

ORDINANCE 2017- 32A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 14 TITLED "ZONING," SECTION 37 TITLED "EXTERIOR CONSTRUCTION REQUIRMENTS", PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop has adopted Chapter 14 – Zoning, Section 37 – Exterior Construction Materials, to allow the City to review and permit development standards related to building construction to ensure the future sustainability of the city and safety of the citizens; and

WHEREAS, a request was made to review new exterior construction materials to for compliance with purpose and intent of the code and amend the existing requirements to allow new materials; and

WHEREAS, The City Council may from time to time, after receiving a final report from the Planning and Zoning Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided; and

WHEREAS, staff proposed an amendment to allow the consideration and approval of alternative materials by the Planning Director, taking in to consideration the quality of the material, the effect upon the immediate vicinity of the project, and that the material meets the purpose and intent of the code; and

WHEREAS, the Planning & Zoning Commission, after a public hearing, recommended amending the staff proposed amendment to provide that the Commission approve all alternative materials and recommended that the foamed-insulated-core concealed fastener metal wall panel with a masonry finish be added as an allowed exterior building material at their regular November 30, 2017 meeting; and

WHEREAS, notice of the public hearing to consider amendments to the Code of Ordinances was published on November 11, 2017, as required by Ordinance, and the City Council held a public hearing on December 12, 2017; and

WHEREAS, after consideration of the information presented and public input received at the hearing, City Council has determined that the exterior construction materials requirements should be amended to acknowledge that construction practices continue to evolve and create new products and therefore authorize the Planning & Zoning Commission to allow alternative materials on a case-by-case basis.

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

Section 1: The Code of Ordinances of the City of Bastrop, Texas, is hereby amended by amending Chapter 14 “Zoning” Section 37 “Exterior Construction Requirements”, to read as follows:

“Chapter 14. ZONING

ARTICLE 37.1 EXTERIOR CONSTRUCTION STANDARDS

...

Sec. 37.1.A DEFINITIONS

...

- D. Foamed-insulated-core concealed fastener metal wall panel with a masonry finish may be allowed if approved by the city and found to be of comparable or superior durability and mimic the appearance of other approved materials.

ARTICLE 37.2 CONSTRUCTION STANDARDS

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Sec. 37.2.A.2 Nonresidential Zoning Districts, excluding Residential and Light Industrial (LI):

...

- d. In recognition of changing construction materials and practices, the Planning & Zoning Commission may authorize alternate building materials for exterior finishes required in paragraphs 2.a and 2.b. above, provided that they have an appearance and sustainability similar to masonry construction. To approve the alternative, the applicant must show that:
 - (1) The material is of equal or better quality than is required.
 - (2) Approval of the alternative material will not adversely affect the physical character of sites in the immediate vicinity of the development.
 - (3) The alternate material is consistent with the purpose and intent of the code.

Sec. 3.01.A.3 Light Industrial (LI) Zoning District:

...

- d. In recognition of changing construction materials and practices, the Planning & Zoning Commission may authorize alternate building materials for exterior finishes required in paragraphs 3.a and 3.b. above, provided that they have an

appearance and sustainability similar to masonry construction. To approve the alternative, the applicant must show that:

- (1) The material is of equal or better quality than is required.
- (2) Approval of the alternative material will not adversely affect the physical character of sites in the immediate vicinity of the development.
- (3) The alternate material is consistent with the purpose and intent of the code.

Section 3: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

Section 4: All ordinances of the City of Bastrop in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

Section 5: Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Bastrop Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Bastrop Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 6: An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Bastrop Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 7. This Ordinance shall take effect on the 9th day of January 2018, 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 the First Reading on the 12th day of December, 2017.

READ and ACKNOWLEDGED on the Second Reading on the 9th day of January, 2018.

APPROVED:



Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



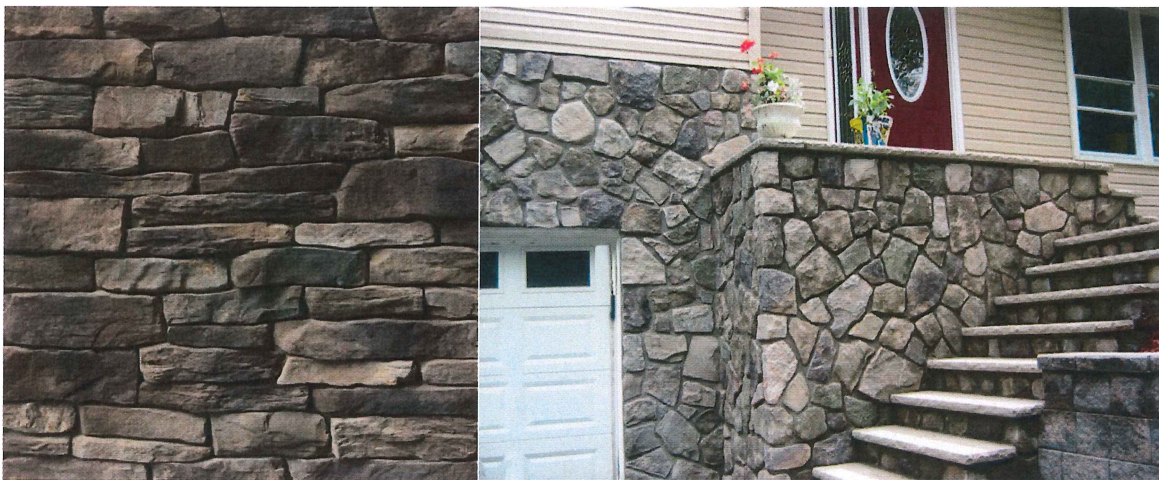
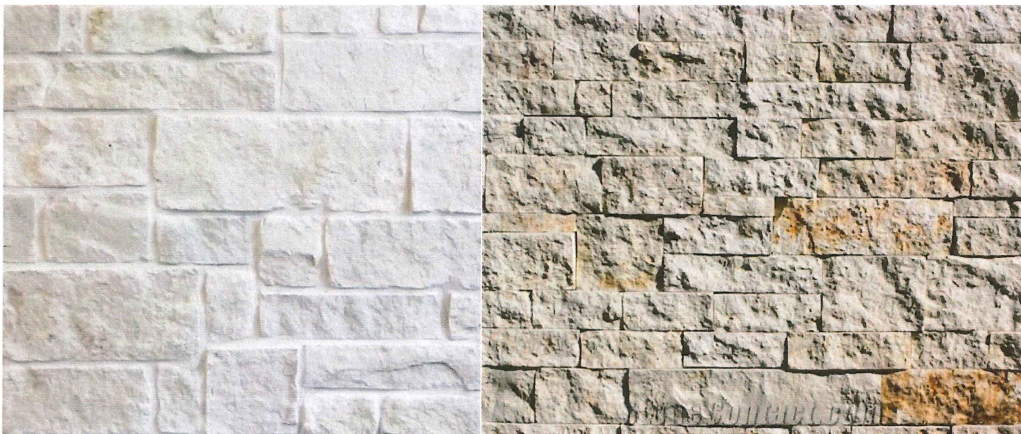
Alan Bojorquez, City Attorney

ARTICLE 37.1 EXTERIOR CONSTRUCTION STANDARDS

- A. **Definitions:** For the purpose of this section the following definitions shall apply:
1. Masonry exterior construction shall include all construction of stone material (including artificial stone), brick material, concrete masonry units, or concrete panel construction, which is composed of solid, cavity, faced, or veneered-wall construction.
The types of allowable masonry construction are listed below:
 - a. Stone Material: Masonry construction using stone material may consist of granite, marble, limestone, slate, river rock, and other hard and durable naturally occurring all weather stone. Cut stone and dimensioned stone techniques are acceptable.
 - b. Brick Material: Brick material used for masonry construction shall be hard fired (kiln fired) clay or slate material that meets the latest standard contained within the building code. Unfired or underfired clay, sand, or shale brick are not allowed.
 - c. Concrete Masonry Units: Concrete masonry units used for masonry construction shall meet the latest standard contained within the building code. Concrete masonry units shall have an indented, hammered, split face finish or other similar architectural finish, and be integrally colored. Lightweight concrete block or cinder block construction is not acceptable as an exterior finish.
 - d. Concrete Panel Construction: Concrete finish, pre-cast panel or tilt wall construction shall be painted, fluted, or exposed aggregate. Smooth or untextured concrete finishes are not acceptable unless painted.
 - e. Plaster Finishes: Plaster (stucco) shall have a minimum overall thickness of 7/8".
 2. Glass exterior construction shall include glass curtain walls or glass block construction. Glass curtain wall shall be defined as an exterior wall which carries no structural loads, and which may consist of the combination of metal, glass, or other surfacing material supported in a metal framework.
 3. Metal exterior construction shall include profiled panels, deep ribbed panels and concealed fastener systems. Metal exterior construction shall be (1) finished with a manufacturer's permanent finish material, such as baked on enamel or epoxy/resin finish, or (2) painted in accordance with the wall manufacturer's specifications. All such exterior metal walls shall be required to have a profiled surface. The following are prohibited when the walls are metal:
 - a. corrugated panels[.]
 - b. galvanized, corrugated, aluminum coated, zinc-aluminum coated, or unpainted exterior metal finish[.]
 - c. Siding shall include fiber cement (e.g. Hardiplank) or wood products excluding vertical panels.
- B. Use of corrugated plastic or fiberglass panels is prohibited.
- C. Hardy plank or other concrete composite materials may be allowed if approved by the city and found to be of comparable or superior durability and mimic the appearance of other approved materials.

Examples of Currently Allowed Materials

a. Stone Material



Attachment 1: Section 37 Exterior Construction Materials and Examples of Materials

b. Brick Material



c. Concrete Masonry Unit



Attachment 1: Section 37 Exterior Construction Materials and Examples of Materials

d. Concrete Panel Construction (tilt wall)



e. Plaster Finishes (stucco)



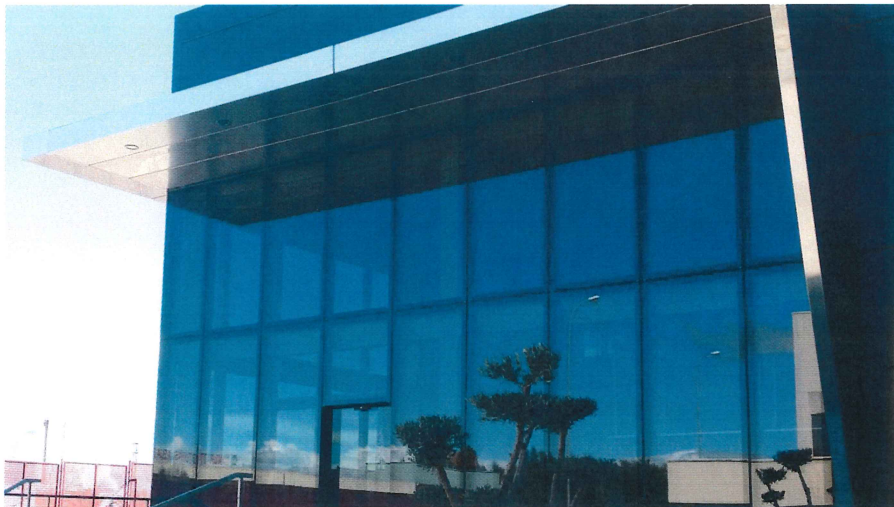
Attachment 1: Section 37 Exterior Construction Materials and Examples of Materials

Plaster Finish Detail



2. Glass Exterior Construction

Glass curtain wall



Attachment 1: Section 37 Exterior Construction Materials and Examples of Materials

Glass block



3. Metal Exterior Construction



Attachment 1: Section 37 Exterior Construction Materials and Examples of Materials



Attachment 1: Section 37 Exterior Construction Materials and Examples of Materials

4. Hardiplank

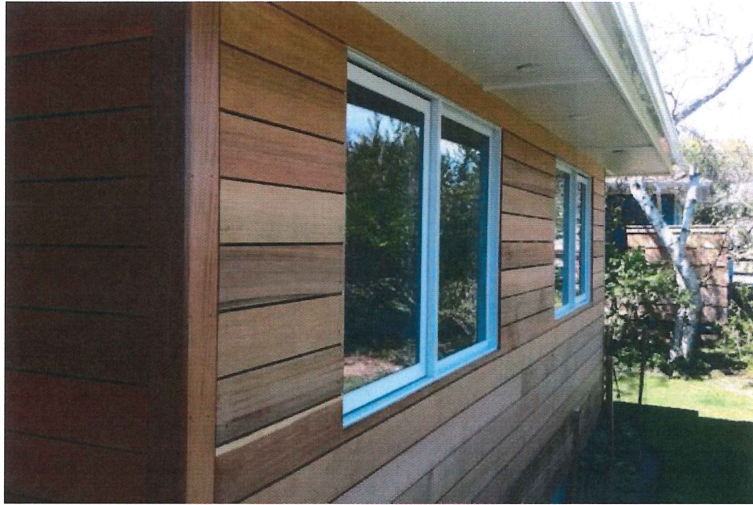
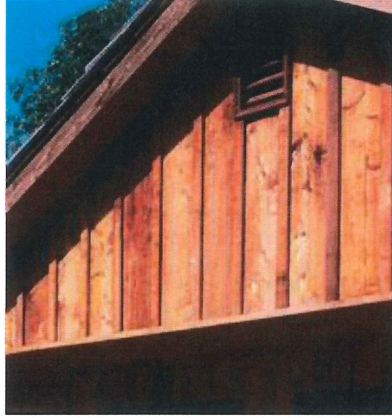


Hardiplank detail:



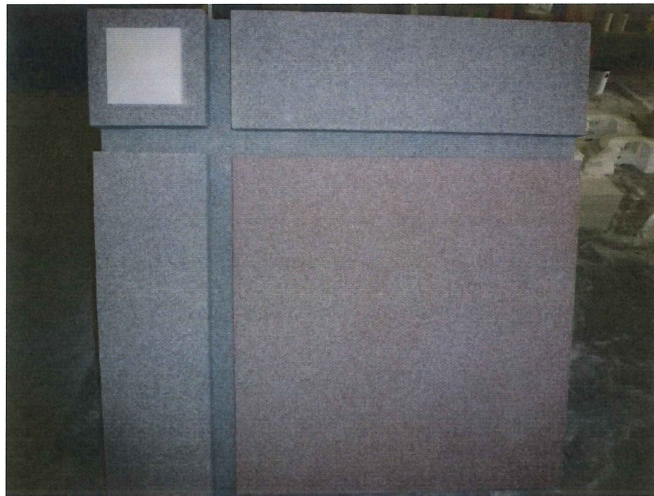
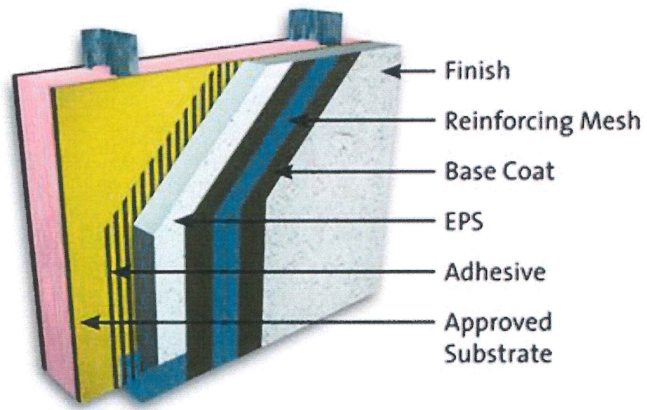
Attachment 1: Section 37 Exterior Construction Materials and Examples of Materials

Wood Siding



Attachment 1: Section 37 Exterior Construction Materials and Examples of Materials

Exterior Insulation and Finishing System (EIFS)



ARTICLE 37.2 CONSTRUCTION STANDARDS

2. Nonresidential Zoning Districts, excluding Residential and Light Industrial (LI):

- a. Exterior construction on any building/wall side that faces or is oriented toward any street or residential zoning district shall have 100% of the total exterior walls above grade level, excluding doors and windows, constructed of masonry, siding, wood, or glass materials.
- b. Exterior walls, other than walls that face and/or are adjacent to any street or any residential zoning district, shall have at least fifty percent (50%) of the total of those exterior walls above grade level, excluding doors and windows, constructed of masonry, siding, wood or glass materials. The exterior wall areas that face a public street or residential zoning district cannot be used in calculating the required fifty percent (50%).
- c. Metal exterior wall construction in Nonresidential zoning districts excluding Light Industrial (LI), may be approved by the City as follows:
 - (1) On accessory buildings that are two hundred forty (240) square feet or less.
 - (2) On accessory buildings over two hundred forty (240) square feet if located in the C-1 and C-2 zoning districts.
 - (3) Over masonry or other materials as an architectural design motif upon the submittal and approval (considering the size, content, location, theme of the proposal and the location and character of surrounding uses) of a detailed design plan (including, at a minimum, to scale renderings of exterior elevations, signage, and landscape plans) that illustrates a unified theme and that identifies the metal materials used as an accent or element to accomplish the architectural design goals. No metal exterior construction will be approved if the sole purpose is to reduce construction costs.
 - (4) On temporary construction buildings with a permit issued by the City Building Official.

3. Light Industrial (LI) Zoning District:

- a. Metal exterior construction is not permitted on any building/wall side that faces or is oriented toward any street or residential zoning district. Said walls shall have 100% of the total exterior walls above grade level, excluding doors and windows, constructed of masonry, siding, wood, or glass materials.
- b. Exterior walls, other than walls that face and/or are adjacent to any street or any residential zoning district, shall have at least fifty percent (50%) of the total of those exterior walls above grade level, excluding doors and windows, constructed of such masonry, siding, wood or glass materials. The side exterior wall areas that face a public street or residential zoning district cannot be used in calculating the required fifty percent (50%).
- c. Metal exterior walled construction may be approved by the City in the Light Industrial Zoning District as follows:
 - (1) On accessory buildings that are two hundred forty feet (240') square feet or less.
 - (2) Over masonry or other materials as an architectural design motif upon the submittal and approval (considering the size, content, location, theme of the proposal and the location and character of surrounding uses) of a detailed design plan (including, at a minimum, to scale renderings of exterior elevations, signage, and landscape plans) that illustrates a unified theme and that identifies the metal

Attachment 1: Section 37 Exterior Construction Materials and Examples of Materials

materials used as an accent or element to accomplish the architectural design goals. No metal exterior construction will be approved if the sole purpose is to reduce construction costs.

- (3) On temporary construction buildings with a permit issued by the City Building Official.
- (4) On structures that have ground floors (first floor of structure) of 7,000 square feet or greater in area (total ground floor area excluding parking garages and loading docks) located in Light Industrial Zoning Districts, provided that:
 - i. All exterior walls adjacent any street and/or any residential, neighborhood service, retail, central business or commercial district shall consist of 100% nonmetal materials, such as masonry, siding, wood, and/or glass.
 - ii. All other exterior walls, excluding those identified in 3.c.(4)(i) above, may be constructed of metal (excluding corrugated and galvanized metals) that comply with Section 37.1.A.3 above.
 - iii. Galvanized and corrugated metals are prohibited for use on exterior walls unless the use of such materials are an approved part of an architectural 'design motif' as defined in 3.c.(3) above.