

ORDINANCE NO. 2025-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CODE OF ORDINANCES, CHAPTER 14, BASTROP BUILDING BLOCK (B3) CODE, MINIMUM LOT SIZES IN P2 AND P3; AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE, AND MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to amend an ordinance 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, pursuant to Texas Local Government Code Chapters 211, 212, 214, and 217 the City Council of the City of Bastrop has general authority to regulate planning, zoning, subdivisions, and the construction of buildings; and

WHEREAS, this amendment seeks to establish a minimum lot size for the P2 and P3 Place Types in order to better facilitate the management of future development within the city limits of Bastrop;

WHEREAS, the City Council finds that certain amendments to the aforementioned ordinances are necessary and reasonable to meet changing conditions and are in the best interest of the City.

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

Section 1. Findings of Fact. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Amendment To Bastrop Building Block Code (B3). The Bastrop Building Code is hereby amended and shall read in accordance with Exhibit "A", which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any struck-through text shall be deleted from the Code, as shown in each of the attachments.

Section 3. Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

- Section 4. Repealer.** This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.
- Section 5. Codification.** The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.
- Section 6. Effective Date.** This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.
- Section 7. Proper Notice and Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

READ & ACKNOWLEDGED on First Reading on this the 4th day of March 2025.

READ & ADOPTED on Second Reading on this the 11th day of March 2025.

APPROVED:

by: 
John Kirkland, Mayor Pro Tem

ATTEST:


Victoria Psencik, Assistant City Secretary

APPROVED AS TO FORM:


City Attorney



EXHIBIT A

	P1	P2	P3	P4	P5	EC
PORCH	NP	P	P	P	NP	NP
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		25 ft *	25 ft *	5 ft - 15 ft	2 ft - 15 ft	
<u>MINIMUM LOT SIZE</u>		<u>1 acres***</u>	<u>0.33 acres***</u>			
<u>FIRST LAYER SETBACK</u>		<u>Built Environment**</u>	<u>Built Environment**</u>			

* Only applicable to **undeveloped lots** in P2 & P3, an **undeveloped lot** shall mean a lot that is raw land and not a part of any preexisting neighborhood, all other lots shall adhere to the **First Layer Setback**

**The First Layer Setback shall be the average of the front yard setback of two (2) lots to the right and two lots to the left, +/-5 ft.

***For lots not compatible with the minimum lot size please see Section 2.4.001

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- (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, AND LOTS

- (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.

EXHIBIT A

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, or lot may be expanded, further subdivided, reoccupied with another nonconforming use, or increased as of the effective date of this Code, unless:

- A. An application is authorized by the ZBA;
- B. An application is administratively approved by the Director of Development Services if;

•(1) Properties within 500 feet of the adjacent structures or lots have similar encroachments, building standards, setbacks, ~~or~~ build-to-lines, or lot sizes and the application is generally consistent with the surrounding built environment; or

•(2) The application is for an Accessory Structure that does not directly increase or expand the characteristics that render the use or structure nonconforming;

•(3) The expansion to the structure does not directly increase or expand the characteristics that render the use or structure nonconforming.

- (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:

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EXHIBIT A

SEC. 6.5.003 BUILDING STANDARDS PER PLACE TYPE

Place Types	P1	P2	P3	P4	P5
A. LOT OCCUPATION					
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		25 ft*	25 ft*	5 ft - 15 ft	2 ft - 15 ft
<u>Minimum Lot Size</u>		<u>1 acres***</u>	<u>0.33 acres***</u>		
<u>First Layer Setback</u>		<u>B.E.**</u>	<u>B.E.**</u>		

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