ORDINANCE 2022-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, TO APPROVE A CHANGE IN THE ZONING FOR 78.128 ACRES OUT OF LAND OUT OF BASTROP BUSINESS AND INDUSTRIAL PARK, PHASE 1, BLOCK A, LOT 1 FROM P2 RURAL TO P-EC EMPLOYMENT CENTER, AND ESTABLISH THE BASTROP BUSINESS AND INDUSTRIAL PARK ZONING CONCEPT SCHEME ON 146.213 ACRES IN THE BASTROP BUSINESS AND INDUSTRIAL PARK SUBDIVISION, WITH THE CONDITION OF ADDING A 75-FOOT GREENBELT BUFFER ALONG THE SOUTH AND EAST SIDES OF THE PARK IN WHICH TREES CANNOT BE REMOVED, LOCATED SOUTH OF SH 71, WITHIN THE CITY LIMITS OF BASTROP, TEXAS, AS SHOWN IN EXHIBIT A, PROVIDING FOR FINDINGS OF FACT, ADOPTION, REPEALER, SEVERABILITY AND ENFORCEMENT, PROPER NOTICE AND MEETING; AND ESTABLISHING 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 Texas Local Government Code; and

WHEREAS, on or about November 16, 2021, the Bastrop Economic Development Corporation has submitted a request for zoning modifications; and,

WHEREAS, City Council has reviewed the request for zoning modifications, and finds the request to be reasonable and proper under the circumstances; and,

WHEREAS, the City Staff has reviewed the request for zoning modifications, and finds it to be justifiable based upon the Future Land Use Designation for this Property is Industry, which allows for a wide range of commercial and retail uses; and

WHEREAS, in accordance with Texas Local Government Code Chapter 211, public notice was given, and a public hearing was held before the City of Bastrop Planning and Zoning Commission (P&Z) on December 16, 2021, which made a recommendation to approve the requested zoning modifications with the condition that a 75-foot greenbelt buffer be added along the south and east sides of the property in which trees cannot be removed to provide buffering for the existing platted subdivision; and

WHEREAS, in accordance with Texas Local Government Code Chapter 211, public notice was given, and a public hearing was held before the City Council regarding the requested zoning modification; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for 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, after consideration of public input received at the hearing, the information provided by the Applicants, and all other information presented, City Council finds that it necessary and proper to enact this Ordinance.

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

<u>Section 1:</u> The Property, 78.128 acres out of land out of Bastrop Business and Industrial Park, Phase 1, Block A, Lot 1 is rezoned from P2 Rural to P-EC Employment Center, and a Zoning Concept Scheme is established for 146.213 acres in the Bastrop Business and Industrial Park Subdivision, located south of SH 71, within the City Limits of Bastrop, Texas as more particularly shown on Exhibit A with the condition of a 75-foot greenbelt buffer along the south and east sides of the park in which trees cannot be removed.

<u>Section 2:</u> The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

<u>Section 3:</u> All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

<u>Section 4:</u> 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.

<u>Section 5:</u> 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.

<u>Section 6:</u> 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.

<u>Section 7:</u> This Ordinance shall be effective immediately upon passage and publication.

READ & ACKNOWLEDGE on First Reading on this the 11th day of January 2022.

READ & ADOPTED on Second Reading on this the 25th day of January 2022.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

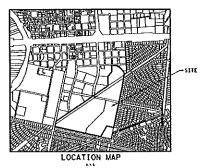
Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

BASTROP ECONOMIC DEVELOPMENT COUNCIL PLANS FOR PROPOSED ZONING CHANGE

DECEMBER 2021



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- PROPOSED ZONING MAP LANDSCAPING MAP UTILITY LAYOUT

- DRAINAGE AREA MAP DRAINAGE CALCULATIONS
- POND CALULATIONS
 OVERALL TRANSPORTATION PLAN
 PEDESTRIAN SHED EXHIBIT

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EXPLANATION OF THE CODE

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

B3 DEVELOPMENT TABLES

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

	P1	P2	Р3	P4	P5	EC
BLOCKS - SEC. 7.4.002						
BLOCK LENGTH MAX.	UNLIMITED	720 FT	330 FT	330 FT	330 FT	720 FT
BLOCK PERIMETER MAX.	UNLIMITED	2,880 FT	1,320 FT	1,320 FT	1,320 FT	2,880 FT
STREETS - ARTICLE 7.2					1000	
BOULEVARD	NP	NP	NP	Р	Р	Р
AVENUE	NP	NP	Р	Р	Р	Р
CONNECTOR	NP	Р	Р	Р	Р	Р
NEIGHBORHOOD STREET I	NP	Р	Р	Р	NP	NP
			BLANK=	= BY WARRANT	P = PERMITTED	NP = NOT PERMITTE

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	P1	P2	Р3	P4	P5	EC
NEIGHBORHOOD STREET II	NP	Р	Р	Р	NP	NP
COMMERCIAL STREET I	NP	NP	NP	NP	Р	Р
COMMERCIAL STREET II	NP	NP	NP	NP	Р	Р
COURT STREET	NP	NP	Р	Р	Р	Р
SLIP STREET	NP	NP	Р	Р	Р	Р
PARK DRIVE	Р	Р	Р	Р	Р	NP
BOARDWALK	NP	NP	NP	NP	Р	Р
PEDESTRIAN STREET	NP	NP	Р	Р	Р	NP
PEDESTRIAN SHEDS						
PLACE TYPE ALLOCATION PER PED SHED*	Varies	Varies	10-35%	25-75%	5-20%	Varies

* Place Type allocation for Traditional Neighborhood Development.

CIVIC SPACE - ARTICLE 7.5						
PARK	Р	Р	Р	NP	NP	NP
GREEN	NP	NP	Р	Р	Р	Р
SQUARE	NP	NP	NP	Р	Р	Р
PLAZA	NP	NP	NP	NP	Р	Р
PLAYGROUND	Р	Р	Р	Р	Р	Р
COMMERCIAL PLACE	NP	NP	NP	Р	Р	Р
POCKET PARK	NP	NP	Р	Р	Р	Р
			BLANK=	BY WARRANT	P = PERMITTED	NP = NOT PERMITTED

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	P1	P2	Р3	P4	P5	EC
COURT	NP	NP	Р	Р	Р	Р
CLOSE	NP	NP	Р	Р	Р	Р
BUILDING TYPES - ARTICLE 6.5	Real Property					
REARYARD						
COMMERCIAL	NP	NP	NP	NP	Р	Р
APARTMENT	NP	NP	NP	P**	Р	Р
ROWHOUSE	NP	NP	NP	Р	Р	Р
SIDEYARD						
SIDEYARD	NP	NP	NP	Р	Р	Р
COURTYARD						
COURTYARD HOUSE	NP	NP	NP	Р	Р	Р
COURTYARD APARTMENT BUILDING	NP	NP	NP	P**	Р	Р
EDGEYARD						
RANCH HOUSE, VILLA	NP	Р	Р	NP	NP	NP
HOUSE	NP	Р	Р	Р	NP	NP
DUPLEX	NP	Р	Р	Р	NP	NP
TRIPLEX, FOURPLEX	NP	NP	NP	Р	NP	NP

** SEE PLACE TYPE OVERLAYS BLANK= BY WARRANT P = PERMITTED NP = NOT PERMITTED

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	P1	P2	Р3	P4	P5	EC
PORCH	NP	Р	Р	Р	NP	NP
DOORYARD	NP	NP	NP	Р	Р	Р
TERRACE	NP	NP	NP	Р	Р	Р
STOOP	NP	Р	NP	Р	Р	Р
LIGHTWELL	NP	NP	NP	Р	Р	Р
GALLERY	NP	NP	NP	Р	Р	Р
ARCADE	NP	NP	NP	NP	Р	Р
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	25 ft no max
	* Lots	s exceeding 1/2 ac	re may extend B	uild-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	NP

**SEE PLACE TYPE OVERLAYS BLANK= BY WARRANT P = PERMITTED

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SEC. 6.5.002

FIRST LAYER ENCROACHMENTS -

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NP = NOT PERMITTED

	P1	P2	Р3	P4	P5	EC
OPEN PORCH	NP	50% max	50% max	80% max	NP	NP
BALCONY AND/OR BAY WINDOW	NP	25% max	25% max	50% max	100% max	50% max
STOOP, LIGHTWELL, TERRACE OR DOORYARD	NP	NP	NP	100% max	100% max	50% max
R.O.W. ENCROACHMENTS - SEC. 6.5.002						
AWNING, GALLERY, OR ARCADE				to within 2 f	t. of the Curb	
ENCROACHMENT DEPTHS - SEC. 6.5.002						
PORCH		5 ft min	8 ft min	8 ft min	NP	NP
GALLERY		NP	NP	10 ft min	10 ft. min.	10 ft min
ARCADE		NP	NP	NP	12 ft. min.	NP
PARKING LOCATION - SEC. 6.3.006						
SECOND LAYER		Р	Р	NP	NP	NP
THIRD LAYER		Р	P	Р	Р	P
SIGNAGE - CH. 8						
ADDRESS SIGN	Р	Р	Р	Р	Р	P
	ND	NP	NP	Р	Р	P
AWNINGS & SIGNS	NP	141				1

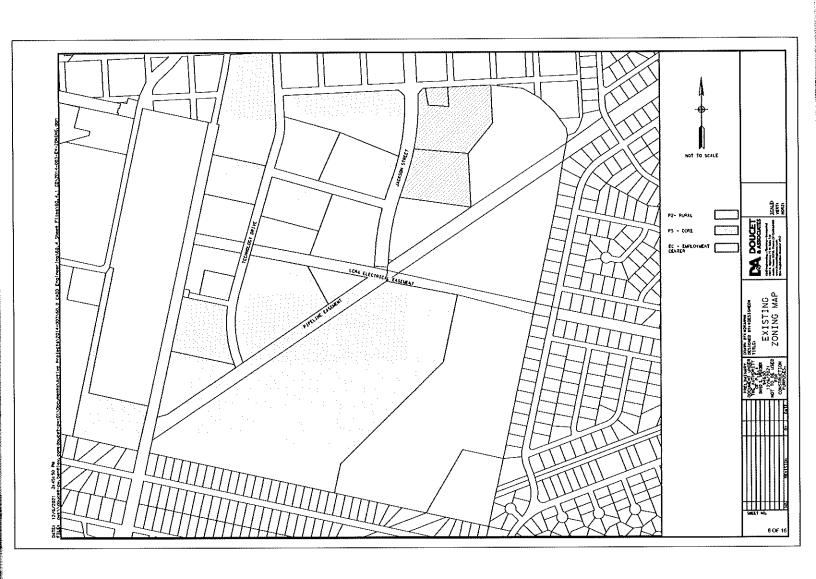
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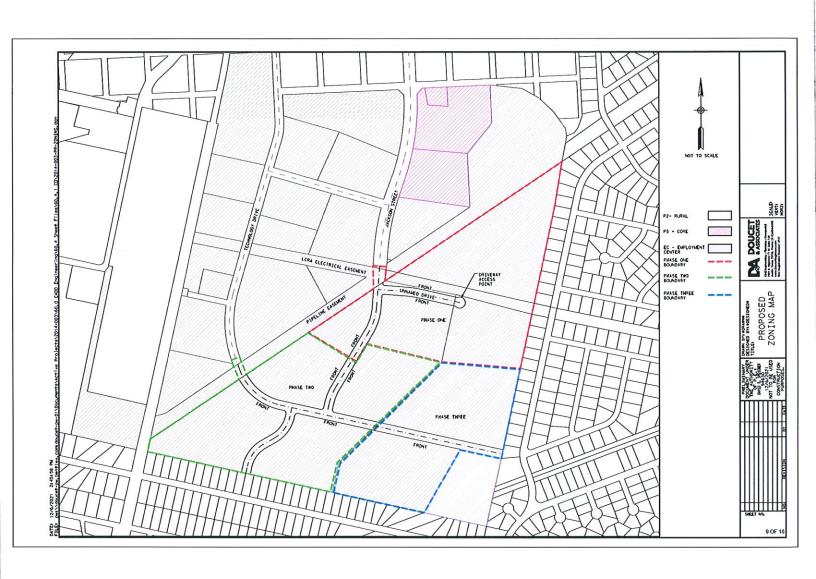
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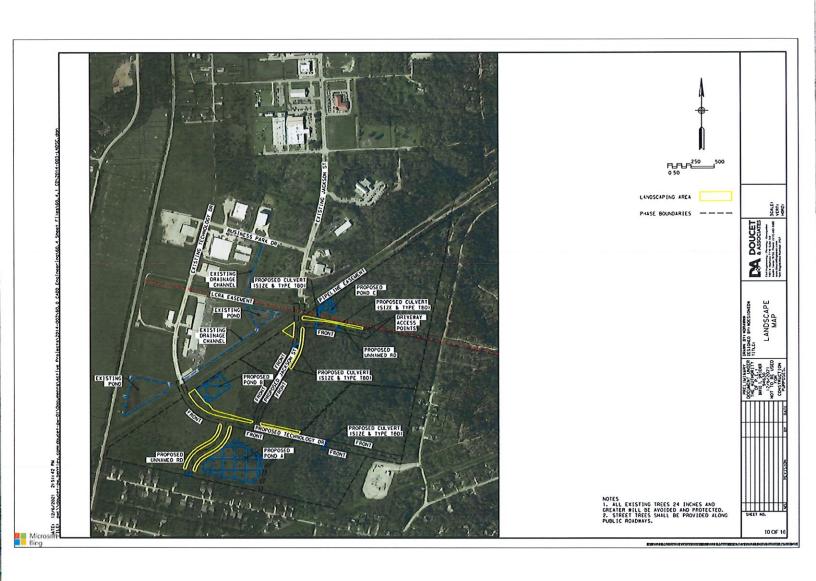
	P1	P2	Р3	P4	P5	EC
BLADE SIGNS	NP	NP	NP	Р	Р	P
MARQUEE SIGNS	NP	NP	NP	NP	Р	P
NAME PLATE SIGNS	NP	NP	NP	Р	Р	P
OUTDOOR DISPLAY CASE	NP	NP	NP	Р	Р	P
SIDEWALK SIGNS	NP	NP	NP	Р	Р	P
WINDOW SIGNS	NP	NP	NP	Р	Р	P
YARD SIGNS	NP	NP	NP	Р	NP	P
MONUMENT SIGN	NP	NP	NP	NP	Р	P
PUBLIC LIGHTING TYPES - SEC. 7.5.00	05					
COBRA HEAD	Р	Р	NP	NP	NP	P
PIPE	Р	Р	Р	Р	Р	Р
POST		Р	Р	Р	Р	Р
COLUMN			Р	Р	Р	P
DOUBLE COLUMN			BLANK=	BY WARRANT	P = PERMITPED	NP = NOT PERMITTED

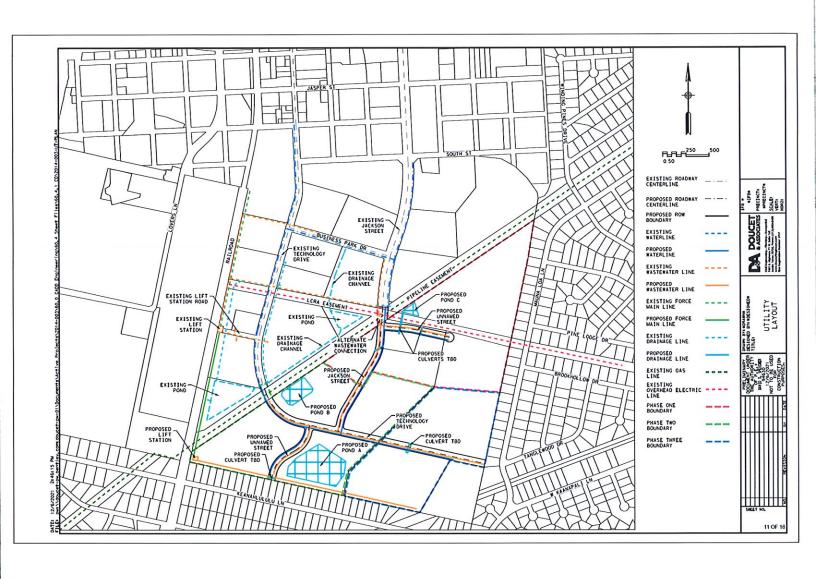
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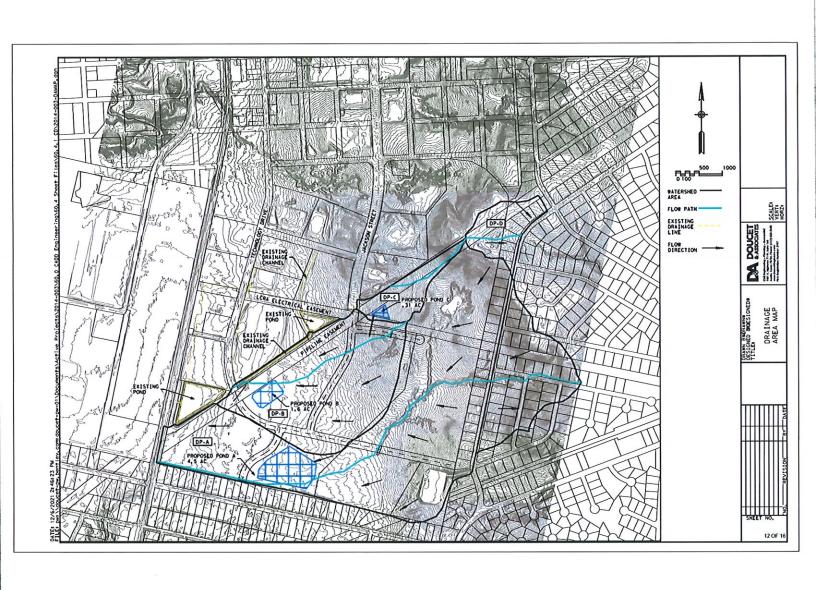
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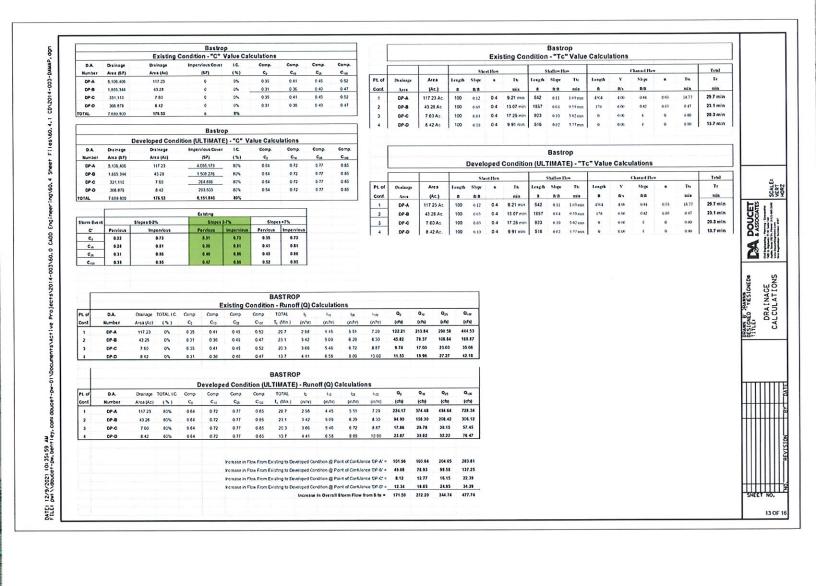












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