

Planning and Zoning Commission

March 17, 2022

Meeting Minutes

The City of Bastrop Planning and Zoning Commission met Thursday, March 17, 2022 at 6:00 p.m. in the Council Chambers located at 1311 Chestnut Street, Bastrop, Texas 78602.

1. CALL TO ORDER

Debbie Moore called the meeting to order at 6:00 p.m.

Debbie Moore	Present
Cynthia Meyer	Present
Matt Lassen	Absent
Cheryl Lee	Present
Greg Sherry	Absent
Ishmael Harris	Present
Pablo Serna	Present
Carrie Caylor	Present
Scott Long	Present

2. WORKSHOP

2A. Presentation and discussion on Managing Growth and Development in Bastrop.

Jennifer Bills presented and discussed Managing Growth and Development in Bastrop to the Commissioners.

Discussion commenced between Staff and Commissioners over the following topics:

1. Were there drainage standards and ordinances prior to 2019? Yes.
2. Was the development community engaged with the development of the B3 Codes? Yes.
3. Are there protections being worked on for protections outside the city for stormwater drainage? Yes, there is a stormwater drainage master plan for the City that considers outside the City.
4. Will the master plan be integrated with the CIP? It will recommend CIP projects.
5. How often do we need to do these? It seems we just did this 5 years ago. This is the first master plan. Previous plans were project specific, or watershed specific (Gills Branch). Staff is reviewing the drainage survey data.
6. How are other cities using form-based codes? Form based codes have become more common in recent years. Typically, cities will adopt one for particular areas more often than city wide.
7. Was a city-wide code done to preserve what we call Authentic Bastrop? Yes, in addition to increasing flexibility for property owners. It addresses nuisances and drainage more than specific uses.
8. Use-based codes were more of a post-WW2 society, do older cities use form-based codes more often? Initially use-based codes were to address mitigating toxic uses next to homes in a very industrial era. Now, those impacts are mitigated, and a mix of uses is desired and encouraged.
9. For Central Texas, what percentage of cities have a form-based code? How many cities? It's becoming more common, Hutto has what they call a smart code. Buda is form based.
10. Is there any realm of possibility that one area can be form-based, and one be conventional? It creates unity and equity across the city. The conventional code created very separated areas of town.

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11. How is the form based being perceived by developers? We have received mixed responses. It forces people to think through their development wholistically and see how it interacts with the rest of the community.

Citizen Comment

Jane Sims, resident on Farm Street mentioned she has been learning about Strong Towns and was wondering if those principles were considered?

Yes, City Council attended a workshop where Strong Town principles were used. Cities have been developing in unsustainable ways and using Strong Town principles can help mitigate those impacts.

Pablo Serna mentioned Main Street programs also helps maintain character.

Cynthia Meyer mentioned while the concepts are good, some aspects are not working and need to be adjusted and codes should eb amended over time.

Continued discussion between Staff and Commissioners:

12. When there are city projects, is there a bid process and does the city always take the low bid? If the City of Bastrop is conducting the work, and hiring a contractor, there are standards, and the lowest bidder is not always selected. Most new infrastructure is installed by developers and are built to city standards that the City is willing to accept.
13. Are the city employees managing this trained? Yes.
14. Geographically sensitive projects like The Hill and trying to be flexible. The City was trying to make her plat. The applicant seemed to be having a difficulty with geographic sensitivity. Can you speak to that? The City was willing to grant flexibility when she was following the LPHCP rules. If the applicant was going to disregard all the geographic sensitivity reasoning of the LPHCP, there is no reason to be flexible. The City is working with the applicant on road connections, road materials and several other items on that site.
15. Who prepares Neighborhood Regulating Plans? The developers or land planners.
16. Do existing neighborhoods have to look at this too? Yes, if they are large enough for a Neighborhood Regulating Plan.
17. A while back we saw a hospital development, has anything happened with hospital standards? No, and that developer has not come back to talk to the City about their development.
18. Are overlays helpful? Form-based codes should not remove restrictions as you lose the intent of the vision. The standard must be added on to or replaced with a different standard.
19. Would variances be used then? Variances are specified in Texas Local Government Code and must prove hardship. You cannot use your project to create a hardship.
20. Would the EC category be appropriate or adjusted to accommodate hospitals? Place type EC was designed with several standards that could be determined or adjusted by warrant to accommodate unique needs of developments that can be used for job creation centers. EC was converted from the Industrial Park and Light Industrial from the previous code.
21. When we changed to place types, did everything translate? A translation table was provided. A free zoning change was offered immediately after the code for people to decide what met the vision of their property.
22. Are we getting pushback from the place types? People like the flexibility in uses. Sometimes there is pushback on form-based code. It would be really challenging to get rid of the form-based elements without coming back to a specific use-based code.

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23. What is the motivation for providing a percentage of occupied space? So that there are consistent development patterns and street edge.
24. If you have a large lot and want to keep the trees or want a small house, what is the purpose? It improves the sidewalk network. The pattern book went from being mandatory to mostly inspirational with changes in state law. People appreciate the ideas.
25. Does the city protect intellectual property rights? The city has not seen theft. Any approved plan is subject to an open records request.
26. Are there complaints on MyGov and what are they? There are complaints. There is always a learning curve in moving to a digital system. We have multiple staff members who can assist with learning. We also have a computer and scanner in our lobby for people to use.
27. If people do not know or have computers, they can have assistance? Yes, a staff member can assist them.
28. When the Development Review Committee comes together, what are they reviewing? Problems in the process? They review specific applications to ensure they meet the adopted standards. They also ensure the project is coordinated between entities and that comments are comprehensive and coordinated before sending to the applicant.
29. Are we taking code revisions on a case-by-case basis, will there be a committee to identify issues, what will changes look like? There is no direction for a committee at this time, direction comes from Council.
30. How does someone ask for a change to the code? Those are policy changes; they need to reach out to Council for the Council to direct staff to address the changes. Specific text change requests can be made with a code text amendment application.
31. What happened to the Farm Street development? The City Council listened to neighbors and community input. You will see that result regardless of type of code in place. A lot of concerns were traffic based, which is part of why we will be looking at the Transportation Master Plan again. Large numbers of public comments for or against always have the potential to impact decisions.
32. Is there a public education campaign to help people understand? We educate the public as they come in to see us. Upcoming updates will have public engagement. Good forums for how visioning tools are implemented with development codes.

Additional Citizen Comment

Kerry Fossler, resident at 1903 Main Street thanked staff for this session. Shared she had never heard of a text amendment and asked for more information. A text amendment is a process where you can create a code that is specific for something. For example, we had a builder that wanted to use a certain material that was not an approved material, so he wrote his own code and submitted it to be approved through Planning and Zoning. There is a fee and application for this.

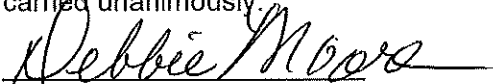
Debbie Moore mentioned Council needs to decide if this code is what they want. The Commission and Council both have to make hard decisions and take heat from time to time.

Pablo Serna mentioned that he is glad we set a bar and that even though it's not a finished product we need to continue to make it better.

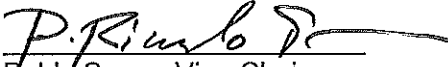
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3. ADJOURNMENT

Cynthia Meyer made a motion to adjourn at 7:58 p.m. Cheryl Lee seconded the motion, and the motion carried unanimously.



Debbie Moore, Chair



Pablo Serna, Vice-Chair