental rights have been terminated in accordance with the Texas Family Code).

Public place. Any place in which the public or a substantial group of the public has access, but excluding areas where access is controlled by property owners and/or management by use of signs, policy or personnel. Public places may include but are not limited to, streets, highways, common areas beyond the exterior walls of school buildings, hospitals, apartment houses, office buildings, transport facilities, shops, and shopping centers.

Remain. To:
(1) Linger or stay; or
(2) Fail to leave premises when requested to do so by a peace officer or the owner, operator, or other person in control of the premises.

Serious bodily injury. Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Section 8.05.002 – Offenses.

(a) A minor commits an offense if he knowingly remains, walks, runs, stands, drives, rides, or otherwise is present in, on or upon any public place, or any private place other than his place of residence, or on the premises of any establishment within the city during curfew hours.
(b) A parent, guardian, or custodian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain, walk, run, stand, drive, ride, or otherwise be present in, on, or upon any public place or on the premises of any establishment within the city during curfew hours.
(c) The owner, operator, or any other person in control of a public place or establishment commits an offense if he or she knowingly allows or permits a minor to remain upon the premises of the public place or establishment during curfew hours.

Section 8.05.003 – Defenses.

(a) It is a defense to prosecution under section 8.05.002 that the minor was:
    (1) Accompanied by the minor's parent, guardian, or spouse, or custodian;
    (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
    (3) In a motor vehicle involved in interstate travel with the consent of the minor's parent, guardian, or custodian;
    (4) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
    (5) Involved in an emergency;
    (6) On private property at which the minor resides or is present with consent of the parent, guardian, custodian, or spouse;
    (7) Attending an official school, religious, or other recreational activity supervised by a person over the age of 21 and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by a person over the age of 21 and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;
    (8) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
    (9) A minor who has had disabilities of minority removed in accordance with Texas Family Code, Ch. 31.
(b) It is a defense to prosecution under section 8.05.002(c) that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.
(c) With respect to the school hours curfew only (see section 8.05.001, definition of "curfew hours," subsection (3)), it is a defense that the school which the minor attends was not in

session, that the minor is a high school graduate or has equivalent certification, that the minor is on an excused absence from his or her place of schooling, or that the minor is participating in a work-study program which requires the minor to be off campus during school hours.

Section 8.05.004 – Enforcement procedures.

All enforcement procedures adopted by the police department shall be in compliance with the provisions of the Texas Family Code.

Section 8.05.005 – Penalties.

(a) Any minor violating this division shall be guilty of a class C misdemeanor.
(b) Any other person violating this division shall be guilty of a class C misdemeanor, which shall be punishable by a fine of not less than $50 nor more than $500.
(c) When required by Texas Family Code, § 51.08, as amended, the municipal court shall waive original jurisdiction over a minor who violates section 8.05.002 of this division and shall refer the minor to juvenile court.

City of Bastrop
Chart of Changes

PUBLIC NUISANCES – EXHIBIT A		
Code Reference	**Change**	**Discussion**
Article 6.01	Updated the definition for abandoned motor vehicle to match Texas Transportation Code, added definition for dangerous building or structure, and updated the definition for junked vehicle to match Texas Transportation Code.	The City can create a more inclusive definition of a junked vehicle per Tex. Trans. § 683.0711.
Article 6.02	Deleted the "health officer" in its entirety.	Staff confirmed that this position is not being utilized. We need to scrub the rest of the Code and remove references to this position throughout.
Sec. 6.06.002(d)	Changed this from being an administrative hearing conducted before the City Manager to the Police Chief.	This is a recommended change, but council can designed the hearing officer as they see fit.
Sec. 6.06.002	Changed provision regarding abating weeds without notice to those situations where weeds have (1) have grown higher than 48 inches; and (2) are an immediate danger to the health, life, or safety of any person	This previously stated "or" but Health and Safety Code Sec. 342.008 requires that both elements be satisfied.
Sec. 6.06.003	Changed "shall" to "may" Changed list of people who can file a lien to mirror state law.	Liens require a lot of paperwork. I think it makes sense for this to be discretionary depending on the amount owed.
Article 6.07	Updated abatement procedures for substandard buildings to be more specialized.	TEX. LOC. GOV'T CODE § 214 has specific requirements for abating substandard buildings through an administrative process. Additionally, Dallas v. Stewart raises concerns about demolishing buildings without a court order so these procedures take that into account and require the City to wait until all appeals have been exhausted before demolishing a nuisance building.

		The Construction Standards Board of Adjustments and Appeals has been designated as the body to her these appeals, but the ordinance can declare any competent body to handle these hearings.
Article 6.08	Directly references Texas Transportation Code instead of copy and pasting state law into the Code.	This reduced the chance that state law will change and conflict with the City's procedures.
Article 6.09	Confirmed that the Bastrop Code is compliant with State law (a)-(f) recite state law.	Kept the recitation of these procedures because this section of state law says, "A municipality or county may adopt procedures that conform to this subchapter." Therefore, I think it is better to clearly adopt specific procedures for junk vehicles.
Sec. 6.09.002	This section now references Texas Transportation Code instead of having the law copy and pasted.	This reduced the chance that state law will change and conflict with the City's procedures.
Sec. 6.09.003(a)	Change the language to state that the presiding judge would conduct the public hearings instead of "the court."	State law requires that the governing body or the official designated by the governing body to conduct these hearings. Therefore, I think it is important we designated the presiding judge not just "the court."
Sec. 6.09.003(g)	Clarified that "the department" is the "Texas Department of Motor Vehicles."	This is to be consistent with state law.
Sec. 6.09.004	Changed the "Abatement when persons entitled to notice cannot be found" to mirror state law.	To be consistent with state law.
GENERAL HEALTH AND SANITATION REGULATIONS – EXHIBIT B		
Chapter 8	Major reorganization. Moved offenses from Ch. 6 here, moved nuisance provisions to Ch. 8, organized regulations by those that regulate public property and those that regulate private property, then minors and firearms.	
Sec. 8.02.001 ;002	Removed regulations for occupying, enclosing or using city land, and fencing public streets.	Penal Code 42.03 already prohibits any kind of obstruction of a public roadway.
Current Code Article 8.08	Removed article offering rewards for reporting vandalism and criminal mischief.	As written the sections limited discretion to give rewards and required budgeting for rewards I was not sure was happening. If City Council would like

		to still keep the section regarding offering rewards we can revise and put back in the ordinance.
Sec. 8.02.004	Deleted the specific abatement and notice procedures for the "visibility obstructions at intersections."	No need to have a separate procedure to abate this process. This conduct was added to the specific conditions list in Ch. 6 and can be abated via the general abatement procedures included in Ch. 6.
8.02.005	Reorganized and clarified language of the Loitering, Camping, Solicitation in Public Area violations.	Council may want to review this section critically. There has a been a recent surge of political activism about criminalizing homelessness.
8.02.005	Deleted the definition for aggressive, because it mimicked the definition of harassing solicitation. Reworded the definition of harassing.	Provides clarity.
8.02.005	Removed language that stated "this section does not proscribe a demand for payment…"	It was unclear what the purpose of the language was and it did not seem necessary.
8.02.005	Removed language prohibiting public bathing.	Already a Disorderly Conduct violation that could be cited under Penal Code 42.01.
8.02.005	Removed section regarding mental state.	The default is that if the fine is less than $500 no culpable mental state is required. We don't need to repeat that here.
Current Code Sec. 8.01.004	Removed section prohibiting driving across sidewalks.	Already prohibited under Texas Transportation Code Section 545.422
Current Code Sec. 8.04.001	Removed section prohibiting putting up an awning over a sidewalk.	Current version is in conflict with the sign ordinance, and the intent of this section could be enforced through the sign ordinance.
Current Code Sec. 8.04.002	Removed section prohibiting one to delay, hinder or in any way inconvenience the traveling public.	This is already prohibited by Texas Penal Code § 42.03 no need to repeat.
Current Code Sec. 8.04.003	Removed section prohibiting congregation of persons if obstructs traveling public.	This is already prohibited by Texas Penal Code § 42.03 no need to repeat.
Sec. 8.02.006	Added "after 5 p.m." because the language made it seem like stores were never able to have merchandise in front of the store. Also, removed the language regarding not being able to keep merchandise overnight on the sidewalk if obstructs traveling public.	This section calls out the "Central Business District." If there is a better name for the downtown, we should change the language to that. Obstructing sidewalks is already prohibited under Texas Penal Code 42.03.

8.03.004	Incorporated language regarding animal odor nuisances.	Animal "nuisances" are mentioned in Chapter 2 – Animal Control. But they basically restate the general sanitations, odor and noise nuisances as they relate to animals. So we just include animals in the examples here.
8.03.005	Reworked the noise ordinance to be more enforceable. Changed the general prohibition to include any noise that "unreasonably disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city."	Limited violations to just those that are over a certain decibel level make a lot of noise nuisances unenforceable. Think constantly crowing rooster. You will probably not get an offending decibel reading on that, but it could still be a nuisance.
Current Code Sec. 8.01.005	Removed the section on "injuring trees or shrubbery."	This regulation was vague and seemed unenforceable.
8.03.019	Removed the separate notice and abatement procedure for removal of trees and defers to the basic abatement procedures in Ch. 6.	For consistency I think we should notice and abate all violations using the procedures in Ch. 6. No need for additional notice procedures in Ch. 8.
Section 8.04.003	Removed section that states "It shall be unlawful for any person, other than a peace officer, who is not duly licensed by the state to carry a handgun, to enter into or remain on the premises of any city building or in a city vehicle while carrying a firearm."	I'm concerned about this section. I don't think it would pass constitutional review if it trying to keep all guns out of city buildings? People take long arm guns (shotguns etc...) anywhere (except those specific places, courts, meetings etc..).
Article 8.05	Changed title from "Minors" to "Minors Curfew"	If we don't include tobacco regulations as suggested this is the only subject of that article so I changed title.
Current Code Sec. 8.03.036	Removed section on "periodic review of regulations."	Not necessary City Council can review the regulations at any given time that it's deemed necessary.
Division 2 – Tobacco	Removed in its entirety.	Tobacco possession/use by a minor is already a criminal violation against state law (Health and Safety Code Sec. 161.252). I do not think we need to cut and paste those violations. But if we add back in make sure we update to be compliant with recent change in state law.

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM:** 9O

TITLE:
Consider action to approve Resolution No. R-2019-104 of the City Council of the City of Bastrop, Texas, authorizing the assignment of the Amended and Restated Development Agreement and the Amended and Restated Consent Agreement for Creation of, and Inclusion of Land in, Conservation and Reclamation Districts between the City of Bastrop, Texas and XS Ranch Fund VI, LP to Pacific Ventures Development Management, LLC upon the completion of the sale of said property; authorizing the City Manager to execute all necessary documentation; providing for a repealing clause, and establishing an effective date.

STAFF REPRESENTATIVE:
Trey Job, Assistant City Manager of Development Services

BACKGROUND/HISTORY:
The City of Bastrop and XS Ranch Fund VI, LP have worked together over the past decade to establish rules that reflect the community values of Bastrop. The current ownership is in negotiation to sell the property to a new investment group, Pacific Ventures Development Management, LLC. Pacific Ventures is requesting the current agreements stay in place as part of the purchase of the property.

XS Ranch is currently under contract for sale and the Pacific Ventures Development Management, LLC would like agreements, referenced below, assigned to them upon completion of the sale of XS Ranch and recognition that December 12, 2014 is the effective date for purposes of interpreting Paragraph 3.01:

1. Amended and Restated Development Agreement between the City of Bastrop and XS Ranch Fund VI, LP. Dated December 12, 2014 (the “Development Agreement”); and

2. The Amended and Restated Consent Agreement for Creation of, and Inclusion of Land in, Conservation and Reclamation Districts between the City of Bastrop and XS Ranch Fund VI, LP (Amended) (the “Consent Agreement”)

3. Acknowledge December 12, 2014 as the effective date for purposes of Paragraph 3.01 of the Amended and Restated Consent of the Creation of, and Inclusion of Land in, Conservation and Reclamation Districts that states that the parties agree that within ten (10) years from the date of this agreement, the Owner must have caused the creation of at least three (3), but not more than fifteen (15) districts over the land.

POLICY EXPLANATION:
Chapter 212.172 of the Local Government Code grants municipalities the authority to make a written contract with land owners within the extraterritorial jurisdiction.

FUNDING SOURCE:
N/A

RECOMMENDATION:
Consider action to approve Resolution No. R-2019-104 of the City Council of the City of Bastrop, Texas, authorizing the assignment of the Amended and Restated Development Agreement and the Amended and Restated Consent Agreement for Creation of, and Inclusion of Land in, Conservation and Reclamation Districts between the City of Bastrop, Texas and XS Ranch Fund VI, LP to Pacific Ventures Development Management, LLC upon the completion of the sale of said property; authorizing the City Manager to execute all necessary documentation; providing for a repealing clause, and establishing an effective date.

ATTACHMENTS:
- Resolution



RESOLUTION R-2019-104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE ASSIGNMENT OF THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT AND THE AMENDED AND RESTATED CONSENT AGREEMENT FOR CREATION OF, AND INCLUSION OF LAND IN, CONSERVATION AND RECLAMATION DISTRICTS BETWEEN THE CITY OF BASTROP, TEXAS AND XS RANCH FUND VI, LP TO PACIFIC VENTURES DEVELOPMENT MANAGEMENT, LLC UPON THE COMPLETION OF THE SALE OF SAID PROPERTY; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTATION; PROVIDING FOR A REPEALING CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas understands the importance of fiscally sustainable development within the city limits and the City of Bastrop Extra Territorial Jurisdiction (ETJ); and

WHEREAS, the City Council of Bastrop Texas has a vested interest in protecting the investment of the water customers of the City of Bastrop; and

WHEREAS, XS Ranch is currently under contract for sale and responsible development to Pacific Ventures Development Management, LLC; and

WHEREAS, the prospective purchaser is requesting that the Amended and Restated Development Agreement between the City of Bastrop and XS Ranch Fund VI, LP. dated December 12, 2014 (the "Development Agreement") and the Amended and Restated Consent Agreement for the Creation of, and Inclusion of Land in, Conservation and Reclamation Districts between the City of Bastrop and XS Ranch Fund VI, LP. (the "Consent Agreement") be assigned to them as the new owner; and

WHEREAS, Paragraph 3.01 of the Amended and Restated Consent of the Creation of, and Inclusion of Land in, Conservation and Reclamation Districts states that the parties agree that within ten (10) years from the date of this agreement, the Owner must have caused the creation of at least three (3), but not more than fifteen (15) districts over the land based on an effective date of December 12, 2014; and

WHEREAS, the City of Bastrop, Texas has the authority to grant consent in the creation and renewal of Municipal Utility Districts such as XS Ranch.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: That the City Council authorizes the assignment of the Amended and Restated Development Agreement and the Amended and Restated Consent Agreement for the Creation of, and Inclusion of Land in, Conservation and Reclamation Districts between the City of Bastrop and Pacific Ventures Development Management, LLC upon the completion of the sale of said property.

Section 2: , That Paragraph 3.01 of the Amended and Restated Consent of the Creation of, and Inclusion of Land in, Conservation and Reclamation Districts states that the

parties agree that within ten (10) years from the date of this agreement, the Owner must have caused the creation of at least three (3), but not more than fifteen (15) districts over the land will be based on an effective date of December 12, 2014.

Section 3: That the City Council authorizes the City Manager to execute all necessary documents regarding the assignment.

Section 4: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 22nd day of October, 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



Martis Camp, Truckee, CA

Great places are grounded in a desire to take care of people.

PACIFIC VENTURES
MANAGEMENT LLC



Summerly, Lake Elsinore, CA

PACIFIC VENTURES
MANAGEMENT LLC

Pacific Ventures Management LLC, a privately held real estate investment and development company headquartered in Newport Beach, was formed to work on a range of projects and assets .

Our strength is based on the relationships and trust we build with landowners, financial partners, municipalities and our residents.

We are motivated by a common vision: to create a positive outcome for the greater community and to allow each property to become a truly great place.

We have been fortunate to develop strong relationships with a wide variety of respected organizations, most recently Oaktree Capital, Taylor Morrison and The City of Lake Elsinore.

"Pacific Ventures has been a great partner to our City. The Summerly project really took off after the talented team at Pacific Ventures was able to effectively collaborate with us to create a vibrant community that we are all very proud of.

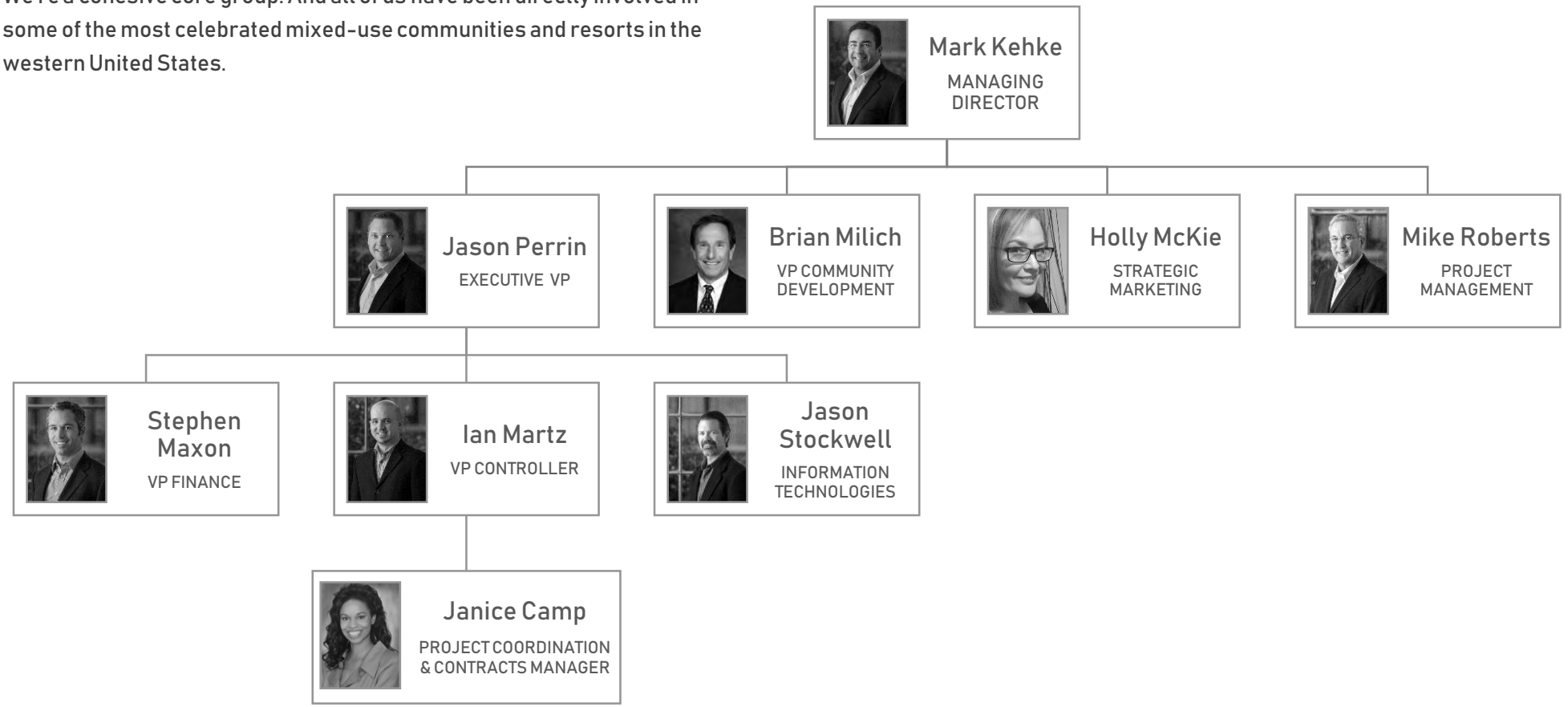
As a team to work with, we couldn't ask for better."

GRANT YATES, CITY MANAGER,
CITY OF LAKE ELSINORE, CALIFORNIA

Organizational Structure

Pacific Ventures is designed for flexibility to bring the most experienced and creative thinking to our work as well as expand for a local presence on each project.

We're a cohesive core group. And all of us have been directly involved in some of the most celebrated mixed-use communities and resorts in the western United States.



"We're proud of our diverse heritage, and it shows in the discipline we bring to bear on our work today. With our experienced leadership team and our close relationship with private capital, we have the capacity to take on the most intriguing and challenging projects ."

MARK KEHKE, MANAGING DIRECTOR, PACIFIC VENTURES MANAGEMENT LLC



Martis Camp, Truckee, CA

We have a better definition of better.

At Pacific Ventures, we are committed to bringing great places to life for people. Each one is different in character and scale. All have this commitment as the foundation we build upon. Below are some of the communities that our team has been privileged to work on over the past couple of decades.

Summerly

Pacifica SAN JUAN

SEA SUMMIT AT MARBLEHEAD

TEJON

MARTIS CAMP

Redwood City Saltworks

RANCHO MISSION VIEJO®

LADERA RANCH®

escena PALM SPRINGS

Harveston

COTO

Community is what happens between the buildings.

PACIFIC VENTURES
MANAGEMENT LLC

NEWPORT BEACH OFFICE

4343 Von Karman Avenue , Newport Beach, CA, 92660-2091

P: 949.955.0984 F: 949.955.9429 E: info@pacv.com

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 10A

TITLE:
City Council shall convene into closed executive session for an update from the City Attorney pursuant to Texas Government Code Section 551.071, regarding Settlement Agreement with Bastrop Estates Mobile Home Park at 2505 Main Street.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 10B

TITLE:
City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding status of Building Bastrop Codes.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager

STAFF REPORT

MEETING DATE: October 22, 2019 **AGENDA ITEM**: 11

TITLE:
Take any necessary or appropriate action on matters posted for consideration in closed/executive session

STAFF REPRESENTATIVE:
Lynda Humble, City Manager

