

ORDINANCE NO. 2025-40

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS,
AMENDING THE B3 TECHNICAL MANUAL –
DEVELOPMENT APPLICATION APPROVAL PROCESS;
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, 213, 214, and 217 the City Council of the City of Bastrop has general authority to regulate planning, zoning, subdivisions, trees, and the construction of buildings; and

WHEREAS, the City of Bastrop, Texas (City) is a Home-rule City acting under its Chapter 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, the City of Bastrop intends to create a more transparent process to notify residents of changes affecting property in the immediate vicinity; and

WHEREAS, the City of Bastrop intends to amend its Comprehensive Plan pursuant to Chapter 213 of the Local Government Code; and

WHEREAS, the City of Bastrop Code of Ordinances Article XII, Section 12.03 prescribes a manner for amendments to the comprehensive plan; and

WHEREAS, the City Council has reviewed this request for amending the Technical Manual, and finds the request to be reasonable and proper under the circumstances.

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. The code amendments are proper according to the Bastrop Code of

Ordinances and the Local Government Code as shown in Exhibit A.

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. 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 5. Repeal. 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 6. Effective Date. This Ordinance shall be effective immediately upon passage and 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.

Signature page to follow

READ & ACKNOWLEDGED on First Reading on this the 25th day of March 2025.

READ & ADOPTED on Second Reading on this the 8th day of April 2025.

APPROVED:

by: 
John Kirkland, Mayor Pro-Tem

ATTEST:


Victoria Psencik, Assistant City Secretary

APPROVED AS TO FORM:

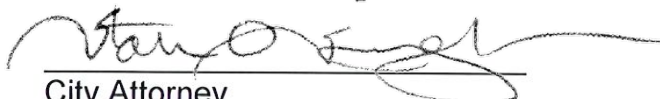

City Attorney



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
Legislative							
Comprehensive Plan Map Amendment		R/PH/ PM	D/PH/ PH/PM	Y	Y	N	Y
B³ 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	Y (500 feet)	N
Final Plat		D/PM			N	Y (500 feet)	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
Administrative							

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			R	D		N	Y (500 feet)	N
Warrant			R	D		N	Y (500 feet)	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
A	Appeal	PH	Public Hearing	CC	City Council		

TABLE 1.4.001B NOTIFICATION REQUIREMENTS

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