

CITY OF BASTROP, TX
ORDINANCE NO. 2023-07
AMENDING B3 CODE

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS AMENDING THE BASTROP BUILDING BLOCK (B³) CODE CHAPTER 6, SECTION 6.3.009 PRIVATE FRONTAGE, SUBSECTIONS (c), (d), AND (f); AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to adopt an Ordinance or police regulation 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, on March 20, 2023, the Construction Board voted to recommend an ordinance amending provisions of the Bastrop Building Block (B3) Code.

WHEREAS, the City Council finds certain amendments to the aforementioned codes are necessary to meet changing conditions and are in the best interest of the City;

WHEREAS, the City Council finds the attached amendments reasonable and necessary.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bastrop, TX:

1. FINDINGS OF FACT

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

2. AMENDMENT

Chapter 6, Private Realm Development Standards, SECTION 6.3.009 PRIVATE FRONTAGE, Subsections (c), (d), and (f) of the Bastrop Building Block Code (B3) is hereby amended, and after such amendment, shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as shown in each of the attachments.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

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.

7. PROPER NOTICE AND MEETING

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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

[Signatures on following page]


READ & ACKNOWLEDGED on First Reading on the 28th day of March 2023.

READ & APPROVED on the Second Reading on the 11th day of April 2023.


APPROVED:

by: 
Connie B. Schroeder, Mayor

ATTEST:


Ann Franklin, City Secretary

APPROVED AS TO FORM:


Alan Bojorquez, City Attorney

Attachment "A"

Bastrop Building Block Code

Chapter 6

Private Realm Development Standards

~~(f) All opening, including porches, galleries, Arcades, and windows, with the exception of shopfronts, shall be square or vertical in proportion.~~

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.