

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



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**October 8, 2019 at 6:30 P.M.**

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*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.*

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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 – Alex Holder and Paulina Valencia, NJROTC**

**TEXAS PLEDGE OF ALLEGIANCE**

*Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

**3. INVOCATION – Cliff Sparks, Police Chaplain**

**4. 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.

- 4E. A proclamation of the City Council of the City of Bastrop, Texas recognizing the month of October as Domestic Violence Awareness Month.

**5. WORK SESSION/BRIEFINGS**

- 5A. Receive update on FY 2020 funding request for various park projects to the Bastrop Economic Development Corporation.
- 5B. Receive a presentation on the City of Bastrop 2020 and 2021 Election Calendars.
- 5C. Discuss Bastrop Building Block Codes, Technical Manual, and Pattern Book.

**6. STAFF AND BOARD REPORTS - NONE**

**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 September 24, 2019, Regular meeting and September 30, 2019, Joint Council and Planning and Zoning Commission meeting.

**9. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 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.
- 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.

- 9C. Conduct 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.

## **10. EXECUTIVE SESSION**

- 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.

## **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](http://www.cityofbastrop.org) and said Notice was posted on the following date and time: Friday, October 4, 2019 at 6:00 p.m. and remained posted for at least two hours after said meeting was convened.

  
Traci Chavez, Deputy City Secretary





# STAFF REPORT

**MEETING DATE:** October 8, 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 8, 2019*





# Latest Activities

Sept 11 - 26

Events in 2019: 236



Ribbon Cutting  
Dan Rose - AFLAC



Emergency Preparedness Event



Rick Brackett Reception



Best of Bastrop County  
Scott Pompe



TML Region 10 Mtg



B3 Come & Go Mtg



# *Planned Events*

*September 26 – October 8*

- September 27 – BEST Breakfast
- September 30 – Joint City Council/Planning & Zoning Commission Meeting
- October 1 – National Night Out
- October 2 – Chamber Luncheon Supporting First Responders
- October 3 - Arby's Ribbon Cutting
- October 7 – Library Board Meeting
- October 8 through Oct 11 - TML Annual Conference
- October 8 – City Council Meeting







Birding  
in Bastrop Texas  
Bring the kids!

You're welcome to join **FREE**  
event & parking

# The Autumn Big Sit

**Saturday, October 12, 2019**

7:00 am to 3:00 pm

**Fisherman's Park**

1200 Willow Street, Bastrop TX 78602



**Let's Count the Birds We See & Hear!**

Bring the following: Chairs or a Blanket Water & Snacks Sunscreen  
Binoculars (but we will have some for you)

Come and go event. We'll show you how to Big Sit with the birds!  
Bring the kids to this family friendly learning experience, and stay awhile. KID'S PRIZES!  
Rain possible? Call 651-214-7310



[www.BastropCountyAudubon.org](http://www.BastropCountyAudubon.org)

# *Upcoming Events & City Meetings*

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





# STAFF REPORT

**MEETING DATE:** October 8, 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;
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- (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 8, 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:

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- (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 8, 2019

**AGENDA ITEM:** 4D

**TITLE:**

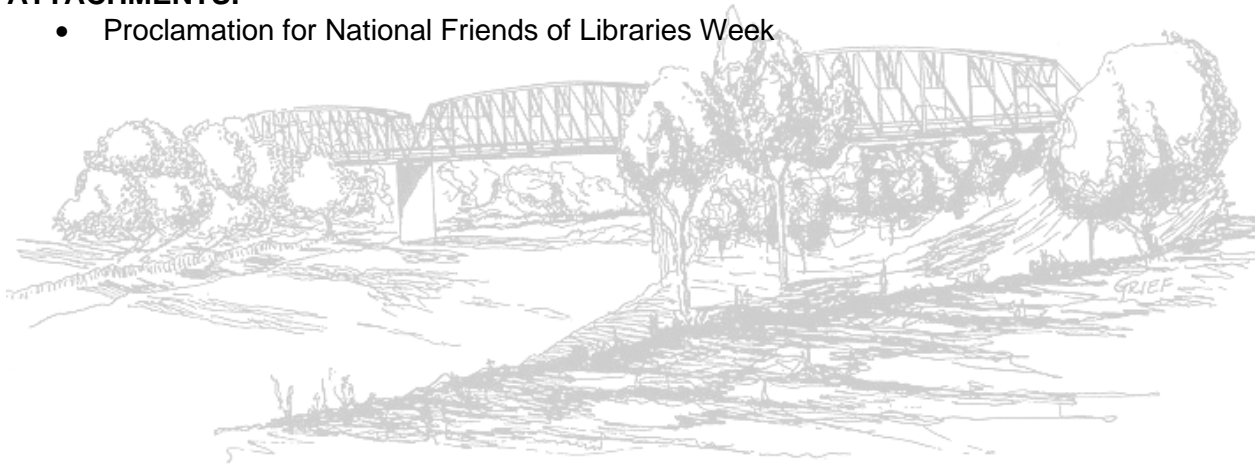
A proclamation of the City Council of the City of Bastrop, Texas recognizing October 20-26, 2019, as National Friends of Libraries Week.

**STAFF REPRESENTATIVE:**

Becca Sexton, Library Director

**ATTACHMENTS:**

- Proclamation for National Friends of Libraries Week



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# ROCLAMATION



**WHEREAS**, Friends of the Bastrop Public Library raise money and volunteer their time, thus providing the resources for additional programming, much needed equipment, support for the children’s summer reading program, and special events throughout the year; and

**WHEREAS**, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from the past to the present and around the world; and

**WHEREAS**, the Friends understand the critical importance of community support for libraries and work to ensure that our library has the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers’ advisory, and children’s services; and

**WHEREAS**, the Friends’ gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community.

**NOW THEREFORE**, I, Mayor Connie B. Schroeder, do hereby proclaim the week of October 20—26, 2019, as:

## FRIENDS OF LIBRARIES 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 8<sup>th</sup> day of October 2019.

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Connie B. Schroeder, Mayor





# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 4E

**TITLE:**

A proclamation of the City Council of the City of Bastrop, Texas recognizing the month of October as Domestic Violence Awareness Month.

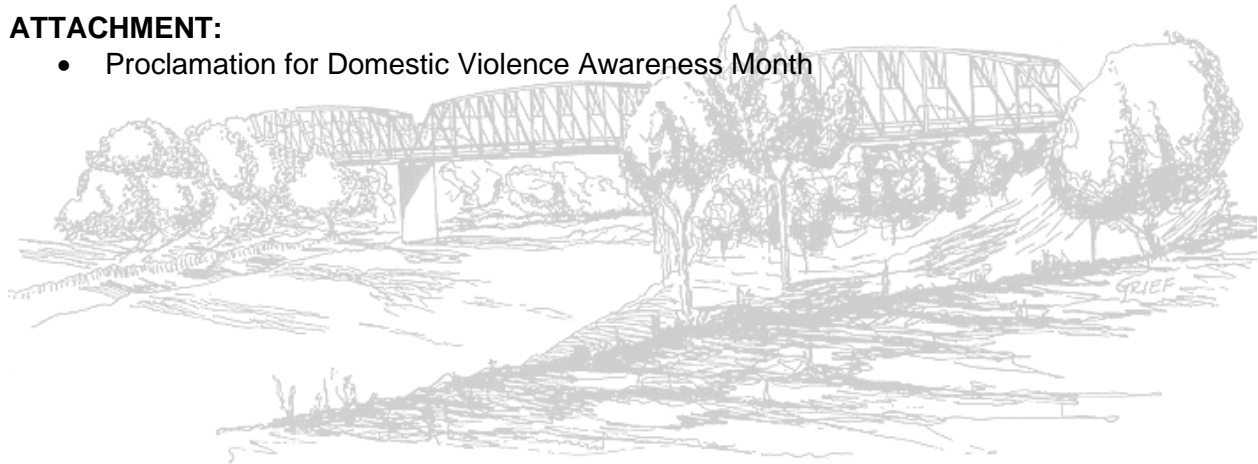
**STAFF REPRESENTATIVE:**

Bernie Jackson, Family Crisis Center - Prevention & Volunteer Coordinator

James K. Altgelt, Assistant City Manager of Public Safety & Community Support

**ATTACHMENT:**

- Proclamation for Domestic Violence Awareness Month



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# ROCLAMATION



**WHEREAS**, domestic violence is a serious crime that affects people of all races, ages, gender, and income levels; and

**WHEREAS**, more than 1 in 3 women and more than 1 in 4 men in the United States report having experienced rape, physical violence, and/or stalking by an intimate partner in their lifetime; and

**WHEREAS**, nearly 20 people per minute are physically abused by an intimate partner in the United States. For one year, this adds up to more than 10 million women and men; and

**WHEREAS**, nearly 1 in 4 women and 1 in 7 men have experienced severe physical violence by an intimate partner during their lifetime; and

**WHEREAS**, intimate partner violence accounts for 15% of all violent crime; and

**WHEREAS**, in 15 states, more than 40% of all homicides of women in each state involved intimate partner violence; and

**WHEREAS**, 85% of domestic violence victims are female, and 15% are male; and

**WHEREAS**, nearly half of all women and men in the US will experience psychological aggression by an intimate partner in their lifetime; and

**WHEREAS**, nationally, 50% of batterers who abuse their intimate partners also abuse their children; and

**WHEREAS**, approximately 5 million children are exposed to domestic violence every year. Children exposed are more likely to attempt suicide, abuse drugs and alcohol, run away from home, engage in teenage prostitution, and commit sexual assault crimes; and

**WHEREAS**, most cases of domestic violence are never reported to police; and

**WHEREAS**, domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and



**WHEREAS**, only a coordinated community effort will put a stop to this heinous crime; and

**WHEREAS**, domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims.

**NOW THEREFORE**, I, Mayor Connie B. Schroeder, do hereby proclaim the month of October 2019 as:

**DOMESTIC VIOLENCE AWARENESS MONTH**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 8<sup>th</sup> day of October 2019.

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Connie B. Schroeder, Mayor





# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 5A

**TITLE:**

Receive update on FY 2020 funding request for various park projects to the Bastrop Economic Development Corporation.

**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 believe are 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 the park to be secured during non-park hours and the gate will open / close automatically, removing the need for the gate to be closed by the Police Department each night. This project will cost \$39,200.00
- **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 currently 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 \$6,991.32



- **25 Irrigation Controllers:** These controllers are located at our Parks, Gate Ways & the Old Iron Bridge. Replacing the controllers, we will conserve water by proper operations,

the controllers we have in the ground now don't operate properly by not staying set and allowing to water when it shouldn't, causing over watering. This project will cost \$2,403.75

These projects total \$48,595

The City plans to request these funds from the Bastrop EDC Board at their October 21<sup>st</sup> 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 8, 2019

**AGENDA ITEM:** 5B

**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 86<sup>th</sup> Texas Legislative Session. The bill states:

**<sup>1</sup> 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**

<b><u>DATE</u></b>	<b><u>ACTION</u></b>
September 1	Deadline to post NEW HB 305 notice. <sup>1</sup>
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) – <b>Deadline 5:00 p.m.</b> (Deadline is extended because of holiday.)
January 15	First day candidates may file an application for a place on the ballot for Regular Election. <b><i>(The candidate must have appointed a campaign treasurer prior to filing an application for a place on the ballot.)</i></b>
February 11	Last Council meeting allowed to call general election. <b><i>(February 14, 2019 is the last day to order the Election.)</i></b>
February 14	Last day for candidate to file an application for a place on the ballot for Regular Election. – <b>Deadline 5:00 p.m.</b>
February 21*	Last day a candidate may withdraw from the Regular election. – <b>Deadline 5:00 p.m.</b> <b><i>(*Candidates may withdraw if it is before ballots are prepared, even if it is after the deadline.)</i></b>
February 24	Conduct Drawing for order of names on ballot at 9:00 a.m. City Hall, 1311 Chestnut Street.
February 27	Candidate Orientation at City Hall, 1311 Chestnut Street at 9:30 a.m.
April 2	30 <sup>th</sup> Day Before Election Report. (Form C/OH) – <b>Deadline 5:00 p.m.</b>

- 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 8<sup>th</sup> 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.)*

**<sup>1</sup>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 6, 2020 RUNOFF ELECTION**

- May 12**      **Order Runoff Election** (*This is the same day as the Canvass, if canvass date changes this date changes.*)
- June 6**      **RUNOFF ELECTION**
- May 25**      **Early Voting in person begins.**
- June 2**      **Early Voting in person ends.**
- June 16**      **Canvass**
- June 16**      **Swearing in**

**BASTROP ELECTION CALENDAR**  
**MAY 1, 2021 GENERAL ELECTION**

<u>DATE</u>	<u>ACTION</u>
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) – <b>Deadline 5:00 p.m.</b> (Deadline is extended because of holiday.)
January 13	First day candidates may file an application for a place on the ballot for Regular Election. <b><i>(The candidate must have appointed a campaign treasurer prior to filing an application for a place on the ballot.)</i></b>
February 9	Last Council meeting allowed to call general election. <b><i>(February 12, 2021 is the last day to order the Election.)</i></b>
February 12	Last day for candidate to file an application for a place on the ballot for Regular Election. – <b>Deadline 5:00 p.m.</b>
February 19*	Last day a candidate may withdraw from the Regular election. – <b>Deadline 5:00 p.m.</b> <b><i>(*Candidates may withdraw if it is before ballots are prepared, even if it is after the deadline.)</i></b>
February 22	Conduct Drawing for order of names on ballot at 9:00 a.m. City Hall, 1311 Chestnut Street.
February 27	Candidate Orientation at City Hall, 1311 Chestnut Street at 9:30 a.m.
April 1	30 <sup>th</sup> Day Before Election Report. (Form C/OH) – <b>Deadline 5:00 p.m.</b>

- 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 8<sup>th</sup> 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 8, 2019

**AGENDA ITEM:** 5C

**TITLE:**

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

**STAFF REPRESENTATIVE:**

Lynda Humble, City Manager

Matt Jones, Director of Planning & Development





# STAFF REPORT

**MEETING DATE:** October 8, 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 8, 2019

**AGENDA ITEM:** 8A

**TITLE:**

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.

**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 September 24, 2019, Regular meeting and September 30, 2019, Joint Council and Planning and Zoning Commission meeting.

**ATTACHMENTS:**

- September 24, 2019, DRAFT Regular Meeting Minutes
- September 30, 2019, DRAFT Joint Meeting Minutes

**BASTROP CITY COUNCIL**  
**September 24, 2019**

The Bastrop City Council met in a Regular Meeting on Tuesday, September 24, 2019, at 5:30 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.

**EXECUTIVE SESSION - CALL TO ORDER**

At 5:30 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

**The City Council met at 5:31 p.m. in 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 for a Legal Briefing by the City Attorney pursuant to Texas Government Code Section 551.071, regarding Resolution No. R-2019-102 of the City Council of the City of Bastrop, Texas, involving an opportunity for settlement of a pending sanitation lien at 1900 Jasper Street.
- 10B. City council shall convene into closed executive session pursuant to Tex. Gov't Code Sections 551.071 and 551.072 regarding real estate matters including the possible exchange by sale of property and the abandonment of a right of way near downtown.  
**Mayor Schroeder recused herself.**
- 10C. 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.
- 10D. The City Council shall convene into executive session pursuant to Section 551.071 of the Texas Government Code to deliberate and seek advice of its attorneys regarding the operation of Hunters Crossing Public Improvement District.  
**Mayor Pro Tem recused himself.**

**The City Council came out of closed/executive session at 6:32 p.m.**

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

- 10A. City Council shall convene into closed executive session for a Legal Briefing by the City Attorney pursuant to Texas Government Code Section 551.071, regarding Resolution No. R-2019-102 of the City Council of the City of Bastrop, Texas, involving an opportunity for settlement of a pending sanitation lien at 1900 Jasper Street  
**A motion was made by Council Member Jackson to approve Resolution No. R-2019-102, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

**REGULAR SESSION - CALL TO ORDER**

At 6:32 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

**PLEDGE OF ALLEGIANCE**

Kailei Anzaldua and Ava Leal, Bastrop Intermediate School Band led the pledges.

**INVOCATION**

Deacon Corby Weiss, Ascension Catholic Church 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 as National Community Planning Month.  
**The proclamation was read into record by Mayor Schroeder and received by Planning Department.**
- 4E. A proclamation of the City Council of the City of Bastrop, Texas recognizing the week of October 6<sup>th</sup> through October 12<sup>th</sup> as Fire Prevention Week for the City of Bastrop.  
**The proclamation was read into record by Mayor Schroeder and received by Fire Department.**
- 4F. A proclamation of the City Council of the City of Bastrop, Texas recognizing the evening of October 1<sup>st</sup>, 2019 as National Night Out for the City of Bastrop.  
**The proclamation was read into record by Mayor Schroeder and received by Police Department.**

**INDIVIDUAL CONSIDERATION**

- 9K. Consider action to approve Visit Bastrop's 2020 Business Plan and FY20 Budget.  
**Presentation was made by President and CEO of Visit Bastrop, Susan Smith.**  
  
**A motion was made by Mayor Pro Tem Nelson to approve Visit Bastrop's 2020 Business Plan and FY20 Budget, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**
- 9C. Consider action to approve Resolution No. R-2019-88 of the City Council of the City of Bastrop, Texas, approving an agreement for the provision of Main Street Program support between the City of Bastrop and the Bastrop Economic Development Corporation attached as Exhibit A; authorizing the City Manager to execute the agreement; repealing all resolutions in conflict; and providing an effective date.  
**Presentation was made by Main Street Manager, Rebecca Gleason and BEDC Assistant Director, Angela Ryan.**  
  
**A motion was made by Council Member Rogers to approve Resolution No. R-2019-88, seconded by Council Member Peterson, motion was approved on a 5-0 vote.**

**WORK SESSION/BRIEFINGS**

- 5B. Receive a presentation and discuss the possibilities of allowing an entry monument sign and a "way-finding" kiosk sign pilot program for the Piney Creek Bend Subdivision with Shawn Kirkpatrick, Director of Public Affairs for KB Home Austin. **Presentation was made by Assistant City Manager of Public Safety and Community Support, James Altgelt and Shawn Kirkpatrick, Director of Public Affairs, KB Homes.**

**CONSENT AGENDA**

**A motion was made by Council Member Ennis to approve Items 8A, 8B, 8C, 8E, 8F, 8G, 8H, 8I, and 8J listed on the Consent Agenda after being read into the record by City Secretary, Ann Franklin. Seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

- 8A. Consider action to approve City Council minutes from the September 9, 2019, Special Joint Council and Visit Bastrop meeting; September 10, 2019, Regular meeting; and Special Called, September 17, 2019 meeting.
- 8B. Consider action to approve the second reading of Ordinance No. 2019-45 of the City Council of the City of Bastrop, Texas adopting the "Bastrop Power & Light Electrical Service Standards for Underground Electric Secondary Service", attached as Exhibit A, the "Bastrop Power & Light Electrical Service Standards for Underground Electric Primary Service", attached as Exhibit B and the "Bastrop Power & Light Electrical Construction Service Standards", attached as Exhibit C in compliance with H.B. 3167; and providing for findings of fact, amendment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.
- 8C. Consider action to approve Resolution No. R-2019-89 approving the City of Bastrop Purchasing Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.
- 8E. Consider action to approve Resolution No. R-2019-95 approving a Memorial Tree Program in the Fairview Cemetery, as attached in Exhibit A; providing for a repealing clause and establishing an effective date.
- 8F. Consider action to approve Resolution No. R-2019-98 of the City Council of the City of Bastrop, Texas supporting the Baron de Bastrop Chapter of The Daughters of the Republic of Texas to pursue funding for the Stephen F. Austin and The Baron de Bastrop sculptures to be created by Clint Howard, owner of Deep in the Heart Art Foundry with no matching funds from the City of Bastrop; providing for a severability and repealing clause; and establishing an effective date. *(Note: Original Resolution had incorrect name of the DRT Chapter. This Resolution is the same, but with the correct name.)*
- 8G. Consider action to approve Resolution No. R-2019-94 of the City Council of the City of Bastrop, Texas awarding a community support service agreement to the Bastrop County Historical Society for services associated with operating, marketing, and



- providing museum and visitor center services at a cost of One Hundred and Sixty-Nine Thousand and One-Hundred and Twenty-Four and 00/100 dollars (\$169,124), attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.
- 8H. Consider action to approve Resolution No. R-2019-93 of the City Council of the City of Bastrop, Texas awarding a Community Support Service Agreement to the Bastrop Opera House for services associated with operating, marketing, and providing cultural art and theater services at a cost of One Hundred and Twenty-Six Thousand and 00/100 Dollars (\$126,000), attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.
- 8I. Consider action to approve Resolution No. R-2019-91 of the City Council of the City of Bastrop, Texas awarding a Community Support Service Agreement to the YMCA of Austin/Bastrop Branch associated with providing recreation and pool services at a cost of Seventy-Nine Thousand and Eight-Hundred and 00/100 Dollars (\$79,800), attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.
- 8J. Consider action to approve Resolution No. R-2019-92 of the City Council of the City of Bastrop, Texas awarding a community support service agreement to the Lost Pines Art Center associated with operating, marketing and providing cultural art services, at a cost of Eighty-five thousand and 00/100 dollars (\$85,000), attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.

#### **DISCUSSION ITEM**

- 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.  
**This item was withdrawn from agenda.**

**Mayor Schroeder recessed the Council Meeting at 7:48 p.m.**

**Mayor Schroeder called the Council Meeting back to order at 7:52 p.m.**

#### **CITIZEN COMMENTS - NONE**

#### **INDIVIDUAL CONSIDERATION CONTINUED**

- 9F. Consider action to approve Resolution No. R-2019-85 of the City Council of the City of Bastrop, Texas, approving a task order with MWM DesignGroup to provide the services of City Engineer in the amount of One Hundred Fifty-Six Thousand Four Hundred Forty-Eight Dollars (\$156,448.00); attached in Exhibit A; authorizing the City

Manager to execute all necessary documentation; 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 Council Member Ennis to approve Resolution No. R-2019-85, seconded by Council Member Peterson, motion was approved on a 5-0 vote.**

- 9E. Consider action to approve Resolution No. R-2019-84 of the City Council of the City of Bastrop, Texas awarding a contract for the Gills Branch Drainage Channel Replacement Project located at the corner of highway 71 and Lovers Lane to Forsythe Brothers Infrastructure, LLC of Manor Texas in the amount of One Hundred Ninety-Three Thousand Two Hundred Three Dollars and zero cents (\$193,203.00) 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 Council Member Rogers to approve Resolution No. R-2019-84, seconded by Council Member Peterson, motion was approved on a 5-0 vote.**

- 9A. Hold a public hearing and consider action to approve the second reading of Ordinance No. 2019-40 of the City Council of the City of Bastrop, Texas related to the Hunters Crossing Public Improvement District; approving a 2019 amended and restated service and assessment plan; including Fiscal Year 2020 assessment roll for the district, attached as Exhibit A; ratifying and confirming prior actions of the City Council in connection with the District; resolving matters incident and related thereto; and providing for an effective date.  
**Presentation was made by George Hyde, Special Legal Counsel to City of Bastrop, Texas.**

**Public hearing was opened.**

**SPEAKERS**

**Carlos Liriano  
Lost Pines Toyota  
806 Highway 71 W.  
Bastrop, TX 78602**

**Misty Ventura  
9406 Biscayne Blvd.  
Dallas, TX 75218**

**Adib Khoury  
15409 Barrie Dr.  
Lakeway, TX 78734**

**Public hearing was closed.**

**A motion was made by Council Member Ennis to approve the second reading of Ordinance No. 2019-40, seconded by Council Member Rogers, motion was approved on a 3-0-2 vote. Mayor Pro Tem Nelson recused himself. Council Member Jackson abstained.**

- 9B. Consider action to approve Resolution No. R-2019-86 of the City Council of the City of Bastrop, Texas approving an Amended and Restated Public Improvements District Development and Reimbursement Agreement for the Hunters Crossing Public Improvement District, as attached in Exhibit A; providing for a repealing clause and establishing an effective date.

**Presentation was made by George Hyde, Special Legal Counsel to City of Bastrop, Texas.**

**A motion was made by Council Member Rogers to approve Resolution No. R-2019-86, seconded by Council Member Ennis motion was approved on a 4-0-1 vote. Mayor Pro Tem Nelson recused himself.**

**Mayor Schroeder recessed the Council Meeting at 9:04 p.m.**

**Mayor Schroeder called the Council Meeting back to order at 9:10 p.m.**

#### **INDIVIDUAL CONSIDERATION CONTINUED**

- 9D. Hold a public hearing and consider action to approve Resolution No. R-2019-96 of the City Council of the City of Bastrop, Texas, granting Historic Landmark status for Building Block 11, North East ¼ Subdivision, Lot 1, also known as 909 Farm Street, within the city limits of Bastrop, Texas, as attached in Exhibit A; providing for findings of fact; providing for a repealing clause; and establishing an effective date.

**Presentation was made by Planning and Zoning Assistant Director, Jennifer Bills.**

**Public hearing was opened.**

**Public hearing was closed.**

**A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-96, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

#### **WORK SESSION/BRIEFINGS CONTINUED**

- 5A. Review Noise, Light, and Odor as a Nuisance in preparation of adopting the Bastrop Building Block Codes.

**Presentation was made by Bastrop Police Department, Assistant Chief, Clint Nagy.**

#### **STAFF AND BOARD REPORTS**

- 6A. Receive Monthly Development Update.

**Presentation was made by Planning and Zoning Director, Matt Jones.**

- 6B. Receive presentation on the unaudited Monthly Financial Report for the period ending August 31, 2019.

**Presentation was made by Chief Financial Officer, Tracy Waldron.**

**INDIVIDUAL CONSIDERATION CONTINUED**

- 9G. Consider action to approve the second reading of Ordinance No. 2019-38 of the City Council of the City of Bastrop, Texas adopting a budget for the Fiscal Year 2019-2020 (October 1, 2019 through September 30, 2020) attached as Exhibit A; providing that expenditures for said Fiscal Year be made in accordance with said budget; providing a severability clause; establishing an effective date; and proper notice and meeting.

**Presentation was made by Chief Financial Officer, Tracy Waldron.**

**A motion was made by Council Member Rogers to approve the second reading of Ordinance No. 2019-38, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

<b>Mayor Pro Tem Nelson</b>	Yea <u> X </u>	Nay _____	Abstain _____	Absent _____
<b>Council Member Jackson</b>	Yea <u> X </u>	Nay _____	Abstain _____	Absent _____
<b>Council Member Ennis</b>	Yea <u> X </u>	Nay _____	Abstain _____	Absent _____
<b>Council Member Rogers</b>	Yea <u> X </u>	Nay _____	Abstain _____	Absent _____
<b>Council Member Peterson</b>	Yea <u> X </u>	Nay _____	Abstain _____	Absent _____

- 9H. Consider action to ratify the vote on the Fiscal Year 2019-2020 budget, which results in more revenues from ad valorem taxes than the previous year.

**Presentation was made by Chief Financial Officer, Tracy Waldron**

**A motion was made by Council Member Peterson to ratify the vote just taken to approve the Fiscal Year 2019-2020 budget which will raise more revenues from ad valorem taxes than the previous fiscal year, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

<b>Mayor Pro Tem Nelson</b>	Yea <u> X </u>	Nay _____	Abstain _____	Absent _____
<b>Council Member Jackson</b>	Yea <u> X </u>	Nay _____	Abstain _____	Absent _____
<b>Council Member Ennis</b>	Yea <u> X </u>	Nay _____	Abstain _____	Absent _____
<b>Council Member Rogers</b>	Yea <u> X </u>	Nay _____	Abstain _____	Absent _____
<b>Council Member Peterson</b>	Yea <u> X </u>	Nay _____	Abstain _____	Absent _____

- 9I. Consider action to approve the second reading of Ordinance No. 2019-39 of the City Council of the City of Bastrop, Texas, adopting the tax rate and levying ad valorem taxes for the Fiscal Year 2019-2020 to provide revenue for the payment of current expenditures: providing a severability clause; establishing an effective date; and proper notice and meeting.

**Presentation was made by Chief Financial Officer, Tracy Waldron.**

**A motion was made by Council Member Jackson to increase the property tax rate by the adoption of a tax rate of 0.5640, which is effectively a 5.98 percent increase in the tax rate, approve the second reading of Ordinance No. 2019-39, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

<b>Mayor Pro Tem Nelson</b>	<b>Yea</b> <u>  X  </u>	<b>Nay</b> _____	<b>Abstain</b> _____	<b>Absent</b> _____
<b>Council Member Jackson</b>	<b>Yea</b> <u>  X  </u>	<b>Nay</b> _____	<b>Abstain</b> _____	<b>Absent</b> _____
<b>Council Member Ennis</b>	<b>Yea</b> <u>  X  </u>	<b>Nay</b> _____	<b>Abstain</b> _____	<b>Absent</b> _____
<b>Council Member Rogers</b>	<b>Yea</b> <u>  X  </u>	<b>Nay</b> _____	<b>Abstain</b> _____	<b>Absent</b> _____
<b>Council Member Peterson</b>	<b>Yea</b> <u>  X  </u>	<b>Nay</b> _____	<b>Abstain</b> _____	<b>Absent</b> _____

- 9J. Consider action to approve the second reading of Ordinance No. 2019-42 of the City Council of the City of Bastrop, Texas amending Appendix A, the Master Fee Schedule for the City of Bastrop, attached as Exhibit A; providing that other fees not listed but now charged pursuant to other ordinances and resolutions shall remain in effect until transferred to the Master Fee schedule by amendment; Excluding sections A13.02 and A13.07; providing for findings of fact, enactment; enforcement; a repealer and severability; establishing an effective date; and proper notice and meeting.  
**Presentation was made by Chief Financial Officer, Tracy Waldron.**

**A motion was made by Council Member Rogers to approve the second reading of Ordinance No. 2019-42, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.**

- 9L. Consider action to approve Resolution No. R-2019-97 of the City Council of the City of Bastrop, Texas to accept the Cultural Arts Master Plan, as attached in Exhibit A; providing for a repealing clause; and establishing an effective date.  
**Presentation was made by Assistant City Manager of Public Safety and Community Support, James Altgelt**

**A motion was made by Council Member Rogers to approve Resolution No. R-2019-97, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.**

- 9M. Consider action to approve the first 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.  
**Presentation was made by Planning and Zoning Director, Matt Jones.**

**A motion was made by Council Member Peterson to approve the first reading of Ordinance No. 2019-46, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

- 9N. Consider action to approve Resolution R-2019-101 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.



**A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-101, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

**ADJOURNMENT**

**Adjourned at 9:59 p.m. without objection.**

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor Connie B. Schroeder

\_\_\_\_\_  
City Secretary Ann Franklin

**The Minutes were approved on October 8, 2019, by Council Member motion, Council Member second. The motion was approved on a vote.**

**MINUTES OF JOINT WORKSHOP WITH BASTROP COUNCIL AND  
PLANNING AND ZONING COMMISSION**

**September 30, 2019**

The Bastrop City Council and Planning and Zoning Commission met in a Joint Workshop Meeting on Monday, September 30, 2019, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present for the Bastrop City Council 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, Erin Higginbotham. Members present for the Planning and Zoning Commission were: Debbie Moore, Cheryl Lee, Tom Dawson, Cynthia Meyer, Matt Lassen, Greg Sherry, and Pablo Serna. Staff Liaison, Planning and Zoning Director, Matt Jones.

**CALL TO ORDER**

- a. Mayor Schroeder called the meeting of the Bastrop City Council to order with a quorum being present at 6:30 p.m.
- b. Planning and Zoning–Chair, Debbie Moore called the meeting of the Planning and Zoning Commission to order with a quorum being present at 6:30 p.m.

**WORKSHOP SESSION**

- 2A. Discuss Bastrop Building Block Code, Bastrop Building Block Technical Manual, Pattern Book, Thoroughfare Master Plan and receive Planning and Zoning Commission’s Code Recommendations.  
**Presentation was made by Planning and Zoning Director, Matt Jones.**

**SPEAKERS**

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

Andrea Haschke  
502 Buttonwood St.  
Bastrop, TX 78602

**ADJOURNMENT**

**Mayor Schroeder adjourned the Bastrop City Council meeting at 8:45 p.m. without objection.**

**Chair, Debbie Moore adjourned the Planning and Zoning Commission meeting at 8:45 p.m. without objection.**

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor Connie B. Schroeder

\_\_\_\_\_  
City Secretary Ann Franklin

**The Minutes were approved on October 8, 2019, by Council Member \_\_\_\_\_'s motion, Council Member \_\_\_\_\_'s second. The motion was approved on a \_- vote.**



# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 9A

**TITLE:**

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.

**STAFF REPRESENTATIVE:**

Lynda Humble, City Manager

**BACKGROUND/HISTORY:**

The Texas Property Tax Code allows tax jurisdictions to nominate up to five people to serve on the Board of the Bastrop Central Appraisal District for a term of office of two years beginning January 1, 2020.

**FUNDING SOURCE:**

N/A

**RECOMMENDATION:**

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.

**ATTACHMENTS:**

- Bastrop Central Appraisal District Letter
- Calculations for Voting Entitlement

**RESOLUTION NO. R-2019-105**

**A RESOLUTION 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.**

**WHEREAS,** the Texas Property Tax Code allows tax jurisdictions to nominate up to five people to serve on the Board of the Bastrop Central Appraisal District for a term of office of two years beginning January 1, 2020; and

**WHEREAS,** The City of Bastrop desires to nominate a person or persons to said Board; and

**WHEREAS,** said tax unit recognizes the importance of cost-effective operations of the Appraisal District.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bastrop:**

**Section 1:** The City Council hereby nominate the following persons for a position on the Board of Directors of the Bastrop Central Appraisal District.

David Redd  
Roderick Emanuel  
Bill Hector  
Dennis Snyder

**Section 2:** This Resolution shall be effective immediately upon adoption.

**DULY RESOLVED & ADOPTED** by the City Council of the City of Bastrop, TX, on this, the 8th day of October, 2019.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney





# BASTROP CENTRAL APPRAISAL DISTRICT

P.O. DRAWER 578 • BASTROP, TEXAS 78602-0578  
PHONE (512) 303-1930 • FAX (512) 303-4805

## BOARD OF DIRECTORS

September 13, 2019

DAVID REDD  
*Chairman*

The Hon. Connie Schroeder, Mayor, City of Bastrop  
City of Bastrop  
P. O. Box 427  
Bastrop TX 78602

BRYAN BRACEWELL  
*Secretary*

RODERICK EMANUEL  
BILL HECTOR

Dear Mayor Schroeder:

DENNIS SNYDER  
LINDA HARMON

As required by state law, I am notifying you of the elections process for the Board of Directors of the Bastrop Central Appraisal District that will be conducted over the next three months. The process begins by this notice letting you know the votes to which your tax unit is entitled. A copy of all the tax units and their vote allocations which are based on the 2018 tax levies is enclosed.

Your tax unit may nominate up to five members to the Board but no nomination is required. For the past two years the following members have served on the Board:

- Mr. David Redd, Chairman of the Board
- Mr. Bryan Bracewell, Secretary
- Mr. Roderick Emanuel
- Mr. Bill Hector
- Mr. Dennis Snyder

Board members who are willing to stand for re-election are David Redd, Roderick Emanuel, Bill Hector, and Dennis Snyder. You may nominate one or all of them or others that your tax unit wishes to nominate. The requirements for service are that the nominee must have been a resident of Bastrop County for at least two years and may not be an employee of a tax unit unless they are an elected official.

A sample Nomination Resolution is enclosed for your use. Nominations are due before October 15. After we receive the nominations from all tax units, we will assemble a ballot before October 30 and your tax unit will have the opportunity to cast your votes for a single individual or you may disburse your votes in any way you wish. The voting is done by resolution of your board in regular session. The resolutions are to be returned to the District before December 15. The results will be announced immediately following that deadline.

If you have any questions about the procedures for the elections of the Board, please feel free to contact me or Gayle Junker at 512-303-1930, and we will be happy to answer your questions.

Sincerely yours,

Faun Cullens, RPA  
Chief Appraiser

Enclosures

cc: Ms. Lynda Humble, City Manager  
Tracy Waldron, Chief Financial Officer

**CALCULATIONS for VOTING ENTITLEMENT  
BASTROP CENTRAL APPRAISAL DISTRICT  
2020-2021 BOARD OF DIRECTORS**

<u>ENTITY</u>	<u>2018 LEVY</u>	<u>TOTAL LEVY</u>							<u>VOTES</u>	
Bastrop County	\$36,141,090.00	/ \$131,756,097.00	X	1,000	=	274.3030	X	5	=	1,372
Bastrop ISD	55,927,569.00	/ \$131,756,097.00	X	1,000	=	424.4780	X	5	=	2,122
Bastrop City	5,525,922.00	/ \$131,756,097.00	X	1,000	=	41.9405	X	5	=	210
Elgin ISD	15,818,390.00	/ \$131,756,097.00	X	1,000	=	120.0581	X	5	=	600
Elgin City	3,178,814.00	/ \$131,756,097.00	X	1,000	=	24.1265	X	5	=	121
Lexington ISD	13,579.00	/ \$131,756,097.00	X	1,000	=	0.1031	X	5	=	1
McDade ISD	1,186,127.00	/ \$131,756,097.00	X	1,000	=	9.0024	X	5	=	45
Smithville ISD	11,490,681.00	/ \$131,756,097.00	X	1,000	=	87.2118	X	5	=	436
Smithville City	1,415,977.00	/ \$131,756,097.00	X	1,000	=	10.7470	X	5	=	54
ACC-Elgin	1,057,948.00	/ \$131,756,097.00	X	1,000	=	8.0296	X	5	=	40
<b>Total Number of Votes</b>										<b>5,000</b>



# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 9B

**TITLE:**

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.

**STAFF REPRESENTATIVE:**

Trey Job, Assistant City Manager of Development Services

**BACKGROUND/HISTORY:**

The City of Bastrop has worked with Bastrop County over the past three years to find a location for the construction of an Emergency Shelter that will house people in need during times of evacuation from a declared disaster. In doing so, The City of Bastrop and Bastrop County executed a seventy-five-year lease agreement on June 27, 2018 that will allow the County to construct the much needed shelter.

While working on the design of the shelter the county it was discovered the installation of the parking lot for the County facility will encroach into a seventy (70) foot utility easement owned by Energy Transfer Fuel, LP. Since the City is the landowner, the pipeline company has asked that City execute the encroachment agreement.

**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. The City of Bastrop is also a co-applicant for the grant received by the County to build the shelter.

**FUNDING SOURCE:**

N/A

**RECOMMENDATION:**

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.

**ATTACHMENTS:**

- Resolution
- Encroachment agreement



**RESOLUTION R-2019-103**

**A RESOLUTION 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.**

**WHEREAS**, the City of Bastrop has executed a 75-year lease to Bastrop County to build the Bastrop Community Center and Shelter Facility at Mayfest Park; 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**, Energy Transfer Fuel, LP requires the City of Bastrop to be a co-applicant on this encroachment request since the City owns the property; and

**WHEREAS**, the construction of the parking lot for the County's emergency shelter/multi-use facility will encroach into the seventy-foot utility easement operated by Energy Transfer Fuel, LP; and

**WHEREAS**, the City of Bastrop, Texas has a history of working with other governmental entities on projects that are mutually beneficial to the community.

**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 execute an Encroachment Agreement with Entergy Transfer Fuel, LP and Bastrop County allowing for construction of a parking lot for an Emergency Shelter to be built in Bastrop County.

**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 8<sup>th</sup> day of October, 2019.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney



STATE OF TEXAS                   §  
  §  
COUNTY OF BASTROP           §

ENCROACHMENT AGREEMENT

This instrument made and entered into this \_\_\_ day of \_\_\_\_\_, 2019, by and between Energy Transfer Fuel, LP, a Delaware limited partnership (hereinafter referred to as “ETF”), with principal offices at 1300 Main Street, Houston, Texas 77002-5600, the City of Bastrop, TX (hereinafter referred to as the “Owner” whether one or more), whose mailing address is 1311 Chestnut Street, PO Box 427, Bastrop, Texas 78602, and Bastrop County, Texas (hereinafter referred to as the “Lessee”), whose mailing address is 804 Pecan Street, Bastrop, Texas 78602.

WITNESSETH:

WHEREAS, ETF is the holder of an Easement granted by the City of Bastrop on February 3, 1969 covering the following described premises in Bastrop County, Texas:

Being a description along the centerline of the BI-STONE FUEL COMPANY’S gas pipeline as now surveyed and located across the property of the City of Bastrop, Texas, and being 15-68/100 acres of land in the Bastrop Town Tract, Abstract 11, Bastrop County, Texas, and being the same land described in a Lease from the City of Bastrop to Bastrop County Fair Association, dated January 2, 1922, and recorded in Volume 72, Page 560, Deed Records of said County (hereinafter referred to as the “Premises”);

WHEREAS, pursuant to the authority contained in said Easement, ETF has constructed and currently operates and maintains an 20-inch pipeline, (hereinafter referred to as the “ETF Pipeline Facilities”), across and through the above described Premises; and

WHEREAS, Owner owns the following described real property, upon which the ETF Pipeline Facilities are situated, in Bastrop County, Texas (hereinafter referred to as the “Owned Premises”):

See Exhibit "A" attached hereto and made a part hereof for a description of the Owned Premises

WHEREAS, the Owner has entered into a 75 year lease with the Lessee for the Owned Premises:

See Exhibit “B” attached hereto and made a part hereof for a copy of the lease agreement.

WHEREAS, Lessee plans to install and construct a parking lot (hereinafter referred to as the “Encroachment”) upon ETF’s 70-foot right-of-way width (hereinafter referred to as the “Easement Area”), and such Encroachment is depicted on Exhibit "C" which is attached hereto and made a part hereof; and

WHEREAS, Owner and Lessee have been advised by ETF that ETF is a natural gas transmission company; and

WHEREAS, Owner and Lessee have requested permission from ETF to maintain, use, and enjoy the Encroachment upon a portion of the Easement; and

WHEREAS, ETF is willing to grant such permission upon the terms and conditions set forth as follows.

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. ETF hereby grants permission to Owner and Lessee to maintain, operate and use the Encroachment, subject to the following conditions:
  - A. Owner and Lessee assume all risks for damages, injuries, or loss to either property or persons, which may be incurred by Owner and Lessee or their agents, invitees, or licensees present on or in the vicinity of the Easement Area and in any way associated with said Encroachment. Any maintenance or improvements to or repairs of the Encroachment



shall be the sole responsibility, and performed at the sole cost and expense, of the Owner and Lessee.

- B. The permission granted herein is limited exclusively to the Encroachment within the Easement Area. Owner and Lessee shall not alter, or permit the alteration of, the grade of the Easement Area without the prior express written consent of ETF. Owner and Lessee shall be solely responsible for, and shall bear the expense of repairs attributable to, any loss of subjacent or lateral support for ETF's Easement Area and/or the ETF Pipeline Facilities caused by the Encroachment.
- C. Owner or Lessee shall provide a minimum of forty-eight (48) hours' notice to ETF prior to any work, including installation, construction, excavation, or demolition on parcels encumbered by the ETF Easements by calling 811. Upon such notice by Owner or Lessee, ETF may elect to have an ETF representative, whether one or more ("**Representative**"), to be present during any construction activities within the ETF Easements. The Representative shall have the authority to stop any work performed by Owner, Lessee and/or any of its contractors, if the work is believed to be inconsistent with the final plans, noncompliant with this Agreement or considered unsafe by the Representative, acting reasonably. This provision shall apply each time work is to be performed within the Easement Area.
- C. Owner and Lessee shall at all times conduct all of their activities within the Easement Area in such a manner as not to interfere with or impede the operation, safety, or maintenance of the ETF Pipeline Facilities and activities in any manner whatsoever. In the event that ETF, in its sole discretion, determines that the safety, operation, or maintenance of the ETF Pipeline Facilities is affected by the Encroachment, Owner and Lessee shall, at ETF's option and to ETF's satisfaction, either resolve the situation or reimburse ETF for its costs incurred in resolving the situation, including but not limited to lowering or relocating the ETF Pipeline Facilities.
- D. Owner and Lessee shall not plant any trees within the Easement Area.
- E. That Owner and Lessee shall construct and maintain said Encroachment as shown on Exhibit "C".
3. Owner and Lessee agree that protection of the ETF Pipeline Facilities will be maintained at all times.
4. Should ETF desire to remove any portion of the Encroachment within the Easement Area in order to construct, maintain, operate, repair, replace, remove, or resize ETF's existing or additional Pipeline Facilities, Owner, Lessee or their successors and assigns, shall pay the cost of removing and replacing or reinstalling such removed portion of the Encroachment. In addition, all repair and maintenance work performed by ETF on its existing or additional Pipeline Facilities located on the Owned Premises, shall be performed in a reasonable and workmanlike manner and ETF shall restore the surface and grade of the Owned Premises where the work is performed, but shall not be liable for loss, damage, or replacement to the Encroachment or any associated equipment and facilities that exist within the Easement Area, and in this regard, Owner and Lessee do hereby release ETF, its employees, agents, officers, and directors from any and all liability for any such loss or damage.
5. The parties hereto understand that this Agreement in no way constitutes a waiver by ETF of its rights to enjoy the Premises or the Easement Area unencumbered by the construction and operation of the Encroachment.
6. It is expressly agreed to by and between the parties hereto that if Owner or Lessee are in violation of any terms or conditions set forth in this Agreement, ETF may at any time terminate this Agreement upon ten (10) days' written notice to Owner and Lessee. In the event of such termination, Owner shall immediately remove any and all of said Encroachment, which may be situated on the Easement Area, or if Owner and Lessee fail to remove any and all of said Encroachment, ETF may, at its option, remove said Encroachment at the expense of Owner and Lessee and without any liability whatsoever. It is further agreed that the failure by ETF to exercise such option as to any such violation shall not constitute a waiver of ETF's future right to exercise such option as to the same or any future violation.
7. Upon the termination of this Agreement, Owner and Lessee shall remove from the Easement Area all of the Encroachment and restore the surface of the Easement Area to good condition and to ETF's satisfaction, including the leveling and grading of all ruts, excavations, depressions and mounds caused by, or resulting from, the Encroachment.

8. The provisions of the Easement, and all rights, powers, privileges, and duties, obligations, and liabilities created thereby, remain in full force and effect and are not affected hereby except to the extent and in the manner set forth above.

9. This Agreement may not be assigned by Owner or Lessee, in whole or in part, without the prior express written consent of ETF, which consent shall not be unreasonably withheld so long as any such permitted assignee agrees to be bound by and to comply with all the terms and conditions of this Agreement. Any assignment made in contravention of this provision shall be deemed null and void and of no force and effect whatsoever.

10. Owner and Lessee agree, that should ETF need to utilize any portion of the Encroachment area, to perform any pipeline operations in the future, Owner and Lessee shall allow ETF to utilize same without any compensation or payment due to any interference caused to Owner's or Lessee's business.

This instrument and the covenants and agreements herein contained shall extend to and be binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties and the benefits of this Agreement shall run with the land.


IN WITNESS WHEREOF, the parties have executed this instrument the day and year first above written.

"ETF"  
ENERGY TRANSFER FUEL, LP  
By: Energy Transfer Fuel GP, LLC, its general partner

"OWNER"  
The City of Bastrop, TX

Sign: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Sign: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

"Lessee"  
Bastrop County, TX  
Sign:   
Print Name: Paul Pape  
Title: Bastrop County Judge

STATE OF TEXAS            §  
  §  
COUNTY OF \_\_\_\_\_ §

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_, Vice-President of Energy Transfer Fuel GP, LLC, on behalf of Energy Transfer Fuel, LP, a Delaware limited partnership.

(S E A L)

\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



STATE OF TEXAS           §  
  §  
COUNTY OF \_\_\_\_\_ §

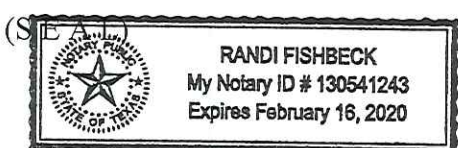
The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_, property owner.

(S E A L)

\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_

STATE OF TEXAS           §  
  §  
COUNTY OF Bastrop §

The foregoing instrument was acknowledged before me on this 9<sup>th</sup> day of September, 2019 by Paul Pape, Bastrop County Judge.



Randi Fishbeck  
\_\_\_\_\_  
Notary Public  
My Commission Expires 2-16-20

**PROJECT NO: 26573**  
This Instrument To Be Returned To:  
Hope Acosta – Right of Way Dept.  
Energy Transfer Fuel, LP  
1300 Main Street, 13<sup>th</sup> Floor  
Houston, Texas 77002-5600



# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 9C

**TITLE:**

Conduct 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.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**ITEM DETAILS:**

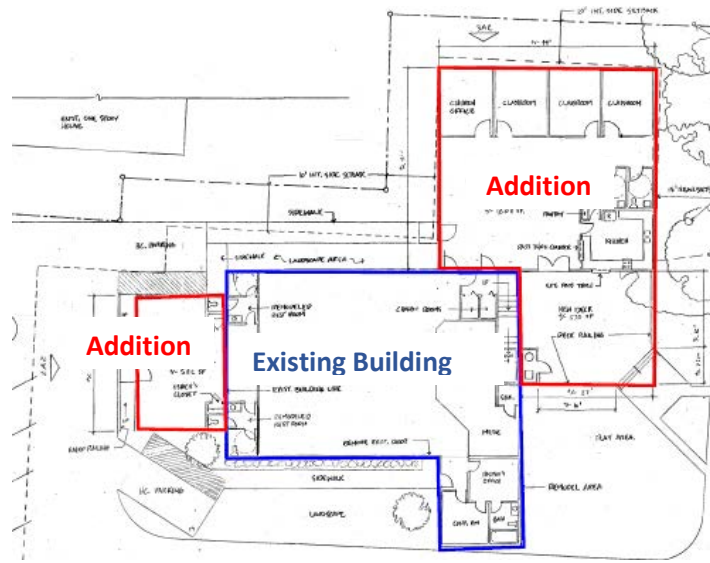
Site Address: 1903 Pecan Street (Exhibit A)  
Total Acreage: 0.615 acres  
Legal Description: Friendship Bible Subdivision, Lot 1  
Property Owner: Friendship Bible Baptist Church/Mary Butler  
Applicant Contact(s): Jeff Jack  
Existing Use: Church  
Existing Zoning: SF-7, Single-Family 7 (Attachment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

Conduct 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.

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
- PowerPoint Presentation

**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 SEVERABILITY 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 8<sup>th</sup> day of October 2019.

**READ and APPROVED** on the Second Reading on the 22<sup>nd</sup> day of October 2019.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

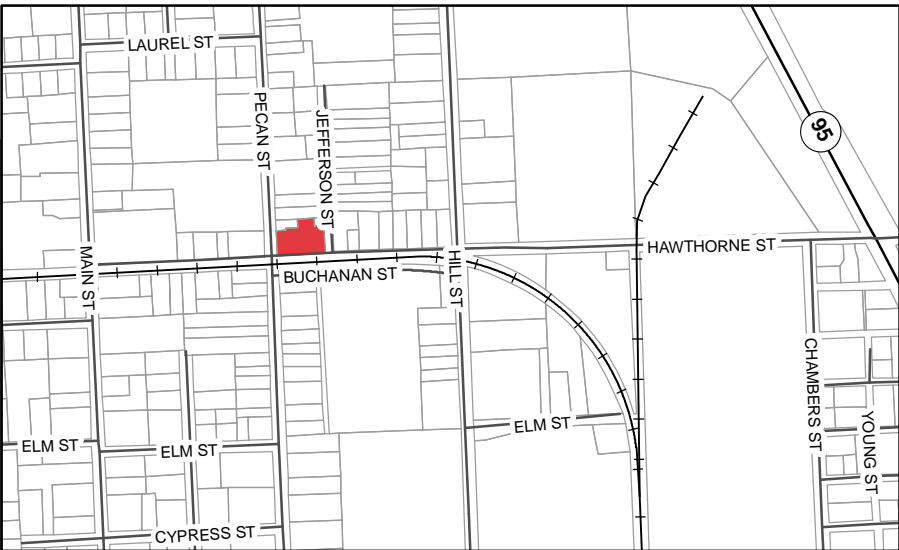
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

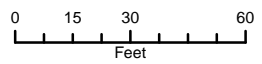
\_\_\_\_\_  
Alan Bojorquez, City Attorney



# Exhibit A Location Map



## 1903 Pecan St Friendship Bible Baptist Church Conditional Use Permit



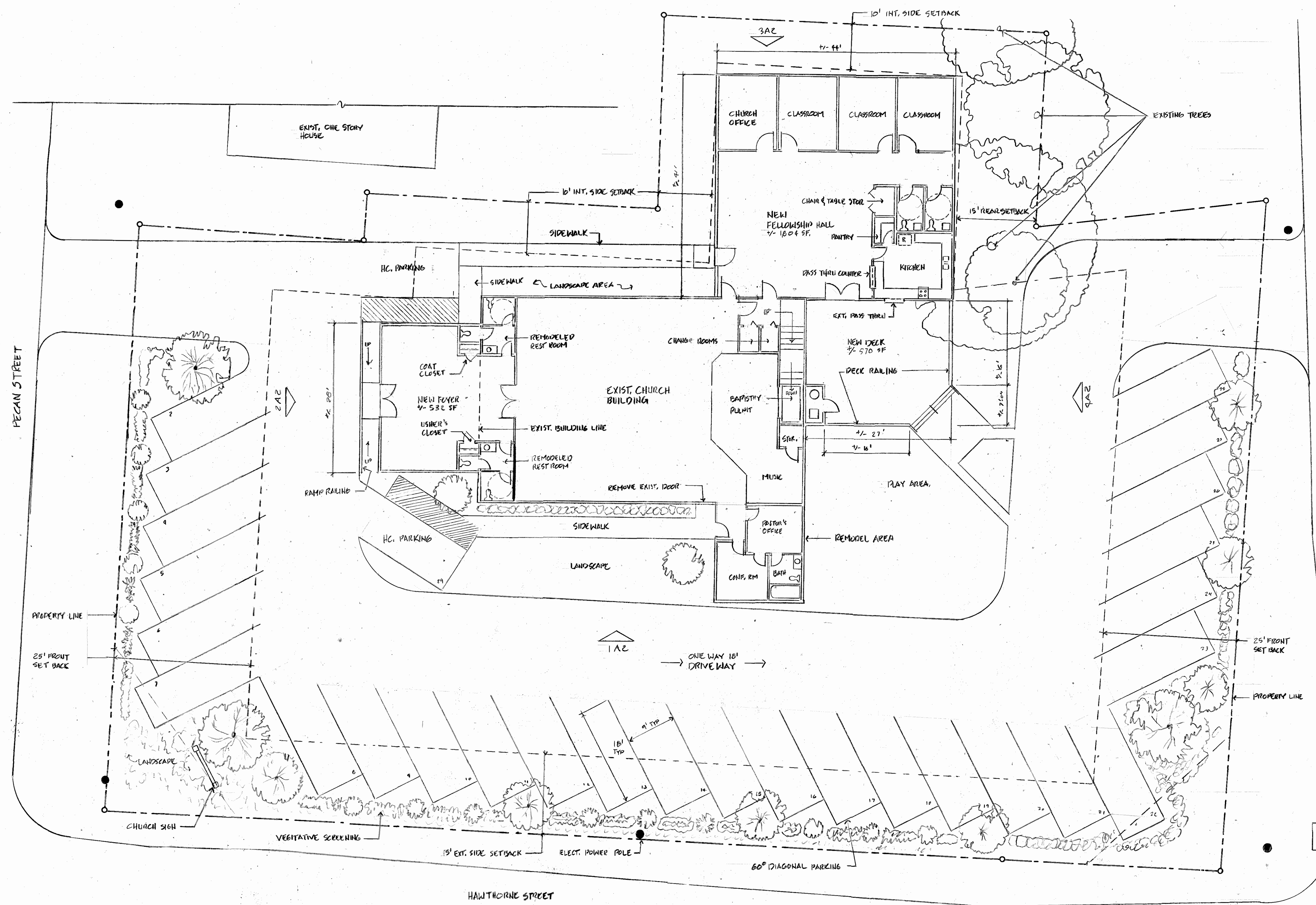
1 inch = 50 feet



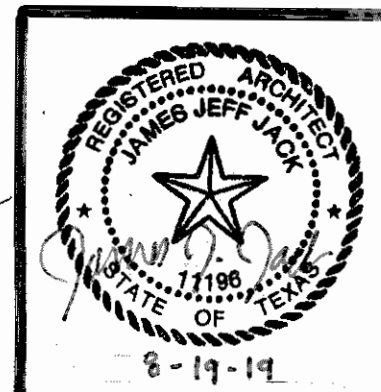
Date: 9/11/2019

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 liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.





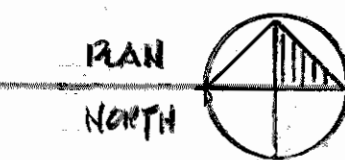
Jeff Jack  
 Architect  
 2008 B Rabb Glen  
 Austin Texas 78704  
 (512) 447-5877 (O)  
 (512) 970-0884 (C)  
 2jeffjack@gmail.com



**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	CURR. AP.

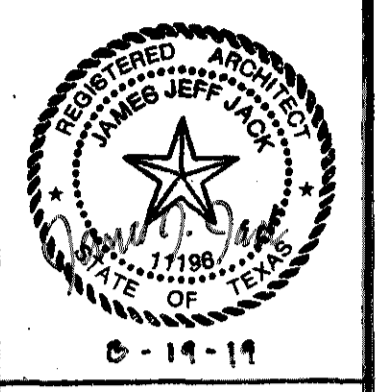
1 SITE PLAN - CONDITIONAL USE PERMIT APPLICATION  
 A-1 1/8" = 1'-0"



CUP SITE PLAN  
 A-100A-2 1 OF 2  
**A-1**



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



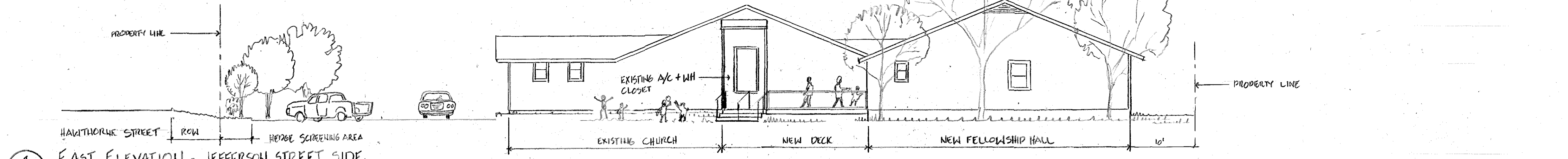
**Friendship Bible Baptist Church**  
 1903 North Pecan Street, Bastrop Texas 78602

PROJECT #  
16 FBBC

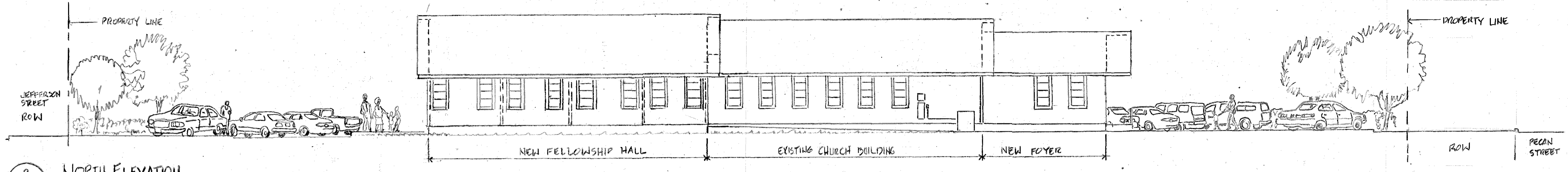
ISSUE DATES

7/16/19	REVIEW
7/22/19	COB MTG
8/19/19	CLP/R

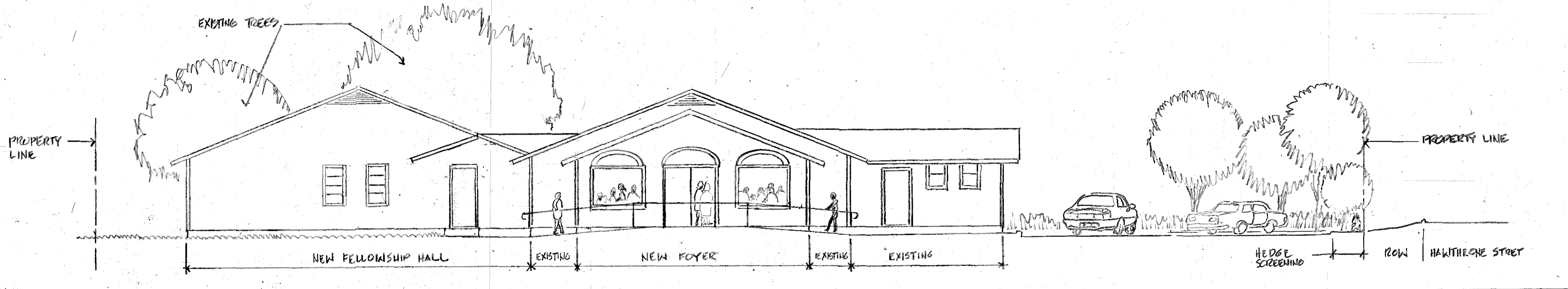
C.I.P. ELEVATIONS  
 A-2 OF A-2 2 OF 2  
**A-2**



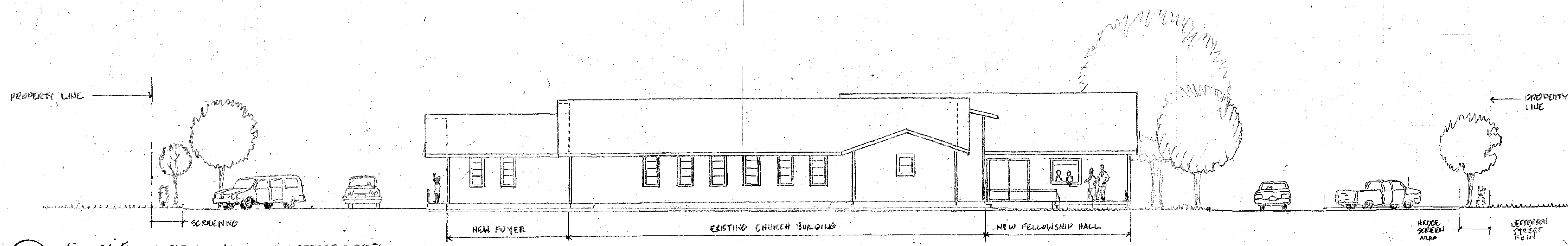
4  
 A-2  
 EAST ELEVATION - JEFFERSON STREET SIDE  
 1/8" = 1'-0"



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"





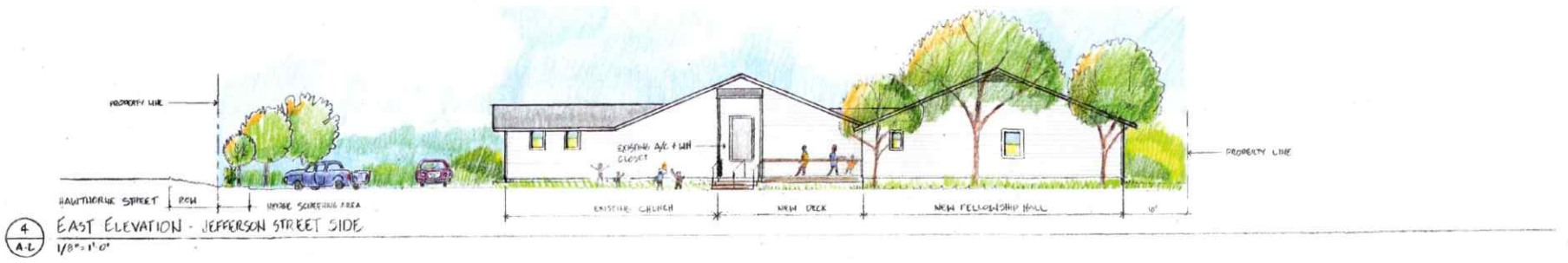
Jeff Jack  
 Architect  
 2008 B Robb Glen  
 Austin Texas 78704  
 (512) 447-5877 (O)  
 (512) 970-0844 (C)  
 jz@jjack.com



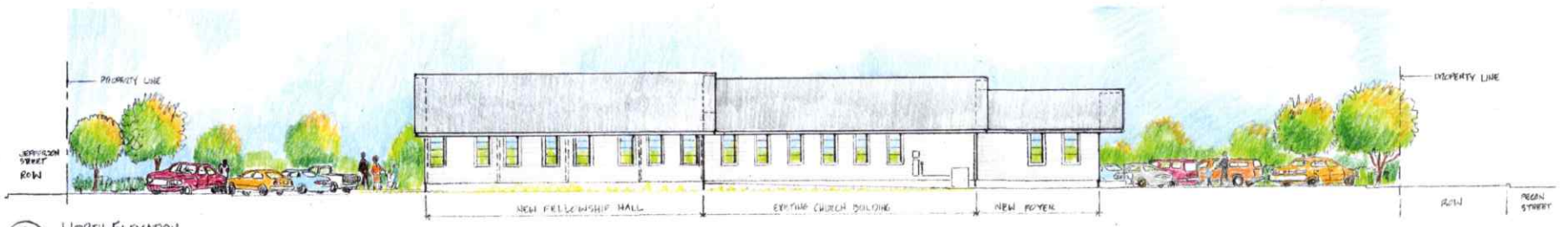
Friendship Bible Baptist Church  
 1903 North Pecan Street, Bastrop Texas 78602

PROJECT #	16-FB02
ISSUE DATES	
7/16/19	REVIEW
8/22/19	CRIP APP
8/19/19	CRIP/AR

CLIP ELEVATIONS  
 A-2 of 2  
**A-2**



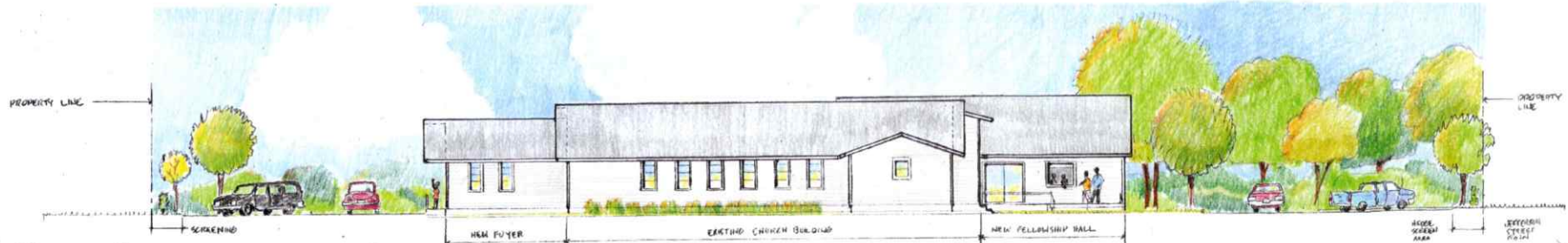
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 1/8" = 1'-0"



**Jeff Jack**

**Architect**

2008 B Rabb Glen

Austin Texas, 78704  
2jeffjack@gmail.com

Fax & Tel (512-447-5877)

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 Use 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](mailto: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: \_\_\_\_\_

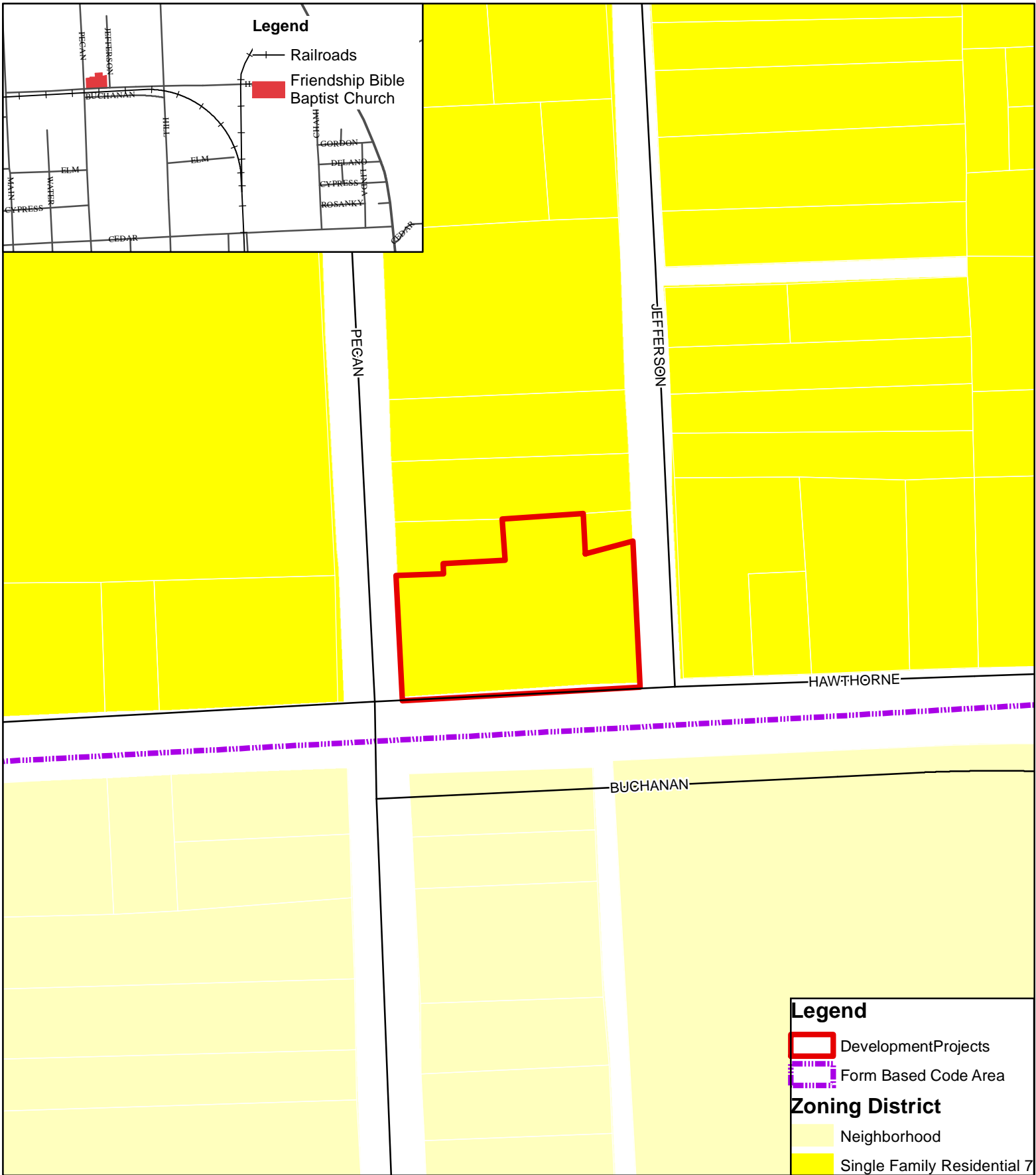
Comments: (Optional)

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





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

1 inch = 110.98 feet



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 liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 9/18/2019

Public hearing and consider action approved Ordinance 2019-xx 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 shown 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.

# Request

- Expand the existing building by adding:
  - A foyer to the front
  - Classrooms, office space and a kitchen to the northeast corner
- Add a paved parking lot.



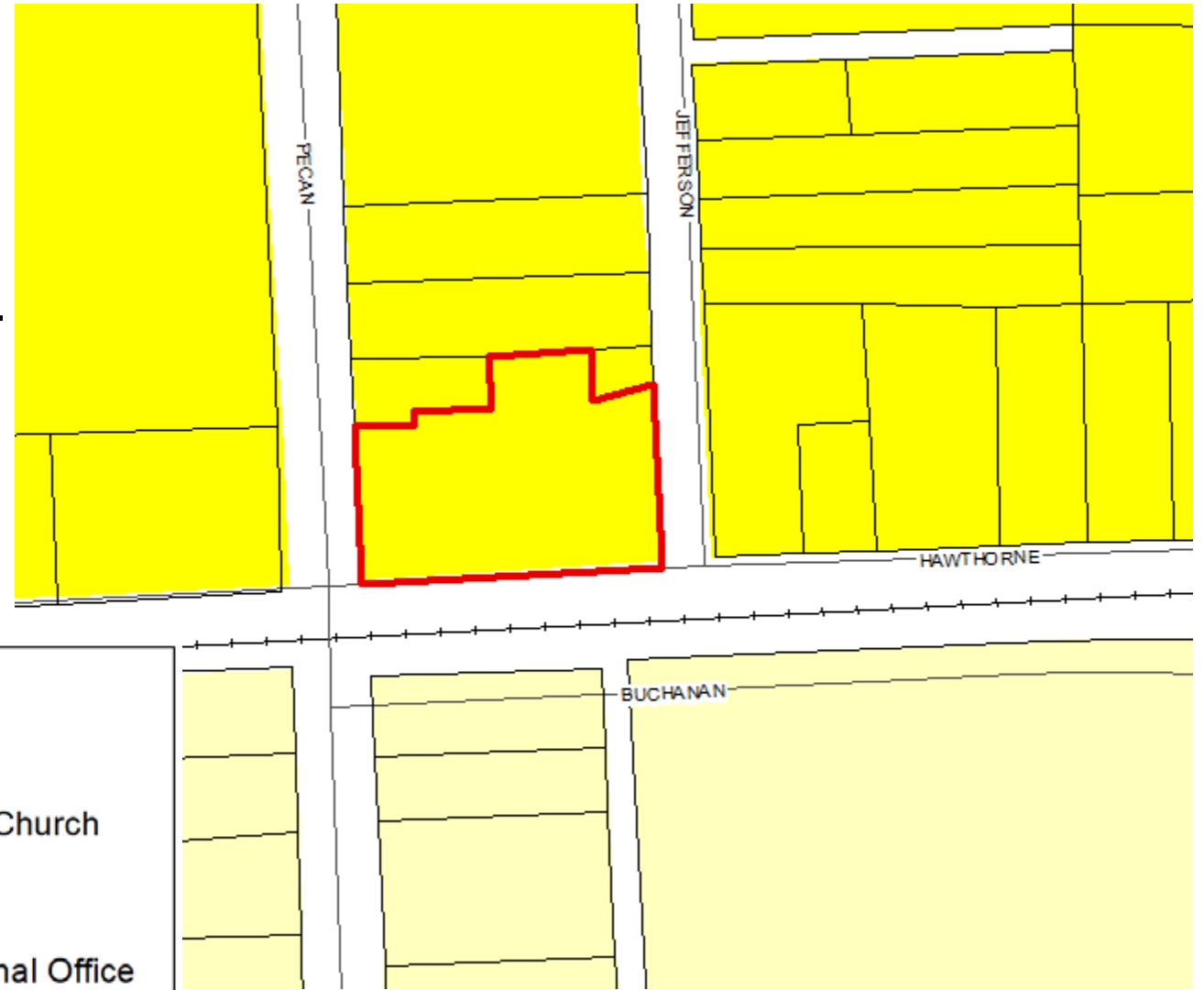


# Location – 1903 Pecan Street




# Zoning

- Single-Family 7 (SF-7)
- Proposed to be Place Type – Civic Space (P-CS)





## Legend


### Label

 Friendship Bible Baptist Church

### Zoning Classification

 Neighborhood

 Neighborhood Professional Office

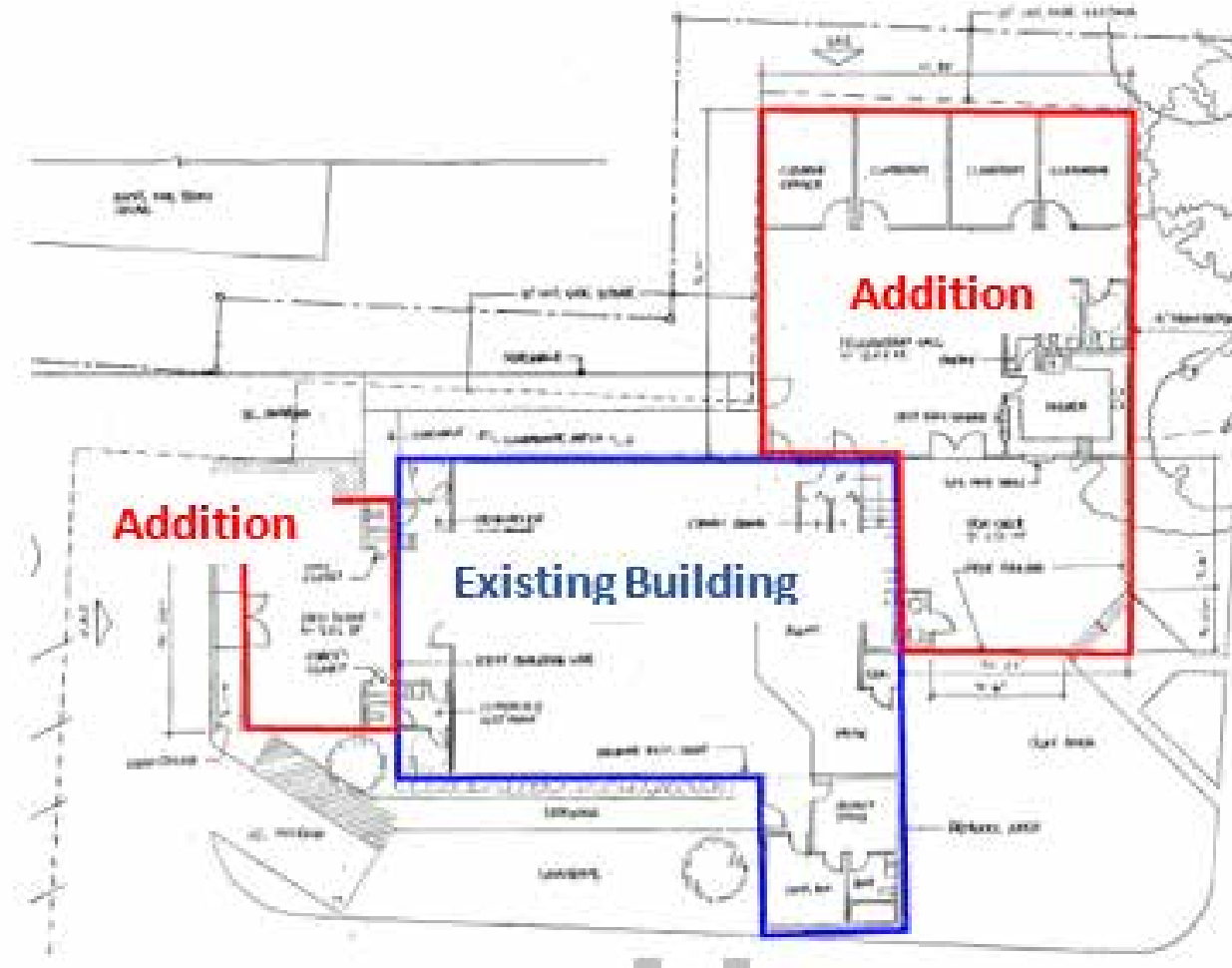
 Single Family Residential 7







# Conceptual Site Plan



# Conceptual Elevations



# Section 33.2 of the Zoning Ordinance CUP Criteria

- 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.*

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## Section 33.2 of the Zoning Ordinance CUP Criteria (cont.)

- 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.*



# 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

Public hearing and consider action approved Ordinance 2019-xx 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 shown 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.

## 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).





# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 9D

**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, 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.

**POLICY EXPLANATION:**

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

City Council reviewed the Financial Management Policy at the September 17, 2019 City Council Meeting and provided feedback for final adoption. The policy was brought 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 it forward for adoption.

**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, 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, 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, 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:** 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 8<sup>th</sup> 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



**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 cost~~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 Services**
- 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

**BC. 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.

**GD. 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.

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

**EF. 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.

**FG. 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.

**GH. 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.

**BC.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.

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Lynda Humble, City Manager

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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 8, 2019

**AGENDA ITEM:** 9E

**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 October 22, 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<sup>3</sup>) 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 October 22, 2019 agenda for a second reading.

**ATTACHMENTS:**

- Ordinance
- Transportation Master Plan Street Grid
- Transportation Master Plan, Chapter 5 - Thoroughfare Plan draft
- Typical Cross Sections
- Rural Cross Section
- 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, Comprehensive 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 8<sup>th</sup> day of October 2019.

**READ & APPROVED** on the Second Reading on the 22<sup>nd</sup> day of October 2019.

**APPROVED:**

*by*

\_\_\_\_\_  
Connie B. Schroeder, Mayor

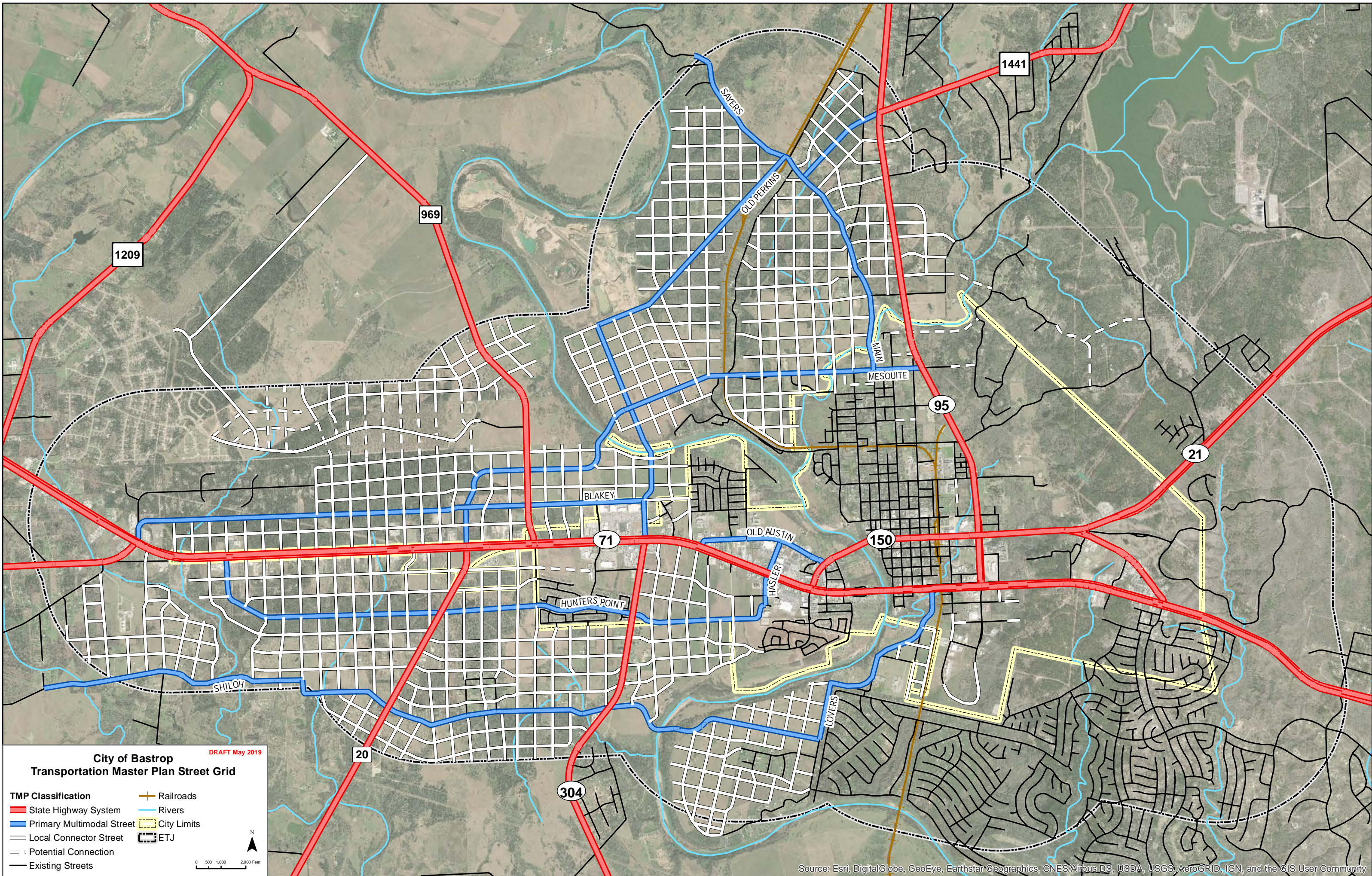
**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney





**City of Bastrop** DRAFT May 2019  
**Transportation Master Plan Street Grid**

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

0 500 1,000 2,000 Feet





5

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## Thoroughfare Plan

Thoroughfare Network, Functional Classification,  
and Cross-Sections

1. 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, multi-modal 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.

Street Network

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 just East of 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.

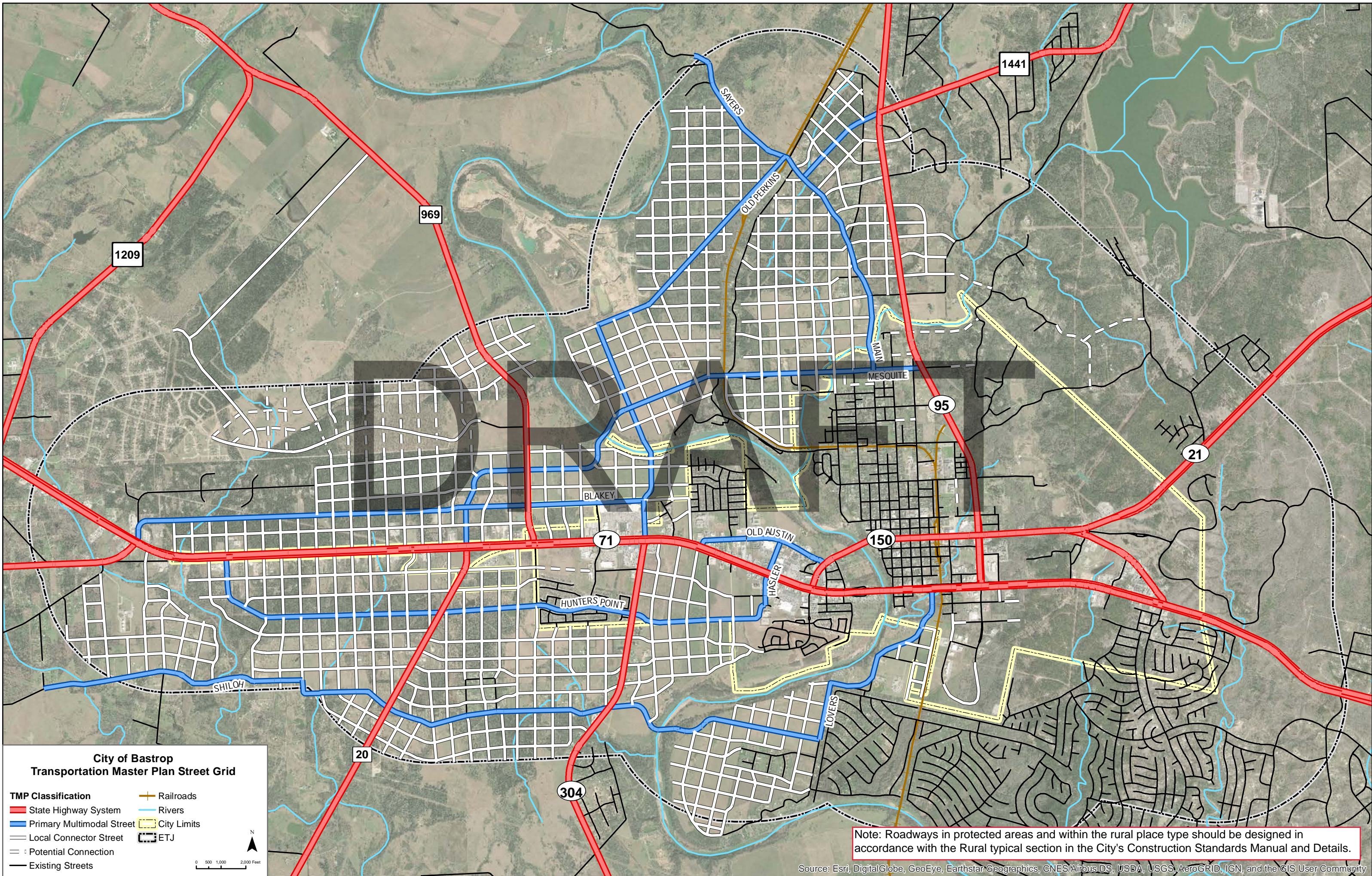
This plan recommends a grid-like pattern of primary and local streets, with major block spacing based on the traditional Bastrop farm lot (approximately 715 feet by 715 feet). This transportation planning approach not only benefits route choice, but also minimizes congested roadway corridors. A hierarchical 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 Multi-modal 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.

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**City of Bastrop  
Transportation Master Plan Street Grid**

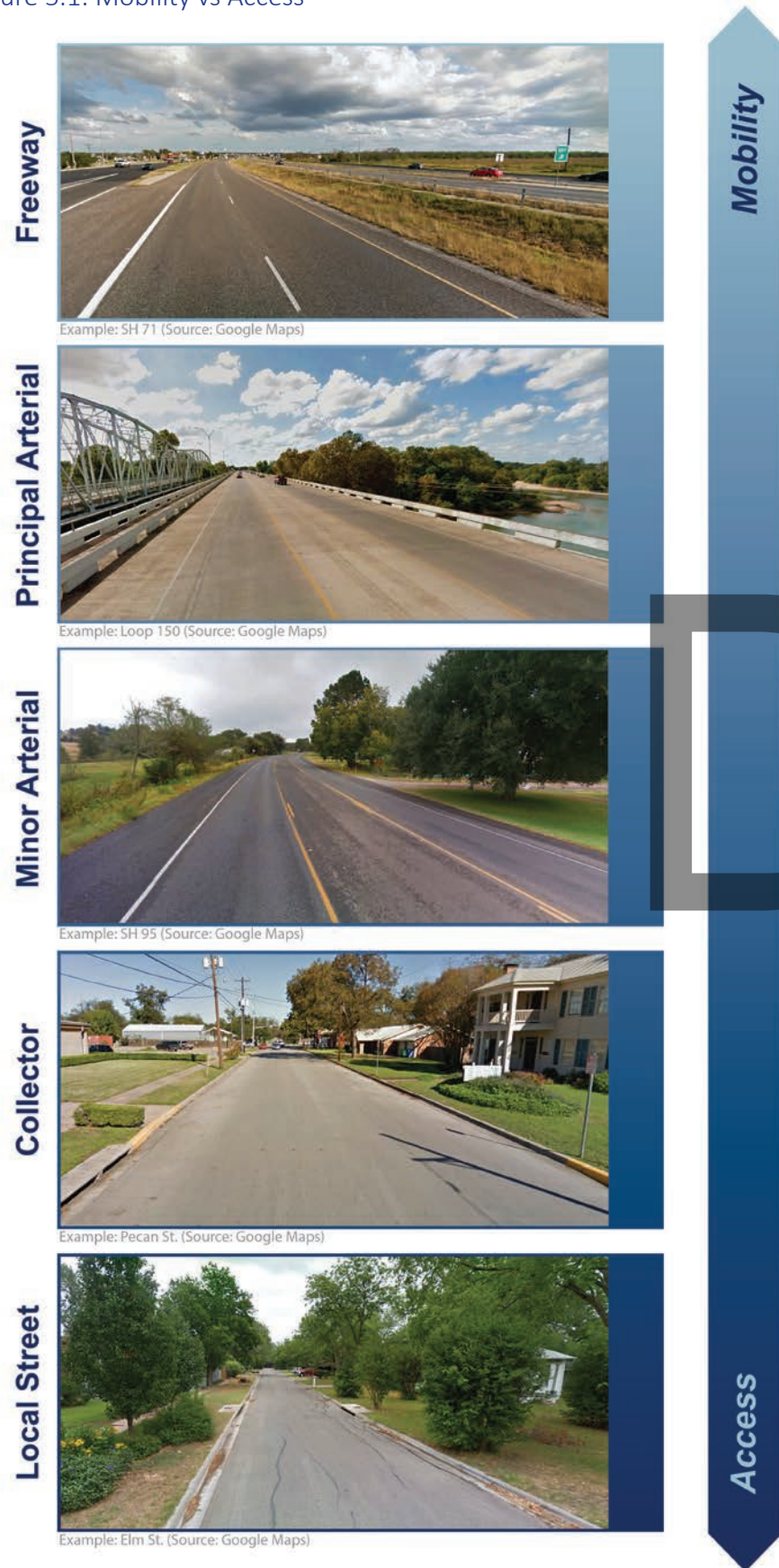
<b>TMP Classification</b>	Railroads
State Highway System	Rivers
Primary Multimodal Street	City Limits
Local Connector Street	ETJ
Potential Connection	
Existing Streets	

0 500 1,000 2,000 Feet

Note: Roadways in protected areas and within the rural place type should be designed in accordance with the Rural typical section in the City's Construction Standards Manual and Details.



Figure 5.1: Mobility vs Access



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 Multi-modal Streets

Primary Multi-modal 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.

### Multi-modal 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.



## 2. 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 multi-modal and context-sensitive priorities. Specific engineering requirements and design guidelines for implementation of roadways are contained in the City ~~subdivision regulations and other capital improvement program guidelines~~. The engineering and design of specific facilities must be carried out in collaboration with and under the review of the City Engineer.

Primary Multi-modal Street (80' ROW)

Local Connector Street (55.5' ROW)

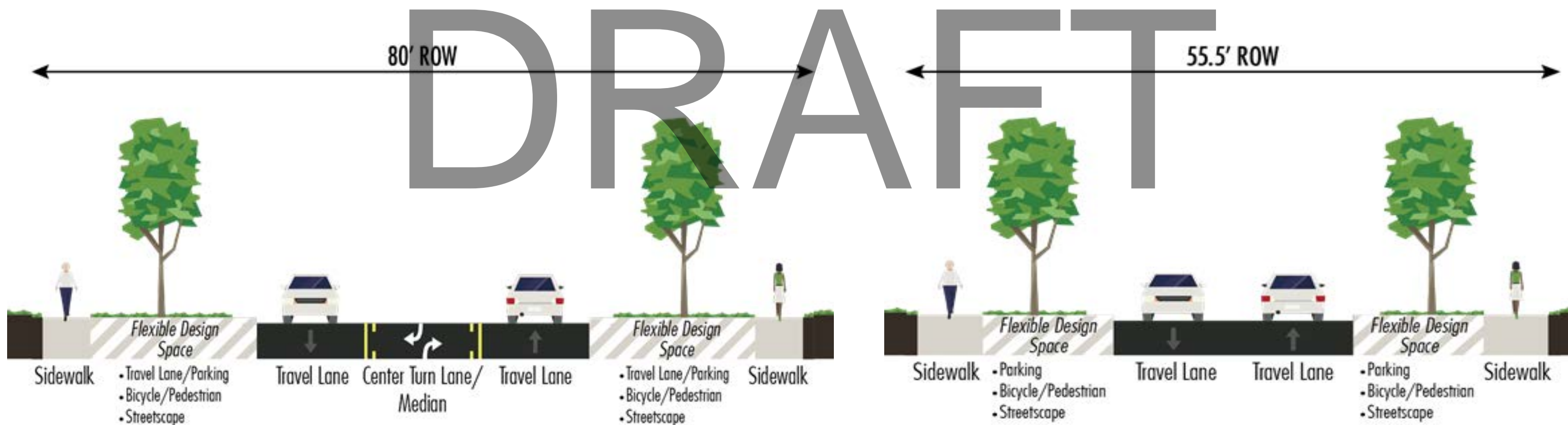
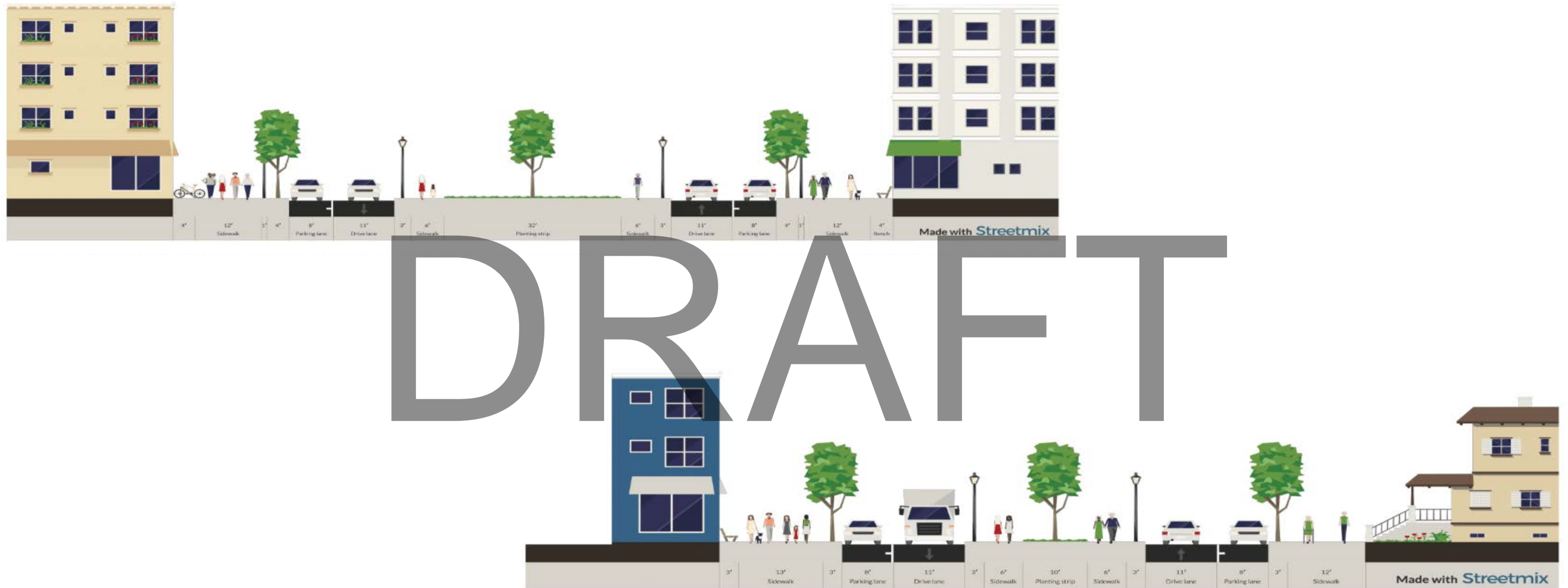


Figure 5.3: Principal Arterial/Divided Minor Arterial- Typical Urban Section



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Figure 5.4: Example Downtown Cross Section

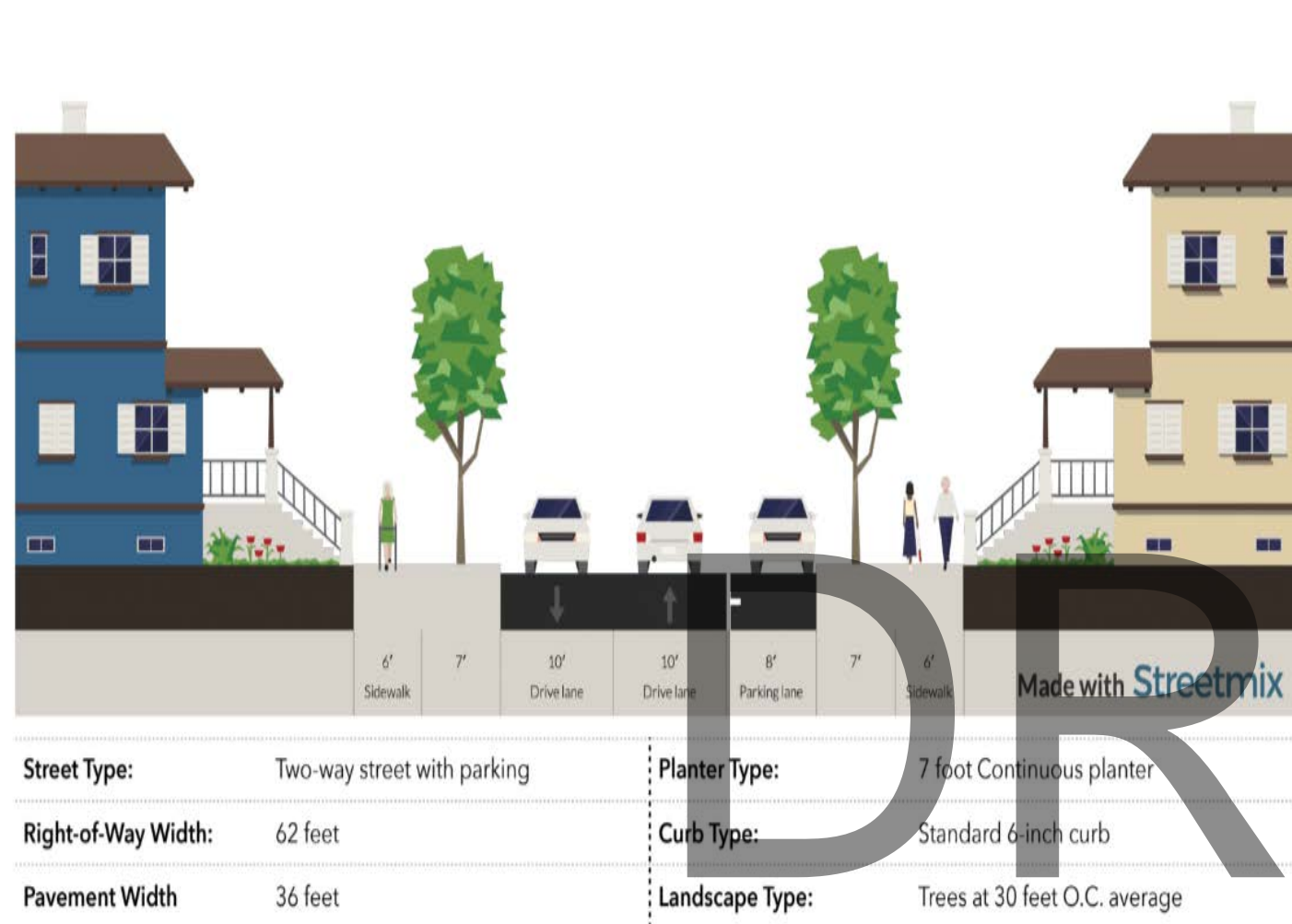
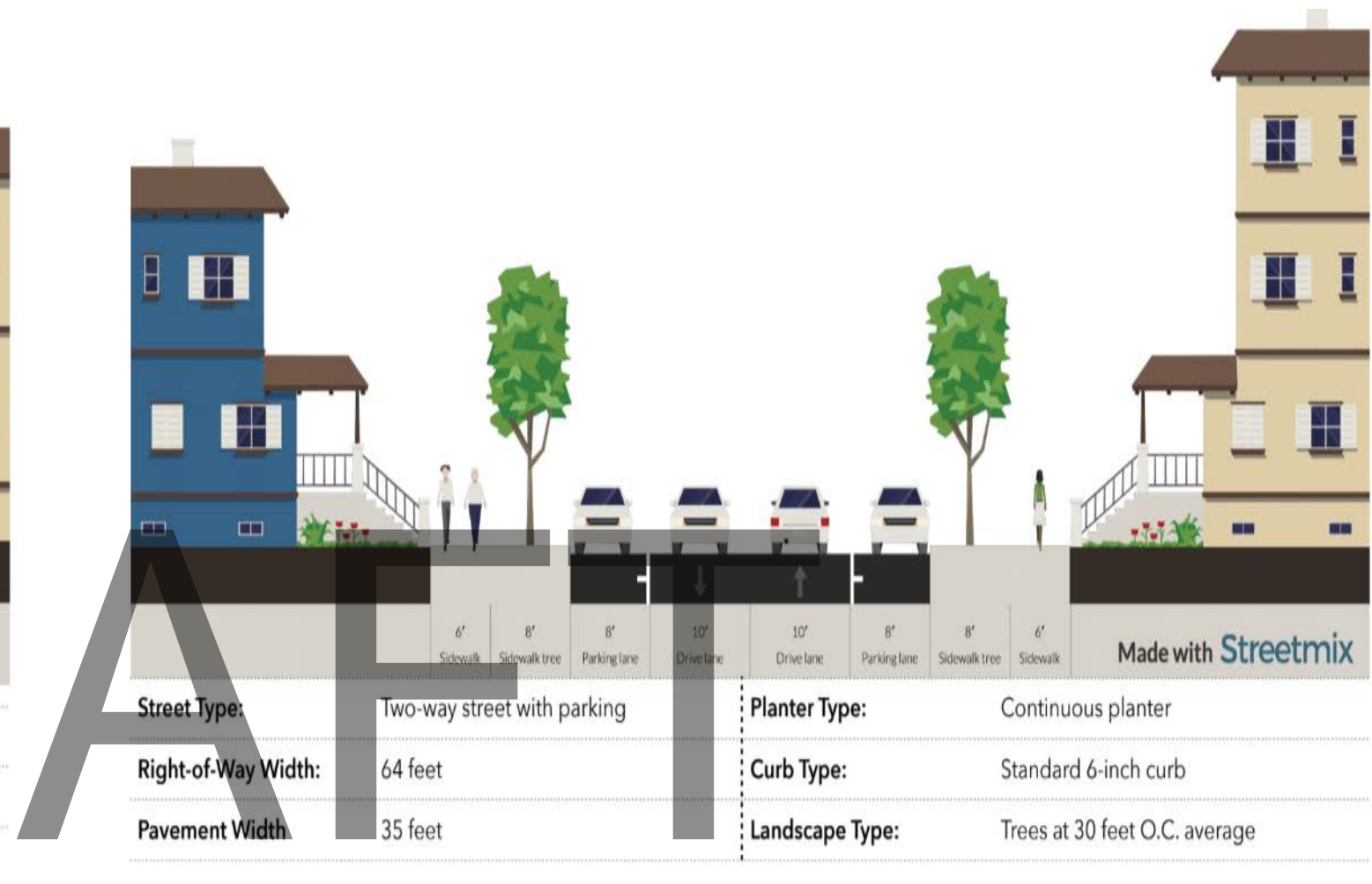


Figure 5.5: Minor Arterial/Collector- Typical Section



### 3. Implementing the Street Network

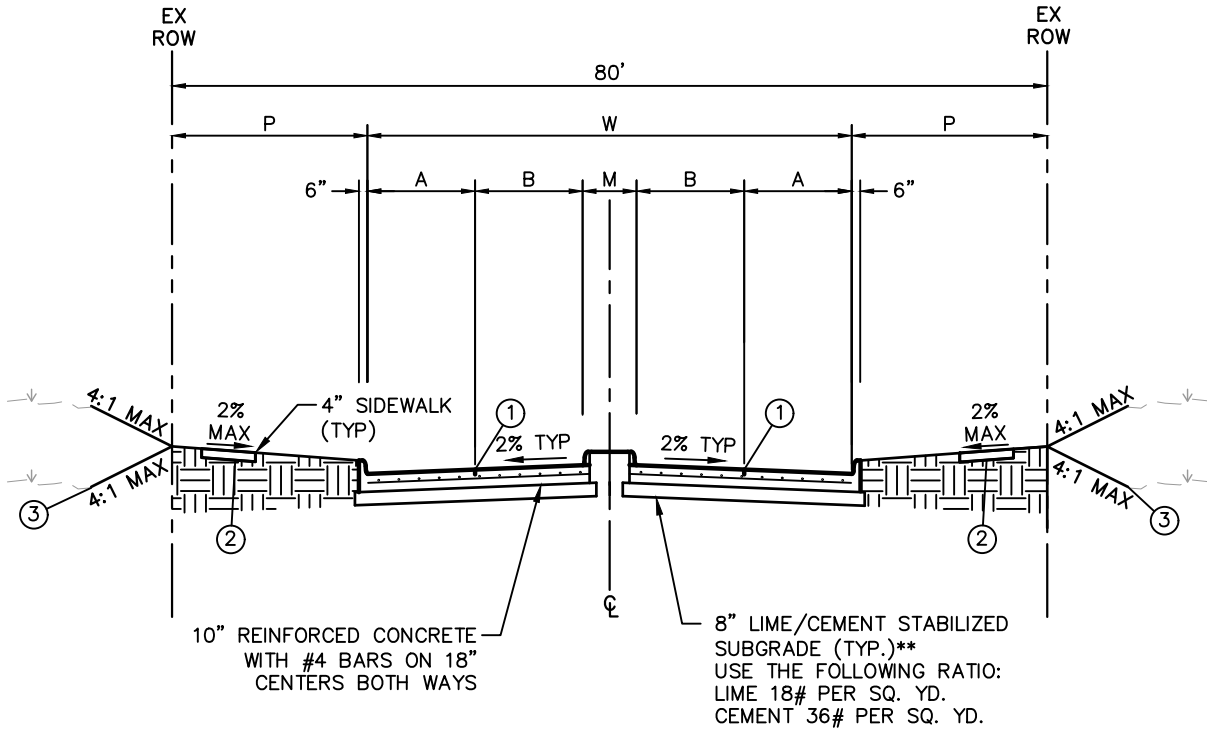
This plan serves as the primary tool to enable the City to preserve future corridors and the necessary right-of-way to establish appropriate thoroughfare corridors as development occurs and to improve the existing street system as the need arises. The Transportation Master Plan locates and classifies 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.



**DRAFT** PROPTX  
Heart of the Lost Pines / Est. 1832





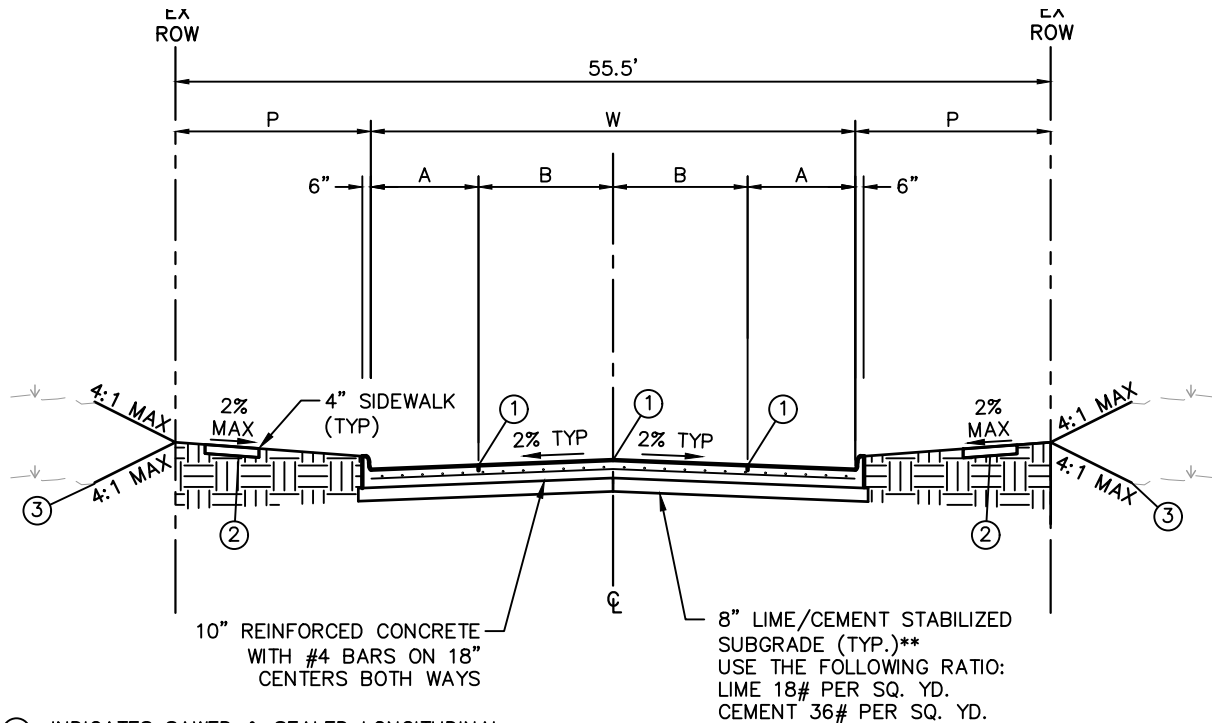
- ① INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.
- ② SIDEWALK CROSS SLOPE 2% MAX. SIDEWALK WIDTH VARIES.
- ③ SLOPE EXCEEDING 4:1 ONLY ALLOWED WITH STABILITY ANALYSIS
- ④ CURB HEIGHT AND WIDTH SHALL BE 6" OR AS SPECIFIED BY CITY.

**\*\*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.

<p style="text-align: center;"><b>RECORD SIGNED COPY ON FILE AT PUBLIC WORKS</b></p> <p style="text-align: center;"><b>APPROVED</b></p> <p style="text-align: center;">XX-XX-XX</p> <p style="text-align: center;"><b>DATE</b></p> <p style="text-align: center;"><b>THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.</b></p>	<h1 style="margin: 0;">CITY OF BASTROP</h1> <h2 style="margin: 10px 0 0 0;">80' RIGHT-OF-WAY TYPICAL SECTION</h2>	<p style="text-align: right;">DRAWING NO: XX-XX</p> <div style="border: 1px solid black; height: 50px; width: 100%; margin-top: 5px;"></div>
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- 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"

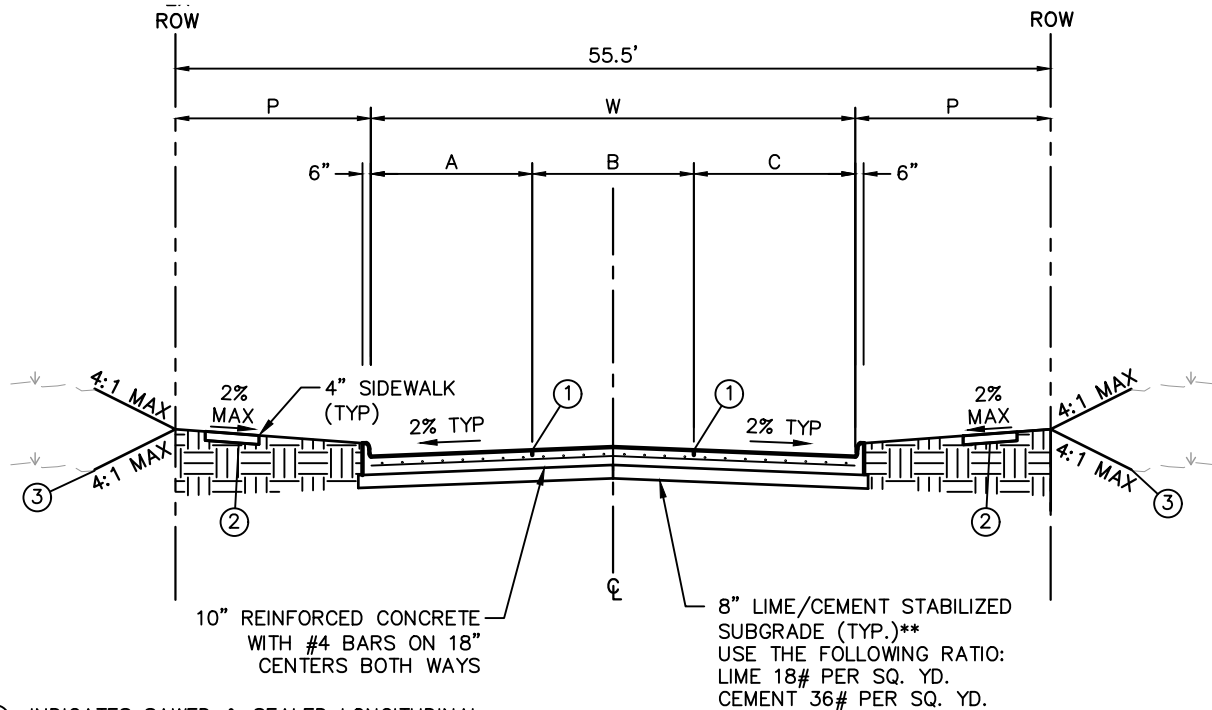
- ⑤ ALL DIMENSIONS TO BACK OF CURB AND IN FEET UNLESS OTHERWISE SHOWN.
- ⑥ REFERENCE CONSTRUCTION STANDARDS MANUAL FOR MORE DETAILS. REFERENCE B3TM FOR MORE INFORMATION ON PARKWAY AND OUTSIDE OF R.O.W.

RECORD SIGNED COPY  
ON FILE AT PUBLIC WORKS  
APPROVED  
XX-XX-XX  
DATE  
THE ARCHITECT/ENGINEER ASSUMES  
RESPONSIBILITY FOR THE APPROPRIATE  
USE OF THIS DETAIL.

# CITY OF BASTROP

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

DRAWING NO:  
XX-XX



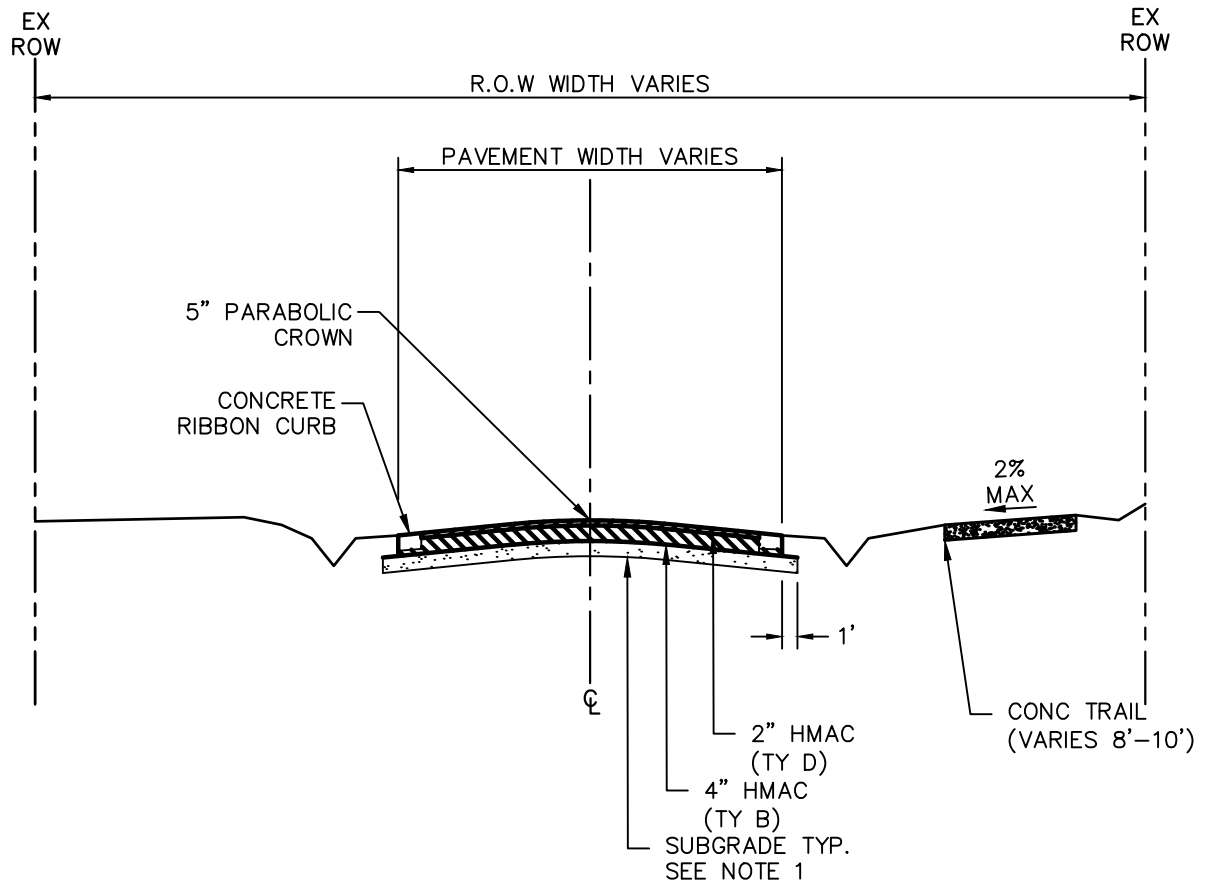
- ① INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.
- ② SIDEWALK CROSS SLOPE 2% MAX. SIDEWALK WIDTH VARIES.
- ③ SLOPE EXCEEDING 4:1 ONLY ALLOWED WITH STABILITY ANALYSIS
- ④ CURB HEIGHT AND WIDTH SHALL BE 6" OR AS SPECIFIED BY CITY.

\*\*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	28'	8'	12'	8'	55.5'	13.75'	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.

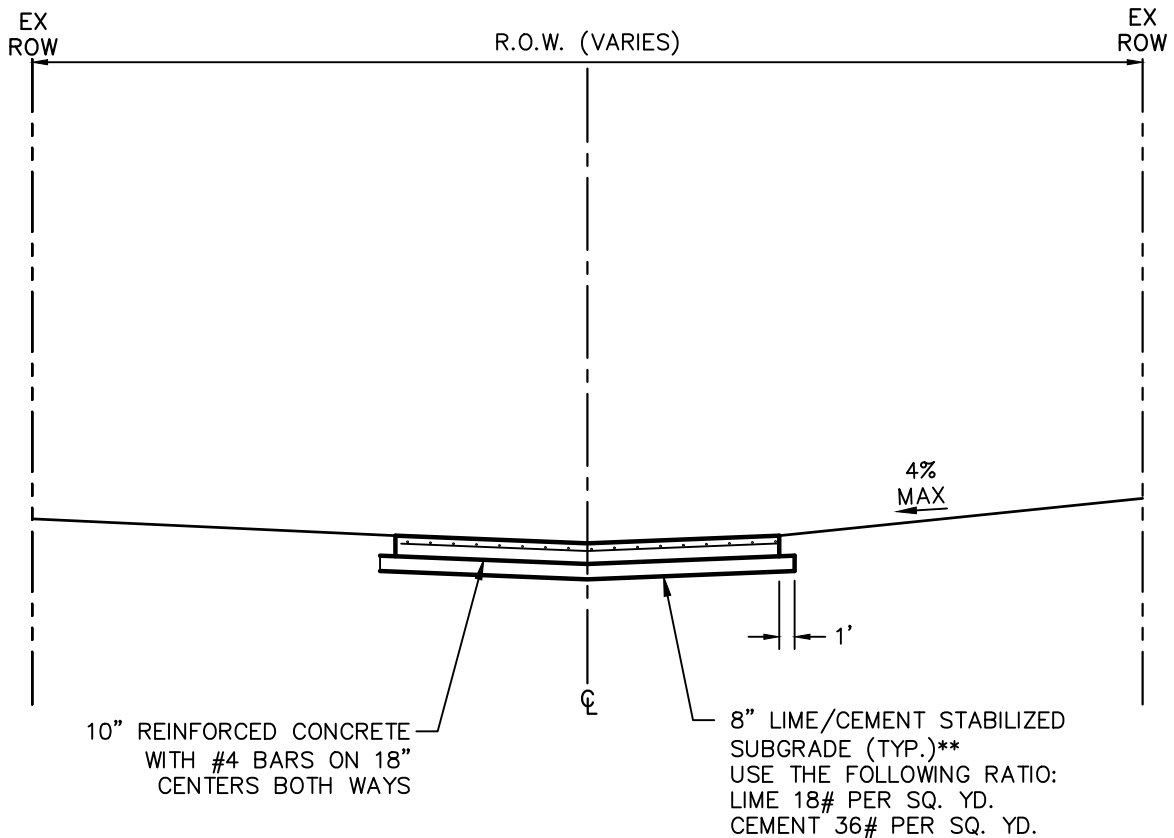
RECORD SIGNED COPY ON FILE AT PUBLIC WORKS <b>APPROVED</b>  XX-XX-XX <b>DATE</b>  THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.	<h1 style="margin: 0;">CITY OF BASTROP</h1> <h2 style="margin: 10px 0 0 0;">55.5' RIGHT-OF-WAY 3-LANE CONCRETE PAVING SECTION</h2>	DRAWING NO: XX-XX  <div style="border: 1px solid black; width: 100%; height: 50px; margin-top: 5px;"></div>
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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.

<p>RECORD SIGNED COPY ON FILE AT PUBLIC WORKS</p> <p>APPROVED</p>	<p style="text-align: center;"><b>CITY OF BASTROP</b></p> <p style="text-align: center;">RURAL ASPHALT PAVING SECTION</p>	<p>DRAWING NO: XX-XX</p>
<p>XX-XX-XX</p> <p>DATE</p>		
<p>THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.</p>		





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

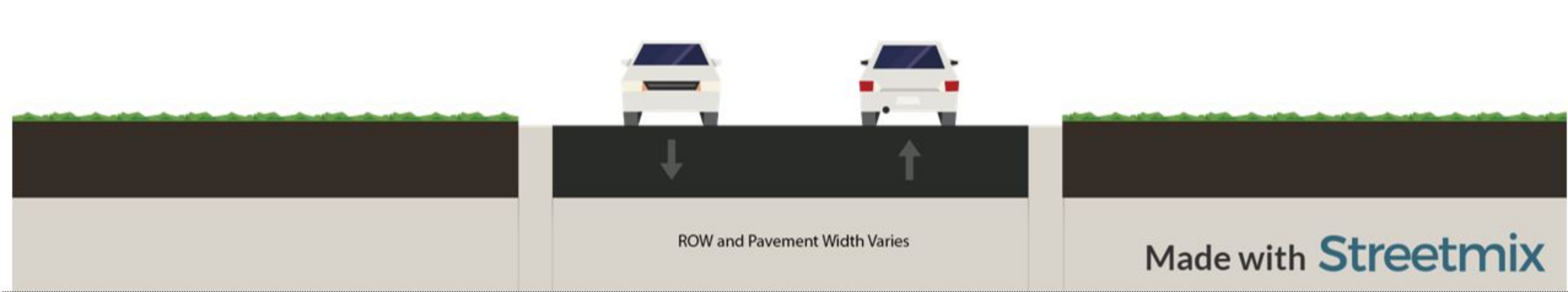
THE ARCHITECT/ENGINEER ASSUMES  
RESPONSIBILITY FOR THE APPROPRIATE  
USE OF THIS DETAIL.

CITY OF BASTROP

ALLEY PAVING SECTION

DRAWING NO:  
XX-XX

2/Proposed/Update - Client/Review/df

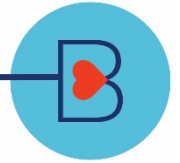


Street Type:	Two-way, Rural	Planter Type:	N/A
Right-of-Way Width:	Varies	Curb Type:	No curb, Mountable
Pavement Width	Varies	Place Types:	P2



## 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 187<sup>th</sup> 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.



## 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



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 foot, 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 inherent 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.



**Adopted on February 26, 2019 by Resolution R-2019-24**



# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 9F

**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 October 22, 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<sup>3</sup> Code. Public input was captured through a series of Rodeos, focusing on city design, and the B<sup>3</sup> 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<sup>3</sup> Code standards;
- The B<sup>3</sup>TM 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 October 22, 2019 agenda for a second reading.

**ATTACHMENTS:**

- Ordinance
- B<sup>3</sup> Code
- B<sup>3</sup> Code Modification List
- Building Bastrop Policy Statement





## 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 8th day of October 2019.

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

**APPROVED:**

*by*

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney



# **BASTROP BUILDING BLOCK (B<sup>3</sup>) CODE**



**CITY OF BASTROP, TEXAS**  
ADOPTION: October 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

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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  
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## **DEFINITIONS**

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# EXECUTIVE SUMMARY

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

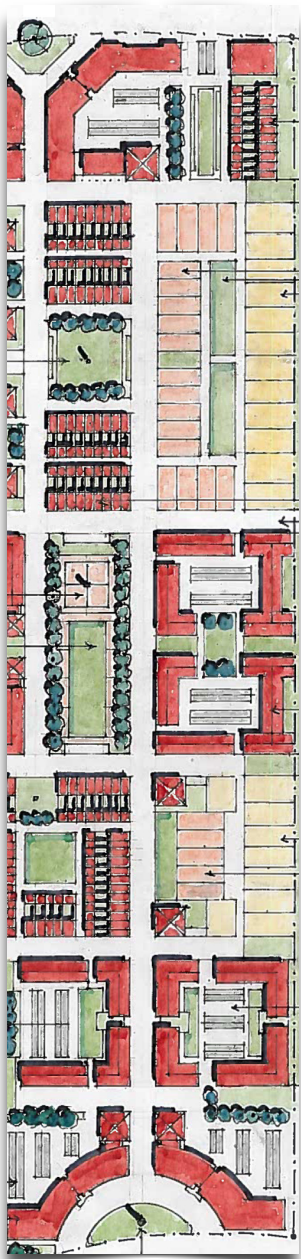
**“To create a fiscally sustainable community through land-use Standards that are authentically Bastrop and geographically sensitive.”**

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<sup>3</sup> Code. Public input was captured through a series of Rodeos, focusing on City design, and the B<sup>3</sup> 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:

- B<sup>3</sup> Code Standards;**
- B<sup>3</sup> 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.

### **B<sup>3</sup> 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

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## THE CITY

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### 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.

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## THE NEIGHBORHOOD

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### 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.



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## THE BUILDING BLOCK AND THE BUILDING

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### 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 B<sup>3</sup> 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.

## B<sup>3</sup> DEVELOPMENT TABLES

The following B<sup>3</sup> 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
<b>BLOCKS - SEC. 7.4.002</b>						
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
<b>STREETS - ARTICLE 7.2</b>						
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
<b>PEDESTRIAN SHEDS</b>						
PLACE TYPE ALLOCATION PER PED SHED*	Varies	Varies	10-35%	25-75%	5-20%	

\* Place Type allocation for Traditional Neighborhood Development.

<b>CIVIC SPACE - ARTICLE 7.5</b>						
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
<b>BUILDING TYPES - ARTICLE 6.5</b>						
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
<b>ENCROACHMENT TYPES - SEC. 6.5.002</b>						
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

#### 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	

#### FIRST LAYER ENCROACHMENTS - SEC. 6.5.002

OPEN PORCH	NP	50% max	50% max	80% max	NP	
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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	
<b>R.O.W. ENCROACHMENTS - SEC. 6.5.002</b>						
AWNING, GALLERY, OR ARCADE				to within 2 ft. of the Curb		
<b>ENCROACHMENT DEPTHS - SEC. 6.5.002</b>						
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.	
<b>PARKING LOCATION - SEC. 6.3.006</b>						
SECOND LAYER		P	P	NP	NP	
THIRD LAYER		P	P	P	P	
<b>SIGNAGE - CH. 8</b>						
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

	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	
<b>PUBLIC LIGHTING TYPES - SEC. 7.5.005</b>						
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

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### B<sup>3</sup> CODE DEVELOPMENT ELEMENTS

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**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.

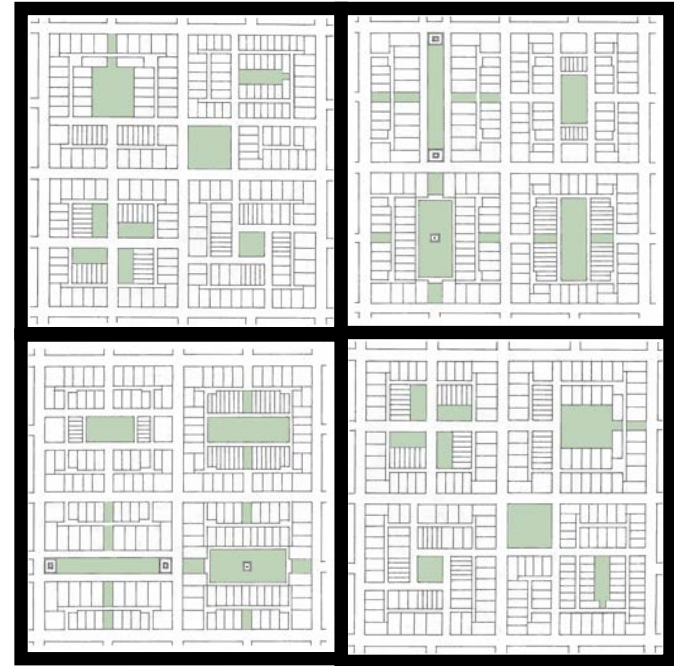
- |                   |                        |                  |
|-------------------|------------------------|------------------|
| P1 - Nature       | P4 - Neighborhood Mix  | CS - Civic Space |
| P2 - Rural        | P5 - Core              |                  |
| P3 - Neighborhood | EC - Employment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

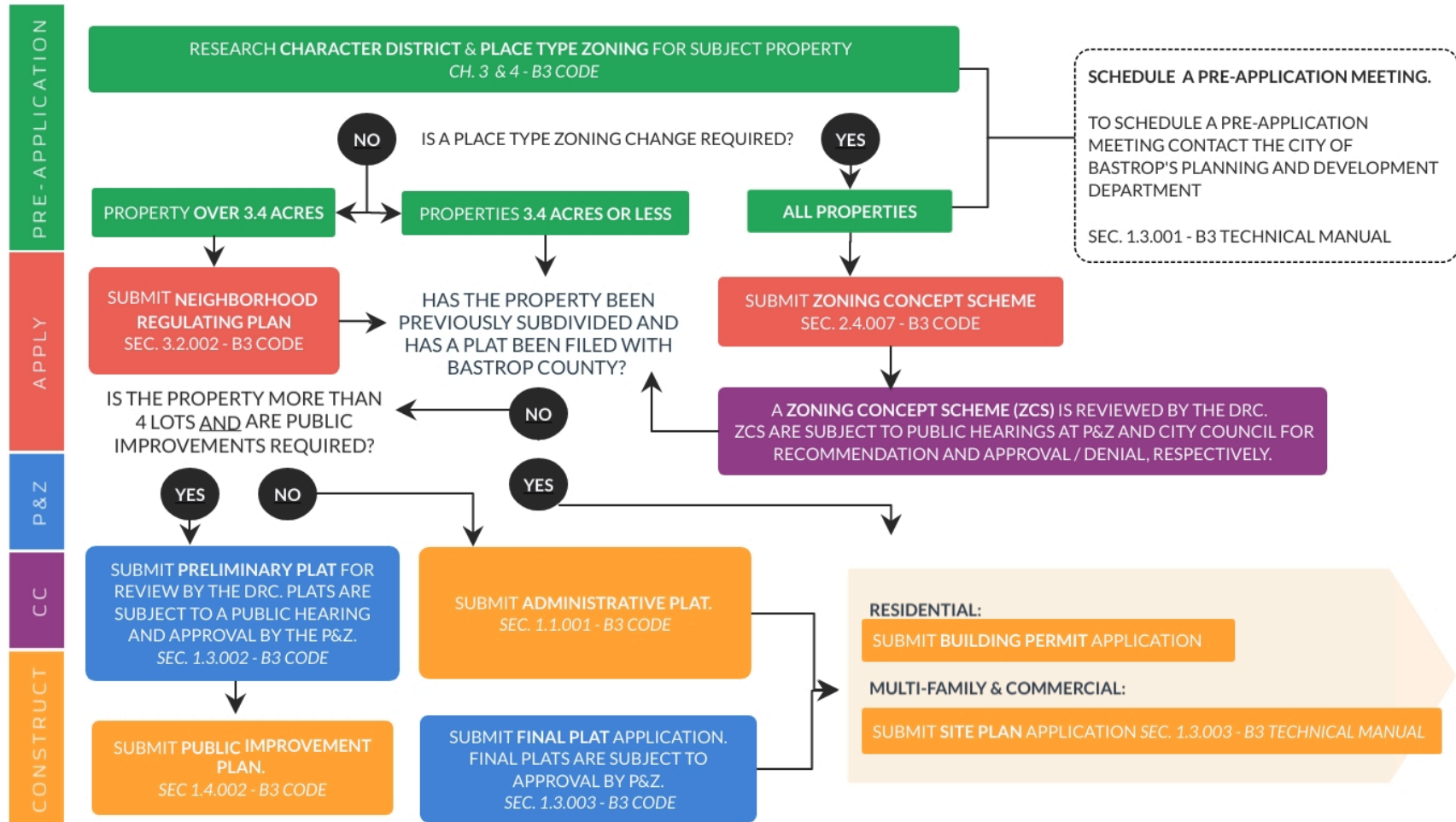
**Building Types-** Building Types correspond to the Place Types and Street Types. Building Types are contained within each Place Type to confirm the intensity of development aligns with the infrastructure and building forms to support the wide variety of Building Types.



Block Examples for illustrative purposes

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

## B<sup>3</sup> 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:
  - (1) Laying out any Subdivision of land or any addition to the City, or
  - (2) Laying out lots, Streets, alleys, parks or other portions of property intended for public use, or
  - (3) 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.

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## **ARTICLE 1.2 PURPOSE, AUTHORITY, JURISDICTION**

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### **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 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<sup>3</sup> Technical Manual is hereby adopted by reference as if set forth in full. The B<sup>3</sup> 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.

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## ARTICLE 1.3 PLATTING PROCEDURES

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### 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<sup>3</sup> 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<sup>3</sup> 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 B<sup>3</sup> 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.

(2) 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.

(b) **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.

(c) **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.

(d) **Step 4: TxDOT.** All TxDOT requirements in Section 3.2.1 Administration and Review of the B<sup>3</sup> 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.

(e) **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.

(f) **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 B<sup>3</sup> 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<sup>3</sup> 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.

(c) 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.

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**ARTICLE 1.4 STANDARD DIVISION DESIGN REQUIREMENTS**

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**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 B<sup>3</sup> 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 B<sup>3</sup> 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





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## **ARTICLE 2.1 GENERAL**

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### **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.

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## **ARTICLE 2.2 ZONING ORDINANCE**

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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.

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## **ARTICLE 2.3 ENACTING PROVISIONS**

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### **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 B<sup>3</sup> 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 B<sup>3</sup> Code and be prepared to make such recommendations to the City Council as deemed necessary to keep the City's Comprehensive Plan and B<sup>3</sup> 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.

(c) 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 B<sup>3</sup> 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 B<sup>3</sup> 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 Zoning Board of Adjustment 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.

(j) 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<sup>3</sup> 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<sup>3</sup> 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<sup>3</sup> 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 within 10 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 the Texas 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.

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## ARTICLE 2.5 PENALTIES

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### 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



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## **ARTICLE 3.1 PLACE TYPE ZONING DISTRICTS**

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### **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.

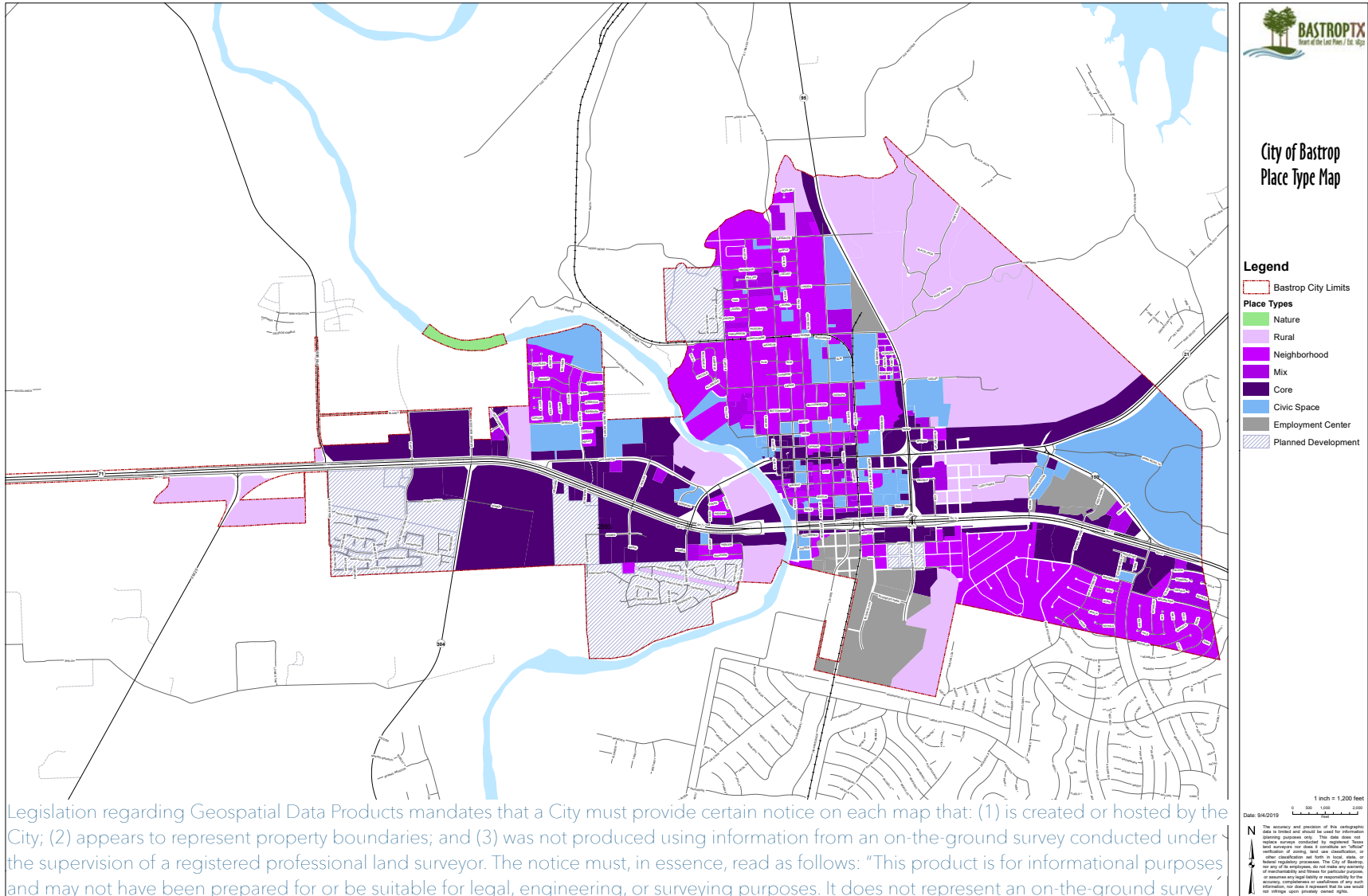




### **PDD: Planned Development Districts**

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

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**ARTICLE 3.2 PLACE TYPE STANDARDS**  
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**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<sup>3</sup> 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.
- (a) 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	68.5	27.0	31.4	18.7	240.0
21%	18%	29%	11%	13%	8%	100%

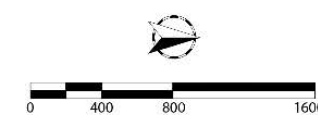


**PLACE TYPES**

- PDD
- P1 - Nature
- P2 - Rural
- P3 - Neighborhood
- P4 - Mix
- P5 - Core
- Employment Center
- Railroads

**CIVIC SPACES**

- Civic Building
- Civic Space
- Civic Parking
- 1/4 Mile Pedestrian Shed



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



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## ARTICLE 4.1 GENERAL

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### 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<sup>3</sup> 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.

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## ARTICLE 4.2 GENERAL

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### 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.

- i. 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) **New 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.

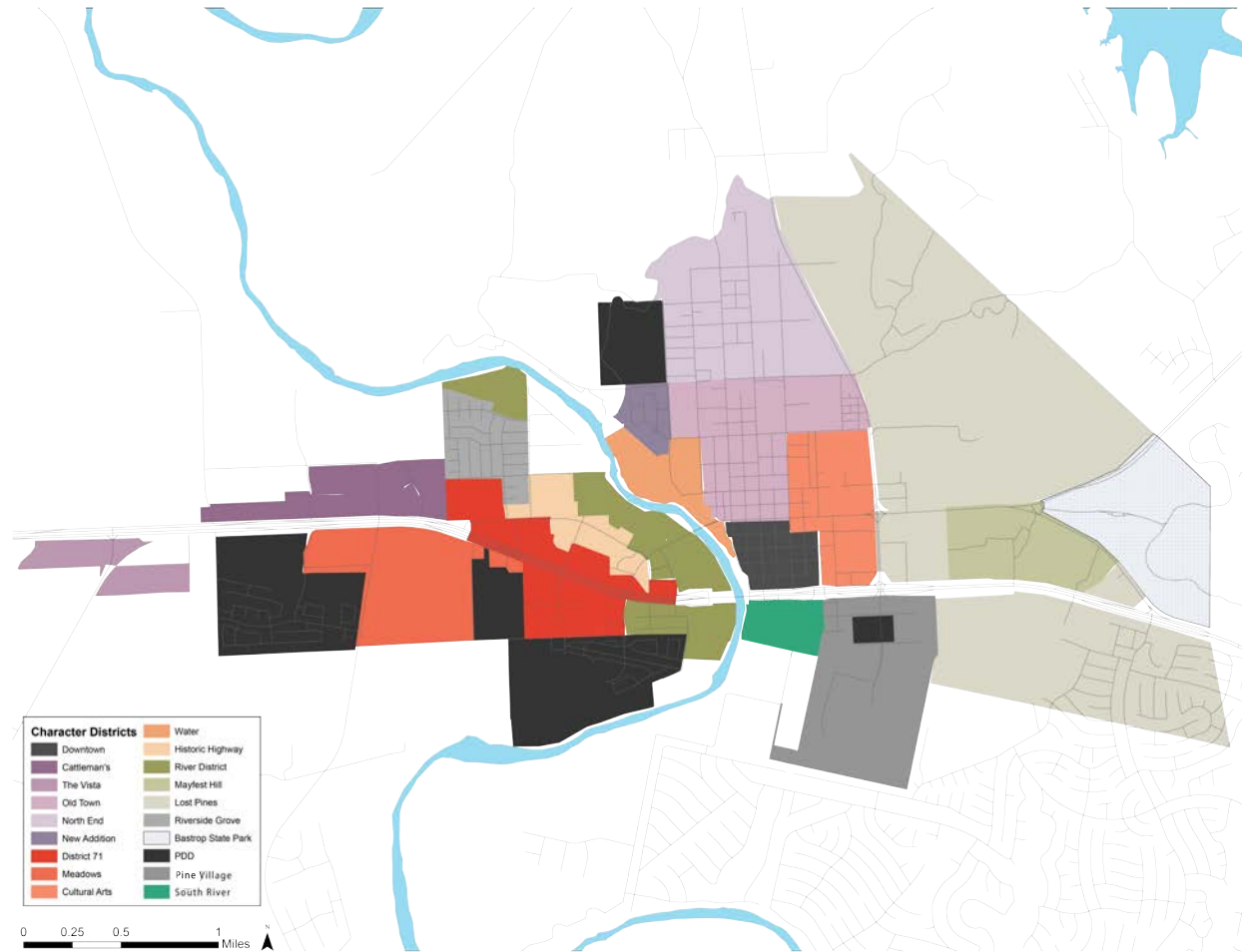
#### **SEC. 4.2.002 CHARACTER DISTRICT DEVELOPMENT PATTERNS**

Each Character District is comprised of different natural environments, built patterns, 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



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## ARTICLE 5.1 INTENT OF DEVELOPMENT PATTERNS

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- (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<sup>3</sup> Technical Manual) configurations suitable for different geographies and Character Districts.
- (c) The B<sup>3</sup> 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.

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## ARTICLE 5.2 DEVELOPMENT PATTERN STANDARDS

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### 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 considered Civic 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**

	<b>TND</b>	<b>CLD</b>	<b>VCD</b>
<b>Cattleman’s</b>	P	NP	P
<b>Cultural Arts District</b>	P	NP	NP
<b>District 71</b>	P	NP	P
<b>Downtown</b>	P	NP	NP
<b>Ferry</b>	P	NP	P
<b>Historic Highway</b>	P	NP	NP
<b>Lost Pines</b>	NP	P	P
<b>Mayfest Hill</b>	P	P	P
<b>Meadows</b>	P	NP	P
<b>New Addition</b>	P	NP	NP
<b>North End</b>	P	NP	NP
<b>Old Town</b>	P	NP	NP
<b>Pine Village</b>	P	NP	NP
<b>River</b>	P	P	P
<b>Riverside Grove</b>	P	NP	NP
<b>South River</b>	P	NP	NP
<b>Vista</b>	P	NP	P

P = PERMITTED    NP = NOT PERMITTED    \* Districts not included: Bastrop State Park & PDD



# **CHAPTER 6: PRIVATE REALM DEVELOPMENT STANDARDS**



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## ARTICLE 6.1 GENERAL

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### 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<sup>3</sup> Flowchart within the Introduction of this Code.

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## ARTICLE 6.2 PERMITTING REQUIREMENTS

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(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<sup>3</sup> Technical Manual for Site Plan Review requirements.

B. See the Bastrop Development Manual for review timeline and Site Plan Checklists.

i. Lot Lines;

ii. Building placement;

ii. Lot Occupation;

- iii. IBC Building Separation Requirements/ Setbacks;
- (iv) Private Frontage;
- (v) Building Type and use, height, and the arrangement of windows and doors;
- (vi) Parking location & number of parking spaces;
- (vii) Existing or proposed easements or right-of-way, within or abutting the Lot where Development is being proposed;
- (viii) The dimensions of any Street, Sidewalk, Alley 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 Plan;
- (ix) On-site and off-site circulation (including truck loading and pickup areas) and fire lanes;
- (x) Existing topography and proposed grading;
- (xi) Landscape plan with identified Existing Trees on Site;
- (xii) Location and size of proposed utilities;

- (xiii) Location, size, and materials of screening; and,
- (xiv) Engineering for Streets and utilities.

- (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.

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## **ARTICLE 6.3 GENERAL LOT STANDARDS**

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### **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.

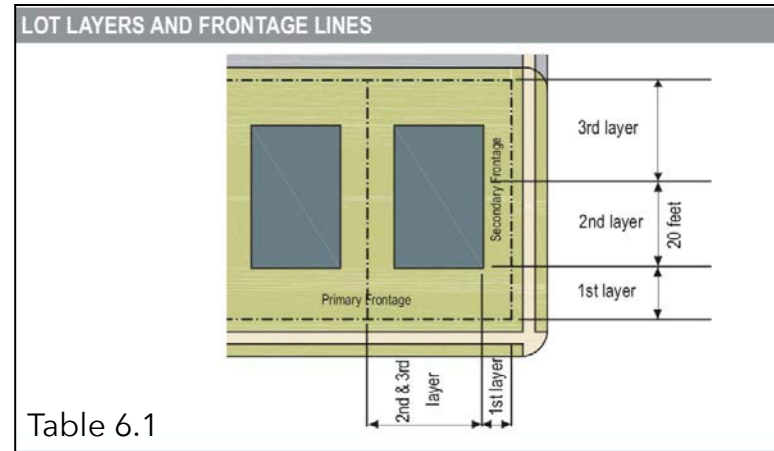
(2) The Second Layer is the area of the Lot set behind the First Layer to a depth of 20 feet in all Place Types.

(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



### 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.

(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.

### Measuring Tree Size for Existing Trees

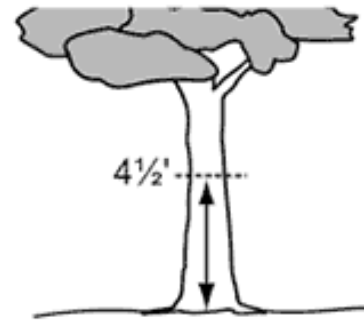


Figure 6.3A

### Measuring Existing Trees with an Angle or on Slope

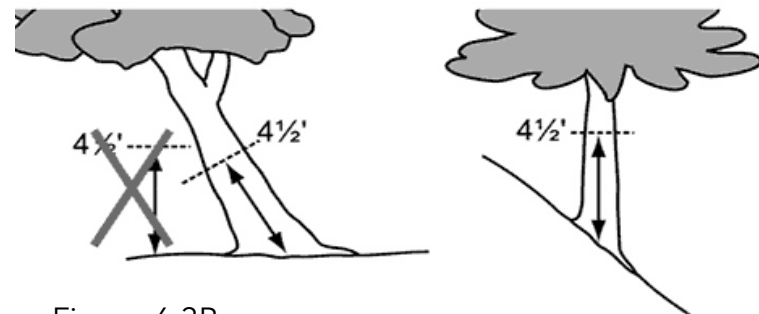


Figure 6.3B

(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<sup>3</sup> 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<sup>3</sup> 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.

(c) 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.

(d) P5 shall establish parking maximums based on the market demands per use as determined by the DRC at the time of Application.

(e) On-site surface parking must be located in the Second Layer or Third Layer of each Lot as defined by the Place Types Standards.

A. Residential garage access is permitted from the public Street or from an Alley. Access may be taken from the Street on corner lots, in which case the garage doors may face the side Street.

B. Residential garage front facades must begin in the Third Layer.

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.

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<sup>3</sup> Technical Manual.
- (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<sup>3</sup> 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. 6.3.008 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.

### **SEC. 6.3.009 PRIVATE FRONTAGE**

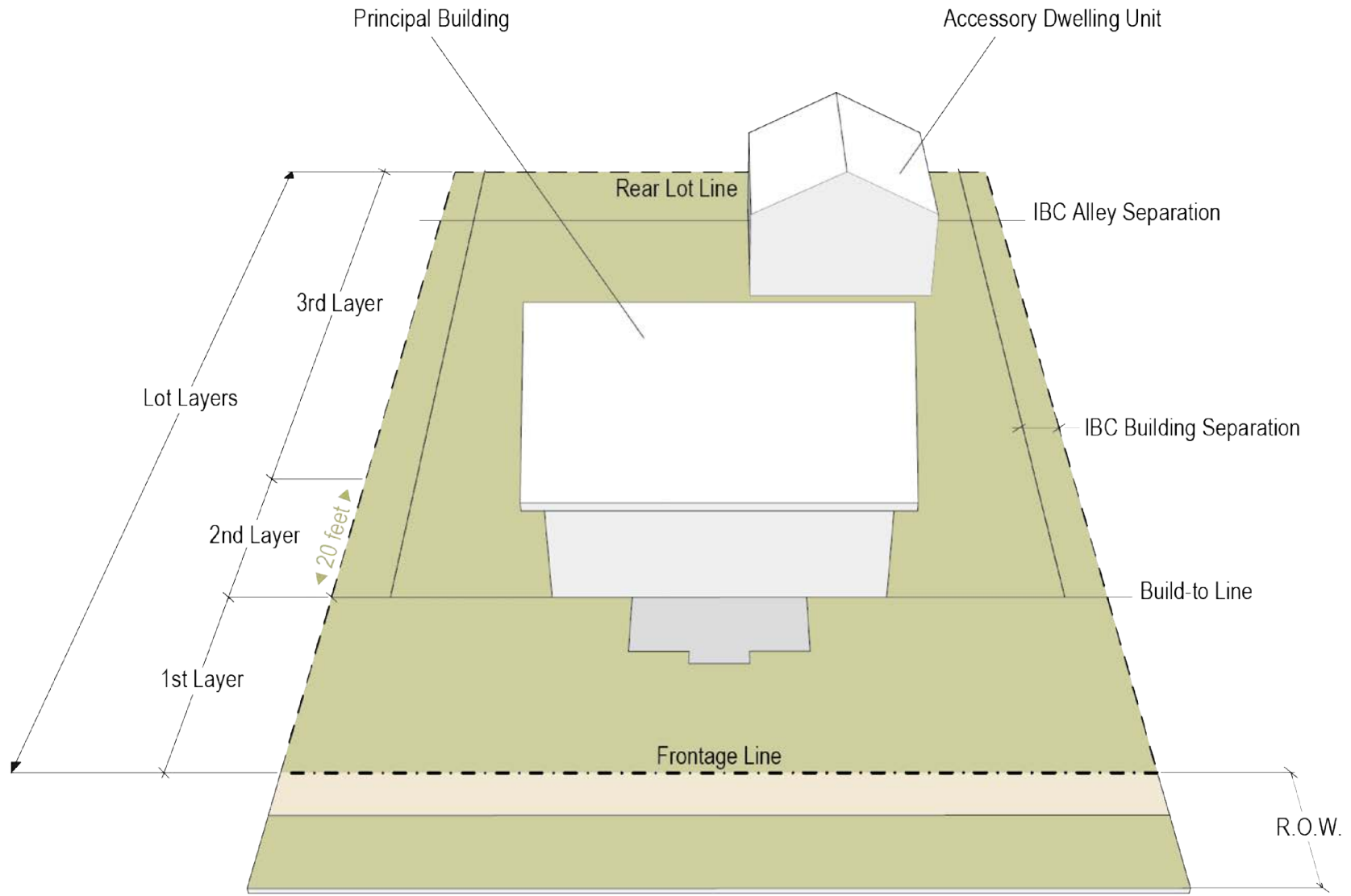
- (a) Permitted Encroachments into the First Layer of any Lot are specified in Section 6.5.002, Permitted Encroachments per Place Type. Terminology used to identify these elements is diagrammed for illustrative purposes only.
- (b) The Facade of the Principal Building shall be built parallel to the Frontage 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**

<b>BUILDINGS</b>	
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.
<b>LOT LAYERS</b>	
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.
<b>LOT</b>	
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



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## ARTICLE 6.5 BUILDING TYPES

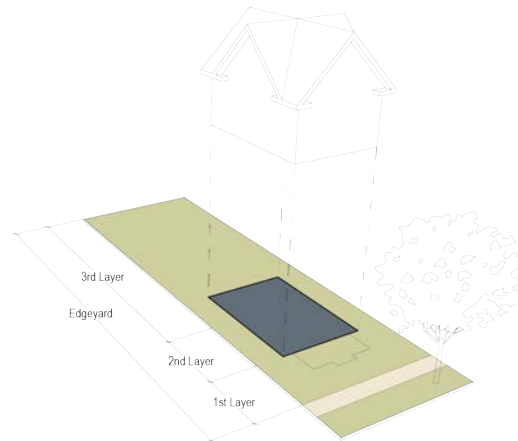
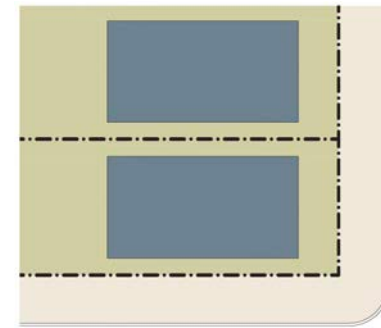
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### (a) EDGEYARD

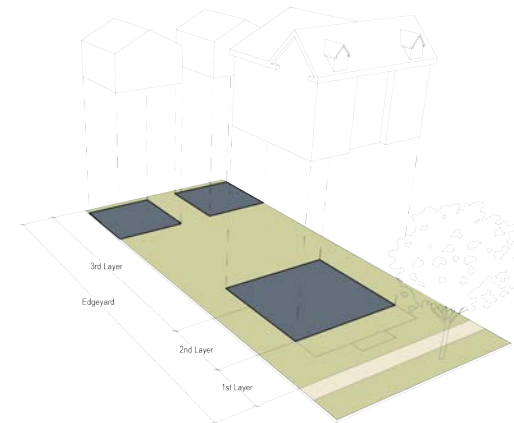
The placement of a Building within the boundaries of its Lot to create an Edgeyard around the Building, with IBC separation on all sides. This is the least urban of types as the front yard sets the Building back from the Public Frontage, while the side yards weaken the spatial definition of the Thoroughfare in front of the Building.

Variants:, House, Duplex, Triplex, Fourplex

### GENERAL PLACEMENT



**HOUSE**



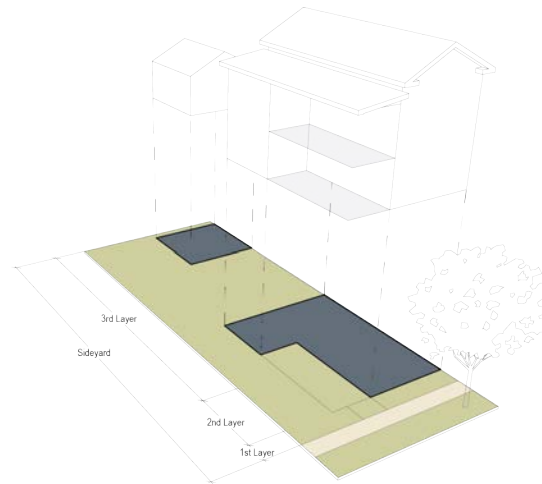
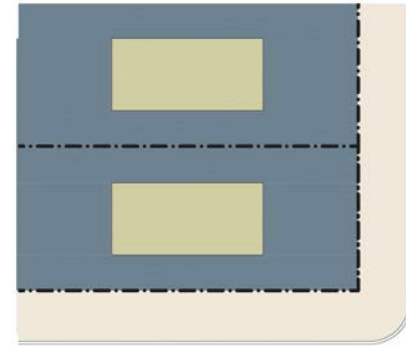
**DUPLEX, TRIPLEX, FOURPLEX**

**(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**



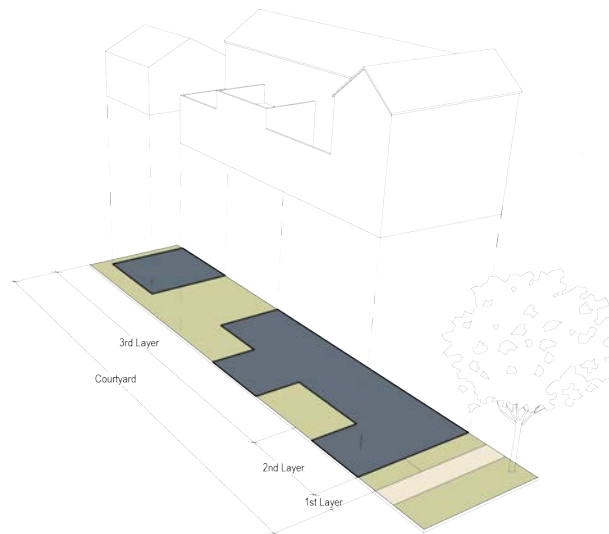
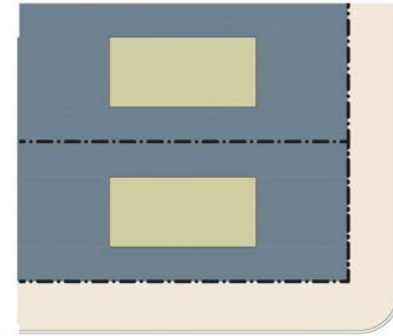
**SIDEYARD**

**(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**



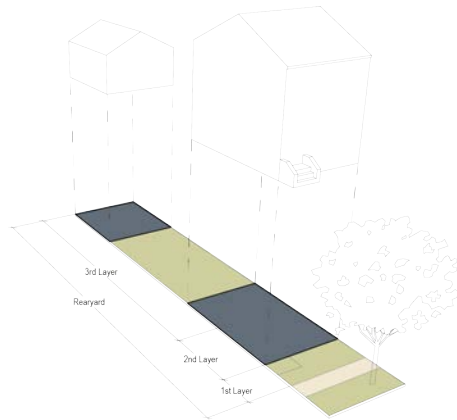
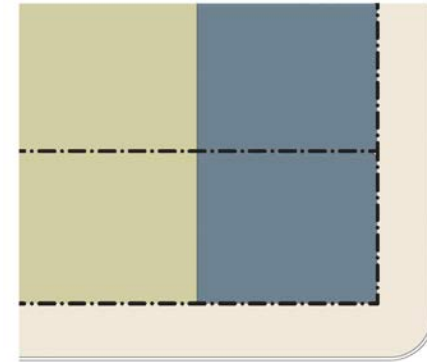
**COURTHOUSE**

**(d) REARYARD**

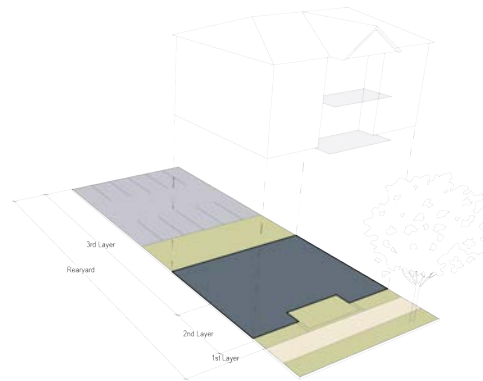
The placement of a Building within the boundaries of its Lot to create a Rearyard, leaving the rear of the Lot as private space or available for dedicated parking in its Commercial form. Common walls shared with adjacent buildings create a continuous Facade along the Frontage Line that steadily defines the public 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,

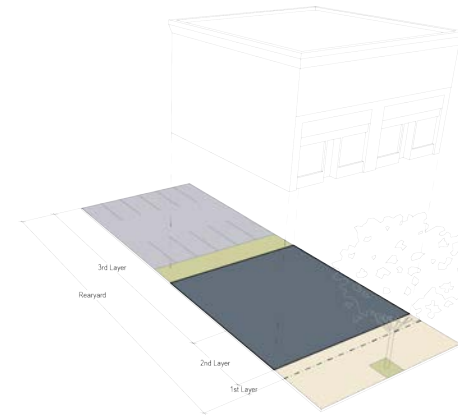
**GENERAL PLACEMENT**



**ROWHOUSE**



**APARTMENT BUILDING**



**COMMERCIAL BUILDING**

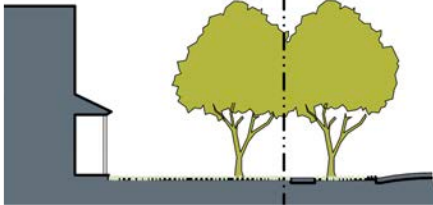
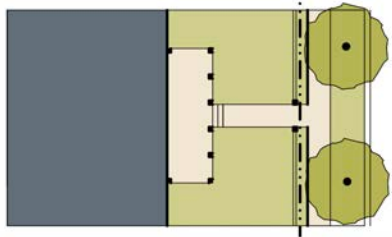
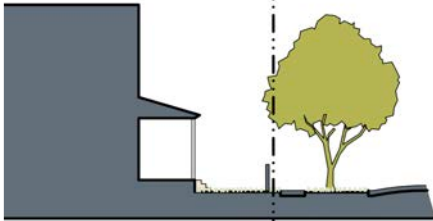
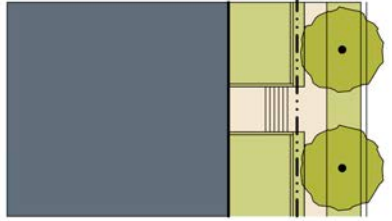
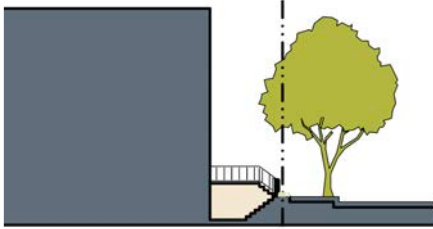
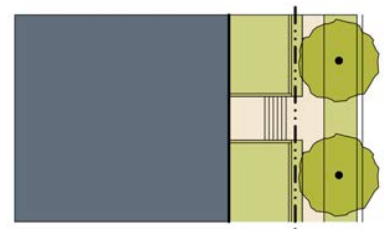


**SEC 6.5.001 PERMITTED BUILDING TYPES PER PLACE TYPE**

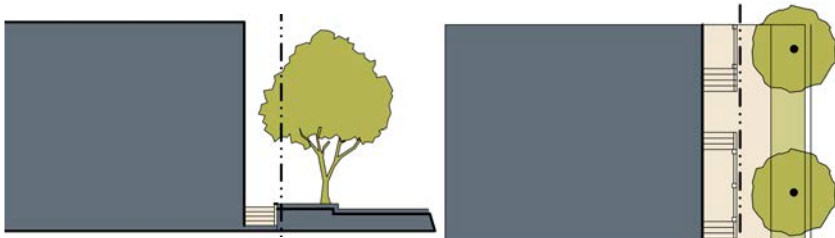
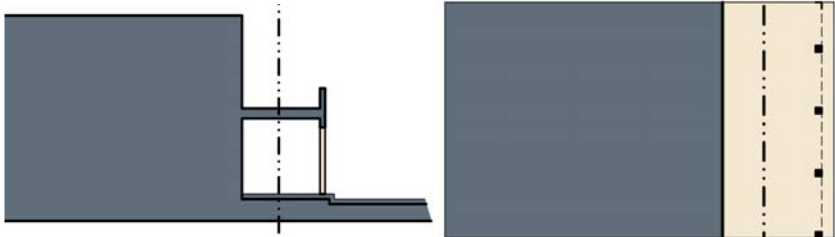
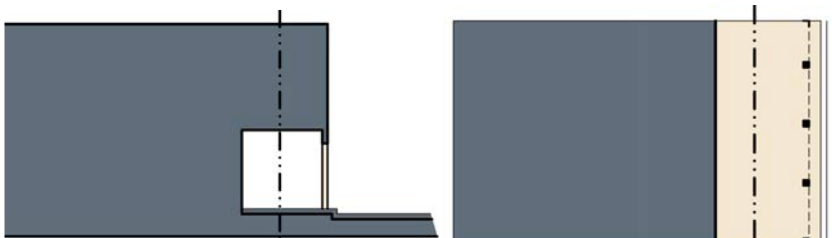
	P1	P2	P3	P4	P5
<b>A: REARYARD</b>					
COMMERCIAL BUILDING	NP	NP	NP	NP	P
APARTMENT BUILDING	NP	NP	NP	P	P
ROWHOUSE	NP	NP	NP	P	P
<b>B: SIDEYARD</b>					
SIDEYARD	NP	NP	NP	P	P
<b>C: COURTYARD</b>					
COURTYARD HOUSE	NP	NP	NP	P	P
<b>D: EDGEYARD</b>					
RANCH HOUSE, VILLA	NP	P	P	NP	NP
HOUSE	NP	P	P	P	NP
DUPLEX	NP	P	P	P	NP
TRIPLEX, FOURPLEX	NP	NP	NP	P	NP

P = PERMITTED      NP = NOT PERMITTED



**SEC. 6.5.002 PERMITTED ENCROACHMENTS PER PLACE TYPE**

	Private Realm	Public Realm	P3	P4	P5	DESCRIPTION
PORCH			P	P	NP	A porch covered raised platform at the entrance to a building.
DOORYARD			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 = PERMITTED    NP = NOT PERMITTED

**SEC. 6.5.003 BUILDING STANDARDS PER PLACE TYPE**

Place Types	P1	P2	P3	P4	P5
<b>A. LOT OCCUPATION</b>					
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>B. BUILDING HEIGHT (STORIES)</b>					
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

<b>C. ENCROACHMENTS</b>					
<b>First Layer Encroachments</b>					
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

<b>R.O.W. Encroachments ***</b>					
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
<b>First Layer Encroachment Depths</b>					
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.
<b>D. PARKING LOCATION</b>					
Second Layer		P	P	NP	NP
Third Layer		P	P	P	P
*** Required to go through an Encroachment process					

**SEC. 6.5.004 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. 6.5.005 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. 6.5.006 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. 6.5.007 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. 6.5.008 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. 6.5.009 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. 6.5.010 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

<u>Table 1</u>	<b>Governmental Owned Rating</b>
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

property line is considered 5 feet beyond the actual property line.

(2) Shall be rated and installed with the upright 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.

(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

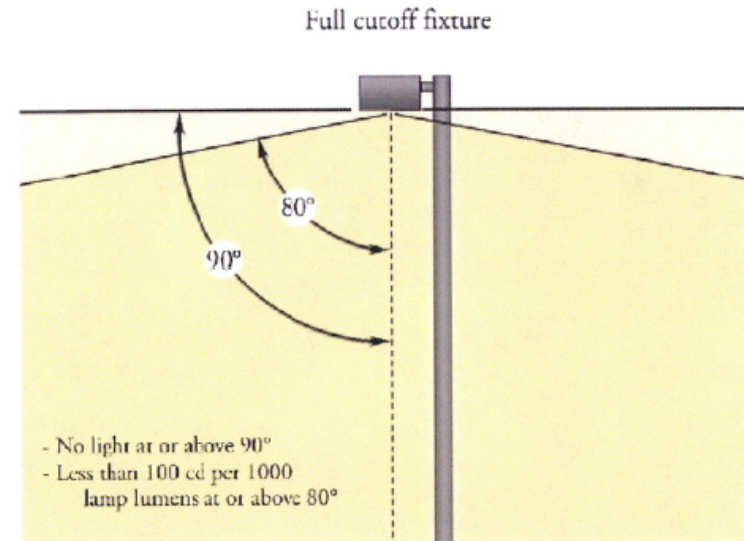
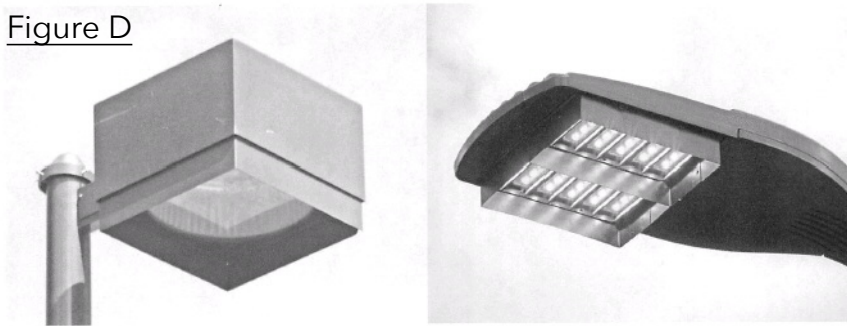


Figure C

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.

(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;



Figure E

(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 fixture(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).

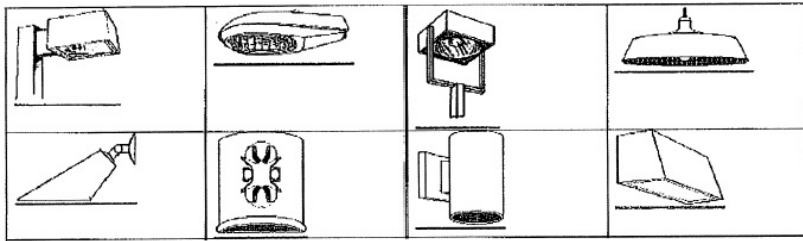


Figure F

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.

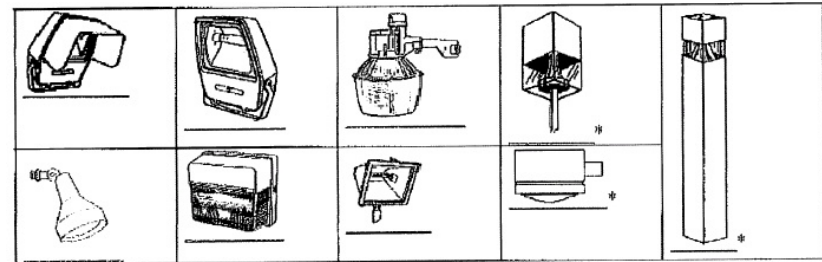


Figure G

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. 6.5.011 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.



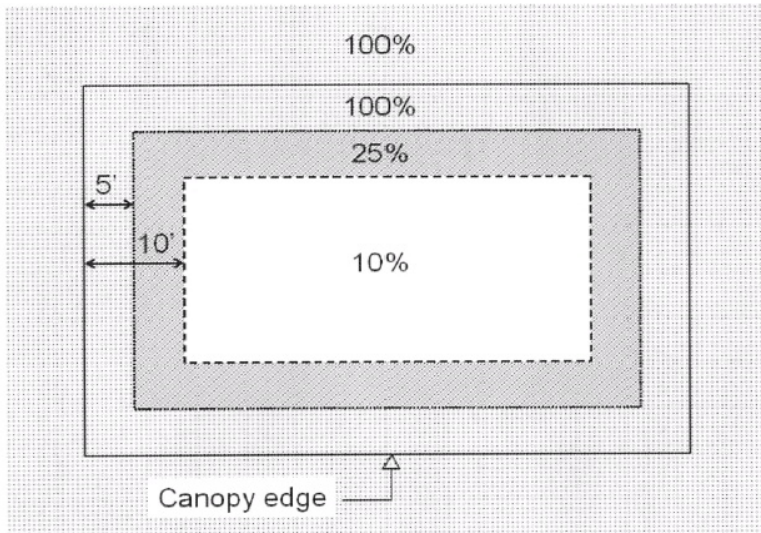


Figure I.

Figure I: Plan view of a canopy, showing fixture location and initial lamp output percentage counted toward total lumens.

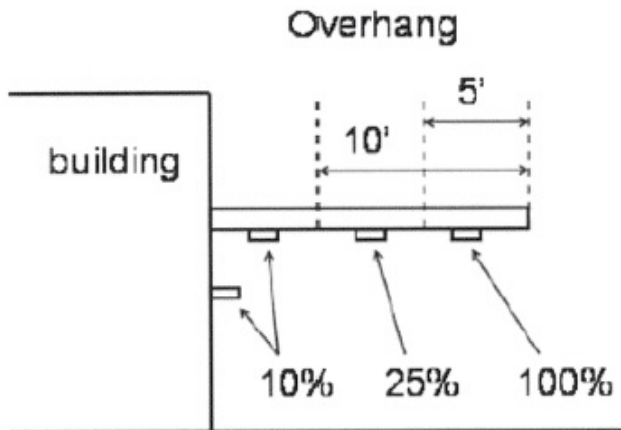


Figure J.

(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. 6.5.012 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.

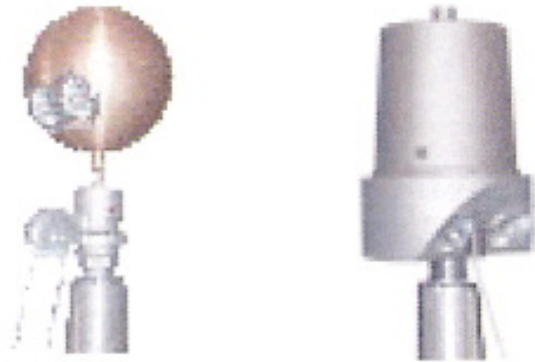


Figure K.

**SEC. 6.5.013 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. 6.5.014 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. 6.5.015 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. 6.5.016 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. 6.5.017 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. 6.5.018 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



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## ARTICLE 7.1 STREETS & PUBLIC REALM

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### 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.

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## ARTICLE 7.2 NEW STREETS

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### 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.

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### ARTICLE 7.3 STREET TYPES

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- (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<sup>3</sup> 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<sup>3</sup> Code.

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

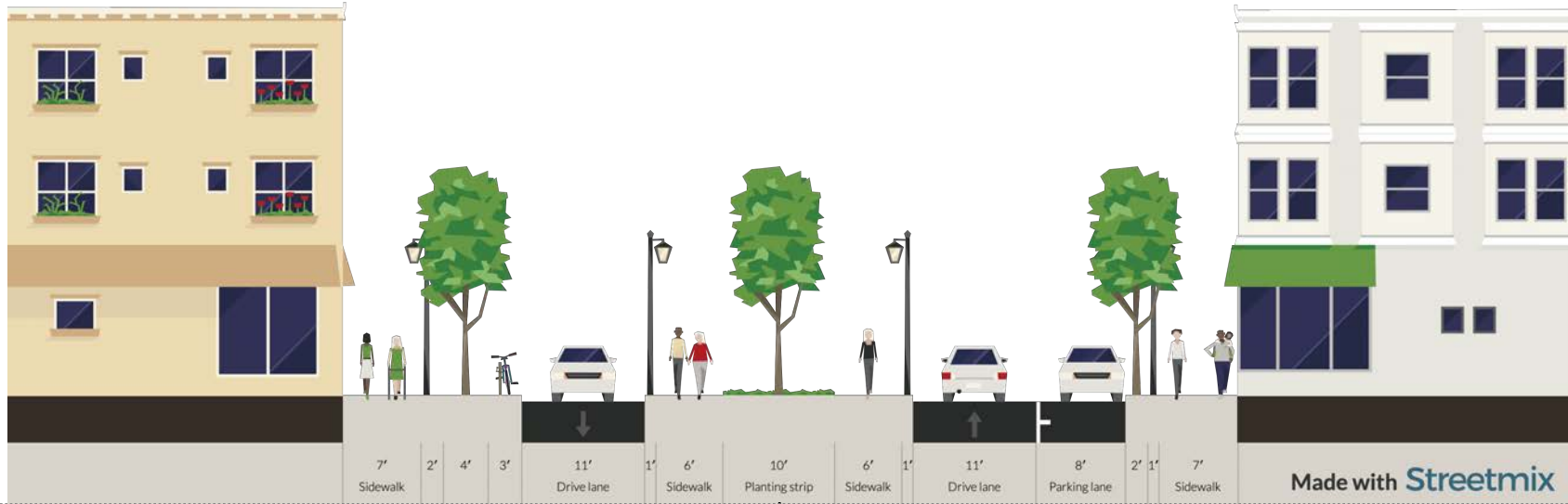
or activity centers, as well as providing local cross-City route alternatives to the major highway routes. These Streets should be designed as walkable, low-to-moderate speed Thoroughfares that carry both through and local traffic, pedestrians, and bicyclists. These Streets are also important connections 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).

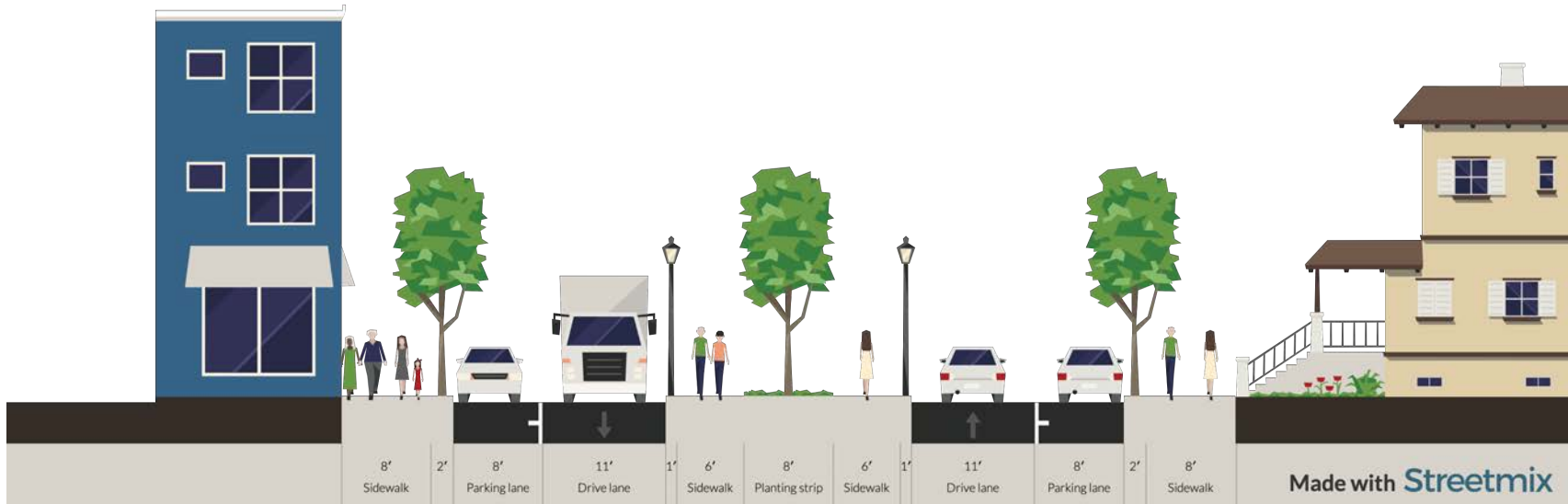
- (3) **Rural Streets** (R.O.W. varies) - provide local access to rural areas primarily characterized by large lots, Farm Lot scale developments or Open Space. Due to environmental protections, rolling terrain, and low-density Development context, a rural cross section and design elements are recommended.

**SEC. 7.3.001 PRIMARY MULTIMODAL STREET: BOULEVARD**



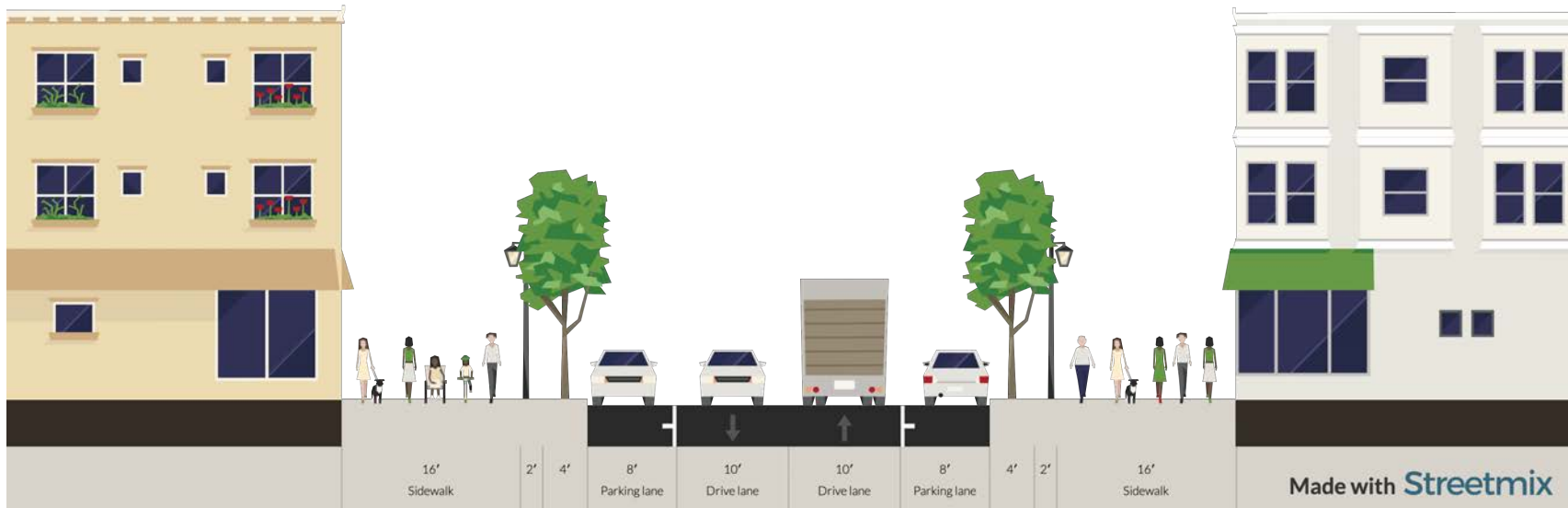
<b>Street Type:</b>	Boulevard is a two-way Street with a median, non-continuous parking on both sides, and multi-modal driving lanes	<b>Planter Type:</b>	Continuous planter
<b>Right-of-Way Width:</b>	80 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	30 feet	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	30 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5
<b>Traffic Lanes:</b>	Two lanes at 11 feet each	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	Non-continuous parking on both sides with Curb Extensions at corners and mid-Block.	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	15 feet	<b>Street Lights:</b>	Shielded Post and Column type
<b>Walkway Type</b>	10-15 feet Sidewalk	<b>Place Types:</b>	P4, P5

**SEC. 7.3.002 PRIMARY MULTIMODAL STREET: AVENUE**



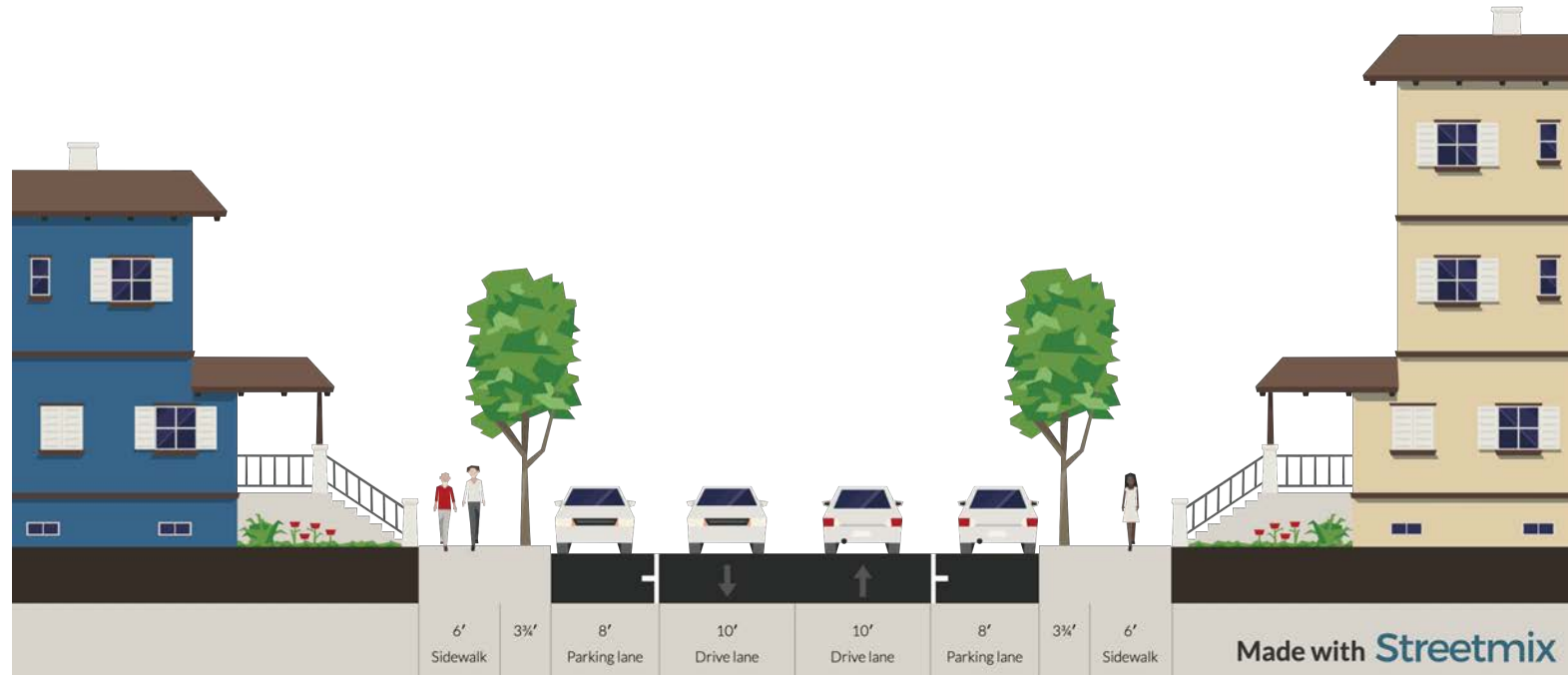
<b>Street Type:</b>	Two-way Street with Parking	<b>Planter Type:</b>	Continuous planter
<b>Right-of-Way Width:</b>	80 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	36 feet	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	30 MPH	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Traffic Lanes:</b>	Two lanes at 11 feet each	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Parking Lanes</b>	Both sides parallel at 8 feet, marked	<b>Street Lights:</b>	Shielded Post and Column type
<b>Curb Radius</b>	10 feet	<b>Place Type</b>	P3, P4, P5
<b>Walkway Type</b>	6-15 feet Sidewalk	<b>Building Types Allowed</b>	See B <sup>3</sup> Code Article 6.5

**SEC. 7.3.003 PRIMARY MULTIMODAL STREET: REGIONAL COMMERCIAL**



<b>Street Type:</b>	Two-way Street with parking	<b>Planter Type:</b>	Tree Well
<b>Right-of-Way Width:</b>	80 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	36 feet	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	25 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Article 6.5
<b>Traffic Lanes:</b>	Two lanes at 10 feet each	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	Both sides parallel at 8 feet, marked	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	15 feet	<b>Street Lights:</b>	Shielded Post and Column type
<b>Walkway Type</b>	16-foot Sidewalk	<b>Place Types:</b>	P5

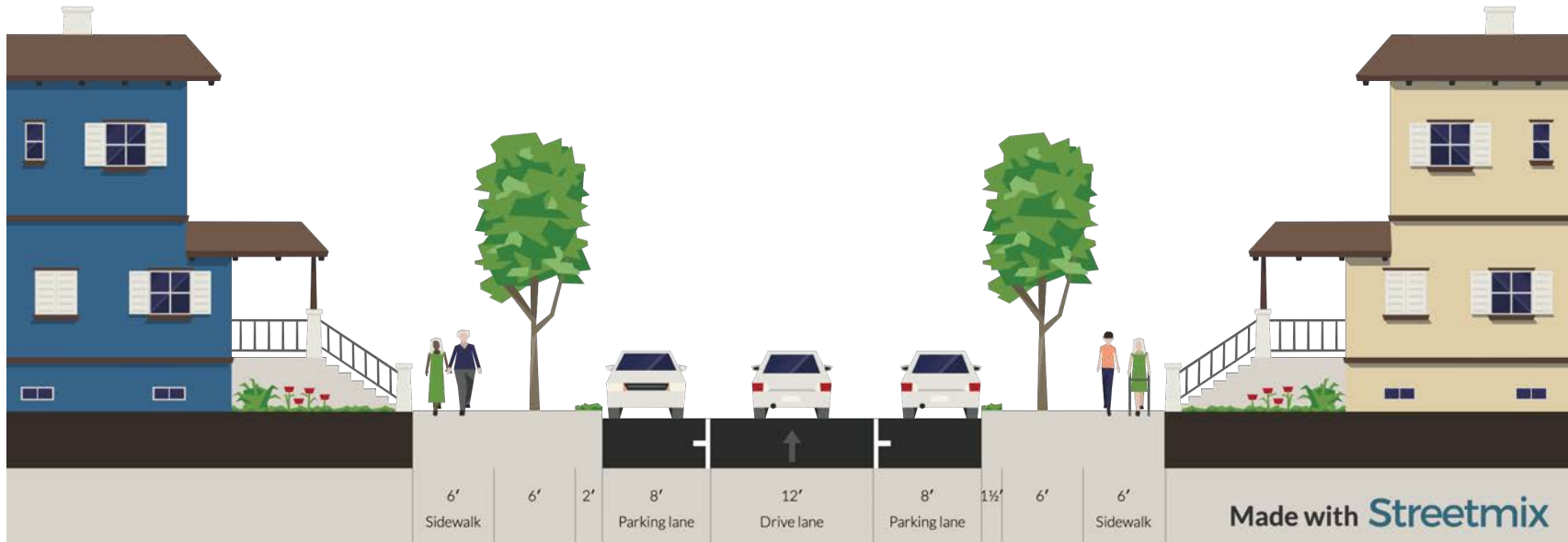
**SEC. 7.3.004 LOCAL CONNECTOR STREET: CONNECTOR**



<b>Street Type:</b>	Two-way Street with parking	<b>Planter Type:</b>	Continuous planter
<b>Right-of-Way Width:</b>	55.5 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	36 feet	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	25 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Article 6.5
<b>Traffic Lanes:</b>	Two lanes at 10 feet each	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	Both sides parallel at 8 feet, marked	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	15 feet	<b>Street Lights:</b>	Shielded Post and Column type
<b>Walkway Type</b>	6-foot Sidewalk	<b>Place Types:</b>	P3, P4, P5

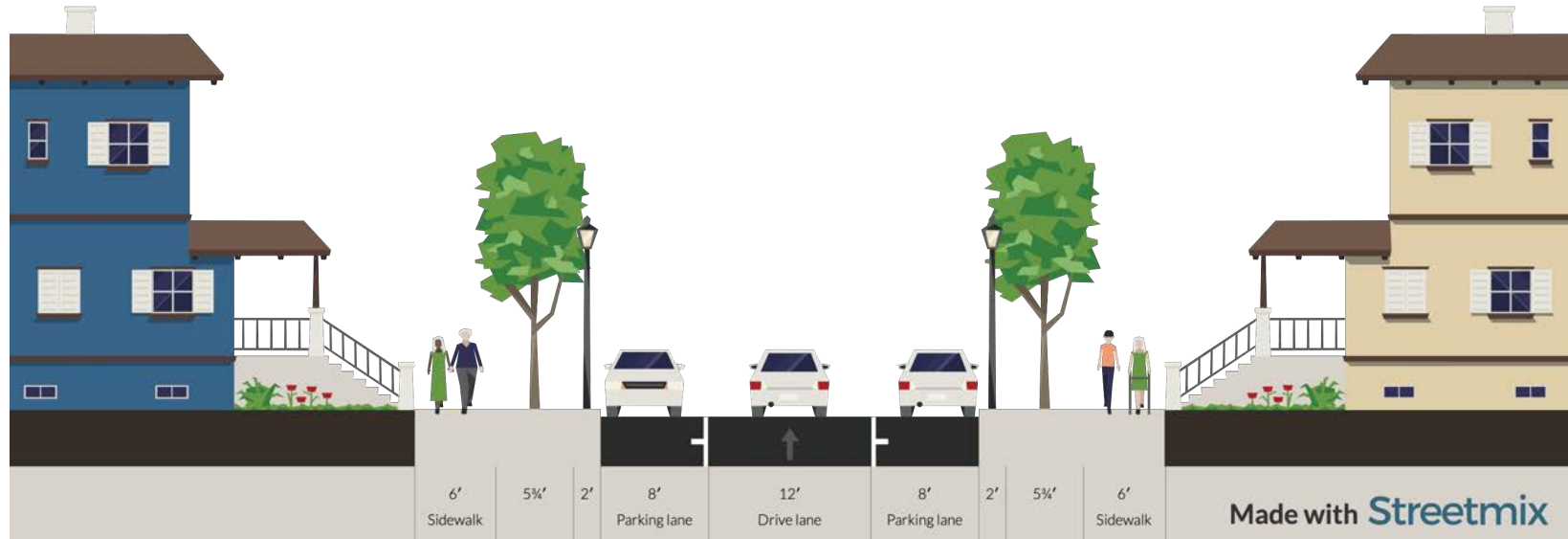


**SEC. 7.3.005 LOCAL CONNECTOR STREET: NEIGHBORHOOD STREET A**



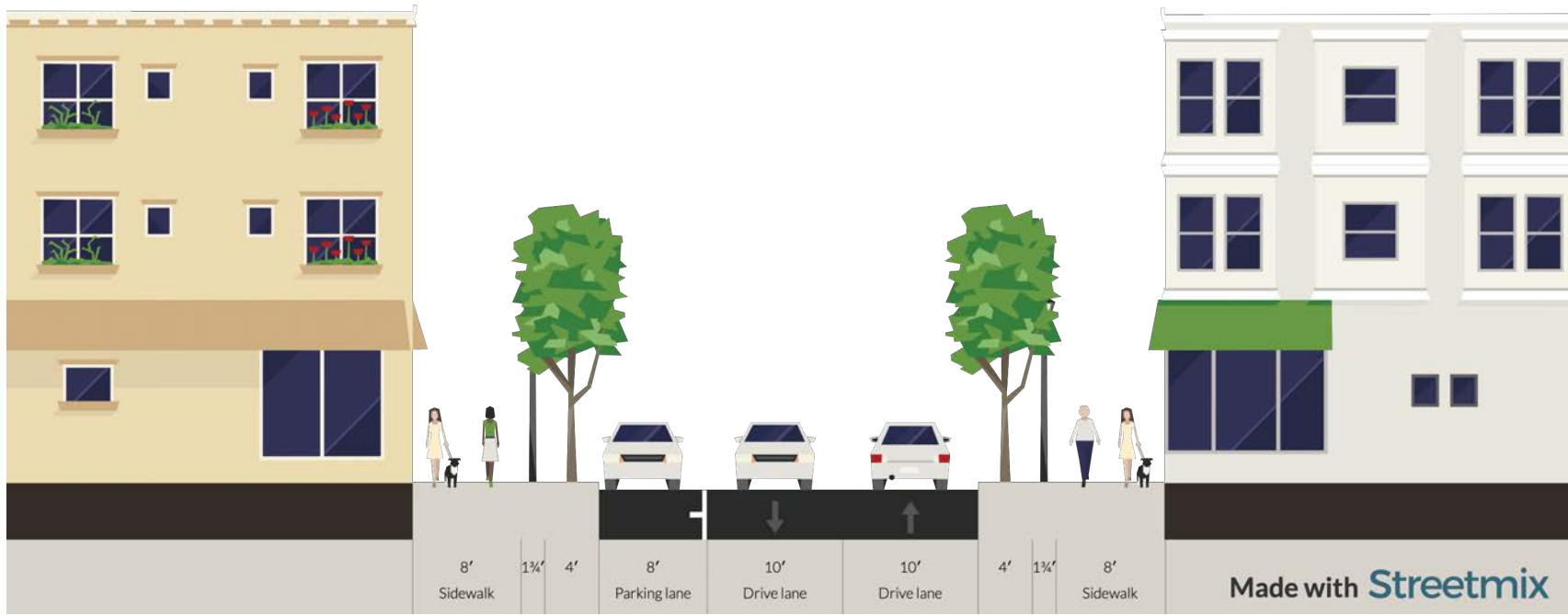
<b>Street Type:</b>	Two-way Street with parking	<b>Planter Type:</b>	Continuous planter
<b>Right-of-Way Width:</b>	55.5 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	28 feet	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	20 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Article 6.5
<b>Traffic Lanes:</b>	Two lanes	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	One side at 8 feet, marked	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	15 feet	<b>Street Lights:</b>	Shielded Post and Column type
<b>Walkway Type</b>	6-foot Sidewalk	<b>Place Types:</b>	P3, P4

**SEC. 7.3.006 LOCAL CONNECTOR STREET: NEIGHBORHOOD STREET B**



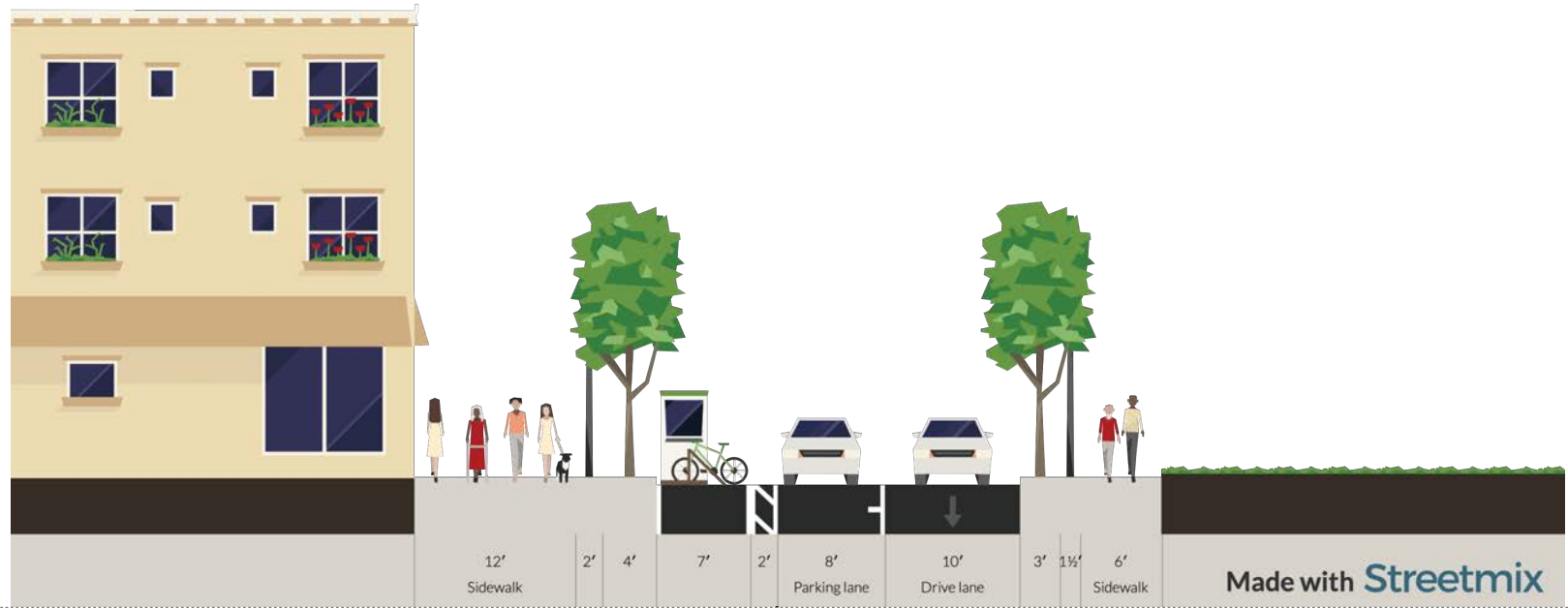
<b>Street Type:</b>	Two-way Street with parking	<b>Planter Type:</b>	Continuous planter
<b>Right-of-Way Width:</b>	55.5 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	28 feet	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	20 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Article 6.5
<b>Traffic Lanes:</b>	Two-way Yield Street	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	Both sides parallel at 8 feet, marked	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	15 feet	<b>Street Lights:</b>	Shielded Post and Column type
<b>Walkway Type</b>	6-foot Sidewalk	<b>Place Types:</b>	P3, P4

**SEC. 7.3.007 LOCAL CONNECTOR STREET: LOCAL COMMERCIAL**



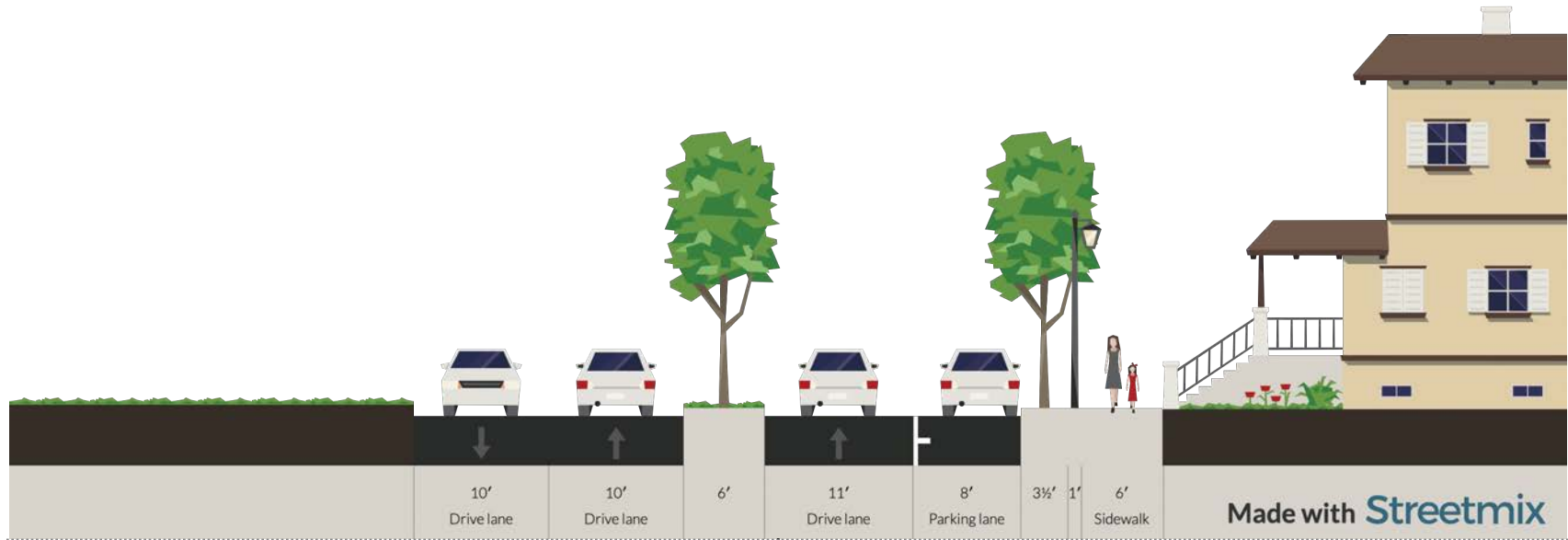
<b>Street Type:</b>	Two-way Commercial Street	<b>Planter Type:</b>	Tree Well
<b>Right-of-Way Width:</b>	55.5 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	28 feet	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	25 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Article 6.5
<b>Traffic Lanes:</b>	Two lanes at 10 feet each	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	Parallel on one side at 8 feet, marked	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	15 feet	<b>Street Lights:</b>	Shielded Post and Column type
<b>Walkway Type</b>	8 to 12-foot sidewalk	<b>Place Types:</b>	P4, P5

**SEC. 7.3.008 LOCAL CONNECTOR STREET: COURT STREET**



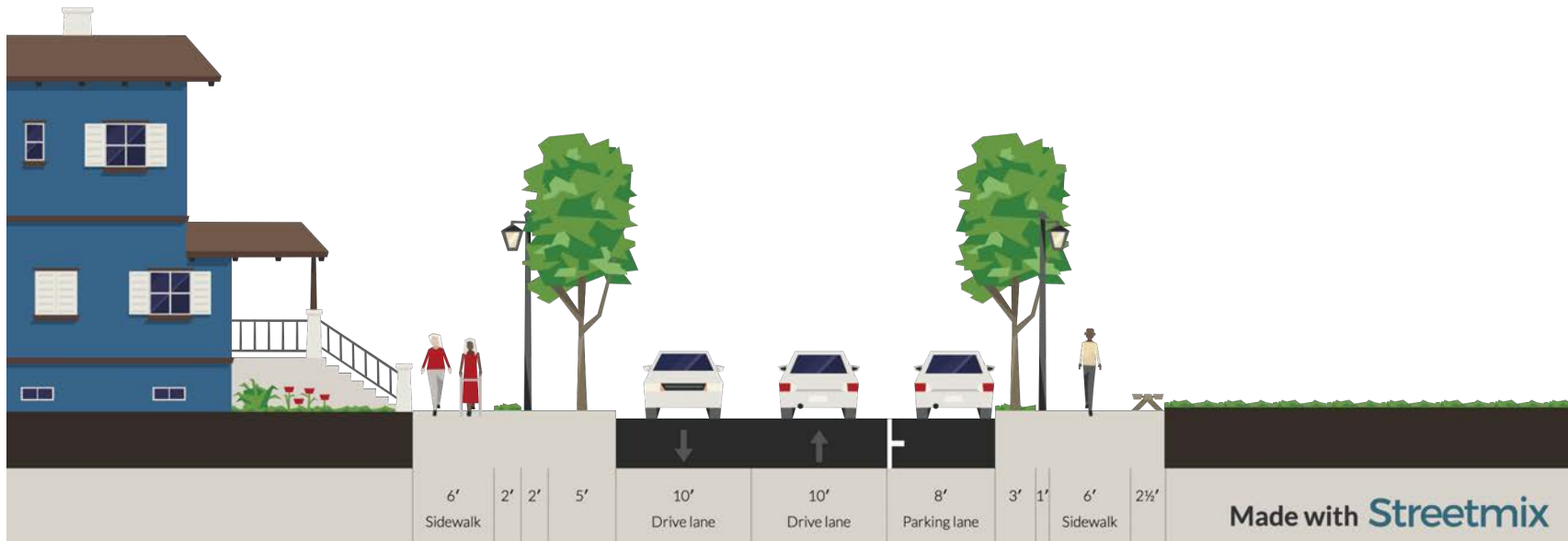
<b>Street Type:</b>	One-way with parking	<b>Planter Type:</b>	Continuous planter
<b>Right-of-Way Width:</b>	55.5 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	27 feet	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	20 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Article 6.5
<b>Traffic Lanes:</b>	One lane 10 feet wide	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	8 feet, Building side only	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	20 feet	<b>Street Lights:</b>	Shielded Post and Column type
<b>Walkway Type</b>	8 to 16-foot Sidewalk along buildings and 6 feet long Park edge (optional)	<b>Place Types:</b>	P3,P4, P5

**SEC. 7.3.009 LOCAL CONNECTOR STREET: SLIP STREET**



<b>Street Type:</b>	One-way with parking	<b>Planter Type:</b>	Continuous planter
<b>Right-of-Way Width:</b>	55.5 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	19 feet (slip Street)	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	20 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Article 6.5
<b>Traffic Lanes:</b>	One lane 11 feet wide	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	8 feet, Building side only	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	20 feet	<b>Street Lights:</b>	Post and Column type
<b>Walkway Type</b>	6-foot Sidewalk	<b>Place Types:</b>	P3,P4, P5

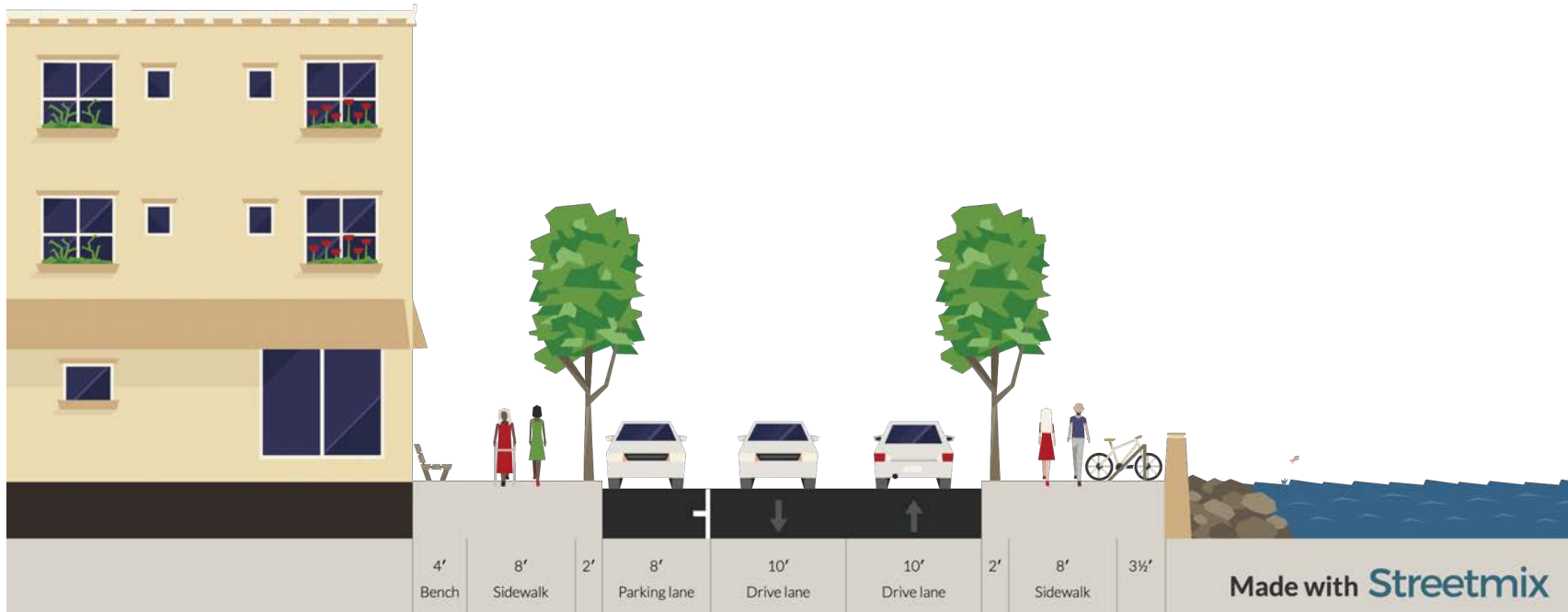
**SEC. 7.3.010 LOCAL CONNECTOR STREET: PARK DRIVE**



<b>Street Type:</b>	Two-way with parking on Park side	<b>Planter Type:</b>	Continuous planter
<b>Right-of-Way Width:</b>	55.5 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	28 feet	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	25 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Article 6.5
<b>Traffic Lanes:</b>	Two Lanes - 10 feet wide	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	8 feet, park side only	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	10 feet	<b>Street Lights:</b>	Post and Column type
<b>Walkway Type</b>	6 feet sidewalk	<b>Place Types:</b>	P3, P4



**SEC. 7.3.011 LOCAL CONNECTOR STREET: BOARDWALK**



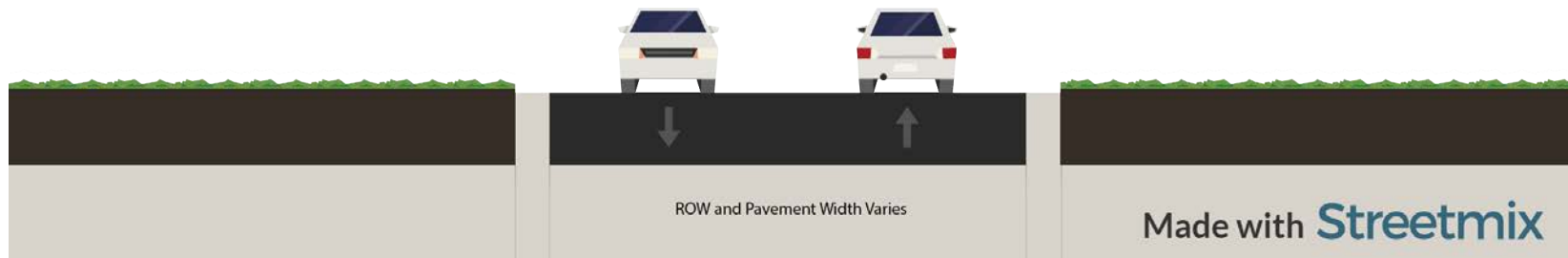
<b>Street Type:</b>	Two-way, Commercial	<b>Planter Type:</b>	Tree Well
<b>Right-of-Way Width:</b>	55.5 feet	<b>Curb Type:</b>	Standard 6-inch Curb
<b>Pavement Width</b>	28 feet	<b>Landscape Type:</b>	Trees at 30 feet O.C. average
<b>Design Speed:</b>	25 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Article 6.5
<b>Traffic Lanes:</b>	Two lanes; 10 feet wide	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	8 feet, parallel parking on one side	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	15 feet	<b>Street Lights:</b>	Post and Column type
<b>Walkway Type</b>	12 foot Sidewalk	<b>Place Types:</b>	P5

**SEC. 7.3.012 LOCAL CONNECTOR STREET: PEDESTRIAN STREET**



<b>Street Type:</b>	Shared/ Ped Street	<b>Planter Type:</b>	Tree Well
<b>Right-of-Way Width:</b>	55.5 feet	<b>Curb Type:</b>	No Curb, Mountable
<b>Pavement Width</b>	22 feet	<b>Landscape Type:</b>	Smaller Trees at 20 feet O.C. average
<b>Design Speed:</b>	10 MPH	<b>Building Types Allowed:</b>	See B <sup>3</sup> Code Article 6.5
<b>Traffic Lanes:</b>	One lane; 12 feet wide	<b>Frontage Line Setback:</b>	See B <sup>3</sup> Code Sec. 6.5.003
<b>Parking Lanes</b>	Interspersed, marked	<b>Private Frontage Allowed:</b>	See B <sup>3</sup> Code Sec. 6.5.002
<b>Curb Radius</b>	10 feet at entrance	<b>Street Lights:</b>	Column type
<b>Walkway Type</b>	10 - foot Sidewalk	<b>Place Types:</b>	P4 & P5

**SEC. 7.3.013 LOCAL CONNECTOR STREET: RURAL STREET**



<b>Street Type:</b>	Two-way, Rural	<b>Planter Type:</b>	Varies
<b>Right-of-Way Width:</b>	Varies	<b>Curb Type:</b>	No Curb, Mountable
<b>Pavement Width</b>	Varies	<b>Place Types:</b>	P2
<b>Design Speed:</b>	30 mph	<b>Parking Lanes</b>	N/A
<b>Traffic Lanes:</b>	Two lanes	<b>Walkway Type</b>	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.

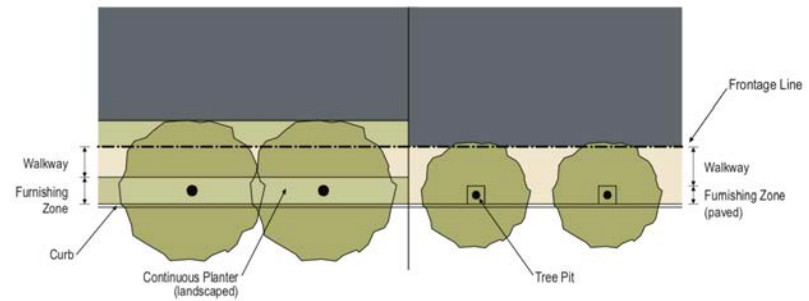
**SEC. 7.3.014 PUBLIC FRONTAGE STANDARDS**

(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<sup>3</sup> 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<sup>3</sup> Technical Manual.

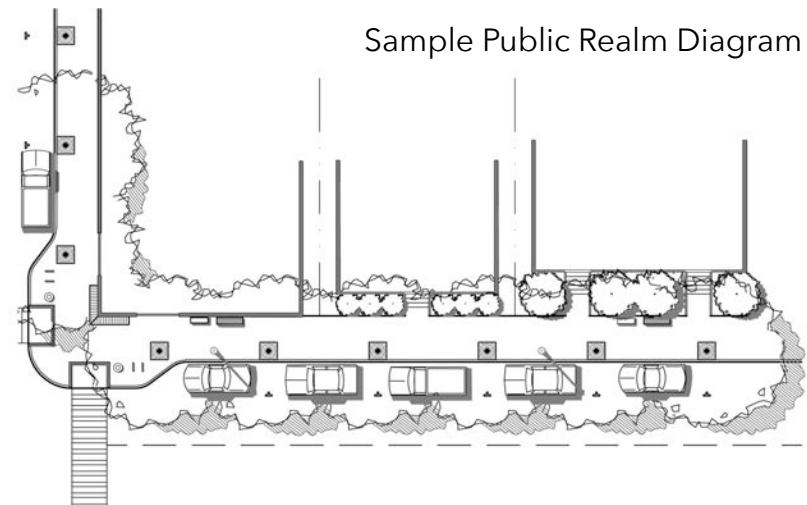


- (1) Street Trees shall be planted in P3, P4, and P5.
- (2) Street Trees shall be planted in a regularly-spaced pattern in P4 and P5 and;
- (3) When planted, Street Trees shall be a minimum height of 10 feet and /or 2 inches in caliper.

- (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





in accordance with the City's standard specifications and B<sup>3</sup> 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 B<sup>3</sup> 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 B<sup>3</sup> 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.

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## **ARTICLE 7.4 ALLOCATION & STRUCTURE OF BLOCKS**

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### **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.

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**ARTICLE 7.5 CIVIC SPACE & CIVIC BUILDING STANDARDS**

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**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.

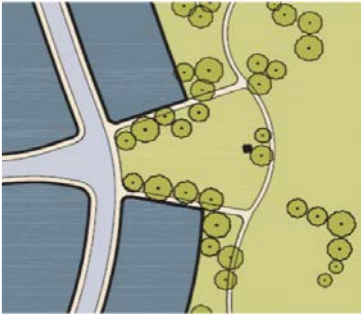

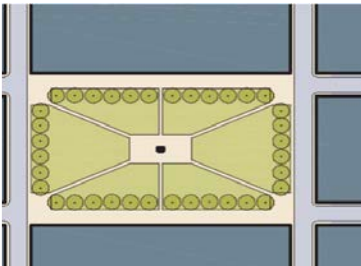
(e) The Neighborhood Regulating Plan or Zoning Concept Scheme shall designate Civic Place Types dedicated for public use within 660 feet of every Lot with a Residential use. The Civic Space must be active with a playground, fountains, benches, tables, and/or other public furniture to spur the gathering of people.

### **SEC. 7.5.003 CIVIC BUILDINGS**

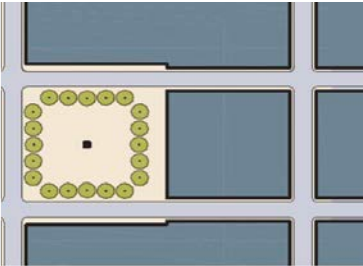
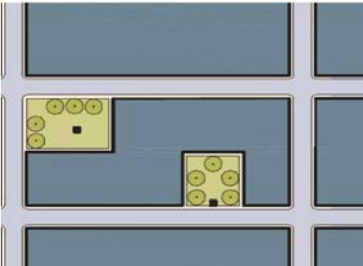

- (a) The owner shall covenant to construct a Meeting Hall or a Third Place in proximity to the Main Civic Space of each Pedestrian Shed. Its corresponding Public Frontage shall be equipped with a shelter and bench for a transit stop.
- (b) One Civic Building Lot shall be reserved for an elementary school. 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.


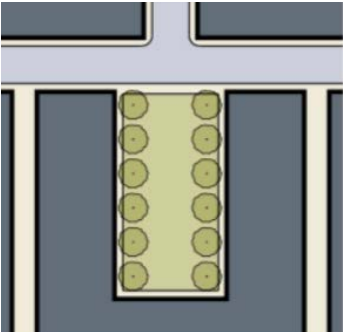
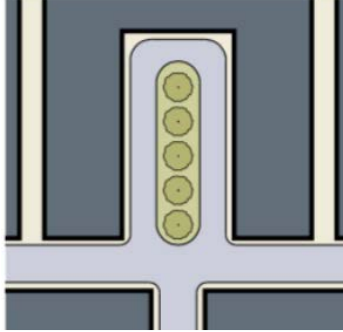
- (e) Civic Buildings may be permitted within EC- Employment Centers by Warrant.

**SEC. 7.5.004 CIVIC SPACE TABLE**

		<b>P1</b>	<b>P2</b>	<b>P3</b>	<b>P4</b>	<b>P5</b>	<b>DESCRIPTION</b>
<b>PARK</b>		<b>P</b>	<b>P</b>	<b>P</b>	<b>NP</b>	<b>NP</b>	<p>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.</p> <p>The minimum size shall be 8 acres. Larger parks may be approved by Warrant as Special Districts in all zones.</p>
<b>GREEN</b>		<b>NP</b>	<b>NP</b>	<b>P</b>	<b>P</b>	<b>P</b>	<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.</p> <p>The minimum size shall be 1/2 acre and the maximum shall be 8 acres.</p>
<b>SQUARE</b>		<b>NP</b>	<b>NP</b>	<b>NP</b>	<b>P</b>	<b>P</b>	<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.</p> <p>The minimum size shall be 1/2 acre and the maximum shall be 5 acres.</p>



		P1	P2	P3	P4	P5	DESCRIPTION
<b>PLAZA</b>		NP	NP	NP	NP	P	<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.</p> <p>The minimum size shall be 1/2 acre and the maximum shall be 2 acres.</p>
<b>PLAYGROUND</b>		P	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.</p> <p>There shall be no minimum or maximum size.</p>
<b>COMMERCIAL PLAZA</b>		NP	NP	NP	P	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.</p>






		P1	P2	P3	P4	P5	DESCRIPTION
<b>POCKET PARK</b>		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.
<b>COURT</b>		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.
<b>CLOSE</b>		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 = PERMITTED    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.

Public Lighting Types		P1	P2	P3	P4	P5	EC
Cobra Head		Yellow					Grey
Pipe		Yellow	Yellow	Yellow			
Post			Yellow	Yellow	Yellow		
Column				Yellow	Yellow	Yellow	
Double Column						Grey	Grey

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## ARTICLE. 7.6 WATER & WASTEWATER

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- (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<sup>3</sup> Technical Manual for additional Standards.

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## ARTICLE 7.7 EASEMENTS

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- (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<sup>3</sup> Technical Manual for Standards for Easements.

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## ARTICLE. 7.8 BICYCLE PARKING

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### 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.

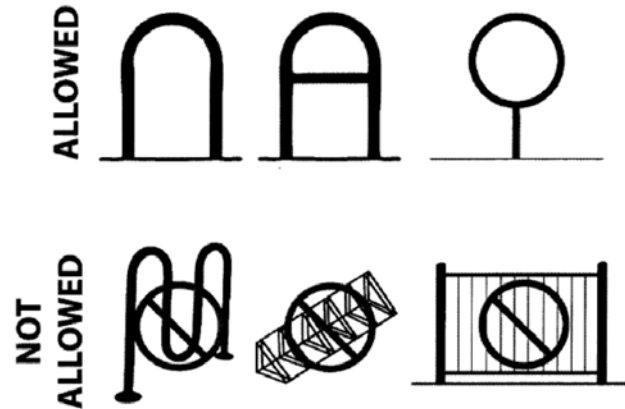
(b) Bicycle Parking Space Size, Access Aisles and Vertical Clearance

- (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

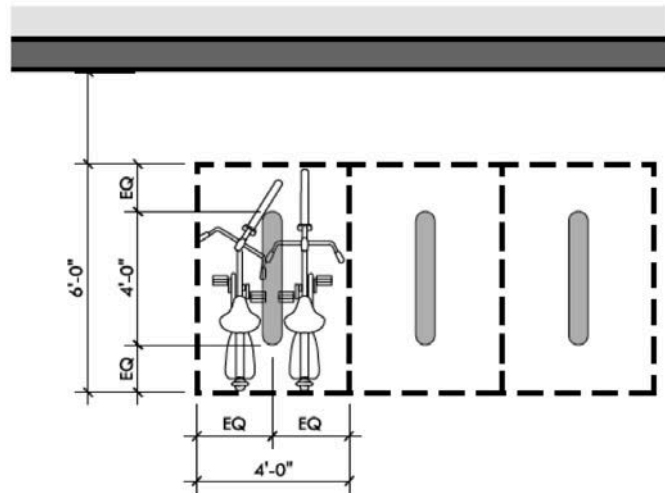


Devices Sign D4-3). These Signs shall not be placed in the public right-of-way.

*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*

	0-40 required auto spaces = 2 short-term bicycle parking spaces minimum
	41-60 required auto spaces = 4 short-term bicycle parking spaces minimum
<b>P5 &amp; P4</b>	61-80 required auto spaces = 6 short-term bicycle parking spaces minimum
<b>NON-RESIDENTIAL</b>	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
<b>MULTIFAMILY</b>	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.

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**ARTICLE. 7.9 MOBILE FOOD VENDOR**

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**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 the 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 within 150 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 than 1 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) An application fee of \$400;

(2) Name, legal name of Business or entity, Business address, telephone number, and email address of the Applicant;

(3) The Applicant's identification number as shown on a current and valid government-issued identification document that includes a photograph of the Applicant;

(4) If the Applicant represents a corporation, association, or partnership, the names and addresses of the officers or partners;

(5) Name, legal name of Business or entity, Business address, telephone number, and email address of the owner, if the owner is not the Applicant;

(6) Signed and notarized permission from all private property owners where the Mobile Food Vending Unit will be stationed;

(7) 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;

(8) Proof of motor vehicle insurance for each vehicle to be used in the mobile food vending operation;



- (9) 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;
- (10) A Concept Plan, if applicable;
- (11) A copy of the vendor's current health permit from Bastrop County;
- (12) 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;
- (13) Proof of water/wastewater service;
- (14) Documentation indicating the volume capacity of any required water and wastewater storage tanks either on the tank itself or in writing;
- (15) Description of the type of food or the specific foods to be vended;
- (16) 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;

- (17) A valid copy of the Applicant's sales tax and use tax permit; and,
- (18) 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:

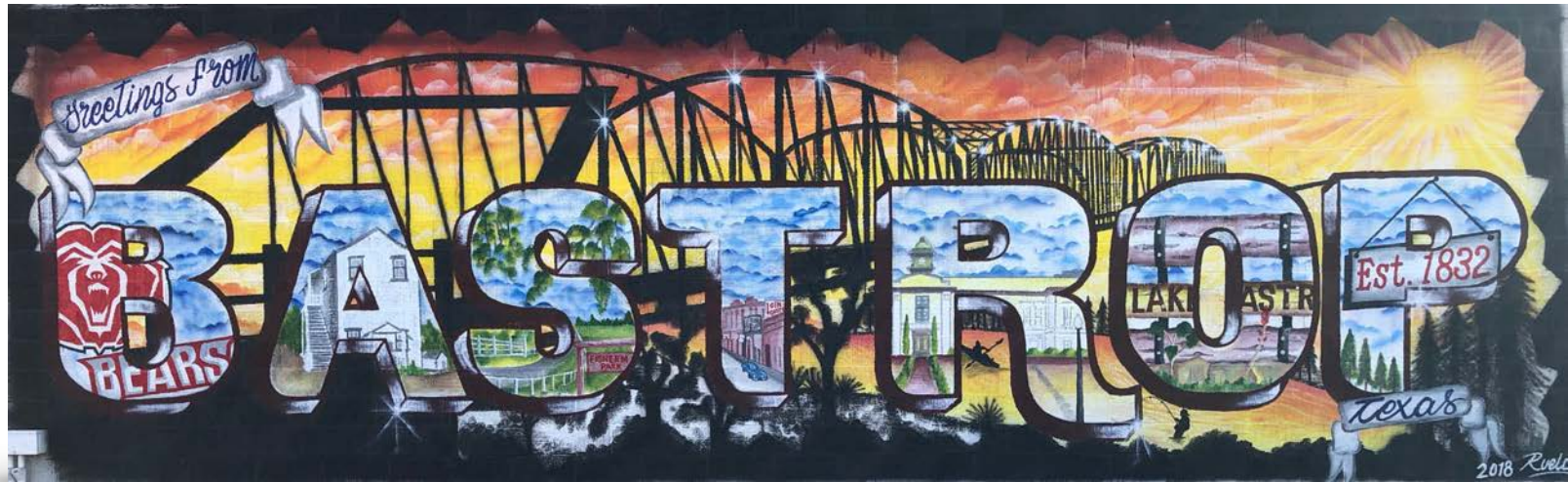
A. Close the unit; or,

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



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## **ARTICLE 8.1 SIGNS**

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### **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 B<sup>3</sup> 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.
- (16) Roof Signs (including Signs that are otherwise authorized but are placed on a roof or on a Mobile Food Vendor or vehicle).
- (17) Changeable copy Signs.
- (18) Signs placed or attached to trees, bushes, planters, benches, or other Pedestrian elements.
- (19) 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.
- (20) 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 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 to one 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, B<sup>3</sup> 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, B<sup>3</sup> 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.

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## **ARTICLE 8.2 MASTER SIGN PLANS**

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(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<sup>3</sup> 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<sup>3</sup> 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 board of adjustment 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.

If a Variance applicant wishes to appeal the decision of the Sign Administrator, the applicant shall file for an appeal with the board of adjustment within ten (10)

days of receipt of the Sign Administrator's decision. The board of adjustment shall consider the appeal at its next regular meeting or as soon as practicable. The board of adjustment 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**

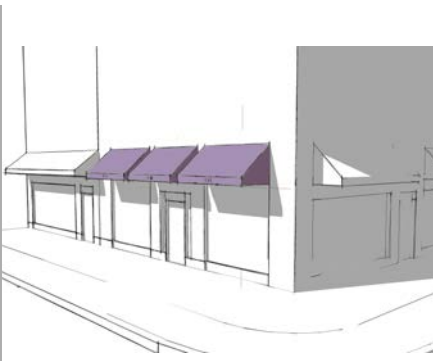
- (a) The Sign Administrator or ZBA may impose conditions upon the granting of a Variance under this chapter. Such conditions must be related to the Variance sought and be generally intended to mitigate the adverse effects of the Sign on neighboring tracts and the general aesthetic ambiance of the community. A non-exhaustive list of examples of conditions include increased setbacks, added vegetation, muted colors, and decreased Lighting.

The board of adjustment 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 board of adjustment voiding the Variance and authorizing all available code enforcement actions and other remedies available in equity or at law.


**ARTICLE 8.3 ON-PREMISE SIGN TYPES & STANDARDS**

a)	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
ADDRESS SIGN		P	P	P	P	<ul style="list-style-type: none"> <li>a. <b>Quantity:</b> 1 per Address max.</li> <li>b. <b>Area:</b> 2 sf max.</li> <li>c. <b>Width:</b> 24 in max.</li> <li>d. <b>Height:</b> 12 in max.</li> <li>e. <b>Depth / Projection:</b> 3 in max.</li> <li>f. <b>Clearance:</b> 4.5 ft min.</li> <li>g. <b>Letter Height:</b> 6" max.</li> </ul>
DESCRIPTION	<p>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.</p>					
SIGN DETAILS	<ul style="list-style-type: none"> <li>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.</li> <li>ii. Address Signs shall be easily visible by using colors or materials that contrast with their background.</li> <li>iii. Address Signs shall be constructed of durable materials.</li> <li>iv. The address Sign shall be attached to the front of the Building in proximity to the Principal Entrance or at a mailbox.</li> </ul>					

b)

	PLACE TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
AWNINGS & SIGNS				P	P	<ul style="list-style-type: none"> <li>a. <b>Quantity:</b> 1 per window max.</li> <li>b. <b>Area:</b> n/a</li> <li>c. <b>Width:</b> width of face max.</li> <li>d. <b>Height:</b> n/a</li> <li>e. <b>Depth / Projection:</b> 4 ft min.</li> <li>f. <b>Clearance:</b> 8 ft min.</li> <li>g. <b>Letter Height:</b> 5 in min., 10 in max.</li> <li>h. <b>Valance Height:</b> 12 in max.</li> <li>i. <b>Distance from Curb:</b> 2 ft min.</li> </ul>
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	<ul style="list-style-type: none"> <li>i. The following variations of awnings, with or without Sign Bands, are permitted: (1) Fixed or retractable awnings; (2) Shed awnings; (3) Dome awnings</li> <li>ii. Other awning types may be permitted by Warrant.</li> <li>iii. Signage shall be limited to the Valance of the awning or the vertical portion of a dome awning.</li> <li>iv. No portion of an awning shall be lower than 8 feet Clearance.</li> <li>v. Awnings shall be a minimum of 4 feet in depth.</li> <li>vi. Awnings shall not extend beyond the width of the Building or tenant space, nor encroach above the roof line or the Story above.</li> <li>vii. The Height of the Valance shall not exceed 12 inches.</li> <li>viii. Awning Signs shall contain only the Business name, Logo, and/or Street address.</li> <li>ix. Letters, numbers, and graphics shall cover no more than 70% of the Valance area.</li> <li>x. Awning Signs shall not be internally illuminated or backlit.</li> </ul>					

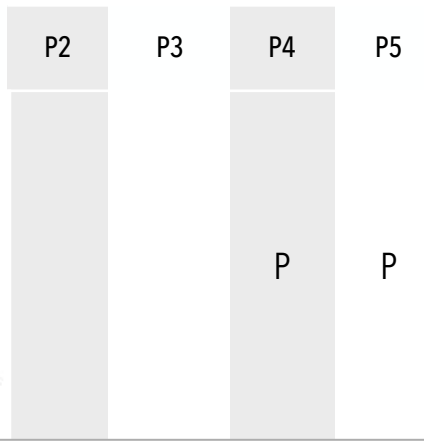
c)

	PLACEMENT TYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
BAND SIGNS				P	P	<ul style="list-style-type: none"> <li>a. <b>Quantity:</b> 1 max. (2 for corner buildings)</li> <li>b. <b>Area:</b> 1.5 sf per linear ft Facade</li> <li>c. <b>Width:</b> 90% max. width of Facade</li> <li>d. <b>Height:</b> 3 ft max.</li> <li>e. <b>Depth / Projection:</b> 7 in max.</li> <li>f. <b>Clearance:</b> 7 ft min.</li> <li>g. <b>Apex:</b> n/a</li> <li>h. <b>Letter Height:</b> 18 in max.</li> </ul>
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	<ul style="list-style-type: none"> <li>i. All businesses are permitted 1 Band Sign on each first Story Facade.</li> <li>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.</li> <li>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.               <ul style="list-style-type: none"> <li>(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.</li> <li>(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.</li> </ul> </li> </ul>					



d)

PLACE TYPES ►



SPECIFICATIONS ▼

BLADE SIGNS

- 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	<ul style="list-style-type: none"> <li>a. <b>Quantity:</b> 1 per Business max.</li> <li>b. <b>Area:</b> n/a</li> <li>c. <b>Width:</b> entrance plus 2 ft each side</li> <li>d. <b>Height:</b> 50% Story Height max.</li> <li>e. <b>Depth / Projection:</b> 4 ft min.; 10 ft max.</li> <li>f. <b>Clearance:</b> 10 ft min</li> <li>g. <b>Apex:</b> n/a</li> <li>h. <b>Letter Height:</b> n/a</li> <li>i. <b>Distance from Curb:</b> 3 ft min.</li> </ul>
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	<ul style="list-style-type: none"> <li>i. Marquees shall be located only above the Principal Entrance of a Building.</li> <li>ii. No Marquee shall be wider than the entrance it serves, plus 2 feet on each side thereof.</li> <li>iii. No portion of a Marquee shall be lower than 10 feet Clearance.</li> <li>iv. No Marquee shall extend closer to the Curb than 3 feet.</li> <li>v. Columns or posts may be used as supports for Marquees 8 feet deep or deeper if approved by the DRC.</li> <li>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.</li> <li>vii. Marquee components and materials may vary. Anchors, bolts, and supporting rods should be limited to the interior of the Marquee.</li> <li>viii. Message Boards shall be permitted as part of Marquees.</li> <li>ix. A Band Sign shall be permitted above a Marquee.</li> </ul>					

f)

	PLACE TYPES ►	P2	P3	P4	P5	SPECIFICATIONS ▼
NAMEPLATE SIGNS				P	P	<ul style="list-style-type: none"> <li>a. <b>Quantity:</b> 1 max.</li> <li>b. <b>Area:</b> 3 sf max.</li> <li>c. <b>Width:</b> 18 in max.</li> <li>d. <b>Height:</b> 2 ft max.</li> <li>e. <b>Depth / Projection:</b> 3 in max.</li> <li>f. <b>Clearance:</b> 4 ft min.</li> <li>g. <b>Apex:</b> 7 ft max.</li> <li>h. <b>Letter Height:</b> n/a</li> </ul>
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	<ul style="list-style-type: none"> <li>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.</li> <li>ii. One Nameplate shall be permitted per address.</li> <li>iii. Nameplates shall not exceed 3 square feet.</li> <li>iv. Nameplates shall be constructed of durable materials.</li> </ul>					

g)

PLACETYPES ▶

P2

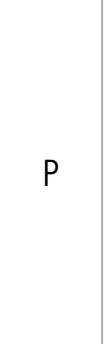
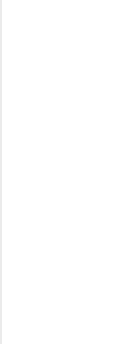
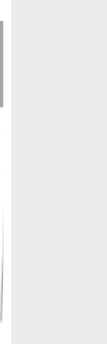
P3

P4

P5

SPECIFICATIONS ▼

OUTDOOR  
DISPLAY CASE



- 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

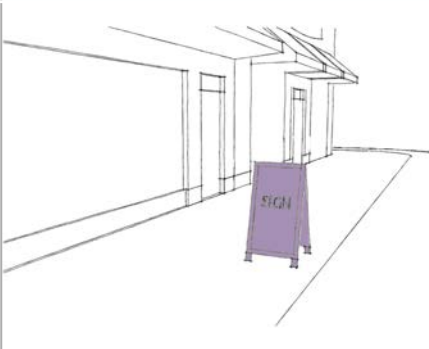
DESCRIPTION


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)

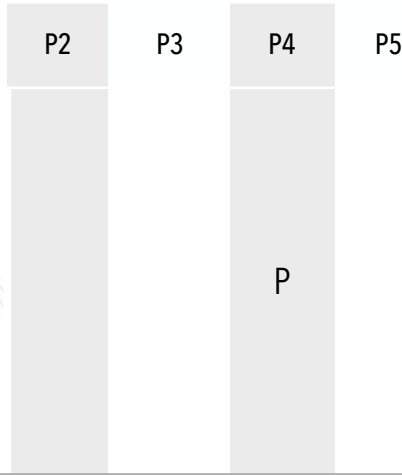
	PLACETYPES ▶	P2	P3	P4	P5	SPECIFICATIONS ▼
SIDEWALK SIGN				P	P	<ul style="list-style-type: none"> <li>a. <b>Quantity:</b> 1 Building max.</li> <li>b. <b>Area:</b> 3 sf max.</li> <li>c. <b>Width:</b> 24 in max.</li> <li>d. <b>Height:</b> 2 ft max.</li> <li>e. <b>Depth / Projection:</b> 3 in max.</li> <li>f. <b>Clearance:</b> 4 ft min.</li> <li>g. <b>Apex:</b> 7 ft max.</li> <li>h. <b>Letter Height:</b> n/a</li> </ul>
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	<ul style="list-style-type: none"> <li>i. Sidewalk Signs shall consist of Freestanding, double-sided temporary Signs placed at the entrance to a Business in a primarily Pedestrian environment.</li> <li>ii. Sidewalk Signs shall be removed at the close of Business each day.</li> <li>iii. 1 Sidewalk Sign shall be permitted for each Business.</li> <li>iv. Sidewalk Signs shall not exceed 42 inches in Height or 26 inches in width.</li> <li>v. Sidewalk Signs shall be moved inside during high winds or other weather conditions that might pose a hazard to public safety.</li> </ul>					

i)	PLACETYPES ►	P2	P3	P4	P5	SPECIFICATIONS ▼
WINDOW SIGN				P	P	<ul style="list-style-type: none"> <li>a. <b>Quantity:</b> 1 per window max.</li> <li>b. <b>Area:</b> 25% coverage per window</li> <li>c. <b>Width:</b> n/a</li> <li>d. <b>Height:</b> n/a</li> <li>e. <b>Depth / Projection:</b> n/a</li> <li>f. <b>Clearance:</b> 4 FT min.</li> <li>g. <b>Apex:</b> n/a</li> <li>h. <b>Letter Height:</b> 8 in max.</li> </ul>
DESCRIPTION	<p>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.</p>					
SIGN DETAILS	<ul style="list-style-type: none"> <li>i. Only the following Window Sign types shall be permitted:</li> <li>ii. Vinyl applique letters applied to the window. Appliques shall consist of individual letters or graphics with no visible background. <ul style="list-style-type: none"> <li>(a) Letters painted directly on the window.</li> <li>(b) Hanging Signs that hang from the ceiling behind the window.</li> <li>(c) Neon Signs.</li> <li>(d) Door Signs applied to or hanging inside the glass portion of an entrance doorway.</li> </ul> </li> <li>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.</li> <li>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.</li> <li>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.</li> <li>vi. Letters on window Signs shall be no taller than 8 inches.</li> </ul>					



K)

PLACETYPES ►



SPECIFICATIONS ▼

YARD SIGN



- 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

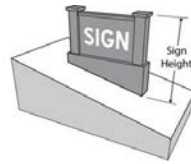
P3

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

# CHAPTER 9: HISTORIC LANDMARK PRESERVATION & THE IREDELL DISTRICT



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## ARTICLE 9.1 GENERAL

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### 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.

(2) 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.

B. The Site or Structure has been rendered unreasonably irreparably altered by an Act of God.

(2) 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.

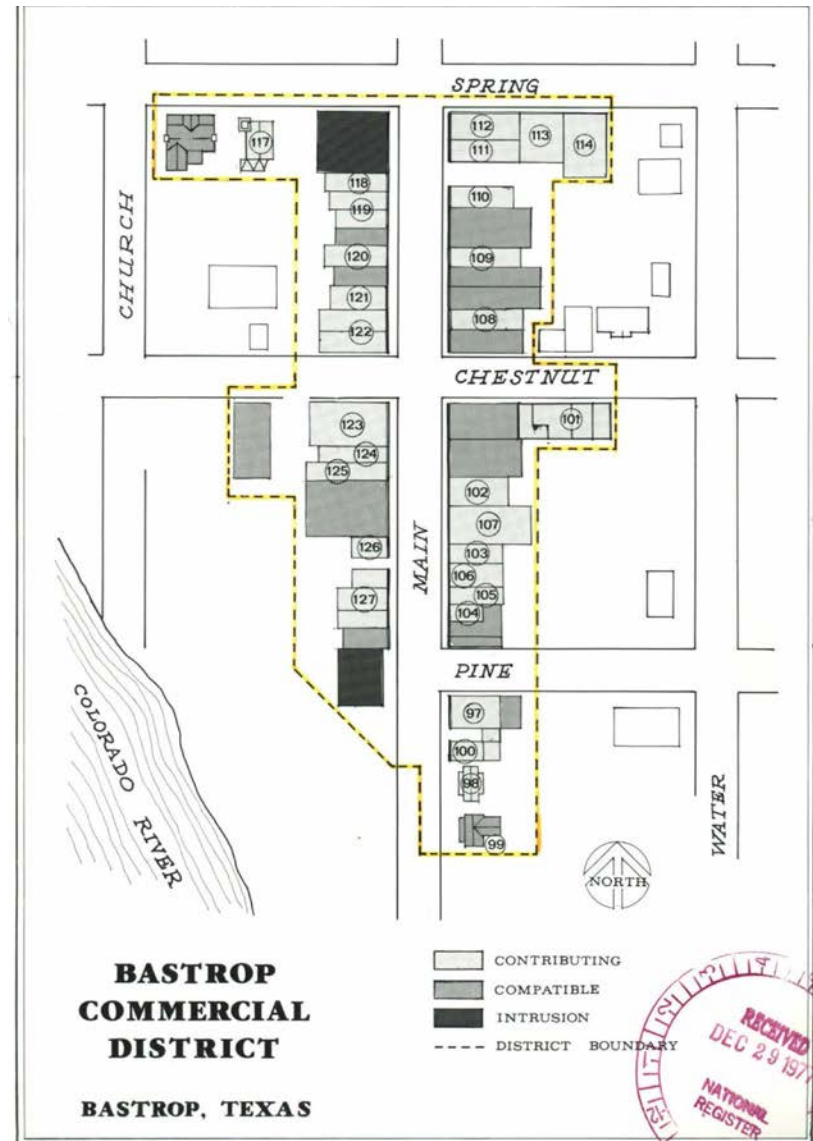


FIGURE 9.2.006 A

(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<sup>3</sup>) Code. The boundaries are outlined in Figure 9.2.006B.

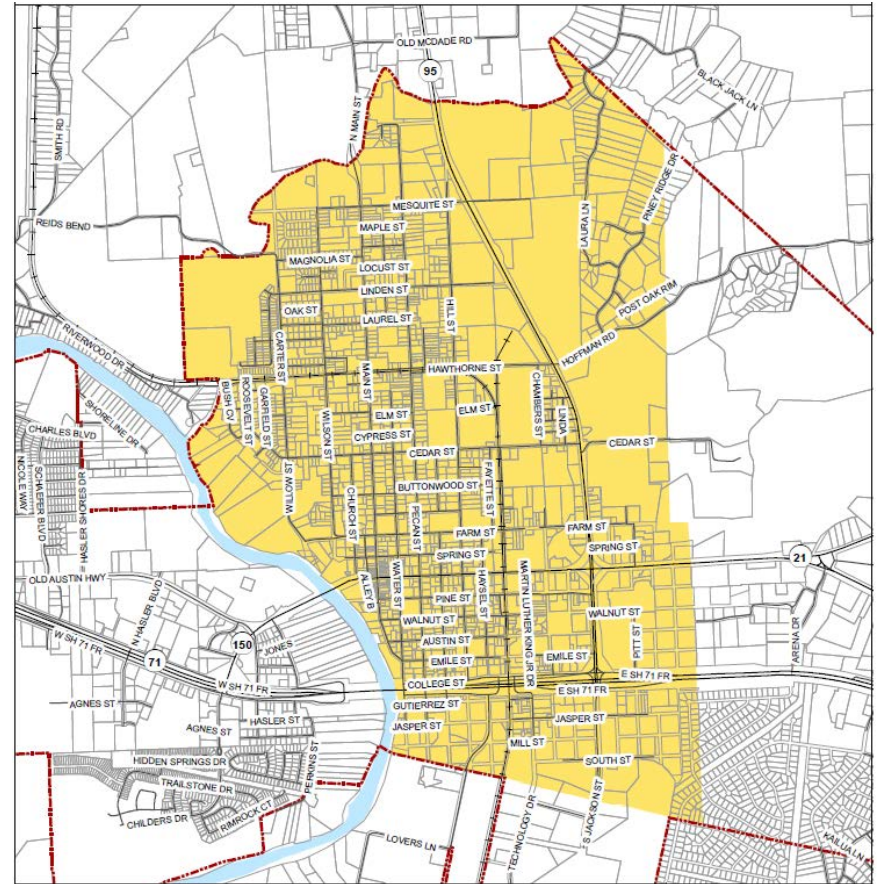


FIGURE 9.2.006B



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## ARTICLE 9.3 CERTIFICATE OF APPROPRIATENESS

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### 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) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any Project.
- (9) 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.
- (10) 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.

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**ARTICLE 9.5 FAILURE TO MAINTAIN RESULTING IN DEMOLITION BY NEGLECT**

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**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.

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## **ARTICLE 9.6 INCENTIVES FOR HISTORIC LANDMARKS**

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### **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:

(2) *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.

(3) *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.

(4) *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.

(5) *Exterior doors.* Doors shall be maintained to be structurally sound, fit within frames to be weatherproof, and have hardware that is in good condition.

(6) *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.

(7) **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.

(8) **Stairways.** Stairways shall be maintained free of rotted or deteriorated supports. Handrails and/or railings shall be firmly fastened and maintained in good conditions.

(9) **Accessory Structures.** All Structures accessory to the dwellings, including detached garages, shall be maintained to be structurally sound, neatly maintained and in good repair.

(10) **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.

(11) **Landscaping.** All landscaping shall be maintained in a presentable appearance. Any landscaping or

vegetation that is causing damage to the Structure must be removed.

(12) **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.

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### **ARTICLE 9.7 ECONOMIC HARDSHIP**

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#### **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.

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#### **ARTICLE 9.8 PENALTIES**

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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<sup>3</sup>) 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.

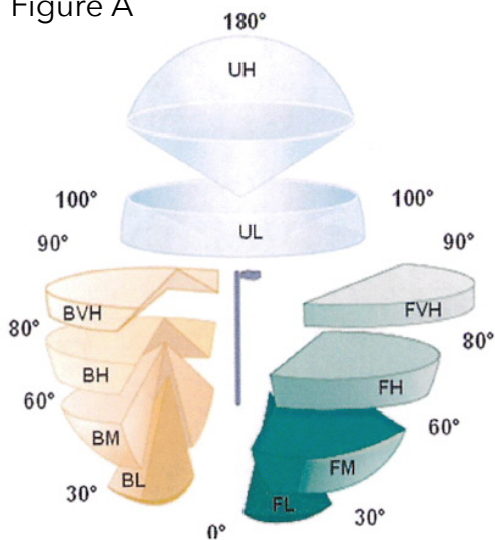
**Billboard Sign** shall mean a Sign that is Freestanding, attached to or part of a Building, and is an Off-Premises Sign that is designed for a change in copy so that the characters, letters, display, or illustrations can be changed or rearranged within a fixed Sign Face.

**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<sup>3</sup> 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<sup>3</sup> 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 trails 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.

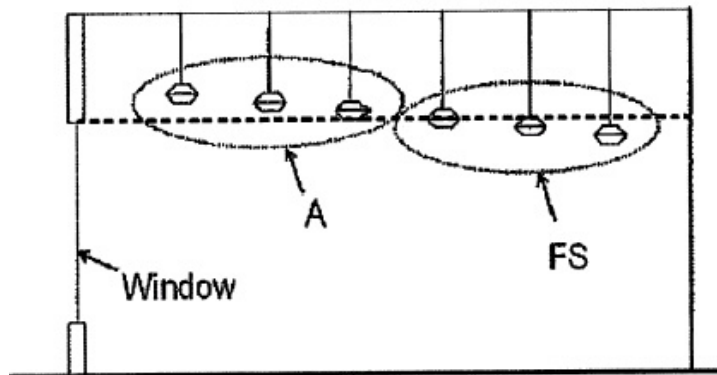


Figure B

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<sup>3</sup> 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<sup>3</sup> Technical Manual, aligns and supports Standards, requirements, and processes within the B<sup>3</sup> 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<sup>3</sup> Code Modifications

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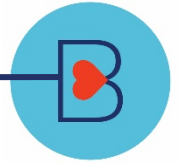
The list below contains substantive changes made to the Code from the previous 9/20/19 Draft B<sup>3</sup> Code. Code modifications correcting grammar, punctuation, spelling, typos or cross references were also made but are not referenced below.

- 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<sup>3</sup> 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 187<sup>th</sup> 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.

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**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.



## 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.



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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.

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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

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 foot, 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 inherent 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.



**Adopted on February 26, 2019 by Resolution R-2019-24**





# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 9G

**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 October 22, 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<sup>3</sup> Code. Public input was captured through a series of Rodeos, focusing on city design, and the B<sup>3</sup> 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<sup>3</sup> Code standards;
- The B<sup>3</sup>TM specifications; and
- The Pattern Book's guidance.

The Pattern Book will serve as a companion document to the B<sup>3</sup> 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<sup>3</sup> 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 October 22, 2019 agenda for a second reading.

#### **ATTACHMENTS:**

- Ordinance
- B<sup>3</sup> 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 8<sup>th</sup> day of October 2019.

**READ & APPROVED** on the Second Reading on the 22<sup>nd</sup> day of October 2019.

**APPROVED:**

*by* \_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

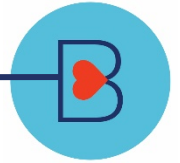
**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney



## 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.



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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 inherent 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.



**Adopted on February 26, 2019 by Resolution R-2019-24**



# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 9H

**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 October 22, 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<sup>3</sup> Code. Public input was captured through a series of Rodeos, focusing on city design, and the B<sup>3</sup> 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<sup>3</sup> Code standards;
- The B<sup>3</sup>TM specifications; and
- The Pattern Book's guidance.

The Bastrop Building Block Technical Manual, referred to as the B<sup>3</sup>Technical Manual or B<sup>3</sup>TM, aligns and supports standards, requirements, and processes within the B<sup>3</sup> 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<sup>3</sup>TM ensures construction of both the public and private realm's built environments achieve the longevity and vitality representative of Downtown Bastrop. The B<sup>3</sup>TM 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 October 22, 2019 agenda for a second reading.

#### **ATTACHMENTS:**

- Ordinance
- B<sup>3</sup>TM
- 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 8th day of October 2019.

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

**APPROVED:**

*by*

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney



# Bastrop Building Block

## Technical Manual



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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.

1.1 DESIGN STANDARDS AND POLICIES

1.2 DEVELOPMENT PROCEDURES

1.3 APPLICATION TYPES

1.4 PUBLIC HEARING AND NOTICE

1.5 PERMITTING

1.6 CONSTRUCTION DOCUMENT REQUIREMENTS



NEW NEIGHBORHOOD WITH A RANGE OF PLACE TYPES, P3-P5 AND CS WITH EC SURROUNDINGS.

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## ARTICLE 1.1 DESIGN STANDARDS AND POLICIES

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### SEC. 1.1.001 PURPOSE OF THE B<sup>3</sup> TECHNICAL MANUAL

The Bastrop Building Block Tech Manual, referred to as the B<sup>3</sup> Technical Manual, aligns and supports standards, requirements, and processes within the B<sup>3</sup> 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<sup>3</sup> Technical Manual ensures construction of both the public and private realms built environments achieve the longevity and vitality representative of Downtown Bastrop.

The B<sup>3</sup> 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 B<sup>3</sup> 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 B<sup>3</sup> 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 B<sup>3</sup> Technical Manual by Ordinance.

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## ARTICLE 1.2 DEVELOPMENT PROCEDURES

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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<sup>3</sup> Code.

The DRC is committed to working with each applicant throughout the process to meet the intent of the B<sup>3</sup> 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/](https://www.cityofbastrop.org/page/plan.newdevelopmentprocess)

[plan.newdevelopmentprocess](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.

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## ARTICLE 1.3 APPLICATION TYPES

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### 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<sup>3</sup> 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, 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

<b>Fire Design Codes</b>	International Fire Code Edition with adopted appendices
<b>Fire Flow Demand @ 20 psi (gpm)</b>	Most demanding building's calculated fire flow demand - 2009 IFC Appendix B, Table B105.1 - Based on SF and Construction Type
<b>Intended Use</b>	Most demanding building's intended use
<b>Construction Classification</b>	Most demanding building's IBC construction classification
<b>Building Fire Area (S.F.)</b>	Most demanding building's fire area in gross square feet (all floor levels combined) per 2009 IFC Appendix B
<b>Automatic Fire Sprinkler System Type (If applicable)</b>	The sprinkler system type that is in the most demanding building's fire area - NFPA 13, NFPA 13R or NFPA 13D
<b>Automatic Fire Sprinkler System Type (If applicable)</b>	Reduced fire flow demand, as permitted by BFD and Appendix B.
<b>Reduced Fire Flow Demand @ 20 psi for having a sprinkler system (gpm) (If applicable)</b>	Not more than 1 year from the date of Site Plan submittal
<b>Fire Hydrant Flow Test Date</b>	Block and Street Name
<b>Fire Hydrant Flow Test Location</b>	AMOC number and the date the AMOC was approved by the City
<b>Alternative Method of Compliance AMOC (If applicable)</b>	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<sup>3</sup> 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**  
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(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 than 15 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
<b>Legislative</b>								
Comprehensive Plan Map Amendment			R/PH/PM	D/PH/PH/PM	Y	Y	Y	Y
B <sup>3</sup> 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
<b>Administrative</b>								

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		
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**TABLE 1.4.001B NOTIFICATION REQUIREMENTS**

	<b>Published Notice</b>	<b>Personal Notice</b>	<b>Posted Notice</b>
<b>Notification Location</b>	Newspaper	United States Mail	Subject Property
<b>Time Before Set Hearing</b>	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
<b>Include in Notice</b>	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.
<b>Notification Instructions</b>	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 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

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## ARTICLE 1.5 PERMITTING

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To ensure compliance with the intent and standards of the B<sup>3</sup> 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<sup>3</sup> 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





(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<sup>3</sup> Code. The B<sup>3</sup> 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 4 1/2 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**

<b>Canopy</b>		<b>Accent</b>	<b>Grasses and Shrubs</b>
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<sup>3</sup> 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<sup>3</sup> 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<sup>3</sup> 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.
- (2) Design dedicated storage areas for refuse and recycling containers that are screened from view from

the adjacent street, and not within enclosed livable areas.

(3) 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:

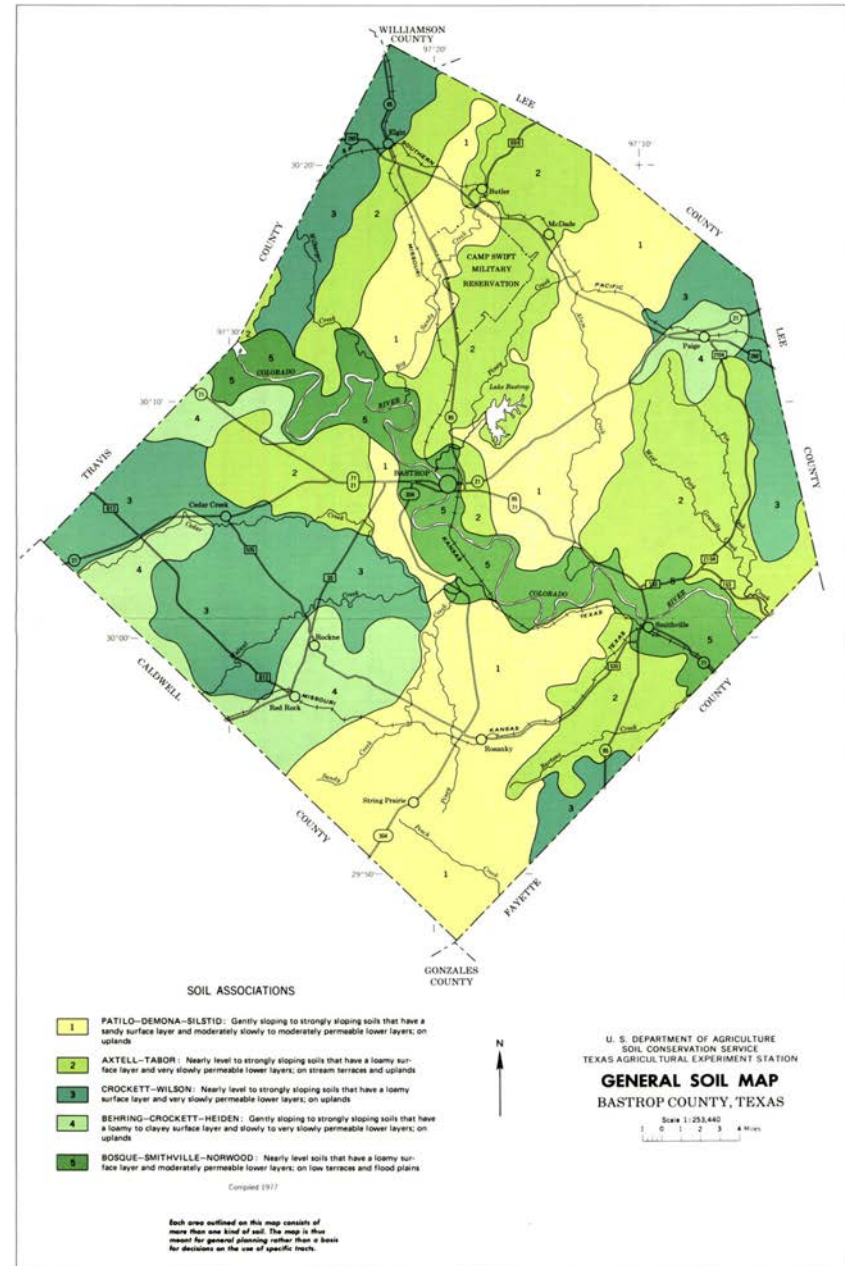
- (1) Mechanical equipment
  - (2) Tanks
  - (3) Ducts
  - (4) Elevator enclosures
  - (5) Cooling towers
  - (6) Mechanical ventilators
  - (7) Air conditioners
  - (8) Other similar appurtenances
- (c) All utilities, such as gas meters, electrical meters and panels, fire control panels, telephone, 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.
- (b) 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.
- (c) 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<sup>3</sup> Code and the B<sup>3</sup> 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.

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### ARTICLE 2.3 NEIGHBORHOOD REGULATING PLANS

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- (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<sup>3</sup> 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<sup>3</sup> 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<sup>3</sup> 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<sup>3</sup> 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<sup>3</sup> 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<sup>3</sup> Codes.

**SEC. 2.3.003 STEP THREE: BUILDING PERMITTING**

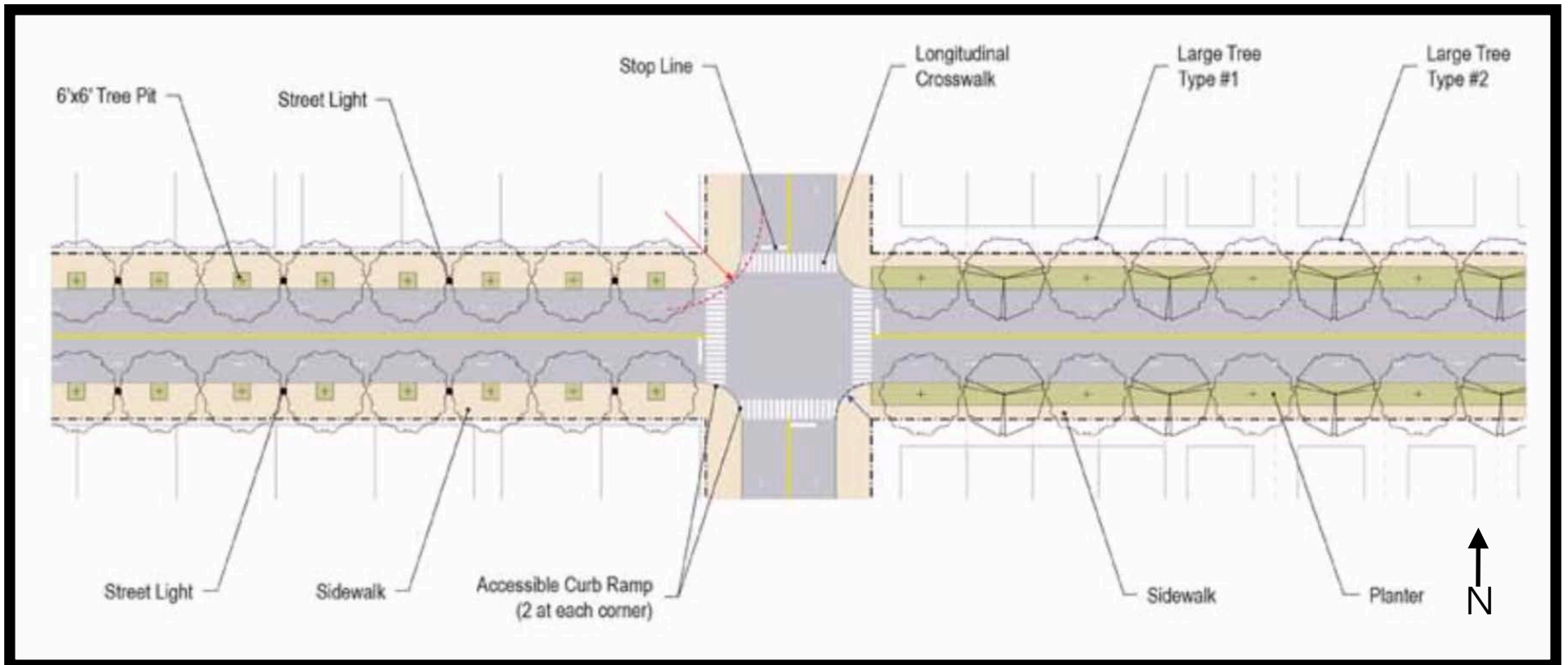
- (a) Public Frontage:

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**

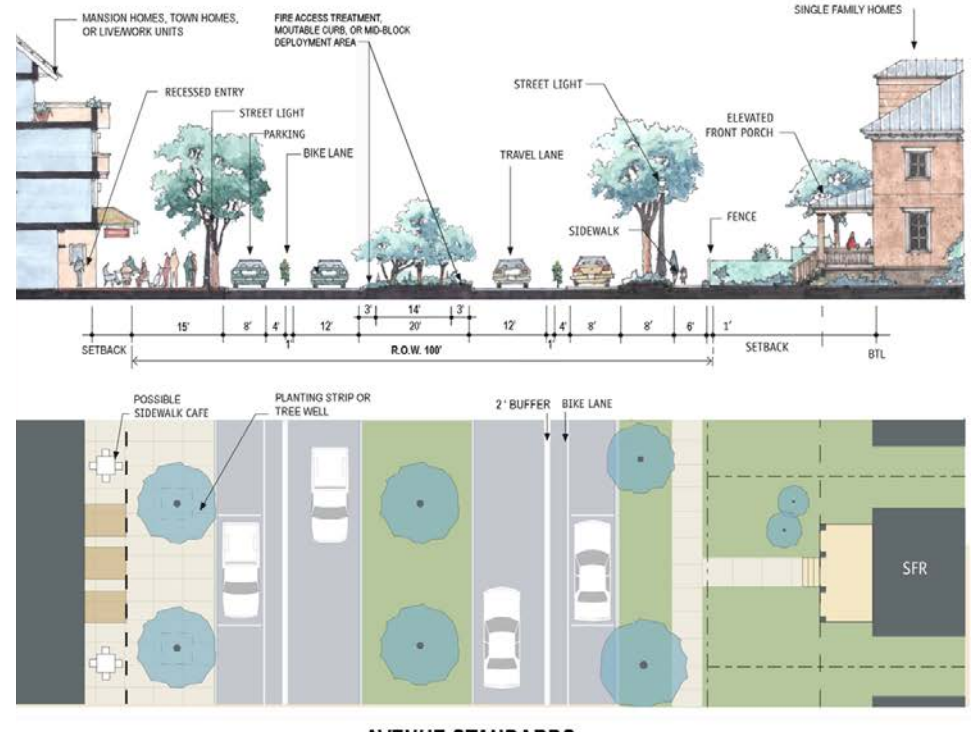


# CHAPTER 3: PUBLIC IMPROVEMENT PLANS & THE PUBLIC REALM

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



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## ARTICLE 3.1 PUBLIC IMPROVEMENT PLANS

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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.

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## ARTICLE 3.2 INFRASTRUCTURE REQUIREMENTS

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### 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 this 1 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<sup>3</sup> 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<sup>3</sup> 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<sup>3</sup> Code, these 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 Geocellular 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 & ZONING 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<sup>3</sup> Code or B<sup>3</sup> 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:

	<b>Prints</b>	<b>#</b>	<b>Size</b>
(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"

<b>Prints</b>	<b>#</b>	<b>Size</b>
(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

<b>a) Plat Detail</b>	<b>AP</b>	<b>MP</b>	<b>RP</b>	<b>PP</b>	<b>FP</b>
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

<b>a) Plat Detail</b>	<b>AP</b>	<b>MP</b>	<b>RP</b>	<b>PP</b>	<b>FP</b>
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>b) Standard Plat Notes</b>	<b>AP</b>	<b>MP</b>	<b>RP</b>	<b>PP</b>	<b>FP</b>
1. The Benchmarks used are <u>INSERT BENCHMARK DATA AND MONUMENT DATA</u> .	X	X	X	X	X
2. Water service is provided by the <u>INSERT NAME OF PROVIDER</u> .			X	X	X
3. Wastewater service is provided by <u>INSERT NAME OF PROVIDER</u> .			X	X	X
4. Electric service is provided by <u>INSERT NAME OF PROVIDER</u> .			X	X	X
5. All easements of record as indicated on the most recent title run, dated <u>INSERT DATE</u> , conducted by <u>INSERT NAME</u> 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 <u>INSERT APPROVAL DATE</u> .					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 <sup>3</sup> 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 # <u>STATE NUMBER</u> for Bastrop County, Effective <u>INSERT DATE</u> , <u>INSERT COMMUNITY NUMBER</u> Community Number, and is on Zone <u>INSERT ZONE</u> .	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 (TABAA).					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
<b>STANDARD PLAT NOTES SPECIFIC TO CITY LIMITS:</b>					
26. Sidewalks shall be constructed in accordance with the Subdivision Chapter of the B <sup>3</sup> 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 <sup>3</sup> 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
<b>STANDARD PLAT NOTES, WHEN APPLICABLE:</b>					
36 Variance from <u>INSERT CODE AND VARIANCE DESCRIPTION</u> was approved by the City of Bastrop on <u>INSERT DATE</u> .	X	X	X	X	X
37 Residential corner lots on unequal class street shall only access the street with the lower classification. Access for <u>INSERT LOT</u> is prohibited to <u>INSERT STREET NAME</u> .	X	X	X		X
38 All restrictions and notes from the previous existing subdivision, <u>INSERT SUBDIVISION NAME</u> , recorded in <u>INSERT RECORDATION NUMBER</u> , plat records, Bastrop County, Texas, shall apply to this plat.	X		X		X

**c) Signature Block**

AP	MP	RP	PP	FP
		X	X	X

1 Planning & Zoning Commission Approval Format

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
X	X	X	X	X

3 Certificate of the Licensed Public Surveyor

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 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

**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



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### ARTICLE 4.3 INCOMPLETE SUBMISSIONS

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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.

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### ARTICLE 4.4 AUTHORITY RESPONSIBLE FOR APPROVAL

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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.

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### ARTICLE 4.5 ACTION TAKEN BY PLANNING & ZONING COMMISSION

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(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<sup>3</sup> 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<sup>3</sup>) CODE

CITY OF BASTROP CONSTRUCTION STANDARDS MANUAL

CITY OF BASTROP DRAINAGE DESIGN MANUAL

CITY OF BASTROP CODE OF ORDINANCES APPENDIX A -  
FEE SCHEDULE

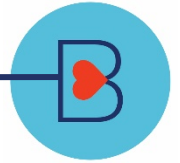
CITY OF BASTROP PATTERN BOOK

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 187<sup>th</sup> 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.



## 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

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 foot, 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 inherent 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.



**Adopted on February 26, 2019 by Resolution R-2019-24**





# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 91

**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 October 22, 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<sup>3</sup>) and the B<sup>3</sup> Technical Manual (B<sup>3</sup>TM) - 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 October 22, 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.

**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.

**READ and APPROVED** on First Reading on the 8<sup>th</sup> day of October 2019.

**READ and ADOPTED** on Second Reading on the 22<sup>nd</sup> day of October 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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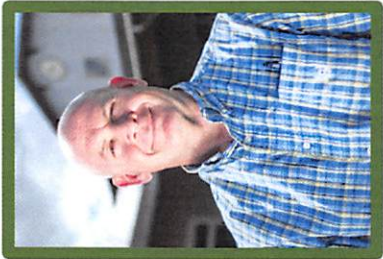
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# Development Team



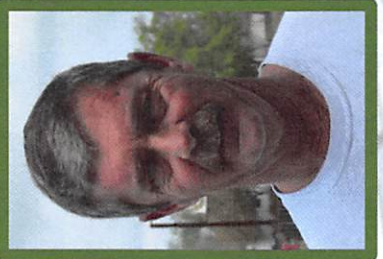
# Development Team

**Building Inspection**



**David Brasich**  
Building Official  
[dbrasich@cityofbastrop.org](mailto:dbrasich@cityofbastrop.org)  
512-332-8840

**Electric**



**Curtis Ervin**  
Director of BP&L  
[cervin@cityofbastrop.org](mailto:cervin@cityofbastrop.org)  
512-332-8900

**Engineering**



**Tony Buonodono**  
City Engineer  
[tbuonodono@cityofbastrop.org](mailto:tbuonodono@cityofbastrop.org)  
512-332-8800

**Fire**



**Chief Andres Rosales**  
Fire Chief  
[arosales@cityofbastrop.org](mailto:arosales@cityofbastrop.org)  
512-332-8800

**Planning / Zoning**

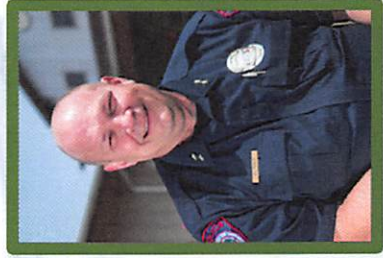


**Vacant**  
Director of Planning  
& Development  
512-332-8840

**Public Works**



**Trey Job**  
Assistant City Manager  
– Development Services  
[tjob@cityofbastrop.org](mailto:tjob@cityofbastrop.org)  
512-332-8800



**Chief James Altgelt**  
Assistant City Manager  
– Public Safety &  
Community Support  
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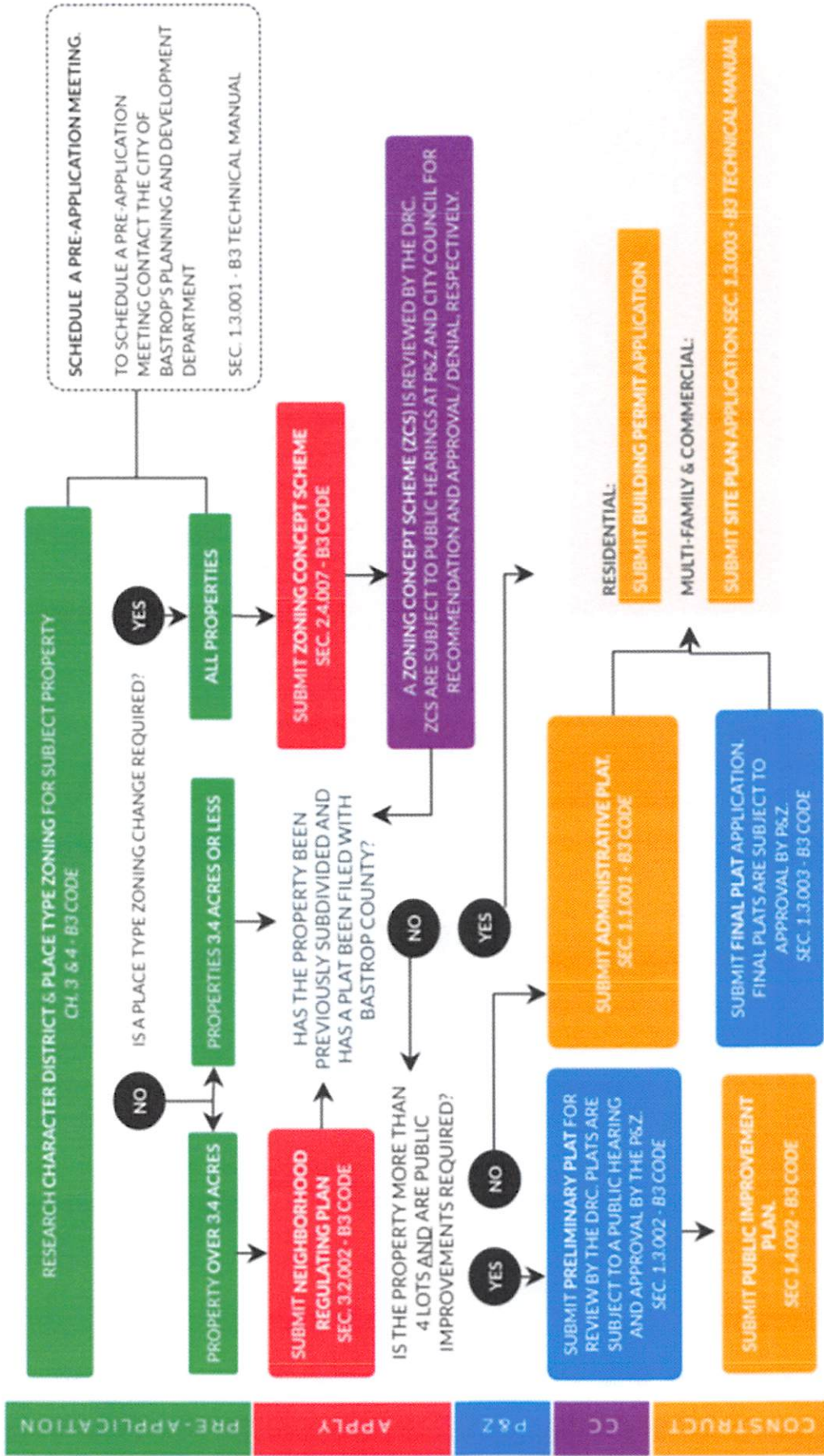
**Viviana Hamilton**  
Planning Technician  
[vhamilton@cityofbastrop.org](mailto:vhamilton@cityofbastrop.org)  
512-332-8840



**Lynda Humble**  
City Manager  
[lhumble@cityofbastrop.org](mailto:lhumble@cityofbastrop.org)  
512-332-8800

# Overview





# City of Bastrop, TX Development Process

# Planning Application





# 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
<b>Preliminary Plat</b> <input type="checkbox"/> Yes <input type="checkbox"/> No: TxDOT permits required (If yes, must attach to this application) <input type="checkbox"/> Yes <input type="checkbox"/> No: Temporary Construction Easements required (If yes, must attach to this application) <input type="checkbox"/> Yes <input type="checkbox"/> 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: \_\_\_\_\_



# 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](mailto: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		<b>Iredell District Overlay</b>	
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, 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
	<b>A. Conceptual Drainage Site Plan</b>		
	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>B. Conceptual Site Layout</b>		
	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 1 <sup>st</sup> Reading	City Council Meeting Date 2 <sup>nd</sup> 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



## Place Type Zoning Change Schedule of Uniform Submittal Dates – 2019/2020

# Process – Zoning

## Pre-Development Meeting (Mandatory) STEP 1

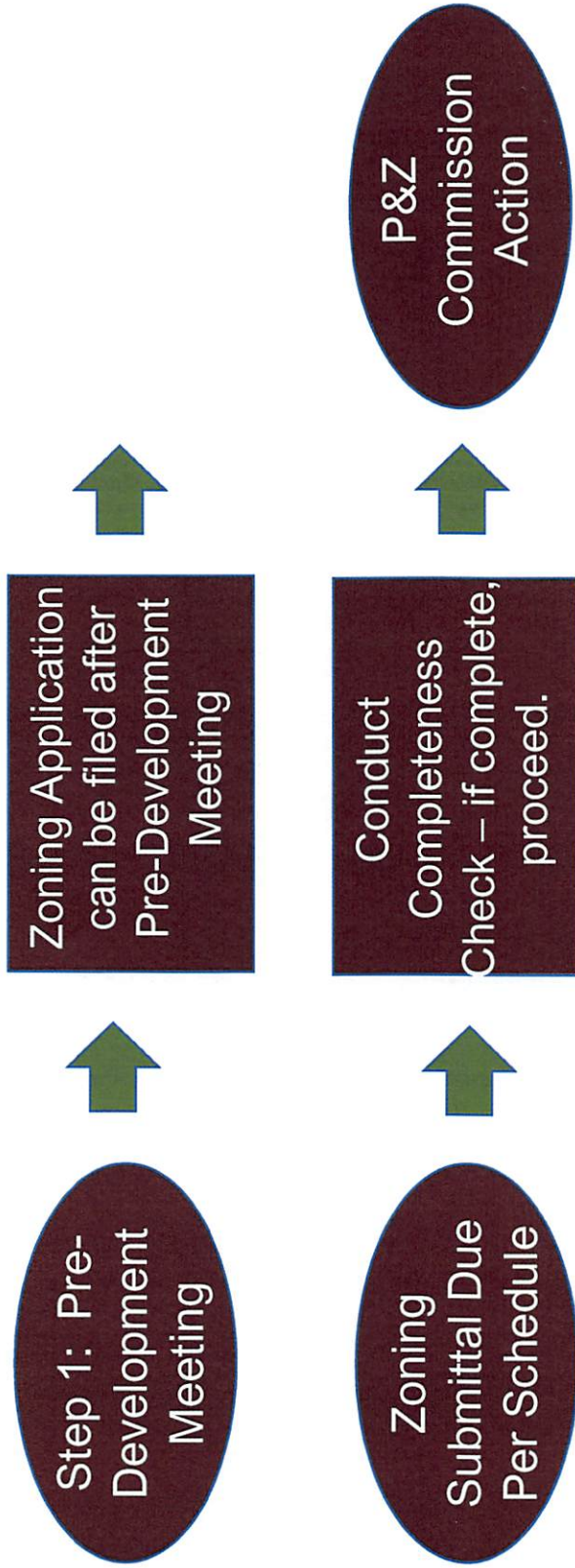
- Requires complete application and appointment
- Provide sketch drawing of lot, block and street layout
- Discuss land-uses/fiscal sustainability
- Feedback from Staff



**City of Bastrop, TX Development Process**



# Proposed Process Overview – Zoning Process



**City of Bastrop, TX Development Process**



# Process – Zoning

Zoning Submittal	Review for Completeness Check	Planning & Zoning Commission Consideration	City Council Consideration
<ul style="list-style-type: none"> <li>Once Pre-Development Mtg. occurs, a completed Zoning application can be submitted according to the Zoning Schedule Uniform Submittal Dates.</li> </ul>	<ul style="list-style-type: none"> <li>Review for Administrative Compliance.</li> <li>If complete, goes onto P&amp;Z Commission agenda.</li> <li>If incomplete, submittal is rejected.</li> </ul>	<ul style="list-style-type: none"> <li>Conducts a Public Hearing.</li> <li>Recommends approval or denial to City Council.</li> </ul>	<ul style="list-style-type: none"> <li>Conducts a Public Hearing.</li> <li>Approves or denies Zoning request.</li> </ul>



# **Zoning Concept Scheme Checklist**



# City of Bastrop, Texas

## Zoning Concept Scheme 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
	<p>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:</p> <p>1. The Zoning Concept Scheme shall include:</p>		
	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



## Regulating Plan Schedule of Uniform Submittal Dates – 2019/2020

# **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



## Plat & Site Plan Schedule of Uniform Submittal Dates – 2019/2020





# City of Bastrop, Texas Plat Checklist

Planning Department • 1311 Chestnut Street • 512-332-8840

**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

	<b>STANDARD PLAT NOTES</b>	<b>Amending</b>	<b>Minor</b>	<b>Replat</b>	<b>Preliminary Plat</b>	<b>Final Plat</b>
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 assigns.	X	X	X	X	X



	<b>STANDARD PLAT NOTES</b>	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
	<b>STANDARD PLAT NOTES SPECIFIC TO CITY LIMITS:</b>					
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
	<b>STANDARD PLAT NOTES SPECIFIC TO EXTRATERRITORIAL JURISDICTION:</b>					
29	A Bastrop County development permit is required prior to any site development.	X	X	X	X	X
	<b>STANDARD PLAT NOTES SPECIFIC TO BASTROP POWER &amp; LIGHT:</b>					
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



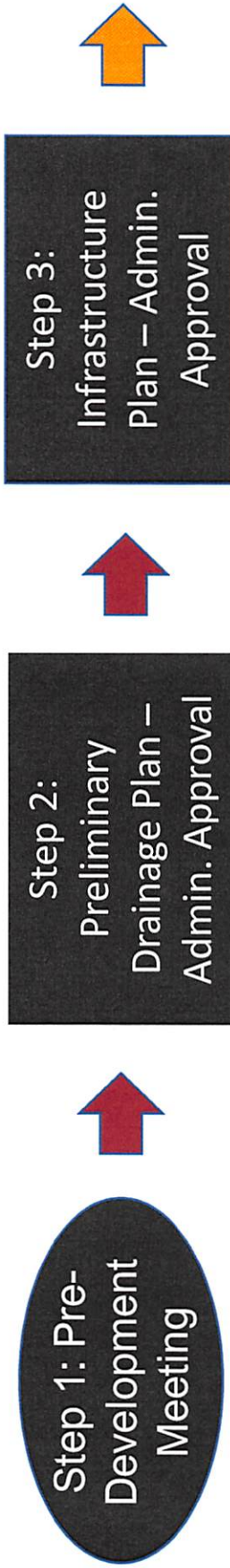
	<b>STANDARD PLAT NOTES</b>	Amending	Minor	Replat	Preliminary Plat	Final Plat
34	All fees must be paid before materials are ordered or construction of electric facilities will be scheduled.		X		X	X
35	Line extension fees are required to be assessed at the time of platting. Provide electric load calculations, number of services, or plans for review.		X	X	X	X
	<b>STANDARD PLAT NOTES, WHEN APPLICABLE:</b>					
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
	<b>4.10.8.C - SIGNATURE BLOCK</b>					
1	Planning & Zoning Commission Approval Format			X	X	X
<p>Approved this INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D. by the Planning &amp; Zoning Commission of the City of Bastrop, Texas.</p> <p>Approved: _____ Attest: _____</p> <p>_____ Planning &amp; Zoning Commission Chairman</p> <p>_____ City Secretary</p>						

	STANDARD PLAT NOTES	Amending	Minor	Replat	Preliminary Plat	Final Plat
2	Administrative Approval Format	X	X			
<p>Administratively approved and accepted by the City of Bastrop this INSERT DAY day of INSERT MONTH, INSERT YEAR.</p> <p>Approved: _____ Attest: _____</p> <p>City Manager _____ City Secretary _____</p> <p>Director of Planning _____</p>						
3	Certificate of the Licensed Public Surveyor	X	X	X	X	X
<p>The State of Texas§ County of Bastrop§</p> <p>KNOW ALL MEN BY THESE PRESENTS</p> <p>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.</p> <p>Signature and Seal of Registered Public Surveyor _____ Date _____</p>						
4	Certificate of the Licensed Engineer	X	X	X	X	X
<p>The State of Texas§ County of Bastrop§</p> <p>KNOW ALL MEN BY THESE PRESENTS</p> <p>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.</p> <p>Signature and Seal of Registered Engineer _____ Date _____</p>						

	STANDARD PLAT NOTES	Amending	Minor	Replat	Preliminary Plat	Final Plat
5	Owner's Signature Block	X	X	X		X
<p>The State of Texas§ County of Bastrop§</p> <p>KNOW ALL MEN BY THESE PRESENTS</p> <p>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:</p> <p>INSERT SUBDIVISION NAME</p> <p>Subject to easements and restrictions heretofore granted and not released and do hereby dedicate any streets and/or easements shown hereon to the public.</p> <p>Witness my hand this INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D.</p> <p>_____</p> <p>Property Owner Name Property Owner Address</p>						
6	County Clerk Signature Block	X	X	X	X	X
<p>The State of Texas§ County of Bastrop§</p> <p>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.</p> <p>Filed for record on the INSERT DAY day of INSERT MONTH, INSERT YEAR, A.D.</p> <p>_____</p> <p>Deputy</p> <p>_____</p> <p>County Clerk, Bastrop County, Texas</p>						

# **Preliminary Plat Process**

# Proposed Process Overview – Preliminary Plat Process

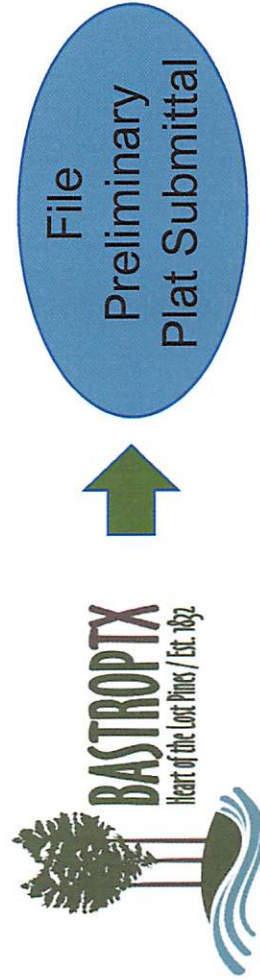


Steps 1 – 3 are **SEQUENTIAL** and **MUST** be completed before proceeding to next step.



Steps 4 - 6 are **CONCURRENT** and **MUST** be completed before plat submittal.

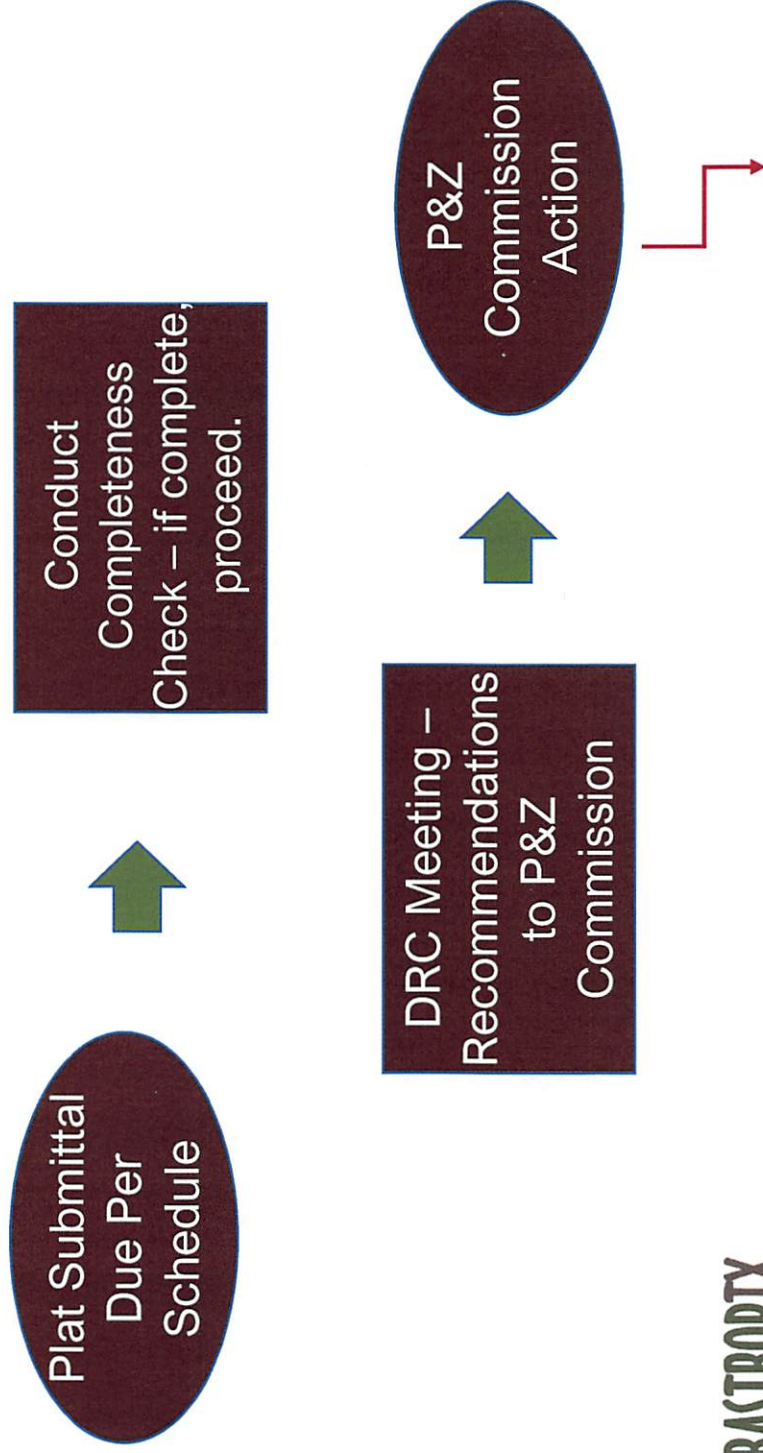
**NOTE: At this point, ALL engineering elements have been removed from platting and approved. ALL permits that impact a plat have been acquired. The Plat should be “lines on a map.”**



## City of Bastrop, TX Development Process



# Proposed Process Overview – Preliminary Plat Process



**P & Z Commission Action MUST occur within 30 days of acceptance or deemed APPROVED.**



**City of Bastrop, TX Development Process**

# Platting Process – Preliminary Plat

Pre-Submittal Meeting for Subdivision (Optional)	Pre-Development Meeting (Mandatory) STEP 1
<ul style="list-style-type: none"> <li>Meet with Staff to discuss process, design standards, and drainage requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Requires complete application and appointment</li> <li>Provide sketch drawing of lot, block and street layout</li> <li>Provide concept drainage plan</li> <li>Discuss land-uses/fiscal sustainability</li> <li>Comments from Staff within five (5) days that provide a roadmap</li> </ul>





# Platting Process – Preliminary Plat

## (Sequential Process – Removes all Engineering Elements)

Preliminary Drainage Plan (Step 2)	Infrastructure Plan (Step 3)
<ul style="list-style-type: none"><li>• As required in Stormwater Drainage Manual – Checklist provided</li><li>• Requires a Geotechnical Report</li><li>• Shall be submitted and approved by City Engineer before going to Step 3.</li></ul>	<ul style="list-style-type: none"><li>• Provides a “bird’s eye” view of proposed infrastructure improvements and how improvements will connect to existing infrastructure.</li><li>• Reviewed by City Engineer, Public Works (Parks, Water, Wastewater), Fire, Electric.</li><li>• Shall be submitted and approved by City Engineer before going to Step 4 – 6.</li></ul>



# City of Bastrop, TX Development Process



# 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)
<ul style="list-style-type: none"> <li>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.</li> </ul>	<ul style="list-style-type: none"> <li>If a Lost Pines Conservation Permit is required from County, a copy of this County issued permit is required with the Preliminary Plat application.</li> </ul>	<ul style="list-style-type: none"> <li>All temporary construction easements for infrastructure must be acquired and submitted with the Preliminary Plat application.</li> </ul>





# Platting Process – Preliminary Plat

## (Submission Process – 30 Approval Process Required by HB 3167)

Preliminary Plat Submittal	Review for Completeness Check	Planning & Zoning Commission Consideration
<ul style="list-style-type: none"> <li>Once all of the required steps are met, a completed Preliminary Plat application can be submitted according to the Plat &amp; Site Plan Schedule Uniform Submittal Dates.</li> </ul>	<ul style="list-style-type: none"> <li>Review for Administrative Compliance.</li> <li>If complete, goes onto P&amp;Z Commission agenda.</li> <li>If incomplete, submittal is rejected.</li> </ul>	<ul style="list-style-type: none"> <li>Municipal authority for Plat approval.</li> <li>If all standards are met, must approve within 30 days or deemed approved.</li> <li>If disapprove, must give written reason.</li> </ul>



**City of Bastrop, TX Development Process**

# **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	<b>Bastrop Ordinance 2019-36 – Stormwater Drainage Design Manual – Appendix B requires:</b>	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, 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
	<b>1 COVER SHEET</b>		
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		
	<b>2 NOTE SHEET(S)</b>		
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		
	<b>3 EROSION, SEDIMENTATION AND TREE PROTECTION SHEET</b>		
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		
	<b>4 DEMOLITION PLAN</b>		
4.1	Show all structures being demolished		
4.2	Will there be a need for infill, call-outs for infill material and positions?		
	<b>5 STREET PLAN AND PROFILE</b>		
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		
	<b>6 OVERALL WASTEWATER LAYOUT</b>		
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			
<b>WASTEWATER PLAN AND PROFILE</b>				
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			
<b>8 OVERALL WATER PLAN</b>				
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"			
<b>9 WATER PLAN AND PROFILE (ALL WATER LINES MUST BE PROFILED)</b>				
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)			
<b>10 SIGN, STRIPING, AND SLEEVE LAYOUT</b>				
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)			
<b>11 LIGHTING PLAN</b>				
11.1	Street Light Locations with coverage areas			
11.2	All utility lines must be installed underground.			
<b>12 PHASING PLAN</b>				
12.1	Provide Applicable Phasing Plan			
<b>13 TRAFFIC CONTROL PLAN</b>				
13.1	Provide applicable traffic control and detour details			
<b>14 WASTEWATER DETAILS</b>				
14.1	Current City of Bastrop detail (when inside Bastrop CCN)			
14.2	Current Utility Provider detail (when outside Bastrop CCN)			
<b>15 WATER DETAILS</b>				
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**

**City of Bastrop, TX Development 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 Recommendations – Staff 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

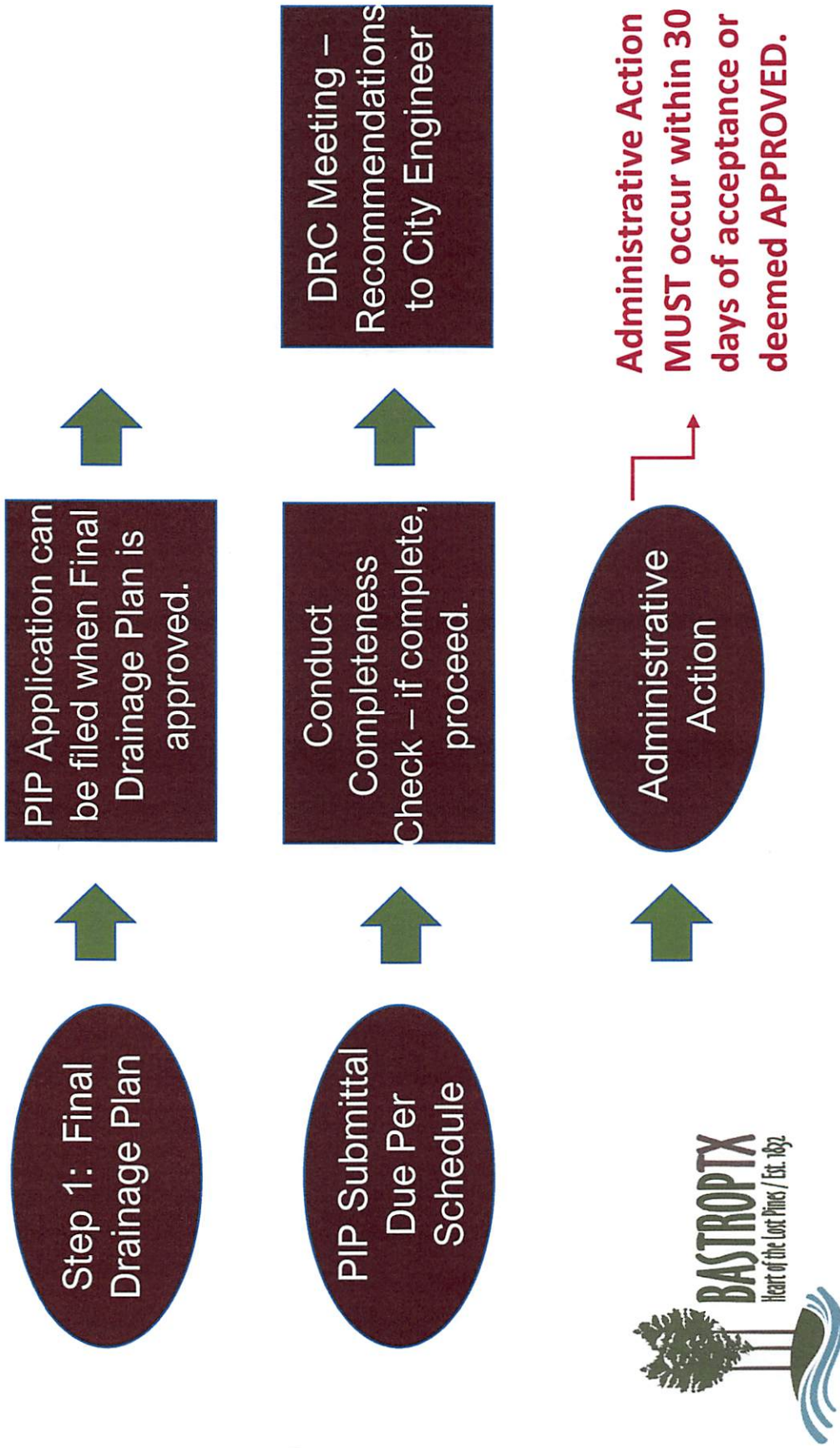
\*Adopted by City Council on August 27, 2019 – Ordinance 2019-32



## Public Improvement Plan Schedule of Uniform Submittal Dates – 2019/2020



# Proposed Process Overview – Public Improvement Plan (PIP)



City of Bastrop, TX Development Process

# 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.



**City of Bastrop, TX Development Process**



# Process – Public Improvement Plan (PIP)

## (Submission Process – 30 Approval Process Required by HB 3167)

PIP Submittal	Review for Completeness Check	City Engineer – Administrative Review
<ul style="list-style-type: none"> <li>Once all of the required steps are met, a completed PIP application can be submitted according to the PIP Schedule Uniform Submittal Dates.</li> </ul>	<ul style="list-style-type: none"> <li>Review for Administrative Compliance.</li> <li>If complete, goes onto Development Review Committee agenda.</li> <li>If incomplete, submittal is rejected.</li> </ul>	<ul style="list-style-type: none"> <li>Technical details that must meet City Council approved standards.</li> <li>Must take action within 30 days or deemed approved.</li> <li>If disapprove, must give written reason.</li> </ul>





# **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.	<p>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:</p> <p>"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.)</p> <p>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."</p>		

# **Public Improvement Plan Checklist**





# City of Bastrop, Texas Public Improvement 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, PUBLIC IMPROVEMENT PLAN REQUIREMENTS ARE AS FOLLOWS:	Meets Standard	Does Not Meet Standard
	<b>1 COVER SHEET</b>		
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		
	<b>2 PRELIMINARY PLAT SHEET</b>		
2.1	Legible Copy of Planning & Zoning Commission Approved, Preliminary Plat		
	<b>3 NOTE SHEET(S)</b>		
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		
	<b>4 EROSION, SEDIMENTATION AND TREE PROTECTION SHEET</b>		
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		
	<b>5 DEMOLITION PLAN</b>		
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?		
	<b>6 OVERALL DRAINAGE</b>		
6.1	Submit Approved & Signed Copy of Final Drainage Plan by City Engineer		
	<b>7 STREET PLAN AND PROFILE (Construction Standards Manual)</b>		
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		



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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			
<b>8</b>	<b>OVERALL WASTEWATER LAYOUT</b>			
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)			
<b>9</b>	<b>WASTEWATER PLAN AND PROFILE</b>			
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			



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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			
<b>10</b>	<b>OVERALL WATER PLAN</b>			
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"			
<b>11</b>	<b>WATER PLAN AND PROFILE (ALL WATER LINES MUST BE PROFILED)</b>			
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)			
<b>12</b>	<b>SIGN, STRIPING, AND SLEEVE LAYOUT</b>			
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)			
<b>13</b>	<b>LIGHTING PLAN</b>			
13.1	Street Light Locations with coverage areas			
13.2	All utility lines must be installed underground.			
<b>14</b>	<b>PHASING PLAN (Ordinance)</b>			
14.1	Provide Applicable Phasing Plan			
<b>15</b>	<b>TRAFFIC CONTROL PLAN</b>			
15.1	Provide applicable traffic control and detour details			
<b>16</b>	<b>WASTEWATER DETAILS (Construction Standards)</b>			
16.1	Current City of Bastrop detail (when inside Bastrop CCN)			



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16.2	Current Utility Provider detail (when outside Bastrop CCN)			
17	<b>WATER DETAILS (Construction Standards)</b>			
17.1	Current City of Bastrop detail (when inside Bastrop CCN)			
17.2	Current Utility Provider detail (when outside Bastrop CCN)			
18	<b>EROSION CONTROL AND TREE PROTECTION DETAILS (Construction Standards)</b>			
18.1	All applicable details			
19	<b>PUBLIC IMPROVEMENT PLAN NOTES</b>			
	<b>GENERAL NOTES</b>			
	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. <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>d) Open channels shall be stabilized as required to prevent erosion.</li> <li>e) Inlets to storm drains, culverts, and other stormwater conveyance systems shall be protected from siltation until final site stabilization.</li> <li>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.</li> </ul>			

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		<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ul>		
		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)		
		<b>TRENCH SAFETY NOTES</b>		
		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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		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.														
		<b>STREET AND DRAINAGE NOTES</b>														
		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:														
		<table border="1"> <thead> <tr> <th>Street</th> <th>Station</th> <th>Flex. Base Thickness</th> <th>HMAC Thickness</th> <th>Lime Stab. Thickness</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>			Street	Station	Flex. Base Thickness	HMAC Thickness	Lime Stab. Thickness							
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.		
	<b>WATER AND WASTEWATER NOTES</b>		
	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: <table border="1" data-bbox="362 1020 1128 1283"> <thead> <tr> <th>Sieve Size</th> <th>Percent Retained By Weight</th> </tr> </thead> <tbody> <tr> <td>1/2"</td> <td>0</td> </tr> <tr> <td>3/8"</td> <td>0-2</td> </tr> <tr> <td>#4</td> <td>40-85</td> </tr> <tr> <td>#10</td> <td>95-100</td> </tr> </tbody> </table>	Sieve Size	Percent Retained By Weight	1/2"	0	3/8"	0-2	#4	40-85	#10	95-100		
Sieve Size	Percent Retained By Weight												
1/2"	0												
3/8"	0-2												
#4	40-85												
#10	95-100												
	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.												
	<b>TRAFFIC MARKING NOTES</b>												
	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.												

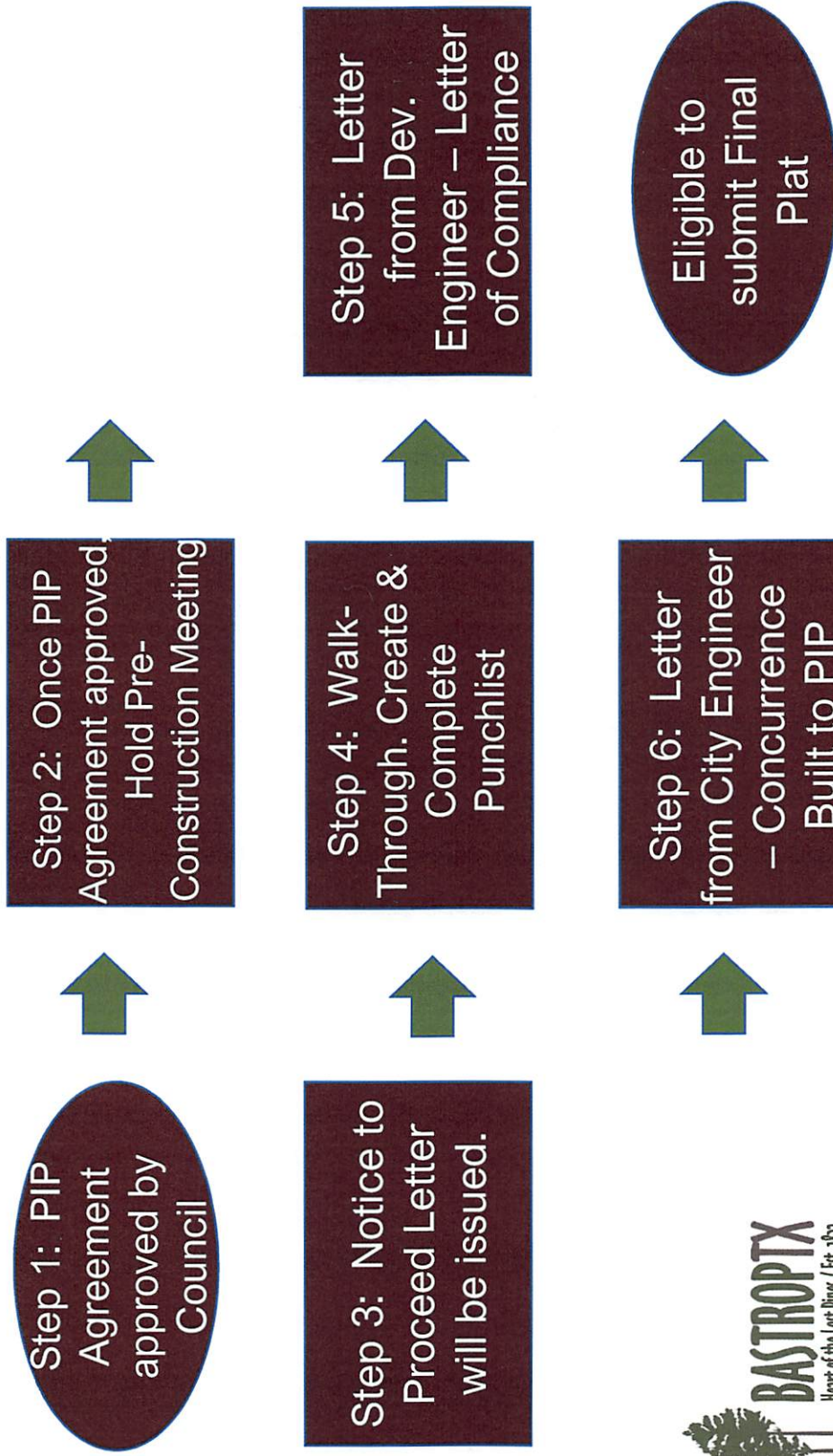
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	<b>EROSION AND SEDIMENTATION CONTROL NOTES</b>		
	1. Erosion control measures, site work and restoration work shall be in accordance with the City of Bastrop Code of Ordinances.		
	2. All slopes shall be sodded or seeded with approved grass, grass 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.		
	<b>ELECTRIC</b>		
	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



**City of Bastrop, TX Development Process**



# Construction of Approved Public Improvement Plan

Approved PIP Agreement	Pre-Construction Meeting	Notice to Proceed
<ul style="list-style-type: none"> <li>Council must approve the PIP Agreement PRIOR to scheduling Pre-Construction Meeting.</li> </ul>	<ul style="list-style-type: none"> <li>Mandatory Meeting scheduled by City Engineer.</li> </ul>	<ul style="list-style-type: none"> <li>Issued in writing by City Engineer.</li> </ul>



# Acceptance Process of Completed Public Infrastructure

Walk-Thru & Punch List	Maintenance Bond	Certification Process
<ul style="list-style-type: none"> <li>Walk-Thru with City Engineer &amp; Developer Representative</li> <li>Create punch-list</li> <li>Complete punch-list</li> </ul>	<ul style="list-style-type: none"> <li>File 2 – year maintenance bond in accordance with approved PIP agreement.</li> </ul>	<ul style="list-style-type: none"> <li>Developer’s Engineer must issue letter of compliance.</li> <li>City Engineer must issue letter of concurrence.</li> </ul>



**City of Bastrop, TX Development Process**



# **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***.

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

**Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME***

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:**

	<b>Full Project Cost</b>	<b>Developer's Assurance Amount</b>	<b>City Participation</b>
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



**Public Improvement Plan Agreement – INSERT DEVELOPMENT NAME**

**OFF-SITE IMPROVEMENTS: DELETE IF NOT NEEDED**

	<b>Full Project Cost</b>	<b>Developer's Assurance Amount</b>	<b>City Participation</b>
Sanitary Sewer Facilities	\$1,000,000.00	\$1,000,000.00	\$0.00
Other Related Facilities	\$0.00	\$0.00	\$0.00
<b>Total Construction Cost</b>	<b>\$1,000,000.00</b>	<b>\$1,000,000.00</b>	<b>\$0.00</b>

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:

	<b>Full Project Cost</b>	<b>Developer's Assurance Amount</b>	<b>City Participation</b>
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
<b>Total Construction Cost</b>	<b>\$2,000,000.00</b>	<b>\$2,000,000.00</b>	<b>\$0.00</b>

2.30 Summary of Infrastructure (Development) Assurance Amounts

	<b>Final Assurance Amount</b>
Sanitary Sewer Facilities	\$1,000,000.00
Storm Drainage Facilities	\$1,000,000.00
Streets & Sidewalks	\$1,000,000.00
<b>Total Construction Cost</b>	<b>\$3,000,000.00</b>

**Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME***

**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
<b>Payment to the City</b>			<b>\$75,000.00</b>

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.  
 Director of Engineering

\_\_\_\_\_  
 Date

## Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME*

### 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,



**Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME***

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**

	<u>Quantity</u>	<u>Unit Cost</u>	<u>Participation Payment to the City</u>
Power for Streetlights	25	\$25.00 per pole per month for 24 months	\$15,000.00
Payment to the City			\$15,000.00

RECOMMENDED:

Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME*

\_\_\_\_\_  
Trey Job  
Managing Director of Public Works & Leisure  
Services

\_\_\_\_\_  
Date

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 201X-XX (the "Public Open Space"), including, but not limited to, the *INSERT DESCRIPTION* parcel identified on the Parcel Plan attached to Ordinance 201X-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:

<b>Number of Lots</b>	<b>Fee Per Lot</b>	<b>Total Amount of Park Development Fees Owed (Subject to Credits)</b>
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**



Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME*

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:**

	<u>Lots</u>	<u>Fee per Lot</u>	<u>Final Assessment Amount</u>
Waste Water Impact Fee	10	\$5,020.00	\$50,200.00
Water Impact Fee	10	\$1,785.00	\$17,850.00
<b>Total Impact Fees To Be Collected</b>			<b>\$68,050.00</b>

RECOMMENDED:

---

Trey Job \_\_\_\_\_ Date  
Managing Director of Public Works & Leisure  
Services



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.

**Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME***

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



**Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME***

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,

**Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME***

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.



**Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME***

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.***

Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME*

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

Agreement or the PID Reimbursement Agreement.

DRAFT

**Public Improvement Plan Agreement – *INSERT DEVELOPMENT NAME***

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 XXXXXXXXXX, 20\_\_.

***INSERT DEVELOPMENT NAME***

**City of Bastrop, Texas**

\_\_\_\_\_  
Developer Name  
Company Name

\_\_\_\_\_  
Lynda Humble  
City Manager

ATTEST:

\_\_\_\_\_  
Ann Franklin  
City Secretary

\_\_\_\_\_  
Date

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Alan Bojorquez  
City Attorney

\_\_\_\_\_  
Date

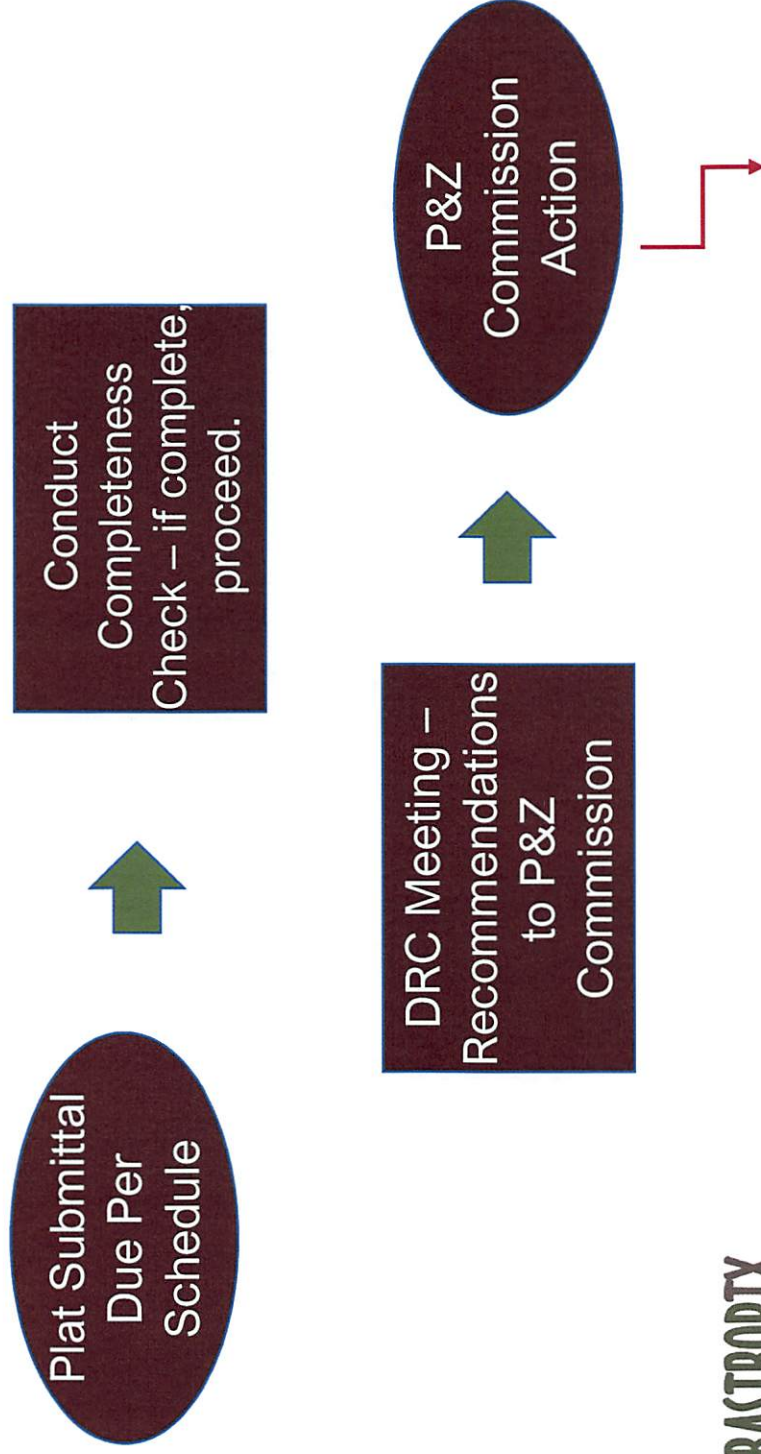
Distribution of Originals:    Developer  
  City Secretary  
  Planning and Development Department



# Final Plat Process

# Proposed Process Overview – Final Plat Process

Once P&Z Commission Approves Final Plat – Infrastructure is Deemed Accepted by City



**P & Z Commission Action MUST occur within 30 days of acceptance or deemed APPROVED.**



**City of Bastrop, TX Development Process**

# 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.



**City of Bastrop, TX Development Process**



# Platting Process – Final Plat

## [Submission Process – 30 Approval Process Required by HB 3167]

Final Plat Submittal	Review for Completeness Check	Planning & Zoning Commission Consideration
<ul style="list-style-type: none"> <li>Once all of the required steps are met, a completed Final Plat application can be submitted according to the Plat &amp; Site Plan Schedule Uniform Submittal Dates.</li> </ul>	<ul style="list-style-type: none"> <li>Review for Administrative Compliance.</li> <li>If complete, goes onto P&amp;Z Commission agenda.</li> <li>If incomplete, submittal is rejected.</li> </ul>	<ul style="list-style-type: none"> <li>Municipal authority for Plat approval.</li> <li>If all standards are met, must approve within 30 days or deemed approved.</li> <li>If disapprove, must give written reason.</li> </ul>



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



## Plat & Site Plan Schedule of Uniform Submittal Dates – 2019/2020



# Proposed Process Overview – Site Plan Process



**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.**



**City of Bastrop, TX Development Process**



# 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
<ul style="list-style-type: none"> <li>Once all of the required steps are met, a completed Site Plan application can be submitted according to the Plat &amp; Site Plan Schedule Uniform Submittal Dates.</li> </ul>	<ul style="list-style-type: none"> <li>Review for Administrative Compliance.</li> <li>If complete, goes onto Development Review Committee agenda.</li> <li>If incomplete, submittal is rejected.</li> </ul>	<ul style="list-style-type: none"> <li>Technical details that must meet City Council approved standards.</li> <li>Must take action within 30 days or deemed approved.</li> <li>If disapprove, must give written reason.</li> </ul>



**Utility Plan Checklist  
(Infill Development Only – Pre-  
requisite for Site Plan  
Submittal)**





# 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
<b>1</b>	<b>COVER SHEET</b>		
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		
<b>2</b>	<b>NOTE SHEET(S)</b>		
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).		
<b>3</b>	<b>EROSION, SEDIMENTATION AND TREE PROTECTION SHEET</b>		
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		
	<b>STREET &amp; DRAINAGE PLAN AND PROFILE</b>		
	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		
<b>5</b>	<b>OVERALL WASTEWATER PLAN</b>		
	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		
<b>8</b>	<b>OVERALL WATER PLAN</b>		
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"		
	<b>13</b>	<b>ELECTRICAL DEMAND REQUIREMENTS</b>		
		Total Load required		
		No. of Services required for site & Size of each Service		
		Proposed location of transformer location(s)		
	<b>14</b>	<b>WASTEWATER DETAILS</b>		
	14.1	Current City of Bastrop detail (when inside Bastrop CCN)		
	14.2	Current Utility Provider detail (when outside Bastrop CCN)		
	<b>15</b>	<b>WATER DETAILS</b>		
	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, Texas Site 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, SITE PLAN REQUIREMENTS ARE AS FOLLOWS:	Meets Standard	Does Not Meet Standard
<b>SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS</b>			
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.		
<b>SITE DEVELOPMENT PLAN DETAIL REQUIREMENTS</b>			
1	<b>COVER SHEET</b>		
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		
<b>2</b>	<b>FINAL PLAT SHEET</b>		
2.1	Copy of Final Plat. Note recordation information or if plat is under review.		
<b>3</b>	<b>OVERALL SITE PLAN SHEET</b>		
<b>3.1</b>	<b>Site Data Summary Chart to include the following:</b> 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		
<b>4</b>	<b>LANDSCAPE PLAN SHEET</b>		
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		
<b>5</b>	<b>BUILDING ELEVATIONS SHEET</b>		
5.1	Architectural renderings or elevations of all proposed buildings and structures		
<b>6</b>	<b>FIRE ACCESS AND CONTROL PLAN SHEET</b>		
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)		
<b>7.0</b>	<b>LIGHTING PLAN SHEET</b>		
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		
<b>8.0</b>	<b>TRAFFIC CONTROL &amp; PEDESTRIAN SAFETY SHEET</b>		
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.		
	<b>SUPPLEMENTAL REQUIREMENTS</b>		
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: <b>(MUST SHOW ON COVER SHEET)</b>		

<b>Bastrop Fire Department</b>	
<b>Fire Design Codes</b>	<i>International Fire Code Edition with adopted appendices</i>
<b>Fire Flow Demand @ 20 psi (gpm)</b>	<i>Most demanding building's calculated fire flow demand – 2009 IFC Appendix B, Table B105.1 – Based on SF and Construction Type</i>
<b>Intended Use</b>	<i>Most demanding building's intended use</i>
<b>Construction Classification</b>	<i>Most demanding building's IBC construction classification</i>
<b>Building Fire Area (S.F.)</b>	<i>Most demanding building's fire area in gross square feet (all floor levels combined) per 2009 IFC Appendix B.</i>
<b>Automatic Fire Sprinkler System Type (If applicable)</b>	<i>The sprinkler system type that is in the most demanding building's fire area - NFPA 13, NFPA 13R or NFPA 13D</i>
<b>Reduced Fire Flow Demand @ 20 psi for having a sprinkler system (gpm) (If applicable)</b>	<i>Reduced fire flow demand, as permitted by BFD and Appendix B.</i>
<b>Fire Hydrant Flow Test Date</b>	<i>Not more than 1 yr from the date of Site Development Plan submittal</i>
<b>Fire Hydrant Flow Test Location</b>	<i>Block and Street Name</i>
<b>Alternative Method of Compliance AMOC (If applicable)</b>	<i>AMOC number and the date the AMOC was approved by the City.</i>

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:		
	<p><b>The certificate of the licensed public surveyor:</b>  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.</p> <p>_____  Signature and Seal of Registered Public Surveyor with date.</p>		

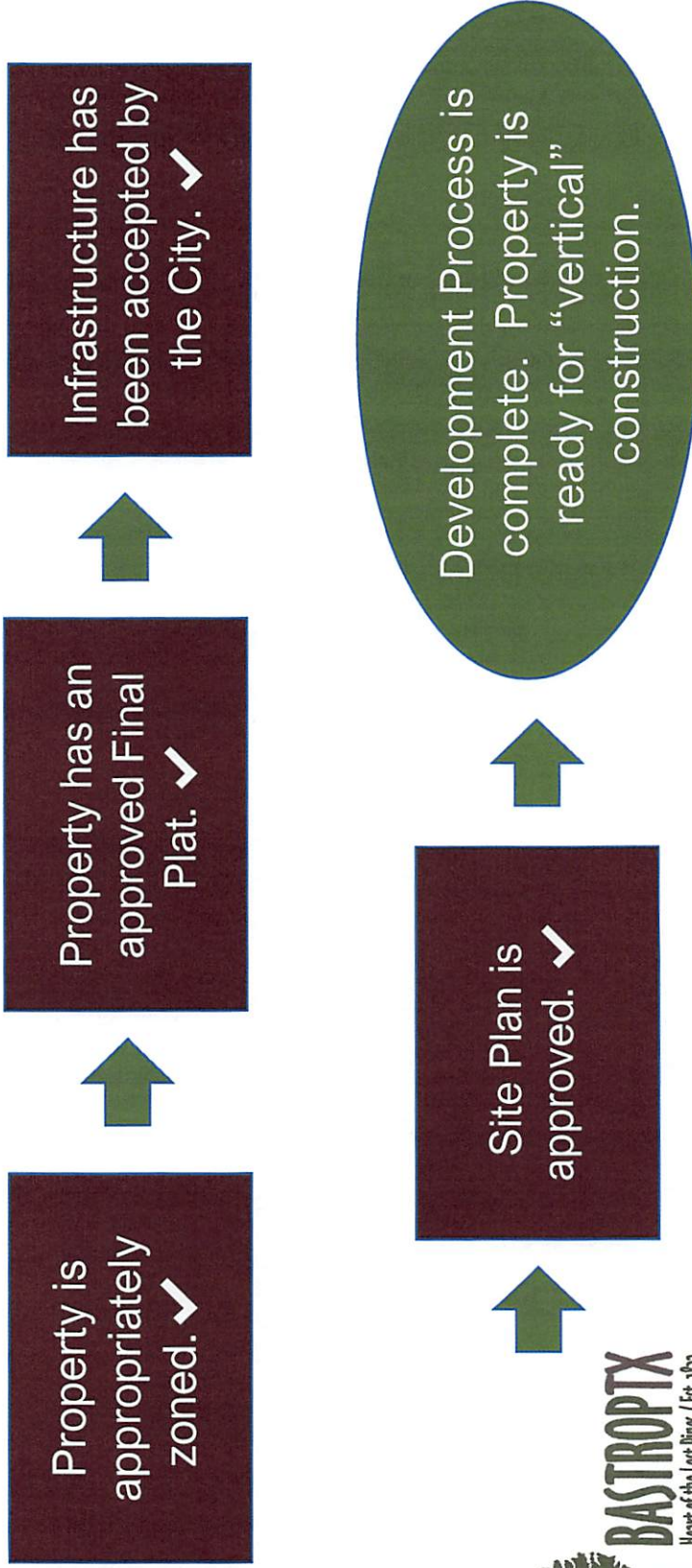




# **When is it time to move from the Development Process to Building Permitting?**

# Proposed Process Overview – Building Permits

At this point in the process:

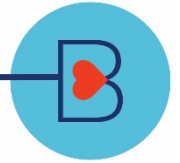


**City of Bastrop, TX Development Process**



## 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 187<sup>th</sup> 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.





## 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 created 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

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 foot, 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 inherent 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.



**Adopted on February 26, 2019 by Resolution R-2019-24**



# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 9J

**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 October 22, 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 B<sup>3</sup> 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 8th day of October 2019.

**READ & APPROVED** on the Second Reading on the 22<sup>nd</sup> day of October 2019.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney

# CHAPTER 1 - PAVING STANDARDS FOR STREETS AND SIDEWALKS

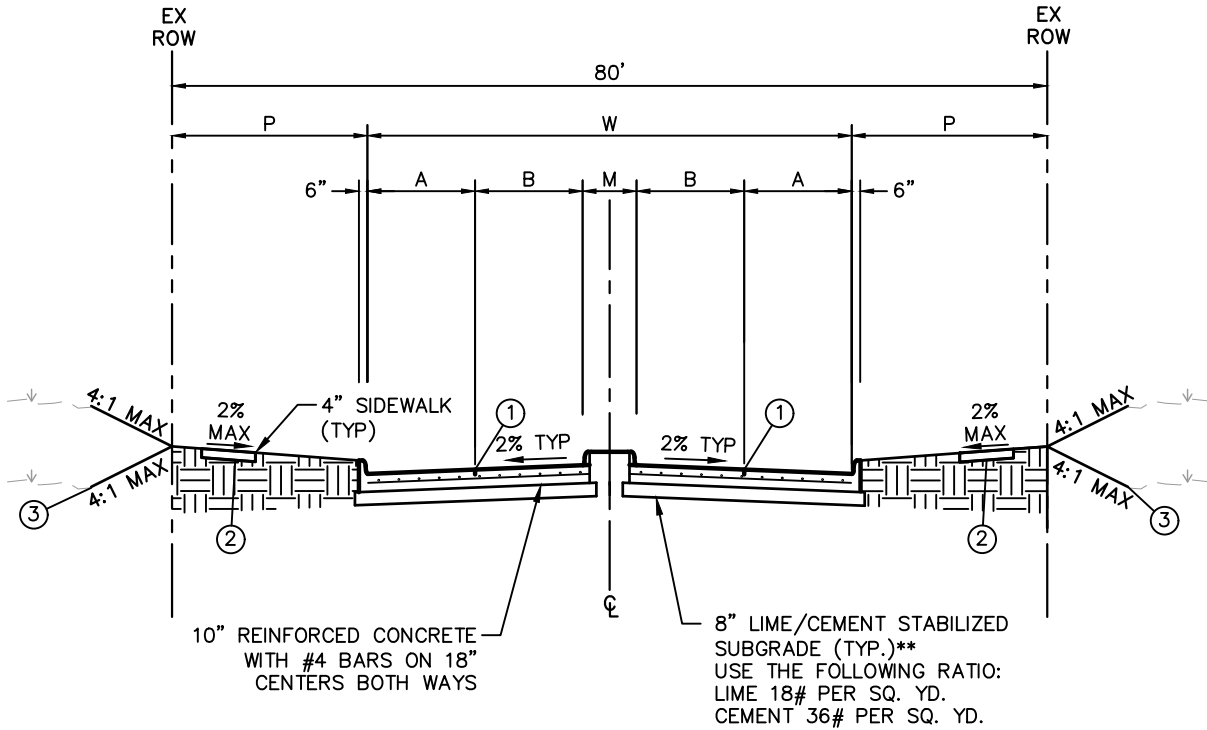
## I. STREET DESIGN

### A. General

All construction of new streets within the City of Bastrop or its Extraterritorial Jurisdiction shall be designed in accordance with the City of Bastrop B<sup>3</sup> Codes and the City of Bastrop B<sup>3</sup> 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.



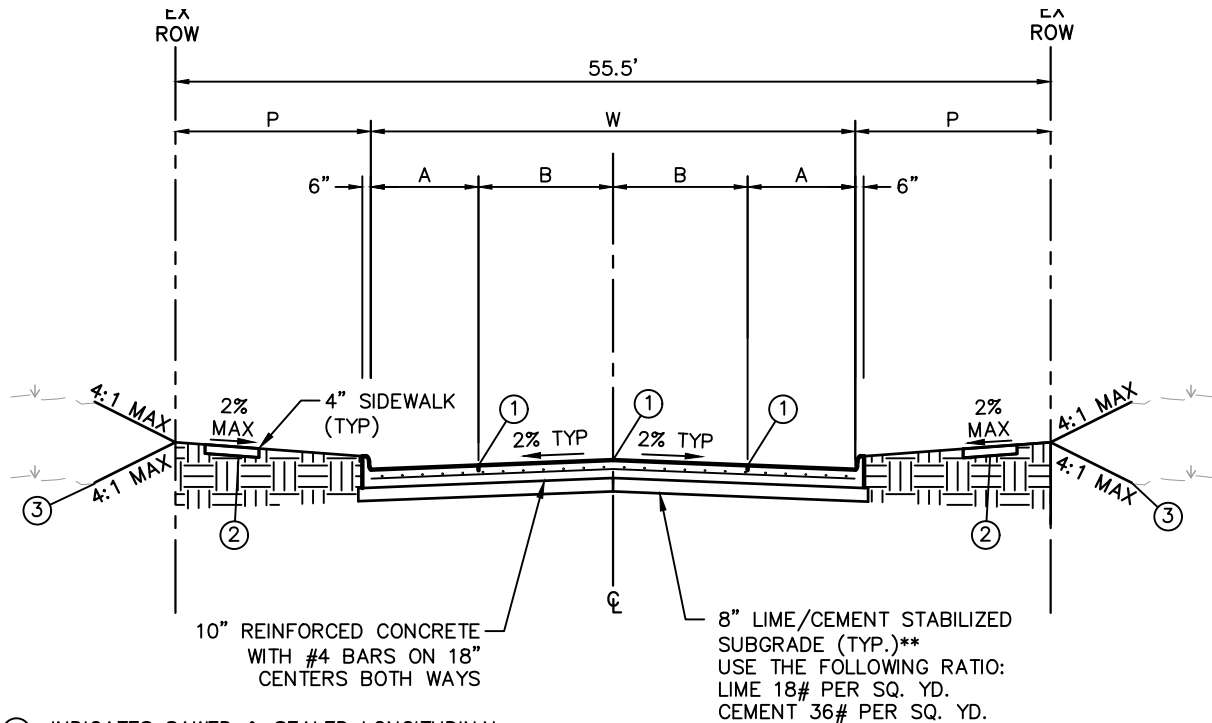
- ① INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.
- ② SIDEWALK CROSS SLOPE 2% MAX. SIDEWALK WIDTH VARIES.
- ③ SLOPE EXCEEDING 4:1 ONLY ALLOWED WITH STABILITY ANALYSIS
- ④ CURB HEIGHT AND WIDTH SHALL BE 6" OR AS SPECIFIED BY CITY.

\*\*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 XX-XX-XX DATE THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.	<h1 style="margin: 0;">CITY OF BASTROP</h1> <h2 style="margin: 10px 0 0 0;">80' RIGHT-OF-WAY TYPICAL SECTION</h2>	DRAWING NO: XX-XX <div style="border: 1px solid black; width: 100px; height: 50px; margin-top: 10px;"></div>
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- 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  
DATE  
THE ARCHITECT/ENGINEER ASSUMES  
RESPONSIBILITY FOR THE APPROPRIATE  
USE OF THIS DETAIL.

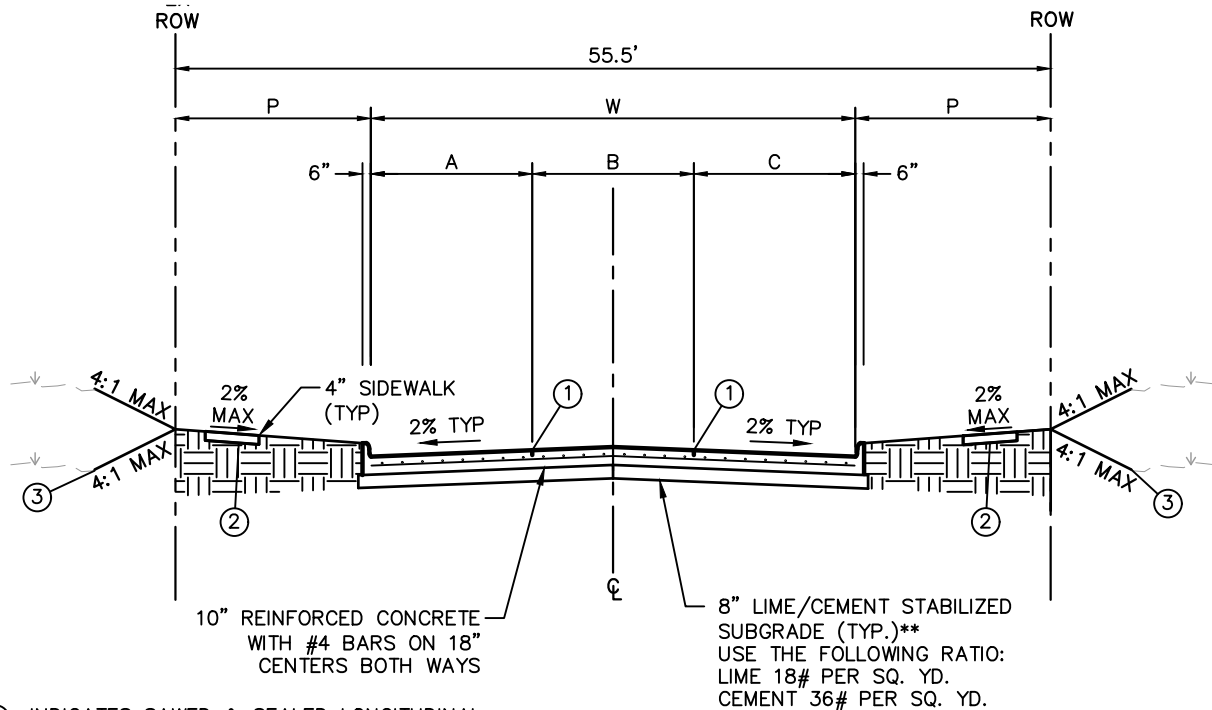
# CITY OF BASTROP

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

DRAWING NO:  
XX-XX

2/Proposed/Logo - Client/Street/pt





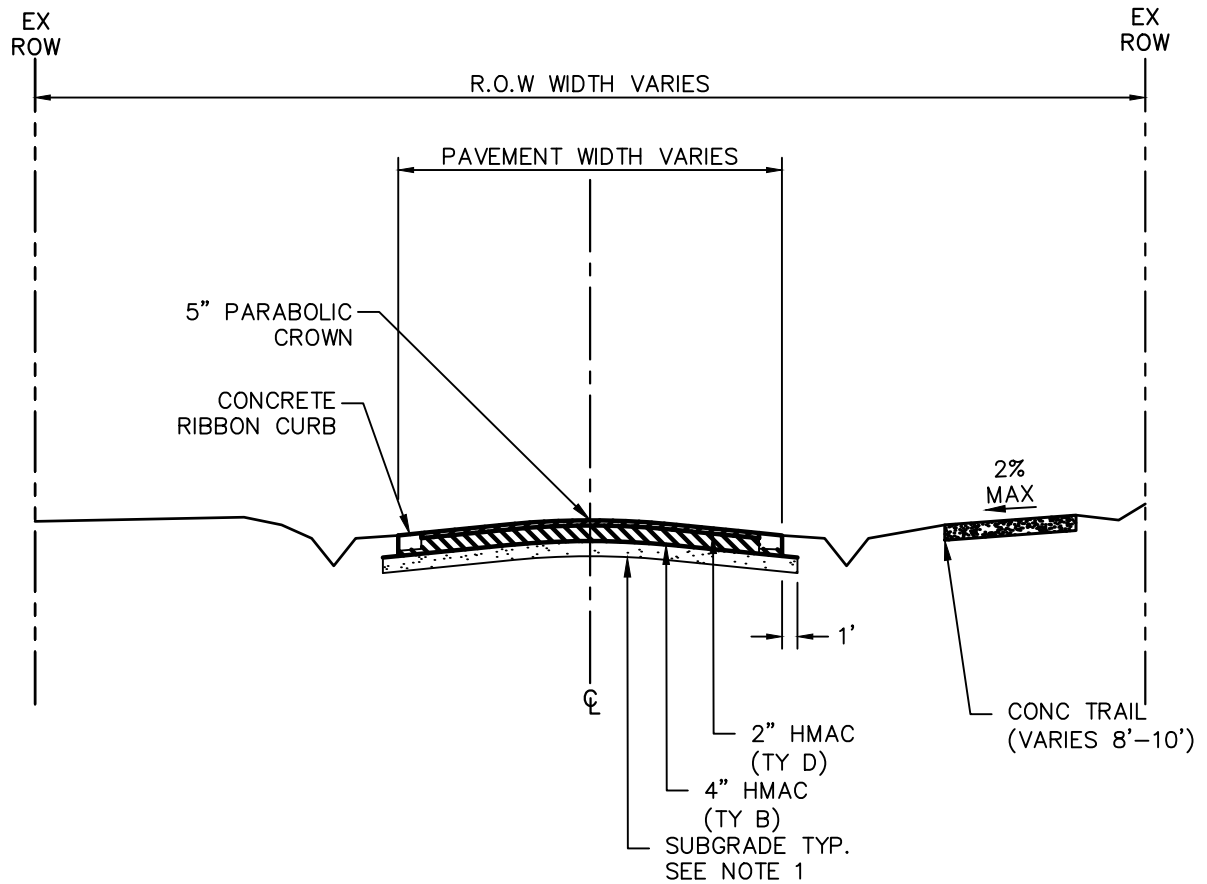
- ① INDICATES SAWED & SEALED LONGITUDINAL CONTRACTION OR CONSTRUCTION JOINT.
- ② SIDEWALK CROSS SLOPE 2% MAX. SIDEWALK WIDTH VARIES.
- ③ SLOPE EXCEEDING 4:1 ONLY ALLOWED WITH STABILITY ANALYSIS
- ④ CURB HEIGHT AND WIDTH SHALL BE 6" OR AS SPECIFIED BY CITY.

\*\*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	28'	8'	12'	8'	55.5'	13.75'	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"

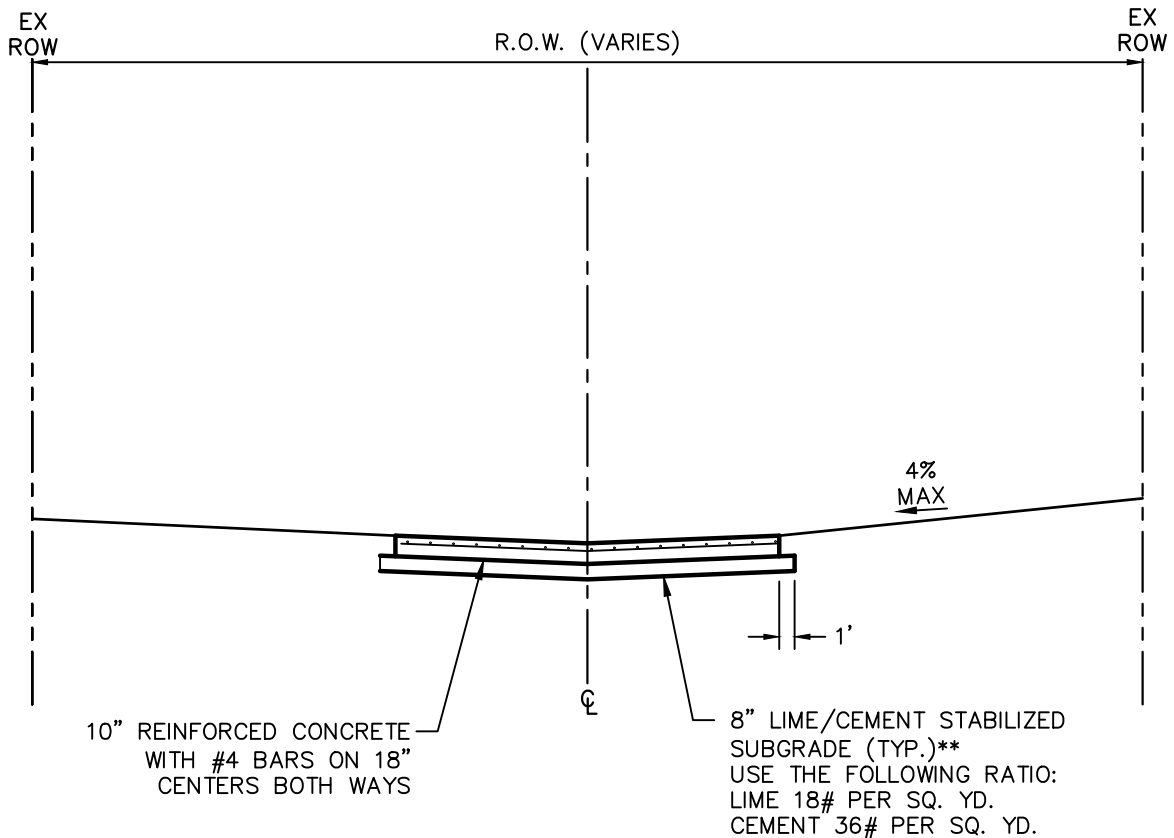
- ⑤ ALL DIMENSIONS TO BACK OF CURB AND IN FEET UNLESS OTHERWISE SHOWN.
- ⑥ REFERENCE CONSTRUCTION STANDARDS MANUAL FOR MORE DETAILS. REFERENCE B3TM FOR MORE INFORMATION ON PARKWAY AND OUTSIDE OF R.O.W.

RECORD SIGNED COPY ON FILE AT PUBLIC WORKS <b>APPROVED</b>  XX-XX-XX <b>DATE</b>  THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.	<h1 style="margin: 0;">CITY OF BASTROP</h1> <h2 style="margin: 10px 0 0 0;">55.5' RIGHT-OF-WAY 3-LANE CONCRETE PAVING SECTION</h2>	DRAWING NO: XX-XX  <div style="border: 1px solid black; width: 100%; height: 50px; margin-top: 5px;"></div>
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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.

<p>RECORD SIGNED COPY ON FILE AT PUBLIC WORKS</p> <p>APPROVED</p>	<p style="text-align: center;"><b>CITY OF BASTROP</b></p> <p style="text-align: center;">RURAL ASPHALT PAVING SECTION</p>	<p>DRAWING NO: XX-XX</p>
<p>XX-XX-XX</p> <p>DATE</p>		
<p>THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR THE APPROPRIATE USE OF THIS DETAIL.</p>		



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

ALLEY PAVING SECTION

DRAWING NO:

XX-XX

2/Proposed/Update - Client/Review/df



# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 9K

**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 October 22, 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 October 22, 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, Comprehensive 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, ratifying 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 8<sup>th</sup> day of October 2019.

**READ & APPROVED** on the Second Reading on the 22<sup>nd</sup> day of October 2019.

**APPROVED:**

*by*

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney



# STAFF REPORT

**MEETING DATE:** October 8, 2019

**AGENDA ITEM:** 9L

**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.

**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.

**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 8<sup>th</sup> day of October 2019.

**READ and ADOPTED** on Second Reading on the 22<sup>nd</sup> 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 8, 2019

**AGENDA ITEM:** 10A

**TITLE:**

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.

**STAFF REPRESENTATIVE:**

Lynda Humble, City Manager





# STAFF REPORT

**MEETING DATE:** October 8, 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

