MEETING DATE: August 27, 2019

AGENDA ITEM: 3A

TITLE:
Consider action to approve meeting minutes from the June 22, 2019, June 27, 2019 and July 9, 2019 Planning & Zoning Commission Meetings.

STAFF REPRESENTATIVE:
Vivianna Nicole Hamilton, Planning Technician

ATTACHMENTS:
Meeting Minutes
The City of Bastrop Planning and Zoning Commission met Saturday, June 22, 2019 at 8:30 a.m.
in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. CALL TO ORDER

Debbie Moore called the meeting to order at 8:30 a.m.

Debbie Moore    Present
Patrick Connell   Present
Cynthia Meyer    Present
Matthew Lassen   Present
Richard Gartman   Absent
Cheryl Lee    Absent
Greg Sherry    Absent
Pablo Serna    Present
Tom Dawson     Present

2. CITIZEN COMMENTS

There were no citizens comments.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

3A. Discussion on the Bastrop Building Block (B3) Code.

Matt Jones and the Commission held a conversation regarding the following topics within the draft Bastrop Building Block (B3) Code: Tree Preservation, Street Sections and Signage.

The Commission made recommendations to Staff on the following topics within the code:

Tree Preservation
- Recommendation Discussions
- 24” caliper qualifies as a Heritage Tree
- Create a critical root zone
- Applies globally, zero exceptions (city, state, utilities)
- Create appropriate rates for fees
- Treat violations as a civil case
- All homestead properties are exempt (except Heritage Trees)
- Adopt new approved planting list
- Need to have clear standards on how to preserve trees
Street Sections
- Walkable
- Accommodate multi-modal transportation
- Sidewalks not required on both sides for all sections

Signs
- Make P&Z sign variance review authority
- Make neon’s an approved sign type/material
- Maximum height is 35’ for signs
- But not to exceed maximum height for districts
- Link monument sign material and architectural style to primary building materials
- Keep monument sign standards from current code
- Lower the threshold from 60% to all lesser percentage, to be able to replace non-conforming signs (billboard/pylon signs)

The Commission asked Staff the recommendations be forwarded to the July 9, 2019 Joint Workshop.

4. ADJOURNMENT

Cynthia Meyer made a motion to adjourn at 10:46 a.m.. Patrick Connell seconded the motion, and the motion carried unanimously.

Debbie Moore, Chair

Patrick Connell, Vice-Chair
The City of Bastrop Planning and Zoning Commission met Thursday, June 27, 2019 at 6:00 p.m. in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. CALL TO ORDER

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

Debbie Moore    Present
Patrick Connell   Present
Cynthia Meyer    Present
Matthew Lassen   Present
Richard Gartman  Absent
Cheryl Lee       Present
Greg Sherry      Absent
Pablo Serna      Present
Tom Dawson       Present

2. CITIZEN COMMENTS

There were no citizens comments.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

3A. Consider action to approve meeting minutes from the April 25, 2019 Regular Meeting and June 6, 2019 Special Meeting of the Planning & Zoning Commission.

Patrick Connell made a motion to approve the meeting minutes from April 25, 2019 Regular Meeting and June 6, 2019 Special Meeting of the Planning & Zoning Commission. Cheryl Lee seconded the motion and the motion carried unanimously.

3B. Consider action to recommend approval of Schain Subdivision Short Form Final Plat, with a Variance to the Subdivision Ordinance requirement that the lot size comply with Chapter 14, Section 30.4 (A), requiring a minimum lot area of one acre, with the current lot being 0.273 acres, out of Bastrop Town Tract A-11, located at 304 Industrial Boulevard, in the City Limits of Bastrop, Texas.

Jennifer Bills presented to the Commission the information from the packet regarding this agenda item.

The Commission asked why this particular lot was not platted, while all the lots surrounding this property were. Staff replied that is because this particular lot was a remnant tract resulting from all the lots being platted around it.
Matt Lassen made a motion to recommend approval of the Schain Subdivision Short Form Final Plat, with a Variance to the Subdivision Ordinance requirement that the lot size comply with Chapter 14, Section 30.4 (A), requiring a minimum lot area of one acre, with the current lot being 0.273 acres, out of Bastrop Town Tract A-11, located at 304 Industrial Boulevard, in the City Limits of Bastrop, Texas. Patrick Connell seconded the motion and the motion carried unanimously.

3C. Discussion on the Bastrop Building Block (B3) Code, including, but not limited to:
   - Applications and Checklists
   - Development Flow Chart
   - Parking Regulations

Matt Jones and the Commission held a conversation regarding the following topics within the draft Bastrop Building Block (B3) Code: Applications and Checklists, Development Flow Chart and Parking Regulations.

The Commission had the following recommendations regarding each topic:

Applications and Checklists
   - Create flow charts for each process type
   - Have them be as interactive as possible
   - Simplify paperwork process
   - Hyperlink code references to checklist requirements
   - Provide pictures online to help educate customers on the process
   - Allow for electronic submission
   - Remove redundant information
   - See if forms can autofill information
   - Combine applications and checklists online
   - Have them be as interactive as possible

Development Flow Chart
   - Provide pictures
   - Create a more interactive development process online
   - Make flowchart interactive and link different points of the process to forms and applications

Parking Regulations
   - Make parking fiscally responsible
   - Impervious cover – ok regulation
   - Maximums – ok
   - Increase parking directional signage downtown
   - Paid parking is not recommended
   - Need more data and cost analysis prior to recommendation

The Commission asked Staff the recommendations be forwarded to the July 9, 2019 Joint Workshop.
4. ADJOURNMENT

Cynthia Meyer made a motion to adjourn at 9:20 p.m.. Cheryl Lee seconded the motion, and the motion carried unanimously.

_______________________
Debbie Moore, Chair

_______________________
Patrick Connell, Vice-Chair
The City of Bastrop Planning and Zoning Commission met Tuesday, July 9, 2019 at 4:00 p.m. in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. CALL TO ORDER

Debbie Moore called the meeting to order at 4:00 p.m.

Debbie Moore    Present
Patrick Connell   Present
Cynthia Meyer    Present
Matthew Lassen   Absent
Richard Gartman   Absent
Cheryl Lee    Present
Greg Sherry    Absent
Pablo Serna    Present
Tom Dawson     Absent

2. CITIZEN COMMENTS

There were no citizens comments.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

3A. Consider action to recommend approval, with conditions, of The Colony MUD 1B, Preliminary Plat being 155.959 acres out of the Jose Manuel Bangs Survey, Abstract 5, located west of FM 969, at the west extension of Sam Houston Boulevard within the Statutory Extra-Territorial Jurisdiction of Bastrop, Texas, and forward to the July 23, 2019 City Council meeting.

Jennifer Bills presented to the Commission the information from the packet regarding this agenda item.

The Commission, Staff and the Applicant held a discussion regarding Staff’s recommendations to provide additional stub outs in the Section 1B Preliminary Plat.

Patrick Connell made a motion to recommend approval of The Colony MUD 1B, Preliminary Plat being 155.959 acres out of the Jose Manuel Bangs Survey, Abstract 5, located west of FM 969, at the west extension of Sam Houston Boulevard within the Statutory Extra-Territorial Jurisdiction of Bastrop, Texas, along with Staff’s recommendations, and forward to the July 23, 2019 City Council meeting. Pablo Serna seconded the motion and the motion carried unanimously.
4. UPDATES

The Commission asked Staff to resume the review over Chapter 4 of the Comprehensive Plan at the next available regular meeting.

5. ADJOURNMENT

Cynthia Meyer made a motion to adjourn at 4:20 p.m. Patrick Connell seconded the motion, and the motion carried unanimously.

_______________________
Debbie Moore, Chair

_______________________
Patrick Connell, Vice-Chair
MEETING DATE:  August 27, 2019

AGENDA ITEM:  3B

TITLE:
Consider action to recommend approval of the Bluebonnet Acres, Lots 6A & 7A, Block 4, Section 1, a Replat of Lots 6 & 7, Block 4, Section 1, being 7.404 acres located at 437 & 443 Union Chapel Road, within the City of Bastrop Voluntary Extraterritorial Jurisdiction, and forward to the September 10, 2019 City Council meeting.

STAFF REPRESENTATIVE:
Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

ITEM DETAILS:
- Site Address: 437 and 443 Union Chapel Road (Attachment 1)
- Total Acreage: 7.404 acres
- Legal Description: Bluebonnet Acres, Section 1, Block 4, portions of Lot 6 & 7
- Property Owners: Clint Frerich & Na Li/Equity Trust Company
- Agent Contact: Rachel Clampffer
- Existing Use: Vacant/Previous Single-Family
- Existing Zoning: None. Voluntary Extraterritorial Jurisdiction
- Future Land Use: None

BACKGROUND/HISTORY:
The applicant has submitted a replat for portions of two lots within a recorded subdivision. Bluebonnet Acres was recorded in 1961. When platted, Lots 6 and 7 were 4.60 acres and 4.567 acres, respectively. Since the original plat, portions of lots 6 and 7 to the south were deed divided and sold to adjacent property owners. As the adjacent property owners were not willing to be a part of the plat, the process for correcting this issue is a replat with public review, which notifies the surrounding property owners. The applicant attempted to contact the current owners of the portions of Lots 6 and 7 to participate in an amended plat, but was unsuccessful.

Utilities
Water service is served by Aqua Water Supply Corporation. No new improvements are required with the replat.

Wastewater is served by on-site sewer facilities that will be reviewed and approved by Bastrop County.

Drainage
The engineer submitted a drainage study with during the Temporary Drainage Moratorium and received approval from City Council with Resolution R-2019-44 on May 14, 2019. The site is proposing to add 26,750 square feet of impervious cover for two single family houses with two driveways, which would create 2.6 cubic feet per second of runoff, which can be contain onsite. Additional improvements will be necessary to reduce post-development flows if the property is developed at a greater intensity at a later date.

PUBLIC COMMENTS:
Notifications to property owners within 200 feet were mailed on August 9, 2019. (Attachment 2)

POLICY EXPLANATION:
Some replats can be approved administratively. However, since not all of the original area of the platted lots are included in this plat, it is being reviewed by the Planning & Zoning Commission and are then forwarded to City Council for approval.

Compliance with 2036 Comprehensive Plan:
- Future Land Use Plan – The Voluntary Extraterritorial is not included in the Future Land Use Plan.

Local Government Code
- Sec. 212.002. Rules.
  After a public hearing on the matter, the governing body of a municipality may adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.


  Section 212.004 Plat Required
  (a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared.

  The applicant has proposed replatting two lots within Bluebonnet Acres to correct the lot lines through the official subdivision plat process.

- Sec. 212.010. Standards for Approval
  (a) The municipal authority responsible for approving plats shall approve a plat if:
      (1) it conforms to the general plan of the municipality and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

      The replat conforms to the intent of the Comprehensive Plan to appropriately manage subdivision of land.
(2) it conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;

There are no new transportation or utility improvements required with this replat.

(3) a bond required under Section 212.0106, if applicable, is filed with the municipality; and

No improvements or bonds are required for the approval of the replat.

(4) it conforms to any rules adopted under Section 212.002.

The replat complies with the requirements the Local Government Code and the adopted Subdivision Ordinance.

Code of Ordinances Chapter 10 – Subdivisions
4.40.1 General: A. The administrative procedure may be followed for the approval of an Amending Plat, replat or a subdivision when the land proposed to be subdivided or resubdivided meets the following conditions and requirements in accordance with Local Government Code Section 212.0065:

(3) A replat under Section 212.0145 that does not require the creation of any new street or the extension of municipal facilities.

This replat does not require the creation of new streets or facilities.

4.40.2 Submission:
B. Any proposed plat may be removed from the administrative process and placed in either the short form or standard process at the sole discretion of the director of planning.

Due to the fact that not all of Lots 6 and 7 within the original Bluebonnet Acres plat are participating in the replat process, requiring public review through the standard review process rather than the administrative process gives the opportunity for the neighboring properties to be notified of the changes to the subdivision.

RECOMMENDATION:
Consider action to recommend approval of the Bluebonnet Acres, Lots 6A & 7A, Block 4, Section 1, a Replat of Lots 6 & 7, Block 4, Section 1, being 7.404 acres located at 437 & 443 Union Chapel Road, within the City of Bastrop Voluntary Extraterritorial Jurisdiction, and forward to the September 10, 2019 City Council meeting.

ATTACHMENTS:
- Exhibit A: Bluebonnet Acres, Section 1, Block 4, Lots 6A and 7A Replat
- Attachment 1: Location Map
- Attachment 2: Surrounding Property Owner Notification
GBN1!RAL NOTES:

STATE OF TEXAS
Reg. No. 5394
101 Laguna

14. BENCH MARK DATA: HARN DIBS NAD88 BLBV. 549.59

11. AU. DIUVBWAYS IN THIS SUBDIVISION MUST BE CONSTRUCTED TO FACILITATE STORM BVBNTS.

2. RESERVATIONS AND RESTRICTIONS OF BLUEBONNET ACRES, SUBDIVISION NO. 1,

9. ANY OBSTRUCTION IN THE CITY, COUNTY AND/OR TXDOT R/OIS TO BE CONSTRUCTED ON THE BASIS OF THE CITY OF BASTROP, TEXAS.

15. APPR. OBTAINED AND ISSUED THROUGH BASTROP COUNTY SUBSEQUENT ACCEPTANCE OF MAINTAINCB BY BASTROP COUNTY, IT IS THE RESPONSIBILITY OF THE OWNER/DEVELOPER TO DEDICATE AND DEED TO BASTROP COUNTY ENVIROMAL QUALITY CI'CBQ) 11.ULBS AND THE REQUIREMENTS OF THE BLUEBONNET FACILITY, AND LAKE HABITAT CONSERVATION PLAN.

POST-DEVELOPMENT PERMITS OF NO SCHIWB OF 3, 10, 25, 50 AND 100-YEAR SPBCIFICATIONS. WHICH MAY INCLUDE TURF INSTALLATION. APBRMIT TO GAUR DRAINAGE AND FLOOD INSURANCE RISK MAP, PANEL NO. 48021C0250B, EFFECTIVE JANUARY 6, 2004, A.D.

10. ANY ITEMS IN THE SUBDIVISION MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS CONCERNING AQUA'S SERVICE TO SUBDIVISIONS. UNDER THE AQUA TARIFF, RETAIL WATER SERVICE IS NOT AVAILABLE TO ANY LOT IN A SUBDIVISION THAT IS NOT CURRENTLY SERVICED BY THE SUBDIVISION'S OWN WATER AND SEWER SYSTEMS. ILLEGAL CONNECTIONS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES.

23. ANY SHEET METAL OR IRON ROD FOUND ON THE SUBDIVISION MUST BE REMOVED AT THE CITY'S EXPENSE.

13. Buildings shall be in accordance with the city of BASTROP building ordinance.

11. ONCE THE TERMINAL POINTS ARE DETERMINED, THE"></textarea>
Replat
Bluebonnet Acres
Section 1, Block 4, Lots 6A & 7A

Date: 7/15/2019

The accuracy and precision of this cartographic data is limited and should be used for information planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.
Notice of Pending Subdivision Approval
City of Bastrop
Planning & Zoning Commission and City Council

Dear Property Owner:

The Planning & Zoning Commission will hold a meeting Tuesday, August 27, 2019 at 4:30 p.m. and the City Council will hold a meeting on Tuesday, September 10, 2019 at 6:30 p.m. in the City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider approval of the Bluebonnet Acres, Lots 6A & 7A, Block 4, Section 1, a Replat of Lots 6 & 7, Block 4, Section 1, being 7.404 acres, located at 437 & 443 Union Chapel Road, within the City of Bastrop Voluntary Extraterritorial Jurisdiction.

Owner/Applicant: Clint Frerich & Equity Trust Company/ Na Li

Address: 437 & 443 Union Chapel Road

Legal Description: Bluebonnet Acres, Lots 6A & 7A, Block 4, Section 1, a Replat of Lots 6 & 7, Block 4, Section 1, being 7.404 acres

Number of Lots: 2 lots

The site location map and plat are attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances Subdivision Regulations.

Property owners wishing to subdivide land must follow the rules within the City Subdivision Regulations, which can be read online at:

https://library.municode.com/tx/bastrop/codes/code_of_ordinances?nodeId=CH10SU

For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, plan@cityofbastrop.org, or visit the office at 1311 Chestnut Street, Bastrop, Texas.
MEETING DATE: August 27, 2019
AGENDA ITEM: 3C

TITLE:
Consider action to recommend approval of the Pecan Park, Section 1B, 2, and 7 Preliminary Plat, being 117.695 acres out of the Mozea Rousseau Survey, Abstract 56, located south of the future extension of Sterling Drive, and west of Childers Drive, within the city limits of Bastrop, Texas and forward to the next available City Council meeting and forward to the September 10, 2019 City Council meeting.

STAFF REPRESENTATIVE:
Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

ITEM DETAILS:
Site Address: South of Sterling Drive, west of Childers Drive (Attachment 1)
Total Acreage: 117.695 acres
Legal Description: 117.695 acres out of the Mozea Rousseau Survey, Abstract 56
Property Owner: Ranch Road Development, LLC/Scott Miller
Agent Contact: Carlson, Brigance, & Doering/Christine Methvin
Existing Use: Vacant/Undeveloped
Existing Zoning: Pecan Park Residential Planned Development
Planned Development District: Single Family Select (PD-SFS), Patio Home (PD-PH)
Future Land Use: Neighborhood Residential

BACKGROUND/HISTORY:
The applicant has submitted a new Preliminary Plat for the Pecan Park, Section 1B, 2 & 7. These are the final sections that will complete the Pecan Park Residential Planned Development. The plat is creating 299 single-family lots, five landscape lots, five open space and drainage easement lots and one Homeowners Association lot (Exhibit A). The development has a mix of single-family detached lots allowed in the Planned Development zoning with the Patio Homes and Single-Family Select districts. The Patio Homes have a minimum width of 40 feet and a minimum of size of 4,600 square feet and the Single-Family Select have a minimum width of 50 feet and a minimum size of 6,000 square feet.

Traffic Impact and Streets
The Preliminary Plat proposes to extend two collector streets, Sterling Drive and Childers Drive, which will complete the primary access points for the development. A total of 15 streets for a total of 11,515 linear feet of street. Sidewalks will be installed along all proposed streets, and will connect to the proposed neighborhood trail system.
Utilities
Water service (domestic and fire) will be provided by the City via water line extensions from existing infrastructure located on Sterling Drive and Childers Drive. These lines will be designed according to the City’s construction standards, as well as the Texas Commission on Environmental Quality’s (TCEQ) requirements.

Wastewater collection and treatment will also be provided by the City, and will require the installation of lines that will ultimately connect to an existing wastewater lift station.

Drainage
The Preliminary Plat proposes to install an underground storm sewer system designed to drain runoff generated from the development into an open channel system to the west and drainage easements between lots to outlet to the floodway to the south. The existing system was designed to accommodate this increase in peak flows, and connects to the Colorado River.

The proposed drainage system will be designed with a sufficient capacity to route flows from a 100-year design storm to the Colorado River. Due to the property’s close proximity to the river, stormwater detention is not required.

Recreation and Open Space
A 1.2 acre lot will be reserved for a Homeowner’s Association managed lot that will include recreation opportunities, including an outdoor pool. Along the Colorado River, the floodway will be dedicated as open space, with natural trails and picnic/benches. As the area is regulated by the Federal Emergency Management Agency, minimal improvements will be allowed, but having the open space dedicated to the city will provide access and future management to the river.

PUBLIC COMMENTS:
Notifications to property owners within 200 feet were mailed on August 9, 2019. (Attachment 2)

POLICY EXPLANATION:
All Preliminary Plats must be reviewed by the Planning & Zoning Commission and are then forwarded to City Council for approval.

Compliance with 2036 Comprehensive Plan:
- Future Land Use Plan - Neighborhood Residential: The Neighborhood Residential character area is for single-family residential subdivision development, associated amenities such as parks, trails, open spaces and public uses such as schools, fire stations, and more.

  This preliminary plat complies with the Future Land Use Plan. The plat includes 299 single-family lots that will provide single-family detached units. There are also five open space lots that provide open space and drainage areas for this plat. This section is part of the Pecan Park development, in which the total development includes multiple phases that include parks, trails, and recreation facilities. One lot will be used for the Homeowners Association managed amenity lot, which will include recreation opportunities, including an outdoor pool.

- Objective 2.4.1: Invest in waste water system expansion in areas that promote infill and contiguous development.
This development is within the City’s wastewater service area and is vacant land immediately adjacent to existing development. This subdivision connects to existing wastewater lines and continues the system in an efficient manner.

- Goal 4.1.1 Provide a greater diversity of housing options in Bastrop while protecting the character of the City’s existing neighborhoods.

The Pecan Park Development includes six different residential lot standards. This plat utilizes the Patio Homes district, which allows 4,600 square foot lots and Single-Family Select district, which allows 6,000 square foot lots, both with with reduced rear and side setbacks to allow various single-family product types and with varied 20 and 25 foot front setbacks to provide visual appeal.

Local Government Code
- Sec. 212.002. Rules.

After a public hearing on the matter, the governing body of a municipality may adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.


Section 212.004 Plat Required
(a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared.

The applicant has proposed dividing an undeveloped 117.695 acre tract into 299 single-family lots. Public improvements within the subdivision (streets, drainage, and other utilities) will be dedicated to the City upon their completion.

- Sec. 212.010. Standards for Approval
(a) The municipal authority responsible for approving plats shall approve a plat if:

1) it conforms to the general plan of the municipality and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

The preliminary plat conforms to the Future Land Use Plan, which is designated Neighborhood Residential for this area.

2) it conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;
The plat conforms to the adopted Transportation Master Plan. The extensions of Sterling Drive and Childers Drive will be dedicated with this plat. The plat also conforms with the Capital Improvement Plan and will install public extensions of the water and wastewater infrastructure.

(3) a bond required under Section 212.0106, if applicable, is filed with the municipality; and

Required improvements and bonds will be furnished before the approval of the Final Plat.

(4) it conforms to any rules adopted under Section 212.002.

The preliminary plat complies with the requirements of the adopted Subdivision Ordinance.

Code of Ordinances Chapter 10 – Subdivisions
• Section 4.10 – Standard Procedure – Preliminary Plat

4.10.1. The subdivider shall submit a preliminary plat of the entire area being subdivided. Prior to the plat being placed before the Commission for consideration, the plat must be accepted as administratively complete by the Director of Planning and Development. A plat that contains the detailed information set forth in paragraphs 4.10.1 and 4.10.2 is considered administratively complete.

Planning and Engineering staff have reviewed the Pecan Park Section 1B, 2, & 7 Preliminary Plat for compliance with subdivision and utility standards and have deemed the plat administratively complete.

RECOMMENDATION:
Consider action to recommend approval of the Pecan Park, Section 1B, 2, and 7 Preliminary Plat, being 117.695 acres out of the Mozea Rousseau Survey, Abstract 56, located south of the future extension of Sterling Drive, and west of Childers Drive, within the city limits of Bastrop, Texas and forward to the next available City Council meeting and forward to the September 10, 2019 City Council meeting.

ATTACHMENTS:
• Exhibit A: Pecan Park 1B, 2, & 7 Preliminary Plat
• Attachment 1: Location Map
• Attachment 2: Surrounding Property Owner Notification
The accuracy and precision of this cartographic data is limited and should be used for information/planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Location Map
Preliminary Plat
Pecan Park Sections 1B, 2, 7

Date: 2/13/2019
Notice of Pending Subdivision Approval
City of Bastrop
Planning & Zoning Commission and City Council

Dear Property Owner:

The Planning & Zoning Commission will hold a meeting Tuesday, August 27, 2019 at 4:30 p.m. and the City Council will hold a meeting on Tuesday, September 10, 2019 at 6:30 p.m. in the City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider approval of the Pecan Park Sections 1B, 2 & 7 Preliminary Plat, being 117.695 acres out of the Mozea Rousseau Survey, Abstract 56, located at the south extension of Sterling Drive and west of the extension of Childers Drive, within the City Limits of Bastrop.

Owner/Applicant: Ranch Road Development/Carlson, Brigance & Doering Inc.
Address: South extension of Sterling Drive and west of the extension of Childers Drive
Legal Description: 117.695 acres out of the Mozea Rousseau Survey, Abstract 56
Number of Lots: 299 single family lots, 5 landscape, 5 open space and drainage easement lots and 1 HOA lot

The site location map and preliminary plat are attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances Subdivision Regulations.

Property owners wishing to subdivide land must follow the rules within the City Subdivision Regulations, which can be read online at:

https://library.municode.com/tx/bastrop/codes/code_of_ordinances?nodeId=CH10SU

For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, plan@cityofbastrop.org, or visit the office at 1311 Chestnut Street, Bastrop, Texas.
MEETING DATE: August 27, 2019

AGENDA ITEM: 3D

TITLE:
Public hearing and consider action to make a recommendation on an ordinance for a Planned Development District, with a base district of Single Family-7, to allow a residential development on 65.926 acres, out of the Nancy Blakey Survey, Abstract 98, located south of Agnes Street and east of State Highway 304, an area currently zoned General Retail, within the City Limits of Bastrop, Texas and forward to the September 10, 2019 City Council meeting.

STAFF REPRESENTATIVE:
Matt Jones, Director of Planning and Development

ITEM DETAILS:
Site Address: South of Agnes Street and east of State Highway 304 (Attachment 3)
Total Acreage: 65.926 acres
Legal Description: 65.926 acres out of Nancy Blakey Survey, Abstract 98
Property Owner: Holt Dunlop - Waymaker Ventures
Agent Contact: Amy Neskar, PE, BGE, Inc.
Existing Use: Vacant/Undeveloped
Existing Zoning: GR – General Retail
Future Land Use: Transitional Residential

BACKGROUND/HISTORY:
The applicant has submitted a zoning request for a Planned Development District with Single Family-7 base zoning. The request includes 330 single-family detached lots and eleven open space lots providing 5.9 acres of open space (Attachment 5) for the proposed development. A 100-foot LCRA easement runs across the property from east to west. A total of 3.54 acres of the proposed open space is within the LCRA easement.

The proposed single-family lot standards for the proposed Planned Development District are as follows:

<table>
<thead>
<tr>
<th>Lot Standard</th>
<th>Number of Lots</th>
<th>Minimum Dimensions (feet)</th>
<th>Lot Size (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>35’ Lot</td>
<td>48</td>
<td>35 ft. by 110 ft.</td>
<td>6,000</td>
</tr>
<tr>
<td>40’ Lot</td>
<td>282</td>
<td>40 ft. by 110 ft.</td>
<td>7,200</td>
</tr>
<tr>
<td>35’ and 40’ Lots</td>
<td></td>
<td>15% of lots 95 ft. deep</td>
<td></td>
</tr>
</tbody>
</table>
Future Land Use Plan
The subject property is designated as Transitional Residential on the Future Land Use Plan. The Transitional Residential character area is for lands to be developed with higher densities and a variety of housing types. The character area supports high-density single-family detached, single-family attached (duplexes, triplexes, townhouses) and multifamily (apartments), and institutional residential uses such as nursing homes and assisted living facilities. Variation in form, scale, and density is allowed but appropriate transitions must be provided between land uses. In some cases, Transitional Residential uses may be included as part of a larger planned development within areas otherwise designated as Neighborhood Residential. Likewise, Transitional Residential character areas may also include associated amenities such as parks, trails, open spaces, and public uses such as schools, fire stations, and more.

The proposed development provides two lot types but is exclusively single-family detached residential. The Future Land Use Plan suggests this property is appropriate for higher densities including attached single-family residential up to multifamily residential. The proposed development provides no transition from the adjacent commercially zoned properties.

Streets and Connectivity
The planned development is proposing two connections to HWY 304 and one connection to Agnes St. The development includes three street types, a collector street with 60’ of ROW and 40’ of pavement, a residential street with 50’ of ROW and 30’ of pavement, and an alley loaded residential street with 50’ ROW and 24’ of pavement.

Utilities
The development will connect to the existing water and wastewater lines along Agnes Street. New water lines, wastewater lines, and storm water lines will be constructed to serve the property. All water lines will be required to provide adequate fire protection facilities, such as appropriate line sizes and fire hydrants. A preliminary Utility Plan (Attachment 7) has been provided to show how the development would be served. If approved, a full set of construction plans meeting all City of Bastrop standards would be reviewed and approved by the City prior to construction. Bluebonnet Electric will provide electric service to the property.

Drainage
The proposed development is adjacent to a drainage channel that runs along the eastern boundary of the subject property. All construction within the development will be required to mitigate any adverse impacts up or downstream, as well as convey stormwater within the residential lots to mitigate any flooding.

PUBLIC NOTIFICATION:
Notifications were mailed to 15 property owners within two hundred feet (200’) of the subject property (Attachment 2) on July 8, 2019 and August 9, 2019. At the time of this report, one (1) written comment has been received in favor of the request and none (0) in opposition (Attachment 3).

POLICY EXPLANATION:
Zoning requests are reviewed by the Planning & Zoning Commission and a recommendation is provided. The zoning application and P&Z recommendations are then forwarded to City Council for final approval. Further policy explanation is included in Attachment 1.
STAFF RECOMMENDATION:
City Staff has reviewed the proposed Planned Development District request and supporting documents and has the following recommendations:

1. Access to HWY 304 at Colorado Street as shown should not be allowed. Staff recommends a secondary access be provided at Smallmouth Road to align with the proposed Thoroughfare Plan update and to increase the distance from the proposed signalized intersection at HWY 304 and Agnes Street.

2. Staff recommends adding additional housing types. This could be accomplished by adding a 50’ minimum single-family residential lot type or similar or an attached single-family product, providing an attached single-family product, or a higher density housing option adjacent to the commercial property. The Future Land Use Plan clearly identifies these types of housing options in the Transitional Neighborhood Character Area.

3. Staff recommends orienting residences to the retail areas to provide a more walkable interaction between land uses. A higher density housing type could be utilized to create a better transition to the adjacent commercial properties.

RECOMMENDATION:
Hold public hearing and consider action to make a recommendation on an ordinance for a Planned Development District, with a base district of Single Family-7, to allow a residential development on 65.926 acres, out of the Nancy Blakey Survey, Abstract 98, located south of Agnes Street and east of State Highway 304, an area currently zoned General Retail, within the City Limits of Bastrop and forward to the September 10, 2019 City Council meeting.

ATTACHMENTS:
Attachment 1: Bastrop Grove Residential Planned Development District
Attachment 2: Surrounding Property Notification
Attachment 3: Property Owner Response(s)
Attachment 4: Conceptual Plan
Attachment 5: Park and Open Space Plan
Attachment 6: Concept Map
Attachment 7: Preliminary Utility Plan
Exhibit A: Location Map
Submitted on July 15, 2019
by
WMV Bastrop 71, LLC
and
BGE, Inc.
# Bastrop Grove Planned Development District

## Table of Contents

Chapter 1 – Zoning .................................................................................................................................................. 2  
   Section 1 – SF-7 – Single Family Residential 7 District Base Zoning .................................................................. 2  
Chapter 2 – Development Standards .................................................................................................................... 5  
   Section 1 – Exterior Construction Requirements ............................................................................................. 5  
   Section 2 – Supplemental Regulations ............................................................................................................. 8  
Appendix A – Figures ............................................................................................................................................... 9
Chapter 1 – Zoning

Section 1 – SF-7 – Single Family Residential District Base Zoning

1.1 General Purpose and Description
The Bastrop Grove Residential Planned Development District is a master planned neighborhood to be comprised of a mix of lots smaller than the minimum standards currently offered in the Bastrop Code of Ordinances. The Single-Family 7 (SF-7) district will act as the base-zoning district for any standard not listed in this document.

1.2 Permitted Uses
A Single-family detached dwellings

1.3 Height Regulations
A Maximum Height: Two and one-half (2 ½) stories for the main building. Overall height must be less than thirty-five (35’) feet.
B One story for accessory buildings without garages

1.4 Area Regulations
A Size of Lots
i) Minimum Lot Area – four thousand (4000) square feet
ii) Minimum Lot Width – Thirty-five feet (35’) as measured at the building setback line
iii) Minimum Lot Depth – One hundred ten feet (110’), with fifteen percent (15%) of lots at ninety-five (95’) minimum
B Size of Yards (See Figure #2)
   i) Minimum Front Yard – Fifteen feet (15’)
   ii) Minimum Interior Side Yard – Five feet (5’)
   iii) Minimum Exterior (Corner) Side Yard – Fifteen feet (15’)
   iv) Minimum Rear Yard – Fifteen feet (15’)
   v) Minimum Rear Yard (Alley-Loaded Garage) – Five feet (5’)
C Front yard setbacks will be required to be staggered by an additional ten feet (10’) every third adjoining lot on the same block
D Maximum Lot Coverage – Sixty percent (60%) by main buildings and accessory buildings
E Maximum Impervious Cover – Sixty percent (60%)
F Parking regulations for Single Family Dwelling Units
   i) A minimum of two (2) covered spaces behind the front building line on the same lot as the main structure
   ii) A minimum of two (2) uncovered spaces between the front building line and right-of-way on the same lot as the main structure
   iii) On-site parking is not allowed to be located within the right-of-way and back of curb
G Parking regulations for Alley-Loaded Dwelling Units
   i) A minimum of two (2) covered spaces behind the rear building line on the same lot as the main structure
H Minimum Dwelling Unit Area – One thousand (1,000) square feet
1.5 Parks and Open Space Requirements
Parks and open spaces within the subdivision will intend to provide walkable and bike-able routes, space for active and passive recreation, playscape items, and shade trees in accordance with the City of Bastrop’s approved plant list.
A Park areas – Development to include a minimum of 1 acre of park per 100 lots.
   i) Parks within the Planned Development to be maintained by the Homeowner’s Association
   ii) Acreage within easements will be counted at 50% credit, while unencumbered acreage will be counted at 100%
   iii) Open space lots to include minimum one three-quarters (0.75) acre open space lot and one-three (3) acre contiguous open space lot
   iv) Improvement within the park acreage (such as trails or dog parks) will be detailed in the preliminary plat
   v) Open space lots should not exceed a maximum of 60% on-site impervious cover
B One (1) tree will be required every forty (40) linear feet of street frontage

1.6 Street Widths
Collector streets shall have a minimum dedicated right-of-way of sixty (60’) feet and a minimum paving width curb to curb of thirty-eight (40’) feet. Local streets shall have a minimum dedicated right-of-way of fifty (50’) feet and a minimum paving width curb to curb of thirty (30’) feet. See Figure #1.
A Streets abutting the parkway shall have a minimum dedicated right-of-way of fifty (50’) feet and a minimum paving width curb to curb of twenty-four (24’) feet.
   i) Parking will not be permitted on both sides of the roadway, except for the following provision;
      1. A bump out can be provided to allow sections of eight (8’) feet parallel parking spaces.

1.7 Special Requirements
A Recreational Vehicles, travel trailers or mobile homes, may not be used for on-site dwelling purposes.
B Electrical fencing and barbed wire are prohibited as perimeter fencing
C Open storage is prohibited.
D Swimming pools shall be enclosed by a security fence not less than six feet (6’) in height. All swimming pools security fences shall be constructed so as not to have openings, holes or gaps larger than two inches (2”) in dimension, except for doors and gates. All doors and gates shall be equipped with self-closing, self-latching devices.
E All residential structures shall have roof slopes with a minimum 4:12 pitch.
F Sidewalks are required on both sides of the street.
G At least 50% of the driveways will be paired on alternate lot lines to allow for additional street parking. Each lot will include a total four (4) parking spaces, two spaces in the garage and two spaces in the driveway.
H Residential lots with 5-foot setbacks will need to comply with regulations listed in the currently adopted City of Bastrop fire code.
I All drainage easements within the subdivision will be maintained by the Property Owner’s Association.
J All drainage designs and calculations shall comply with all standards and processes outlined in the City of Bastrop Drainage Manual at the time of preliminary plat submittal.
K Utility design will comply with the City of Bastrop design standards at the time of preliminary plat submittal.
Other regulations – as established in the Development Standards, Sections 1 and 2, except as stated here.
Chapter 2 – Development Standards
Section 1 – Exterior Construction Requirements
1.1 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. **Siding** shall include fiber cement (e.g. Hardiplank) or wood products excluding vertical panels.

   B. Masonry exteriors and siding like hardiplank are acceptable exterior construction materials.

1.2 Construction Standards:
   A. **Construction standards:** The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new, altered or repaired construction occurring within the City.

   1. **Residential Zoning Districts:**
      a. Concrete, excluding 'siding' as defined above, or metal exterior construction is not permitted on any structural exterior wall in any residential use zoning district
      b. Exemptions:
         (1) An accessory building two hundred and forty (240) square feet or less are excluded from this prohibition.
         (2) On temporary construction buildings with a permit issued by the City Building Official.
      c. **Residential Design Standards:**

(1) **Similarity Restrictions.** Except as provided in subsection (i) below, no new dwelling that is similar in appearance to a neighboring dwelling is permitted. The standards to determine such similarity are set forth below and shown by example in the figure contained in this section.

(i) **Differences in Appearance.**

   (a) Differences in bulk and massing shall be reviewed for the lots on either side of the proposed dwelling on the same side of the street, as shown in the following figure.

   (b) Where lots are interrupted by an intervening street, public parkland, or similar feature of at least 50 feet in width, no review shall be necessary.

   (c) The proposed building shall be considered different from any vacant lot for which no Building Permit has been issued without requiring further documentation.

   (d) **X-Home under Construction, should be different than the homes.**

(ii) **Differentiation.** The proposed dwelling shall differ from other applicable dwellings in at least two of the four criteria listed below (see Figures 9-12).

   (a) The dwelling differs in the number of full, stories.
   - Single-story; or
   - Two-story

   (b) The dwelling has a different type of garage.
   - Front-loaded garage (one or two-car);
   - Side-loaded garage; or
   - Detached garage.

   (c) The dwelling has a different roof type
• Gable;
• Hip;
• Gambrel;
• Mansard; or
• All of the above roof types are rotated 90 degrees.

(d) The dwelling has different variations in the front facade.
• The garage is set back a minimum of 4 feet from the front facades.
• A covered, open-walled porch at least 6 feet in depth extends a minimum of 33% of the width of the front facade; or
• Other articulation of the front facade at least 4 feet in depth extends at least 33% of the width of the front facade.

(iii) Application Review.
(a) Acceptable documentation may include photographs of the other structures in question (no building elevations are required).
(b) A subdivision or phase thereof may be reviewed as a whole for conformity with this requirement, provided that adequate documentation to ensure conformity is submitted with the plat. Such documentation is not required to be recorded as part of the plat.
(c) The Building Official shall review the submitted documentation and any previously approved Building Permits and make a determination. Where the Building Official finds that a dwelling for which a Building Permit is being requested is similar in appearance based on the standards above, the Building Permit shall be denied.
Section 2 – Supplemental Regulations

2.1 Setbacks
   All setback measurements shall be made in accordance with Figures 4, 5, and 6.

2.2 Front Yard
   A. On all corner lots, the front yard setback shall be observed along the frontage of both intersecting streets, unless approved specifically otherwise on a final plat. Where single-family lots have: double frontage, extending from one street to another, or are on a corner, a required front yard shall be provided on both streets unless a side or rear yard building line has been established along one frontage on the plat, in which event only one required front yard need be observed. The side and/or rear yards in the case of single-family uses shall be identified and the front of the structure shall not face the side or rear yard (see Figure 7). For lots on a corner, the property line having the narrowest dimension shall be considered the front.
   B. The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace or attached accessory building. Eaves and roof extensions or a porch without posts or columns may project into the required front yard for a distance not to exceed four feet (4’), and subsurface structures, platforms or slabs may not project into the front yard to a height greater than thirty inches (30”) above the average grade of the yard (see Figure 3).
   C. Minimum lot widths for lots with predominate frontage on the curved radius of a dedicated cul-de-sac street shall be forty feet (40’), measured at the front building line.
   D. Where a future right-of-way line has been established for future widening or opening of a street or thoroughfare, upon which a lot abuts, then the front, side, or rear yard shall be measured from the future right-of-way line.
   E. Roof overhangs up to four feet (4’) and A/C units are specifically allowed within the interior side yard.

2.3 Side Yards
   A. Every part of a required side yard shall be open and unobstructed except for the ordinary projections of window sills, belt courses, cornices, and other architectural features not to exceed twelve inches (12”) into the required side yard, and roof eaves projecting not to exceed thirty-six inches (36”) into the required side yard. Air conditioning compressors and similar equipment are permitted in the side yard.
   B. Where a future right-of-way line has been established for future widening or opening of a street or thoroughfare, upon which a lot abuts, then the front, side, or rear yard shall be measured from the future right-of-way line.

2.4 Sight Visibility
   Visual clearance shall be provided in all zoning districts so that no fence, wall, architectural screen, earth mounding or landscaping three feet (3’) or higher above the street center line obstructs the vision of a motor vehicle driver approaching any street, alley, or driveway intersection as follows:
   A. At a street intersection, clear vision must be maintained for a minimum of twenty-five feet (25’) across any lot measured from the corner of the property line in both directions (see Figure 8).
   B. At an intersection with an alley, this clearance must be maintained for ten feet (10’) (see Figure 8).
   C. Shrubs and hedges three feet (3’) or less in height, as measured from the centerline of the street, may be located in the visual clearance areas of all districts
2.5 Fencing
   A  Fences that abut open space must have open, metal decorative fencing
   B  Fences for rear property lines along the right-of-way must have open, metal decorative fencing
   C  Chain link, woven wire mesh or similar materials are not considered decorative fencing
   D  If the construction of the residential use commences prior to the development of the nonresidential use, a temporary screening fence of not less than six feet (6’) in height shall be erected on the property line separating these districts
      1. The temporary screening fence shall be demolished once the screening wall for the nonresidential use is constructed

2.6 Street Lighting
The installation of street lights and associated facilities shall be coordinated with Bluebonnet Electric Cooperative. Lighting design shall comply with the City of Bastrop lighting standards at the time of preliminary plat submittal.
Appendix A – Figures

FIGURE #1
Typical Street Sections

MINOR OR LOCAL STREET
TYPICAL SECTION
N.T.S.

COLLECTOR TYPICAL SECTION
N.T.S.
FIGURE #2
Lot Setback Exhibit

15' REAR YARD SETBACK

5' INTERIOR SIDE YARD SETBACK

25' FRONT YARD SETBACK (EVERY THIRD LOT)

15' FRONT YARD SETBACK

15' CORNER LOT SIDE YARD SETBACK
FIGURE #3
Front Yard Measurement Exhibit

FIGURE #4
Lot Width Exhibit
FIGURE #5
Lot Area & Depth Exhibit

LOT AREA IS CALCULATED EXCLUDING ALLEYS AND STREETS
LOT AREA MAY INCLUDE EASEMENTS ON LOT

FIGURE #6
Lot Yard Exhibit
FIGURE #7
Corner Lot Exhibit

CORNER LOT

STREET

FRONT YARD LINE

CORNER LOT

CORNER SIDE YARD LINE MUST BE IDENTIFIED ON THE FINAL PLAT, OTHERWISE TWO FRONT YARDS SHALL BE OBSERVED

ALLEY

FRONT YARD LINE

STREET
FIGURE #8
Fence & Sight Requirements for Corner Lots
FIGURE #9
Example 40’ Lot Elevation

FRONT ELEVATION - A

FRONT ELEVATION - B
FIGURE #10
Example 40’ Lot Elevation

FRONT ELEVATION - A

FRONT ELEVATION - B
FIGURE #11
Example 40’ Lot Elevation

FRONT ELEVATION - A

FRONT ELEVATION - B
FIGURE #12
Example 40’ Lot Elevation

FRONT ELEVATION - A

FRONT ELEVATION - B
Notice of Pending Rezoning Approval  
City of Bastrop  
Planning & Zoning Commission And City Council

Dear Property Owner:

The Planning & Zoning Commission will conduct a public hearing on Thursday, July 25, 2019 at 6:00 p.m. and the City Council will conduct a public hearing (first reading) Tuesday, August 13, 2019 at 6:30 p.m. in the City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas on the request to approve or disapprove an ordinance for a Planned Development District, with a base district of Single Family-7, to allow a residential development on 65.926 acres, out of the Nancy Blakey Survey, Abstract 98, located south of Agnes Street and east of State Highway 304, an area currently zoned General Retail, within the City Limits of Bastrop.

Applicant: BGE Inc./Amy Neskar, P.E.
Owner: WayMaker Ventures/Holt Dunlop
Address: South of Agnes Street and east of State Highway 304
Legal Description: 65.926 acres, out of the Nancy Blakey Survey, Abstract 98

The site location map is attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances CUP Regulations. For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, plan@cityofbastrop.org, or visit the office at 1311 Chestnut Street, Bastrop, Texas.

For additional information, please visit or call the Planning & Development offices.

PROPERTY OWNER'S RESPONSE
As a property owner within 200' (please check one)
☑ I am in favor of the request.
☐ I am opposed to the request.
☐ I have no objection to the request.

Property Owner Name: MC Bastrop 71, LP
Property Address: South of Hwy 71 and east of Hwy 304
Phone (optional): 8214 Westchester Dr. Ste 550, Pflugerville, TX 78660
Mailing Address: Email (optional):
Property Owner's Signature: 
Comments: (Optional)

Please provide reply to the address below, via fax (512) 332-8829, or email: plan@cityofbastrop.org

RE: RZNE_The Grove

PLANNING & DEVELOPMENT
1311 Chestnut Street • PO Box 427 • Bastrop, Texas 78602 • 512.332.8840 • www.cityofbastrop.org
The Grove
Planned Development District

Date: 7/10/2019

The accuracy and precision of this cartographic data is limited and should be used for information (planning purposes only). This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.
Public hearing and consider action to recommend approval of Ordinance No. 2019-29 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 14, Exhibit A – Zoning Ordinance, II – Administration, Section 8 – Planning & Zoning Commission, 8.4 – Meetings, to change the November & December Planning & Zoning Commission meeting dates to comply with Texas Local Government Code Chapter 212, and forward to the August 27, 2019 City Council meeting.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager
Trey Job, Managing Director of Public Works & Leisure Services
Matt Jones, Director of Planning & Development
Alan Bojorquez, City Attorney

BACKGROUND/HISTORY:
House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or the Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction.

POLICY EXPLANATION:
Texas Local Government Code Chapter 212 - Subchapter A - Regulation of Subdivisions, Section 212.002 - Rules grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality’s jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

Texas Local Government Code Chapter 212 - Subchapter A - Regulation of Subdivisions, Section 212.006 states that the municipal authority responsible for approving plats under this subchapter is the municipal planning commission unless the municipality has no planning commission, then it is the governing body of the municipality.

In order to ensure compliance with Texas Local Government Code Chapter 212, City Council will annually adopt Schedule Uniform Submittal Dates in order to comply with Texas Local Government Code Chapter 212 for Zoning Change & Conditional Use Permit (CUP) applications, Public Improvement Plan applications, Plat applications, and Site Development Plan applications. The Schedule Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and Planning & Zoning Commission meetings.
The City’s current Code of Ordinances specifies that the Planning & Zoning Commission meets the last Thursday of the month. Thanksgiving and Christmas holidays routinely conflict with the last Thursday of the month in November and December, either causing the meeting to move to another date or be cancelled. Given the need for Schedule Uniform Submittal Dates to ensure compliance with H.B. 3167, it is important that the Planning & Zoning Commission dates be established in advance for all twelve (12) months. Therefore, approval of this Ordinance will amend the Chapter 14, Exhibit A, II – Administration, Section 8 – Planning & Zoning Commission, 8.4 “Meetings” of the Code of Ordinances to include the following language:

**Section 8.4 Meetings:** The Planning and Zoning Commission shall meet on the last Thursday of January through October and the last Thursday prior to Thanksgiving and Christmas holidays in November and December. The meeting shall be in the City Hall or other specified locations as may be designated by the Chairman or Vice Chairman, in the absence of the chairman. Special Meetings shall be held at such intervals as may be necessary to orderly and properly transact the business of the Commission as called by the Chairman or the Director of Planning and Development.

This ordinance will also allow the Director of Planning and Development to call a Special Meeting to provide maximum flexibility to meet the requirements of H.B. 3167.

**FUNDING SOURCE:** N/A

**RECOMMENDATION:**
Hold public hearing and consider action to recommend approval of Ordinance No. 2019-29 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 14, Exhibit A – Zoning Ordinance, II – Administration, Section 8 – Planning & Zoning Commission, 8.4 – Meetings, to change the November & December Planning & Zoning Commission meeting dates to comply with Texas Local Government Code Chapter 212, and forward to the August 27, 2019 City Council meeting.

**ATTACHMENTS:**
- Ordinance
ORDINANCE NO. 2019-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING THE BASTROP CITY CODE OF ORDINANCES, CHAPTER 14, EXHIBIT A – ZONING ORDINANCE, II – ADMINISTRATION, SECTION 8 – PLANNING & ZONING COMMISSION, 8.4 MEETINGS TO CHANGE THE NOVEMBER & DECEMBER PLANNING & ZONING COMMISSION MEETING DATES TO COMPLY WITH TEXAS LOCAL GOVERNMENT CODE CHAPTER 212; REPEALING CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROPER NOTICE AND MEETING AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002 (Rules), grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality’s jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

WHEREAS, Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.006, states that the municipal authority responsible for approving plats under this subchapter is the municipal planning commission unless the municipality has no planning commission, then it is the governing body of the municipality; and

WHEREAS, the City Council will annually adopt Schedule Uniform Submittal Dates in September in order to comply with Texas Local Government Code Chapter 212, which lists the Planning & Zoning Commission meeting dates and recognizes their tradition of meeting the last Thursday of the month except for November and December. To address Thanksgiving and Christmas holidays, Planning and Zoning Commission meetings will be on the last Thursday prior to either holiday.

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

Section 1: That Chapter 14 of the Code of Ordinance, Exhibit A – Zoning Ordinance, II – Administration, Section 8 – Planning & Zoning Commission, 8.4 “Meetings”, shall be amended in its entirety to read as follows:

Section 8.4 Meetings: The Planning and Zoning Commission shall convene for regular meetings on the last Thursday of January through October, and on the last Thursday prior to Thanksgiving and Christmas holidays in November and December. The meetings shall be in the City Hall or other specified locations as may be designated by the Chairman or Vice Chairman, in the absence of the chairman. Special meetings shall be held at such
intervals as may be necessary to orderly and properly transact the business of the Commission as called by the Chairman or the Director of Planning and Development.

**Section 2:** In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

**Section 3:** If any provision of this Ordinance or the application thereof to any person or circumstances 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.

**Section 4:** This Ordinance shall take effect immediately upon passage.

**Section 5:** 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.

READ and APPROVED on First Reading on the 14th day of August 2019.

READ and ADOPTED on Second Reading on the 27th day of August 2019.

APPROVED:

___________________________
Connie B. Schroeder, Mayor

ATTEST:

___________________________
Ann Franklin, City Secretary

APPROVED AS TO FORM:

___________________________
Alan Bojorquez, City Attorney
MEETING DATE:  August 27, 2019  AGENDA ITEM:  3F

TITLE:
Public hearing and consider action to recommend approval of Ordinance 2019-32 of the City Council of the City of Bastrop, Texas amending Chapter 14 – Zoning, Section I – Enacting Provisions adding Section 6.2 Annual Adoption of Schedule of Uniform Submittal Dates for Site Plans, Zoning Changes, and Conditional Use Permits (CUP); Amending Chapter 10 – Subdivisions, Article 10.03 – Subdivision, Section 1 – General adding Section 1.1 Annual Adoption of Schedule of Uniform Submittal Dates for Public Improvement Plans; and Adopting Schedules of Uniform Submittal Dates For 2019/2020 for Site Plans, Plats, Zoning Change, CUP, and Public Improvement Plans, as shown as Exhibit A, in order to comply with Texas Local Government Code Chapter 212, which requires plats, site plans, and public improvement plans to be reviewed within thirty (30) days of submittal or deemed approved, and forward to the August 27, 2019 City Council meeting.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager
Trey Job, Managing Director of Public Works & Leisure Services
Matt Jones, Director of Planning & Development
Alan Bojorquez, City Attorney

BACKGROUND/HISTORY:
House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction.

POLICY EXPLANATION:
Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality’s jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

In order to ensure compliance with Texas Local Government Code Chapter 212, City Council will annually adopt Schedule Uniform Submittal Dates in September in order to comply with Texas Local Government Code Chapter 212 for Zoning Change & CUP applications, Public Improvement Plan applications, Plat applications, and Site Plan applications. The Schedule Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and Planning & Zoning Commission meetings.
FUNDING SOURCE: N/A

RECOMMENDATION:
Hold public hearing and consider action to recommend approval of Ordinance 2019-32 of the City Council of the City of Bastrop, Texas amending Chapter 14 – Zoning, Section I – Enacting Provisions adding Section 6.2 Annual Adoption of Schedule of Uniform Submittal Dates for Site Plans, Zoning Changes, and Conditional Use Permits (CUP); Amending Chapter 10 – Subdivisions, Article 10.03 – Subdivision, Section 1 – General adding Section 1.1 Annual Adoption of Schedule of Uniform Submittal Dates for Public Improvement Plans; and Adopting Schedules of Uniform Submittal Dates For 2019/2020 for Site Plans, Plats, Zoning Change, CUP, and Public Improvement Plans, as shown as Exhibit A, in order to comply with Texas Local Government Code Chapter 212, which requires plats, site plans, and public improvement plans to be reviewed within thirty (30) days of submittal or deemed approved, and forward to the August 27, 2019 City Council meeting.

ATTACHMENTS:
- Ordinance
- Exhibit A - Schedules
ORDINANCE 2019-32

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS

AMENDING CHAPTER 14 – ZONING, SECTION I – ENACTING PROVISIONS

ADDING SECTION 6.2 ANNUAL ADOPTION OF SCHEDULE OF UNIFORM

SUBMITTAL DATES FOR SITE PLANS, ZONING CHANGES, AND

CONDITIONAL USE PERMIT (CUP); AMENDING CHAPTER 10 –

SUBDIVISIONS, ARTICLE 10.03 – SUBDIVISION, SECTION 1 – GENERAL

ADDING SECTION 1.1 ANNUAL ADOPTION OF SCHEDULE OF UNIFORM

SUBMITTAL DATES FOR PUBLIC IMPROVEMENT PLANS; AND ADOPTING

SCHEDULES OF UNIFORM SUBMITTAL DATES FOR 2019/2020 FOR SITE

PLANS, PLATS, ZONING CHANGE, CUP, AND PUBLIC IMPROVEMENT

PLANS AS SHOWN AS EXHIBIT A, IN ORDER TO COMPLY WITH TEXAS

LOCAL GOVERNMENT CODE CHAPTER 212, WHICH REQUIRES PLATS,

SITE PLANS, AND PUBLIC IMPROVEMENT PLANS TO BE REVIEWED

WITHIN THIRTY (30) DAYS OF SUBMITTAL OR DEEMED APPROVED;

ESTABLISHING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND

PROVIDING AN EFFECTIVE DATE.

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a

subdivision development plan, subdivision construction plan, site plan, land development

application, site development plan, preliminary plat, general plan, final plat, and replat be

approved, approved with conditions, or disapproved by staff and Planning & Zoning Commission

within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, Texas Local Government Code Chapter 212, Subchapter A. Regulation of

Subdivisions, Section 212.002. Rules grants authority to a governing body of a municipality, after

conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land

within the municipality’s jurisdiction to promote the health, safety, morals, or general welfare of

the municipality and the safe, orderly, and healthful development of the municipality; and

WHEREAS, City Council will annually adopt a Schedule of Uniform Submittal Dates in

September in order to comply with Texas Local Government Code Chapter 212 for Zoning

Change & CUP applications, Public Improvement Plan applications, Plat applications, 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, and dates when the Planning & Zoning

Commission will meet, and/or administrative decisions will be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF

BASTROP, TEXAS THAT:

Section 1: That Chapter 14 of the Code of Ordinances, Section 1 – Enacting Provisions

shall be amended as follows:

Section 6.2 – Annual Adoption of Schedule of Uniform Submittal Dates for Site

Plans, Zoning Changes, and Conditional Use Permits. City Council will annually adopt a

Schedule of Uniform Submittal Dates in September in order to comply with Texas Local

Government Code Chapter 212 for Zoning Change & CUP applications 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.

Section 2: That Chapter 10 of the Code of Ordinances, Article 10.03 – Subdivision, Section 1 – General shall be amended as follows:

Section 1.1 – Annual Adoption of Schedule of Uniform Submittal Dates for Public Improvement Plans. City Council will annually adopt a Schedule of Uniform Submittal Dates in September in order to comply with Texas Local Government Code Chapter 212 for Public Improvement Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and when administrative decisions by the City Engineer will occur.


Section 4: In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

Section 5: If any provision of this Ordinance or the application thereof to any person or circumstances 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.

Section 6: This Ordinance shall take effect immediately upon passage.

READ and APPROVED on First Reading on the 14th day of August 2019.

READ and ADOPTED on Second Reading on the 27th day of August 2019.

APPROVED:

___________________________
Connie B. Schroeder, Mayor

ATTEST:

_____________________________
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____________________________
Alan Bojorquez, City Attorney
# 2019 – 2020 Plat & Site Plan Schedule of Uniform Submittal Dates

Plat Submissions will only be accepted on these dates between 8:00 a.m. - 12:00 p.m. All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed. Due Date for Public Notice Notification in the Bastrop Advertiser, if Public Hearing is Required. Responses to Approval with Conditions will only be accepted on these dates between 8:00 a.m. – 3:00 p.m. for Inclusion on Planning & Zoning Commission Meeting Agenda or Administrative Review in the same month. (15 Day Review Requirement or Deemed Approved)

<table>
<thead>
<tr>
<th>Date</th>
<th>Plat Submissions</th>
<th>Due Date for Public Notice</th>
<th>Responses to Approval</th>
<th>DRC Committee Review</th>
<th>Planning &amp; Zoning Commission Packet Published</th>
<th>Planning &amp; Zoning Commission Meeting Date / Administrative Decision for Amending Plats &amp; Replats not requiring Public Hearing</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/06/2020</td>
<td>1/7/2020</td>
<td>1/7/2020</td>
<td>1/17/2020</td>
<td>1/23/2020</td>
<td>1/24/2020</td>
<td>1/30/2020</td>
</tr>
</tbody>
</table>

*Adopted by City Council on August 27, 2019 – Ordinance 2019-32
### 2019 – 2020 Public Improvement Plan Schedule of Uniform Submittal Dates

<table>
<thead>
<tr>
<th>Date</th>
<th>Public Improvement Plan Submission</th>
<th>All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.</th>
<th>Responses to Approval with Conditions will only be accepted on these dates between 8:00 a.m. – 3:00 p.m. for City Engineer Action calendared on same line*</th>
<th>DRC Review Approval with Conditions – Staff Recommendations to Approve/Disapprove</th>
<th>*City Engineer Action on Public Improvement Plans</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/30/2019</td>
<td>12/31/2019</td>
<td>1/10/2020</td>
<td>1/16/2020</td>
<td>1/23/2020</td>
<td></td>
</tr>
<tr>
<td>1/20/2020</td>
<td>1/21/2020</td>
<td>1/31/2020</td>
<td>2/6/2020</td>
<td>2/13/2020</td>
<td></td>
</tr>
<tr>
<td>10/19/2020</td>
<td>10/20/2020</td>
<td>10/30/2020</td>
<td>11/5/2020</td>
<td>11/12/2020</td>
<td></td>
</tr>
</tbody>
</table>

*Adopted by City Council on August 27, 2019 – Ordinance 2019-32
## 2019 – 2020 Zoning Change & Conditional Use Permit (CUP) Schedule of Uniform Submittal Dates

<table>
<thead>
<tr>
<th>Zoning Submission</th>
<th>All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.</th>
<th>Due Date for Public Notice Notification in the Bastrop Advertiser</th>
<th>Planning &amp; Zoning Commission Meeting Date</th>
<th>City Council Meeting Date 1st Reading</th>
<th>City Council Meeting Date 2nd Reading</th>
</tr>
</thead>
</table>

*Adopted by City Council on August 27, 2019 – Ordinance 2019-32*
MEETING DATE: August 27, 2019  AGENDA ITEM: 3G

TITLE:
Public hearing and consider action to recommend approval of Ordinance No. 2019-28 of the City Council of the City of Bastrop, Texas amending Chapter 14, Section 42 - Site Development Plan Review, and forward to the August 27, 2019 City Council meeting.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager
Trey Job, Managing Director of Public Works & Leisure Services
Matt Jones, Director of Planning & Development
Alan Bojorquez, City Attorney

BACKGROUND/HISTORY:
House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, Site Development Plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction. HB 3167 further requires any comment or denial include a direct citation to the law, statute, or municipal ordinance that is the basis for the conditional approval or disapproval.

POLICY EXPLANATION:
In order to ensure compliance with HB 3167, portions of Chapter 14, Section 42 - Site Development Plan Review will need to be amended by City Council. The City’s current Code of Ordinances specifies that City Council shall be the authority to approve Site Development Plan applications. HB 3167 removes the ability for any discretionary approval or denial of Site Development Plans; therefore, staff is recommending that Site Development Plan applications be approved by the Director of Planning and Development after review by the Development Review Committee (DRC).

HB 3167 also requires any comment or denial include a direct citation to the law, statute, or a municipal ordinance that is the basis for the conditional approval or disapproval. The City’s current Code of Ordinances does not include a comprehensive list of everything that needs to be provided for a comprehensive review of a Site Development Plan. Over the years, items have been added to a checklist that have been used to determine what is required to be provided with the submittal of a Site Development Plan application. HB 3167 requires any requirement for the approval or disapproval of a Site Development Plan be a direct citation to the law, statute, or a municipal ordinance. In response, the requirements for a complete submittal will need to be added to the submittal requirements in Section 42.
Therefore, approval of this Ordinance will amend the Chapter 14, Section 42 - Site Development Plan Review of the Code of Ordinances to ensure compliance with the mandates of HB 3167. A summary of changes is as follows:

- Requires a Site Development Plan prior to issuance of building permit or Certificate of Occupancy.
- Incorporates required detailed Site Development Plan submittal requirements, which will become the Site Development Plan Checklist, to provide legal authority as required by HB 3167.
- Allows Director of Planning and Development the administrative authority to approve, approve with conditions, or deny all Site Development Plans.

**FUNDING SOURCE:** N/A

**RECOMMENDATION:**
Hold public hearing and consider action to recommend approval of Ordinance No. 2019-28 of the City Council of the City of Bastrop, Texas amending Chapter 14, Section 42 - Site Development Plan Review, and forward to the August 27, 2019 City Council meeting.

**ATTACHMENTS:**
- Ordinance
ORDINANCE NO. 2019-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS
AMENDING THE BASTROP CITY CODE OF ORDINANCES, CHAPTER 14,
SECTION 42 – SITE DEVELOPMENT PLAN REVIEW; REPEALING
CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROPER
NOTICE AND MEETING AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, Site Development Plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, House Bill 3167 further requires any comment or denial include a direct citation to the law, statute, or a municipal ordinance that is the basis for the conditional approval or disapproval; and

WHEREAS, In order to ensure compliance with House Bill 3167, portions of Chapter 14, Section 42 - Site Development Plan Review will need to be amended; and

WHEREAS, House Bill 3167 removes the ability for any discretionary approval or denial of Site Development Plans and requires any comment or denial include a direct citation to the law, statute, or a municipal ordinance that is the basis for the conditional approval or disapproval.

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

Section 1: That Chapter 14 of the Code of Ordinance, Section 42 – Site Development Plan Review shall be amended as follows:

SECTION 42 – SITE DEVELOPMENT PLAN REVIEW

42.1 – SITE DEVELOPMENT PLAN REVIEW

A. Purpose
The purpose of a Site Development Plan is to ensure efficient and safe land development, harmonious use of land, compliance with appropriate design standards, safe and efficient vehicular and pedestrian circulation, parking and loading, and adequate water supply, drainage and storm water management, sanitary facilities, and other utilities and services.

B. Applicability
Site Development Plan review and approval shall be required for new construction or the significant enlargement or alteration of any exterior dimension of any building, structure, or improvement involving the uses listed below:

1. Any nonresidential development,
2. Any multi-family development (duplex and single family attached) or manufactured/mobile home park,
3. Any development with two (2) or more buildings per platted lot,
4. As used in this section, the term "improvements" shall also include alterations made to land only, such as paving, filling, clearing, or excavating. As used in this section, the term "significant enlargement or alteration" shall mean the construction of structures, or the alteration of land, if such construction or alteration impacts or potentially affects other existing or future land uses, including those on adjacent or nearby land.

The Director of Planning and Development shall make the initial determination of whether a proposed development, construction, enlargement, or improvement requires a Site Development Plan or not. The initial determination is subject to review by the City Manager.

The Site Development Plan must be prepared by a licensed and registered professional land surveyor, and/or a licensed professional engineer.

No building permit shall be issued for any of the above developments unless a Site Development Plan is first approved by the City. No certificate of occupancy shall be issued unless all construction and development conforms to the Site Development Plan as approved by the City.

The fee for a Site Development Plan is set forth in Article 8 of Appendix A, of the Bastrop City Code, as well as on the application form.

C. Site Development Plan Submittal Requirements
A Site Development Plan submittal shall include the following documents in order to be considered a complete submittal. All submittals shall be delivered to the Planning and Development Department in accordance with the approved submittal schedule. Incomplete submittals will not be accepted by the Planning and Development Department.

<table>
<thead>
<tr>
<th>42.1.C – Site Development Plan Submittal Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  Completed and signed Application</td>
</tr>
<tr>
<td>2 Agent Authorization Form if Applicant is not the Property Owner</td>
</tr>
<tr>
<td>3 Location map highlighting the subject property in context of the surrounding area</td>
</tr>
<tr>
<td>4 Copy of deed showing current ownership</td>
</tr>
<tr>
<td>5 Copy of current statement of account showing taxes have been paid</td>
</tr>
<tr>
<td>6 Six (6) paper copies of the Site Development Plan with all Required Details listed in the section below. Plans shall be on 24&quot; x 36&quot; sheets collated and folded into 8 1/2&quot; x 11&quot;</td>
</tr>
<tr>
<td>7 Copy of the Approved Final Drainage Plan – attached to the plan sheets</td>
</tr>
<tr>
<td>8 Copy of the Approved Final Utility Plan – attached to the plan sheets</td>
</tr>
<tr>
<td>9 Paper copy of a Bastrop Fire Dept. (BFD) witnessed fire hydrant flow test report that is less than 1 year old (IFC 507.1 and 507.4)</td>
</tr>
<tr>
<td>10 Digital Submittal – Labeled CD/DVD or flash drive PDF 1 – Combined Application and Checklist Items PDF2 – Combined plan sheets for Required Details</td>
</tr>
<tr>
<td>11 Site Development Plan filing fee</td>
</tr>
<tr>
<td>12 Two (2) copies of TIA when required</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>12</td>
</tr>
<tr>
<td>13</td>
</tr>
<tr>
<td>14</td>
</tr>
</tbody>
</table>

D. Site Development Plan Detail Requirements

The Site Development Plan shall contain sufficient information relative to site design considerations including the following:

<p>| 42.1.D – Site Development Plan Detail Requirements |
|---|---|
| COVER SHEET | |
| 1 | Project Name |
| 1.1 | Contact name and information for property owner, engineer, surveyor, and any other parties responsible in preparing the Site Development Plan |
| 1.2 | Signature blocks for Owner, City Engineer, Fire Dept., and Director of Planning and Development. See Signature Blocks section below |
| 1.3 | Fire Department cover sheet table. See BFD Table in section below |
| 1.4 | List of ordinances or codes that the site was designed using |
| 1.5 | List of jurisdiction and service providers for the site |
| 1.6 | Date of preparation and any subsequent revisions |
| 1.7 | Acceptable scale: 1” = 40’, 1” = 100’, or similar |
| 1.8 | North arrow, graphic and written scale in close proximity |
| 1.9 | Small scale location map showing the location of the property |
| FINAL PLAT SHEET | |
| 2 | Copy of Final Plat. Note recordation information or if plat is under review. |
| OVERALL SITE PLAN SHEET | |
| 3 | Site Data Summary Chart to include the following: |
| 3.1 | 1. Existing zoning |
| 3.2 | 2. Gross acreage and net acreage |
| 3.3 | 3. Percentage of impervious coverage (building footprint and impervious areas) |
| 3.4 | 4. Area of open space |
| 3.5 | 5. Open space as a percentage |
| 3.6 | 6. Gross building area |
| 3.7 | 7. Total building area by floor |
| 3.8 | 8. Square footage broken down by use |
| 3.9 | 9. Parking spaces required and provided |
| 3.10 | 10. Number of proposed lots |
| 3.11 | 11. Residential density |
| 3.2 | Location of existing and proposed building(s), structure(s) or other improvement(s), as well as proposed modifications of the external configuration of the building(s), structure(s) or improvement(s) |
| 3.3 | Entrances and exits to the buildings |</p>
<table>
<thead>
<tr>
<th>3.4</th>
<th>Required front, side, and rear setbacks from property lines</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.5</td>
<td>Existing or proposed easements or right of way, within or abutting the lot where the development is being proposed</td>
</tr>
<tr>
<td>3.6</td>
<td>The dimensions of any street, sidewalk, alley, or other part of the property intended to be dedicated to public use. These dedications must be made by separate instrument and referenced on the Site Development Plan</td>
</tr>
<tr>
<td>3.7</td>
<td>On and off-site circulation (including truck loading and pickup areas) and fire lanes</td>
</tr>
<tr>
<td>3.8</td>
<td>All types of surfacing (asphalt, brick, concrete, sod, crushed granite) not under roof</td>
</tr>
<tr>
<td>3.9</td>
<td>Location of dumpster and screening with materials</td>
</tr>
<tr>
<td>3.10</td>
<td>Required parking with dimensions given for layout</td>
</tr>
<tr>
<td>3.11</td>
<td>The location and ownership of adjacent properties</td>
</tr>
<tr>
<td>3.12</td>
<td>The location and boundary of any regulatory floodplain or floodway</td>
</tr>
<tr>
<td>3.13</td>
<td>All improvements located in the ROW</td>
</tr>
<tr>
<td>3.14</td>
<td>Curb return radii of all driveways and access aisles</td>
</tr>
<tr>
<td>3.15</td>
<td>Safety barriers, fencing, wheel stops, curbing or other restrictive barriers adjacent to driveways, aisles, maneuvering, or parking areas</td>
</tr>
<tr>
<td>3.16</td>
<td>All existing or proposed driveways</td>
</tr>
<tr>
<td>3.17</td>
<td>Dimensions from each driveway from property lines, intersections, or other driveways. Distances shall be measured from the nearest radii</td>
</tr>
</tbody>
</table>

### 4 LANDSCAPE PLAN

<table>
<thead>
<tr>
<th>4.1</th>
<th>Location, size and species of all trees to be preserved</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.2</td>
<td>Tree protection plan</td>
</tr>
<tr>
<td>4.3</td>
<td>Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), topography of site</td>
</tr>
<tr>
<td>4.4</td>
<td>Species of all plant material to be used</td>
</tr>
<tr>
<td>4.5</td>
<td>Size of all plant material to be used</td>
</tr>
<tr>
<td>4.6</td>
<td>All types of surfacing (asphalt, brick, concrete, sod, crushed granite) not under roof</td>
</tr>
<tr>
<td>4.7</td>
<td>Spacing of plant material where appropriate</td>
</tr>
<tr>
<td>4.8</td>
<td>Layout and description of irrigation, sprinkler, or water systems including placement of water sources</td>
</tr>
<tr>
<td>4.9</td>
<td>Description of maintenance provisions</td>
</tr>
<tr>
<td>4.10</td>
<td>Person(s) responsible for the preparation of the landscape plan</td>
</tr>
<tr>
<td>4.11</td>
<td>Vegetative Screening: Planted height, full growth height, distance between plants</td>
</tr>
<tr>
<td>4.12</td>
<td>60-foot radius around each tree to show there is one tree within 60 feet of every parking space</td>
</tr>
<tr>
<td>4.13</td>
<td>List of all plants to be used, legend, and location of all plants and landscape elements</td>
</tr>
<tr>
<td>4.14</td>
<td>Location of screening with dimensions and material used</td>
</tr>
</tbody>
</table>

### 5 BUILDING ELEVATIONS

| 5.1  | Architectural renderings or elevations of all proposed buildings and structures |

### 6 FIRE ACCESS AND CONTROL PLAN

<table>
<thead>
<tr>
<th>6.1</th>
<th>Curb markings and/or signs indicating No Parking – Fire Zone on the designated fire lane</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.2</td>
<td>The location of any existing and proposed fire hydrants</td>
</tr>
</tbody>
</table>
6.3 Note if any of the buildings required to have an automatic fire sprinkler system (IFC 903)

6.4 The location of the fire sprinkler riser room labeled, if applicable. (IFC 901.4.6/105.4.2)

6.5 Distance between all exterior building walls and all required fire apparatus access areas. (IFC 503.1)

6.6 Location of motorized gates in the path of a fire lane have been labeled and provided with a Knox key switch, if applicable. (IFC 503.6)

6.7 All locations of Knox key switches and key boxes have been labeled. (IFC 506.1)

6.8 Show any fuel tanks to be stored on site and indicate the volume, type of fuel, and tank construction standard (propane, gasoline, diesel, etc.). (IFC 5001.5.1 SUB 6)

6.9 Show location of any diesel-fueled emergency generators and the UL listing number of the tank, the fuel capacity of the tank in gallons, and fuel tank impact protection. (IFC 5001.5.2)

7.0 Lighting Plan

7.1 Detailed lighting plan showing locations, types, and fixtures. Plan shall include both freestanding and wall mounted lighting

7.2 Photometric plan for the proposed site extending out to the property lines

E. Supplemental requirements

1. Site Development Plan cannot be approved until Final Plat is recorded
2. Site Development Plan must be prepared by a licensed and registered professional land surveyor and/or a licensed professional engineer
3. Building permits will not be issued for any development until the Site Development Plan is approved
4. Property taxes must be paid prior to approval of plan
5. Irrigation plans require separate permits – approval of Site Development Plan does not constitute approval of any included irrigation plans or elements of the Landscape Plan
6. Signs require separate permits – approval of the Site Development Plan does not constitute approval of any included sign plans or elements
7. The following table illustrates the requirements of the Bastrop Fire Department in each line item:

<table>
<thead>
<tr>
<th>Bastrop Fire Department</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fire Design Codes</strong></td>
</tr>
<tr>
<td>International Fire Code Edition with adopted appendices</td>
</tr>
<tr>
<td><strong>Fire Flow Demand @ 20 psi (gpm)</strong></td>
</tr>
<tr>
<td>Most demanding building’s calculated fire flow demand – 2009 IFC Appendix B, Table B105.1 – Based on SF and Construction Type</td>
</tr>
<tr>
<td><strong>Intended Use</strong></td>
</tr>
<tr>
<td>Most demanding building’s intended use</td>
</tr>
<tr>
<td><strong>Construction Classification</strong></td>
</tr>
<tr>
<td>Most demanding building’s IBC construction classification</td>
</tr>
<tr>
<td><strong>Building Fire Area (S.F.)</strong></td>
</tr>
<tr>
<td>Most demanding building’s fire area in gross square feet (all floor levels combined) per 2009 IFC Appendix B.</td>
</tr>
<tr>
<td><strong>Automatic Fire Sprinkler System Type (If applicable)</strong></td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Reduced Fire Flow Demand @ 20 psi for having a sprinkler system (gpm) (If applicable)</strong></td>
</tr>
<tr>
<td><strong>Fire Hydrant Flow Test Date</strong></td>
</tr>
<tr>
<td><strong>Fire Hydrant Flow Test Location</strong></td>
</tr>
<tr>
<td><strong>Alternative Method of Compliance AMOC (If applicable)</strong></td>
</tr>
</tbody>
</table>

8. Signature blocks shall be placed on the Site Development Plan. Signature blocks shall also be placed for any additional entities responsible in preparing the Site Development Plan. The following are the approved signature blocks:

**The certificate of the licensed public surveyor:**

THE STATE OF TEXAS §
COUNTY OF BASTROP §

KNOW ALL MEN BY THESE PRESENTS

That I, ____________ do hereby certify that I prepare this plat from an actual and accurate on-the-ground survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Bastrop, Texas.

__________________________
Signature and Seal of Registered Public Surveyor with date

**Owner’s Signature Block:**

As owner of this property, I promise to develop and maintain this property as described by this plan.

________________________________________________________
Name of Owner/Trustee          Date

**City Approval Signature Block:**

All responsibility for the adequacy of these plans remains with the engineer who prepared them. In accepting these plans, the City of Bastrop must rely upon the adequacy of the work of the design engineer.

Accepted for Construction:

________________________________________________________
Director of Planning and Development          Date
City of Bastrop Engineer  
Date

City of Bastrop Fire Department  
Date

Signed and sealed certification of the licensed engineer who prepared the Site Development Plan:
I, _____, do hereby certify that the information contained in these engineering documents are complete, accurate, and adequate for the intended purposes, including construction, but are not authorized for construction prior to formal City approval.

__________________________  
Signature and Seal of Registered Engineer with date

F. Principles and standards for Site Development Plan Review.

The following criteria have been set forth as a guide for evaluating the adequacy of proposed development in the City of Bastrop. The City staff shall review the Site Development Plan for compliance with all applicable Ordinances and the Comprehensive Plan; as a means to assure harmony with surrounding uses and the overall plan for development of the City of Bastrop; as well as for the promotion of the health, safety, order, efficiency, and economy of the City; and for the maintenance of property values and the general welfare.

Based upon its review, city staff may approve, conditionally approve, or deny the Site Development Plan based on evaluation of the Site Development Plan details based on the items listed in Section C above with respect to:

1. The Site Development Plan’s compliance with all provisions of the Zoning Ordinance and other ordinances of the City of Bastrop including but not limited to off-street parking and loading, lighting, open space, and the generation of objectionable smoke, fumes, noise, odors, dust, glare, vibration, or heat.
2. The impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.
3. The relationship of the development to adjacent uses in terms of harmonious design, setbacks, maintenance of property values, and negative impacts.
4. The provision of a safe and efficient vehicular and pedestrian circulation system.
5. The design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.
6. The sufficient width and suitable grade and location of streets designed to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.
7. The coordination of streets and sidewalks so as to arrange a convenient system consistent with the Master Thoroughfare Plan of the City of Bastrop.
8. The use of landscaping and screening (1) to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary, and (2) to
complement the design and location of buildings and be integrated into the overall site design.

9. Exterior lighting to ensure safe movement and for security purposes, which shall be arranged so as to minimize glare and reflection on adjacent properties.

10. The location, size, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.

11. Protection and conservation of soils from erosion by wind or water or from excavation or grading.

12. Protection and conservation of water courses and areas subject to flooding.

13. The adequacy of water, drainage, sewage facilities, garbage disposal, and other utilities necessary for essential services to residents and occupants.

42.2 – APPROVAL PROCESS

A. The Director of Planning and Development, or designee, after review by the Development Review Committee, shall approve, approve with conditions, or deny all Site Development Plans. Any decision on a Site Development Plan with which the applicant disagrees may be appealed to the City Manager as set forth in B. below.

B. If the Site Development Plan is denied by the Director of Planning and Development, the applicant may appeal that decision to the City Manager. If the City Manager upholds the decision of denial, an applicant may appeal that decision to the City Council. The applicant must request in writing that the Site Development Plan be placed on the City Council's agenda within ten (10) days from the date the appeal was denied by the City Manager. The City Council shall have final approval or disapproval on all Site Development Plans which are appealed.

C. Effect of Site Development Plan approval. If development of a lot with an approved Site Development Plan has not commenced within two (2) years of the date of final approval of the Site Development Plan, the Site Development Plan shall be deemed to have expired. Any development on a lot with an expired Site Development Plan shall be required to submit a new Site Development Plan as outlined above.

It is recognized that final architectural and engineering design may necessitate minor changes in the approved Site Development Plan. In such cases, the Director of Planning and Development shall have the authority to approve minor modifications of an approved Site Development Plan, provided that such modifications do not materially change the circulation and building location on the site, or any conditions specifically attached as part of approval.

Section 2: In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

Section 3: If any provision of this Ordinance or the application thereof to any person or circumstances 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.

Section 4: This Ordinance shall take effect immediately upon passage.

Section 5: 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.
READ and APPROVED on First Reading on the 14th day of August 2019.
READ and ADOPTED on Second Reading on the 27th day of August 2019.

APPROVED:

___________________________
Connie B. Schroeder, Mayor

ATTEST:

___________________________
Ann Franklin, City Secretary

APPROVED AS TO FORM:

___________________________
Alan Bojorquez, City Attorney
STAFF REPORT

MEETING DATE: August 27, 2019
AGENDA ITEM: 3H

TITLE:
Public hearing and consider action to recommend approval of Ordinance No. 2019-31 of the City Council of the City of Bastrop, Texas amending Chapter 14, Section 32 – PD – Planned Development District, and forward to the August 27, 2019 City Council meeting.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager
Trey Job, Managing Director of Public Works & Leisure Services
Matt Jones, Director of Planning & Development
Alan Bojorquez, City Attorney

BACKGROUND/HISTORY:
House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, Site Development Plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction. HB 3167 further requires any comment or denial include a direct citation to the law, statute, or municipal ordinance that is the basis for the conditional approval or disapproval.

POLICY EXPLANATION:
In order to ensure compliance with HB 3167, Chapter 14, Section 32 – PD – Planned Development District will need to be amended by City Council. The City’s current Code of Ordinances specifies that a site plan be submitted with an application for Planned Development District. Chapter 211 – Municipal Zoning Authority of the Local Government Code is not subject to the 30-day requirement of HB 3167; however, Site Development Plans are. Staff is recommending that the Site Development Plan requirement for applications and any reference to a site plan be removed and replaced with the submittal of a Zoning Concept Scheme. The proposed requirements for a Zoning Concept Scheme are as follows:

a. Boundary of the proposed area
b. A scaled drawing showing types and location of proposed uses
c. Thoroughfares and preliminary lot arrangements
d. A sketch drawing that shows the size, type and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and project scheduling
e. Physical features of the site including a scaled drawing showing major existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This shall include a delineation of any flood prone areas
f. Any existing thoroughfares and easements
g. Location of proposed public open spaces or civic spaces
h. The points of ingress and egress from existing and proposed streets
i. A landscape plan showing turf areas, screening walls, ornamental planting, wooded areas to be preserved, and trees to be planted. The landscape plan should provide types of plantings to be used and give a general landscape design scheme for the development
j. A conceptual infrastructure plan showing the location of any existing or proposed utilities needed to adequately serve the development
k. Architectural drawings (elevations, etc.) showing elevations and architectural style to be used throughout the development
l. A parks and trails plan showing any proposed parks, trails, hardscape, playscape, water feature or any other proposed improvements to any civic or open space
m. A Conceptual Drainage Plan as required by Appendix A of the City of Bastrop Stormwater Drainage Design Manual

Therefore, approval of this Ordinance will amend the Chapter 14, Section 32 – PD – Planned Development District of the Code of Ordinances to ensure compliance with the mandates of HB 3167.

FUNDING SOURCE: N/A

RECOMMENDATION:
Hold public hearing and consider action to recommend approval of Ordinance No. 2019-31 of the City Council of the City of Bastrop, Texas amending Chapter 14, Section 32 – PD – Planned Development District, and forward to the August 27, 2019 City Council meeting.

ATTACHMENTS:
- Ordinance
ORDINANCE NO. 2019-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING THE BASTROP CITY CODE OF ORDINANCES, CHAPTER 14, SECTION 32 – PD – PLANNED DEVELOPMENT DISTRICT; REPEALING CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROPER NOTICE AND MEETING AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, Site Development Plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, Chapter 211 – Municipal Zoning Authority of the Local Government Code is not subject to the 30-day requirement of House Bill 3167; and

WHEREAS, In order to ensure compliance with House Bill 3167, portions of Chapter 14, Section 32 – PD – Planned Development District will need to be amended; and

WHEREAS, The City’s current Code of Ordinances specifies that a site plan be submitted with an application for Planned Development District which would be subject to the 30-day requirement; and

WHEREAS, Application requirements for a Planned Development District need to be clearly defined and compliant with Chapter 211 of the Local Government Code.

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

Section 1: That Chapter 14 of the Code of Ordinance, Section 32 – PD – Planned Development District shall be amended as follows:

SECTION 32 - PD - PLANNED DEVELOPMENT DISTRICT

32.1 - GENERAL PURPOSE AND DESCRIPTION:
As new development occurs in the City of Bastrop, it is the intent of the City Council to foster neighborhoods and the commercial enterprises serving these neighborhoods with the accessibility to public space, diversity and richness of building styles, lot sizes, and uses found in the older areas of the City (i.e., principally that area bounded by the Colorado River on the west, Highway 71 on the south and Highway 95 on the east).

To that end, this ordinance provides for Planned Development Districts which encourage innovation in design and combinations of the land use units and uses described in this ordinance. This flexibility can provide a developer of such a Planned Development District the potential for a more efficient development through clustered higher densities, a more interesting and attractive development, if in turn it also provides for more public lands for parks, trails, squares, educational purposes, and other public uses.
The developer of a Planned Development District can maximize use of the land through higher lot coverages and densities, variable setback provisions, and by mixing uses to accommodate different lot sizes.

On the other hand, the potential residents and users of the district - including the broader community of Bastrop - will have available to them greater choice in meeting their housing, shopping and recreational needs. Such a district could also be viewed as one more nearly akin to historic Bastrop than would a typical suburban neighborhood.

The City Council of the City of Bastrop, Texas, after public hearing and proper notice to all parties affected and after recommendation from the Planning and Zoning Commission may authorize the creation of a Planned Development District.

The Planned Development (PD) District is a district which accommodates planned associations of uses developed as integral land use units such as industrial districts, offices, retail, commercial or service centers, shopping centers, residential developments of multiple or mixed housing including attached single-family dwellings or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A PD District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in this Ordinance. While greater flexibility is given to allow special conditions or restrictions which would not otherwise allow the development to occur, procedures are established herein to ensure against misuse of increased flexibility.

32.2 - PERMITTED USES:
An application for a PD District shall specify the base district and the use or the combination of uses proposed. Uses which may be permitted in a PD are specified in the Use Charts (Section 36) and must be specified if not permitted in the base district. In selecting a base zoning district, the uses allowed in the base district must be similar or compatible with those allowed in the PD. PD designations shall not be attached to Conditional Use Permit (CUP) requirements. CUP allowed in a base zoning district are allowed in a PD only if specifically identified at the time of PD approval.

32.3 - PLANNED DEVELOPMENT REQUIREMENTS:
A. Development requirements for each separate PD District shall be set forth in the amending Ordinance granting the PD District and shall include, but may not be limited to: uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, project phasing or scheduling, management associations, and other requirements as the City Council and Planning and Zoning Commission may deem appropriate.

B. In the PD District, uses shall generally conform to the standards and regulations of the base zoning district to which it is most similar. The base zoning district shall be stated in the granting ordinance. Consideration will be given certain combinations of zoning districts. All applications to the City shall list all requested deviations from the standard requirements set forth throughout this Ordinance (applications without this list will be considered incomplete). The Planned Development District shall conform to all other sections of the Ordinance unless specifically excluded in the granting ordinance.

C. The Ordinance granting a PD District shall include a statement as to the purpose and intent of the PD granted therein. A specific list is required of modifications in each district or districts and general statement citing the reason for the PD request.
D. In return for this greater flexibility in the use of land within a PD District, the PD proposal must also include provisions for public space in the form of parks, trails, or other public amenities.

E. The minimum acreage for a planned development request shall be three (3) acres.

32.4 - PLANS:
In establishing a Planned Development District in accordance with this section, the City Council shall approve and file as part of the amending Ordinance appropriate plans and standards for each Planned Development District. To facilitate understanding of the request during the review and public hearing process, the Planning and Zoning Commission and City Council shall require a Zoning Concept Scheme of the proposed project.

A. Zoning Concept Scheme – The concept scheme shall be submitted by the applicant at the time of the PD request. The scheme shall show the applicant's intent for the use of the land within the proposed Planned Development District in a graphic manner and as may be required, supported by written documentation of proposals and standards for development. The City may prepare application form(s) which further describe and explain the following requirements:

1. The Zoning Concept Scheme shall include:
   a. Boundary of the proposed area
   b. A scaled drawing showing types and location of proposed uses
   c. Thoroughfares and preliminary lot arrangements
   d. A sketch drawing that shows the size, type and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and project scheduling
   e. Physical features of the site including a scaled drawing showing major existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This shall include a delineation of any flood prone areas
   f. Any existing thoroughfares and easements
   g. Location of proposed public open spaces or civic spaces
   h. The points of ingress and egress from existing and proposed streets
   i. A landscape plan showing turf areas, screening walls, ornamental planting, wooded areas to be preserved, and trees to be planted. The landscape plan should provide types of plantings to be used and give a general landscape design scheme for the development
   j. A conceptual infrastructure plan showing the location of any existing or proposed utilities needed to adequately serve the development
   k. Architectural drawings (elevations, etc.) showing elevations and architectural style to be used throughout the development
   l. A parks and trails plan showing any proposed parks, trails, hardscape, playscape, water feature or any other proposed improvements to any civic or open space
   m. A Conceptual Drainage Plan as required by Appendix A of the City of Bastrop Stormwater Drainage Design Manual
32.5 - APPROVAL PROCESS AND PROCEDURE:
The procedure for establishing a Planned Development District shall follow the procedure for zoning amendments as set forth in Section 10. This procedure is further expanded as follows for approval of Zoning Concept Schemes.

A. The Planning and Zoning Commission and the City Council may approve the Zoning Concept Scheme or any section of the scheme, separately or jointly, in public hearings. One public hearing at the Planning and Zoning Commission and one at the City Council for the PD request is adequate when:

1. The applicant submits adequate data with the request for the Planned Development District to fulfill the requirement for a Zoning Concept Scheme; or
2. The Ordinance establishing the Planned Development District shall not be approved until the Zoning Concept Scheme is approved.
3. A Site Development Plan or plat shall be submitted for approval within two (2) years from the approval of the Zoning Concept Scheme for some portion of the project. If a partial Site Development Plan or plat is not submitted within two (2) years, the Zoning Concept Scheme is subject to review by the Planning and Zoning Commission and City Council. If some portion of the entire project is not started within two (2) years, the Planning and Zoning Commission and City Council may review the original Zoning Concept Scheme to ensure its continued validity. If the City determines the scheme is not valid, a new Zoning Concept Scheme must be approved prior to issuing a building permit for any portion of the PD District.

B. Site Development Plan – A Site Development Plan as provided for in Section 42.1.B – Applicability will be required prior to any construction or building permit within the PD. Approval of the Site Development Plan shall be in accordance with Section 42.2 – Approval Process.

32.6 - WRITTEN COMMENTS FROM DIRECTOR OF PLANNING AND DEVELOPMENT:
When a PD District is being considered, a written report shall be prepared by the Director of Planning and Development which discusses the merits of the development. In addition, written comments from applicable public agencies (such as the school district and utility companies) may be submitted to the Planning and Zoning Commission prior to the Commission making any recommendations to the City Council.

32.7 - REFERENCED ON ZONING MAP:
All Planned Development Districts approved in accordance with the provisions of this Ordinance in its original form, or by subsequent amendments thereto, shall be referenced on the Zoning District Map, and a list of such Planned Development Districts, together with the category of uses permitted therein, shall be maintained as part of this Ordinance.

32.8 - PLANNED DEVELOPMENT ORDINANCES CONTINUED:
Prior to adoption of this Ordinance, the City Council has established various Planned Development Districts, some of which are to be continued in full force and effect. The ordinances or parts of ordinances approved prior to this Ordinance specified in Appendix A-1 shall be carried forth in full force and effect and are the conditions, restrictions, regulations and requirements which apply to the respective Planned Development Districts shown on the Zoning Map at the date of adoption of this ordinance.
Because of the uniqueness of the following uses in Bastrop, they shall be permitted by PD designation only:

A. Patio Homes/Zero-Lot-Line Homes

1. General Purpose and Description: Patio homes allow for development of detached "zero-lot-line" homes in a modified residential district which encourages greater use of the side yard areas. Clustered lot patterns with a common usable open space system can be incorporated as an integral part of the development.

2. Height Regulations:
   a. Maximum Height - Two and one-half (2½) stories for the main structure; one (1) story for accessory buildings.

3. Area Regulations:
   a. Minimum Front Yard - Twenty-five feet (25').
   b. Minimum Rear Yard - Twelve feet (12'); twenty feet (20') for a structure accommodation required off-street parking, if provided access is from a dedicated or private alley.

4. Side Yard Regulations:
   a. Side Yard Setback: Side setbacks are one and one-half foot (1½') maximum on one side and a minimum of eight and one-half feet (8½') on the opposite side. The dwelling shall be no closer than ten feet (10') between the face of exterior walls of neighboring dwelling units.
   b. No roof overhang, gutter or extension from a wall will be allowed to extend over a property line.
   c. The closest exterior roof line to an adjacent property shall be storm guttered if the general slope of the roof falls toward the neighboring property.
   d. Each adjacent lot shall provide a maintenance easement, a minimum of five feet (5'), adjacent to the "zero" (zero foot) side to allow the property owner access for maintenance of his dwelling.
   e. The majority of one side of the structure shall be located within three feet (3') of one side lot line. The building wall which faces the "zero" side of the lot shall not have any doors, windows, ducts, grills, vents, or other openings.
   f. Minimum Side Yard Setback Adjacent to Street Right-of-Way: Fifteen feet (15').

5. Size of Lots:
   a. Minimum Lot Area - Five thousand (5000) square feet.
   b. Minimum Lot Width - Fifty feet (50').
   c. Minimum Lot Depth - Ninety feet (90').

6. Maximum Lot Coverage: Fifty percent (50%) total, including main and accessory buildings.

7. Minimum Area of Dwelling Unit: Each unit shall have a minimum floor area of one thousand (1,000) square feet.

8. Parking Regulations: Two (2) enclosed spaces on the same lot as the main structure (see Section 38, Off-Street Parking and Loading Requirements).
9. Items 5, 6, and 7 above may be modified depending on the PD proposal and the required public amenities, open space, etc., which are included in the proposal.

**Section 2:** In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

**Section 3:** If any provision of this Ordinance or the application thereof to any person or circumstances 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.

**Section 4:** This Ordinance shall take effect immediately upon passage.

**Section 5:** 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.

**READ and APPROVED** on First Reading on the 14th day of August 2019.

**READ and ADOPTED** on Second Reading on the 27th day of August 2019.

**APPROVED:**

___________________________
Connie B. Schroeder, Mayor

**ATTEST:**

___________________________
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

___________________________
Alan Bojorquez, City Attorney
MEETING DATE: August 27, 2019

AGENDA ITEM: 3I

TITLE:
Public hearing and consider action to recommend approval of Ordinance No. 2019-37 of the City Council of the City of Bastrop, Texas amending Chapter 14, Section 33 – CUP or C – Conditional Use Permit, and forward to the August 27, 2019 City Council meeting.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager
Trey Job, Managing Director of Public Works & Leisure Services
Matt Jones, Director of Planning & Development
Alan Bojorquez, City Attorney

BACKGROUND/HISTORY:
House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction. HB 3167 further requires any comment or denial include a direct citation to law, statute or municipal ordinance that is the basis for the conditional approval or disapproval.

POLICY EXPLANATION:
In order to ensure compliance with HB 3167, Chapter 14, Section 33 – CUP or C – Conditional Use Permit will need to be amended by City Council. The City’s current Code of Ordinances specifies that a site plan be submitted with an application for a Conditional Use Permit. Chapter 211 – Municipal Zoning Authority of the Local Government Code is not subject to the 30-day requirement of HB 3167; however, site development plans are. Staff is recommending that the Site Development Plan requirement for applications and any reference to a site plan be removed from Section 33 and replaced with the submittal of a Zoning Concept Scheme. The proposed requirements for a Zoning Concept Scheme are as follows:

a. Boundary of the proposed area
b. A scaled drawing showing types and location of proposed uses
c. Thoroughfares and preliminary lot arrangements
d. A sketch drawing that shows the size, type and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and project scheduling
e. Physical features of the site including a scaled drawing showing major existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This shall include a delineation of any flood prone areas
f. Any existing thoroughfares and easements
g. Location of proposed public open spaces or civic spaces
h. The points of ingress and egress from existing and proposed streets
i. A landscape plan showing turf areas, screening walls, ornamental planting, wooded areas to be preserved, and trees to be planted. The landscape plan should provide types of plantings to be used and give a general landscape design scheme for the development
j. A conceptual infrastructure plan showing the location of any existing or proposed utilities needed to adequately serve the development
k. Architectural drawings (elevations, etc.) showing elevations and architectural style to be used throughout the development
l. A parks and trails plan showing any proposed parks, trails, hardscape, playscape, water feature or any other proposed improvements to any civic or open space
m. A Conceptual Drainage Plan as required by Appendix A of the City of Bastrop Stormwater Drainage Design Manual

Therefore, approval of this Ordinance will amend the Chapter 14, Section 33 – CUP or C – Conditional Use Permit of the Code of Ordinances to ensure compliance with the mandates of HB 3167.

FUNDING SOURCE: N/A

RECOMMENDATION:
Hold public hearing and consider action to recommend approval of Ordinance No. 2019-37 of the City Council of the City of Bastrop, Texas amending Chapter 14, Section 33 – CUP or C – Conditional Use Permit, and forward to the August 27, 2019 City Council meeting.

ATTACHMENTS:
- Ordinance
ORDINANCE NO. 2019-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS
AMENDING THE BASTROP CITY CODE OF ORDINANCES, CHAPTER 14,
SECTION 33 – CUP OR C – CONDITIONAL USE PERMIT; REPEALING
CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROPER
NOTICE AND MEETING AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a
subdivision development plan, subdivision construction plan, site plan, land development
application, site development plan, preliminary plat, general plan, final plat, and replat be
approved, approved with conditions, or disapproved by staff and/or Planning & Zoning
Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, Chapter 211 – Municipal Zoning Authority of the Local Government Code is
not subject to the 30-day requirement of House Bill 3167; and

WHEREAS, In order to ensure compliance with House Bill 3167, portions of Chapter 14,
Section 33 – CUP or C – Conditional Use Permit will need to be amended; and

WHEREAS, The City’s current Code of Ordinances specifies that a site plan be submitted
with an application for a Conditional Use Permit which would be subject to the 30-day requirement; and

WHEREAS, Application requirements for a Conditional Use Permit need to be clearly
defined and compliant with Chapter 211 of the Local Government Code.

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

Section 1: That Chapter 14 of the Code of Ordinance, Section 33 – CUP or C –
Conditional Use Permit shall be amended as follows:

SECTION 33 - CUP or C - CONDITIONAL USE PERMITS

33.1 – GENERAL PURPOSE AND DESCRIPTION:
The purpose of this section is to allow certain uses in districts that under most circumstances
would not be compatible with other permitted uses but with certain conditions and development
restrictions may be compatible.

33.2 – PERMITTED USES:
Uses permitted by CUP are specified in Section 36 (Use Charts).

33.3 - CONDITIONAL USE PERMIT REGULATIONS:
A. In recommending that a Conditional Use Permit for the premises under consideration be
granted, the City shall determine that such uses are harmonious and adaptable to building
structures and uses of abutting property and other property in the vicinity of the premises
under consideration, and shall make recommendations as to requirements for the paving
of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions
for drainage, adequate off-street parking, screening and open space, heights of structures,
and compatibility of buildings. In approving a requested CUP, the Planning and Zoning Commission and City Council may consider the following:

1. The use is harmonious and compatible with surrounding existing uses or proposed uses;
2. The activities requested by the applicant are normally associated with the permitted uses in the base district;
3. The nature of the use is reasonable;
4. Any negative impact on the surrounding area has been mitigated;
5. That any additional conditions specified ensure that the intent of the district purposes are being upheld.

B. In granting a Conditional Use Permit, the Planning and Zoning Commission and City Council may impose conditions which shall be complied with by the owner or grantee before a Certificate of Occupancy may be issued by the Building Official for use of the building on such property pursuant to such Conditional Use Permit and such conditions precedent to the granting of the Certificate of Occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy.

C. No Conditional Use Permit shall be granted unless the applicant, owner and grantee of the Conditional Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Conditional Use Permit, as attached to the Zoning Concept Scheme and reviewed by the Planning and Zoning Commission and approved by the City Council.

D. A building permit or Certificate of Occupancy shall be applied for and secured within one (1) year from the time of granting the Conditional Use Permit, provided however, that the City Council may authorize an extension of up to one (1) year. After one (1) year from the date of approval has elapsed, the Planning and Zoning Commission and City Council may review the Zoning Concept Scheme for compliance. If an extension is not authorized and the concept scheme is determined to be invalid, the property owner(s) must submit a new or revised concept scheme for approval prior to any construction or application for building permit for the area designated for the Conditional Use Permit.

E. No building, premise, or land used under a Conditional Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amended Conditional Use Permit is granted for such enlargement, modification, structural alteration, or change. Minor changes or alterations may be approved by the Director of Planning and Development.

F. The Board of Adjustment shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the specific land use designated by any Conditional Use Permit.

G. The Planning and Development Department shall keep an updated map of the Conditional Use Permits authorized by approval of the City Council.

33.4 – APPROVAL PROCESS AND PROCEDURE:
The City Council by an affirmative vote may, after public hearing and proper notice to all parties affected, and after recommendations from the Planning and Zoning Commission that the uses are in general conformance with the Comprehensive Plan and general objectives of the City and
containing such requirements and safeguards as are necessary to protect adjoining property, authorize certain uses by a Conditional Use Permit (CUP or C). The procedure for approving a CUP shall follow the procedure for zoning amendments as set forth in Section 10.

33.5 – CONDITIONAL USE PERMIT REQUIREMENTS:

A. Applications shall be accompanied by a Zoning Concept Scheme – The concept scheme shall be submitted by the applicant at the time of the CUP request. The scheme shall show the applicant’s intent for the use of the property in a graphic manner and as may be required, supported by written documentation of a purpose statement. The City may prepare application form(s) which further describe and explain the following requirements:

1. The Zoning Concept Scheme shall include:
   a. Boundary of the proposed area
   b. A scaled drawing showing types and location of proposed uses
   c. Thoroughfares and preliminary lot arrangements
   d. A sketch drawing that shows the size, type and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and project scheduling
   e. Physical features of the site including a scaled drawing showing major existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This shall include a delineation of any flood prone areas
   f. Any existing thoroughfares and easements
   g. Location of proposed public open spaces or civic spaces
   h. The points of ingress and egress from existing and proposed streets
   i. A landscape plan showing turf areas, screening walls, ornamental planting, wooded areas to be preserved, and trees to be planted. The landscape plan should provide types of plantings to be used and give a general landscape design scheme for the development
   j. A conceptual infrastructure plan showing the location of any existing or proposed utilities needed to adequately serve the development
   k. Architectural drawings (elevations, etc.) showing elevations and architectural style to be used throughout the development
   l. A parks and trails plan showing any proposed parks, trails, hardscape, playscape, water feature or any other proposed improvements to any civic or open space
   m. A Conceptual Drainage Plan as required by Appendix A of the City of Bastrop Stormwater Drainage Design Manual

33.6 – PRIOR CUP ORDINANCES REMAINING IN EFFECT:

Prior to adoption of this Ordinance, the City Council had established various Conditional Use Permits, some of which are to be continued in full force and effect. The permits or parts of permits approved prior to this Ordinance shall be carried forth in full force and effect and are the conditions, restrictions, regulations and requirements which apply to the respective Conditional Use Permits as previously approved by City Council.
Section 2: In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

Section 3: If any provision of this Ordinance or the application thereof to any person or circumstances 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.

Section 4: This Ordinance shall take effect immediately upon passage.

Section 5: 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.

READ and APPROVED on First Reading on the 14th day of August 2019.
READ and ADOPTED on Second Reading on the 27th day of August 2019.

APPROVED:

______________________________
Connie B. Schroeder, Mayor

ATTEST:

______________________________
Ann Franklin, City Secretary

APPROVED AS TO FORM:

______________________________
Alan Bojorquez, City Attorney
MEETING DATE: August 27, 2019
AGENDA ITEM: 3J

TITLE:
Public hearing and consider action to recommend approval of Ordinance No. 2019-33 of the City Council of the City of Bastrop, Texas amending Chapter 14, Section 10 - Changes and Amendments to all Zoning Ordinances and Districts, and Administrative Procedures, and forward to the August 27, 2019 City Council meeting.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager
Trey Job, Managing Director of Public Works & Leisure Services
Matt Jones, Director of Planning & Development
Alan Bojorquez, City Attorney

BACKGROUND/HISTORY:
House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction. HB 3167 further requires any comment or denial include a direct citation to law, statute, or municipal ordinance that is the basis for the conditional approval or disapproval.

POLICY EXPLANATION:
In order to be consistent with other zoning requirements of Chapter 14 and ensure compliance with HB 3167, Chapter 14, Section 10 - Changes and Amendments to all Zoning Ordinances and Districts will need to be amended by City Council. The City’s current Code of Ordinances does not clearly specify what is required to be submitted with an application for a zoning change or amendment. Chapter 211 – Municipal Zoning Authority of the Local Government Code is not subject to the 30-day requirement of HB 3167; however, other requirements of Chapter 14 including site plan submittal are. Staff is recommending the submittal of a Zoning Concept Scheme be required for an application of a zoning change or amendment. The proposed requirements for a Zoning Concept Scheme are as follows:

a. Boundary of the proposed area
b. A scaled drawing showing types and location of proposed uses
c. Thoroughfares and preliminary lot arrangements
d. A sketch drawing that shows the size, type and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and project scheduling
e. Physical features of the site including a scaled drawing showing major existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in
such natural features as a result of the development. This shall include a delineation of any flood prone areas
f. Any existing thoroughfares and easements
g. Location of proposed public open spaces or civic spaces
h. The points of ingress and egress from existing and proposed streets
i. A landscape plan showing turf areas, screening walls, ornamental planting, wooded areas to be preserved, and trees to be planted. The landscape plan should provide types of plantings to be used and give a general landscape design scheme for the development
j. A conceptual infrastructure plan showing the location of any existing or proposed utilities needed to adequately serve the development
k. Architectural drawings (elevations, etc.) showing elevations and architectural style to be used throughout the development
l. A parks and trails plan showing any proposed parks, trails, hardscape, playscape, water feature or any other proposed improvements to any civic or open space
m. A Conceptual Drainage Plan as required by Appendix A of the City of Bastrop Stormwater Drainage Design Manual

Therefore, approval of this Ordinance will amend the Chapter 14, Section 10 Changes and Amendments to all Zoning Ordinances and Districts, and Administrative Procedures of the Code of Ordinances to provide consistency in the requirements of Chapter 14 and ensure compliance with the mandates of HB 3167.

FUNDING SOURCE: N/A

RECOMMENDATION:
Hold public hearing and consider action to recommend approval of Ordinance No. 2019-33 of the City Council of the City of Bastrop, Texas amending Chapter 14, Section 10 - Changes and Amendments to all Zoning Ordinances and Districts, and Administrative Procedures, and forward to the August 27, 2019 City Council meeting.

ATTACHMENTS:
• Ordinance
WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, Chapter 211 – Municipal Zoning Authority of the Local Government Code is not subject to the 30-day requirement of House Bill 3167; and

WHEREAS, In order to ensure compliance with House Bill 3167, portions of Chapter 14, Section 10 - Changes and Amendments to all Zoning Ordinances and Districts, and Administrative Procedures will need to be amended; and

WHEREAS, The City’s current Code of Ordinances does not clearly specify what is required to be submitted with an application for a zoning change or amendment which creates inconsistencies in Chapter 14 of the City’s current Code of Ordinances; and

WHEREAS, Application requirements for a zoning change and amendment need to be clearly defined, consistent, and compliant with Chapter 211 of the Local Government Code and House Bill 3167.

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

Section 1: That Chapter 14 of the Code of Ordinance, Section 10 - Changes and Amendments to all Zoning Ordinances and Districts, and Administrative Procedures shall be amended as follows:

10.1 - DECLARATION OF POLICY AND REVIEW CRITERIA:
The City declares the enactment of these regulations governing the use and development of land, buildings, and structures as a measure necessary to the orderly development of the community. Therefore, no change shall be made in these regulations or in the boundaries of the zoning districts except:

A. To correct any error in the regulations or map.
B. To recognize changed or changing conditions or circumstances in a particular locality.
C. To recognize changes in technology, the style of living, or manner of conducting business.
D. To change the property to uses in accordance with the approved Comprehensive Plan.

In making a determination regarding a requested zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:
A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.
B. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.
D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
E. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.
F. Any other factors which will substantially affect the public health, safety, morals, or general welfare.

10.2 - AUTHORITY TO AMEND ORDINANCE:

The City Council may from time to time, after receiving a final report thereon by the Planning and Zoning Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts specified on the Zoning Map. Any Ordinance regulations or Zoning District boundary amendment may be ordered for consideration by the City Council, be initiated by the Planning and Zoning Commission, or be requested by the owner of real property, or the authorized representative of an owner of real property.

Consideration for a change in any district boundary line or special zoning regulation may be initiated only with written consent of the property owner, or by the Planning and Zoning Commission or City Council on its own motion when it finds that public benefit will be derived from consideration of such matter. In the event the ownership stated on an application and that shown on the City records are different, the applicant shall submit proof of ownership.

No person who owes delinquent taxes, delinquent paving assessments, impact fees, or any other delinquent debts or obligations to the City of Bastrop, and which are directly attributable to a piece of property requested for zoning shall be allowed to submit a zoning request until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence or proof that the taxes have been paid.

10.3 - APPLICATION:

A. Prior to the submittal of an application for any zoning change or amendment, the applicant shall schedule a Pre-Development Meeting with the Planning and Development Department. The applicant shall prepare and submit a Sketch Drawing prior to the scheduling of the meeting with the Planning and Development Department. A Sketch Drawing shall mean a preliminary design of a subdivision and/or development that illustrates the layout of rights-of-way, blocks, lots, easements, civic/open spaces, drainage
A sketch drawing is preliminary in nature but provides enough detail to define the physical form of a subdivision and/or development to allow staff to provide relative feedback to an applicant prior to the submittal of an application for any zoning change or amendment.

B. Each application for zoning or for an amendment or change to the existing provisions of this Zoning Ordinance shall be made in writing on an application form available at the City, filed with the City and shall be accompanied by payment of the appropriate fee as established by the City of Bastrop, Texas in Chapter 12, City Code of Ordinances, subsection (a) [section 14.01.001].

C. Any application for zoning or for an amendment or change shall require a Zoning Concept Scheme – The concept scheme shall be submitted by the applicant at the time of the zoning request. The scheme shall show the applicant's intent for the use of the land within the proposed area in a graphic manner and as may be required, supported by written documentation of proposals and standards for development. The City may prepare application form(s) which further describe and explain the following requirements:

1. The Zoning Concept Scheme shall include:
   a. Boundary of the proposed area
   b. A scaled drawing showing types and location of proposed uses
   c. Thoroughfares and preliminary lot arrangements
   d. A sketch drawing that shows the size, type and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, and project scheduling
   e. Physical features of the site including a scaled drawing showing major existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This shall include a delineation of any flood prone areas
   f. Any existing thoroughfares and easements
   g. Location of proposed public open spaces or civic spaces
   h. The points of ingress and egress from existing and proposed streets
   i. A landscape plan showing turf areas, screening walls, ornamental planting, wooded areas to be preserved, and trees to be planted. The landscape plan should provide types of plantings to be used and give a general landscape design scheme for the development
   j. A conceptual infrastructure plan showing the location of any existing or proposed utilities needed to adequately serve the development
   k. Architectural drawings (elevations, etc.) showing elevations and architectural style to be used throughout the development
   l. A parks and trails plan showing any proposed parks, trails, hardscape, playscape, water feature or any other proposed improvements to any civic or open space
   m. A Conceptual Drainage Plan as required by Appendix A of the City of Bastrop Stormwater Drainage Design Manual
10.4 – PUBLIC HEARING AND NOTICE:
Prior to making its report to the City Council, the Planning and Zoning Commission shall hold at least one public hearing on each application as applicable by state law (Texas Local Government Code Chapter 211 as so may be amended). Written notice of all public hearings on proposed changes in district boundaries shall be sent to all owners of property, or to the person rendering the same for City taxes, located within the area of application and within two hundred feet (200’) of any property affected thereby, within not less than ten (10) days before such hearing is held. Such notice may be served by using the last known address as listed on the latest approved tax roll and depositing the notice, postage paid, in the United States mail. Notice of hearings on proposed changes in the text of the Zoning Ordinance shall be accomplished by one publication not less than fifteen (15) days prior thereto in the official newspaper of the City. Changes in the ordinance text which do not change zoning district boundaries do not require written notification to individual property owners.

10.5 – FAILURE TO APPEAR:
Failure of the applicant or his representative to appear before the Planning and Zoning Commission or City Council for more than one hearing without an approved delay by the City Manager shall constitute sufficient grounds for the Planning and Zoning Commission or the City Council to table or deny the application unless the City is notified in writing by the applicant at least seventy-two (72) hours prior to the hearing.

10.6 - PLANNING AND ZONING COMMISSION CONSIDERATION AND REPORT:
The Planning and Zoning Commission shall function in accordance with Section 8 of this ordinance. The Planning and Zoning Commission, after the public hearing is closed, shall prepare its report and recommendations on the proposed change stating its findings, its evaluation of the request and of the relationship of the request to the Comprehensive Plan. The Planning and Zoning Commission may defer its report for not more than forty-five (45) days from the time it is posted on the agenda or until it has had an opportunity to consider other proposed changes which may have a direct bearing thereon unless a postponement is requested by the applicant. If the Planning and Zoning Commission has not acted, the request shall be sent to the City Council as a recommendation to deny.

10.7 – DENIAL:
If the Planning and Zoning Commission recommends denial of the zoning change request, it shall offer reasons to the applicant for the denial, if requested by the applicant.

10.8 – CITY COUNCIL CONSIDERATION:
A. Applications Recommended for Approval by the Planning and Zoning Commission: Every application or proposal which is recommended for approval by the Planning and Zoning Commission shall be automatically forwarded to the City Council for setting and holding of public hearing thereon. No change, however, shall become effective until after the adoption of an ordinance for same and its publication as required by law.

B. Applications Recommended for Denial by the Planning and Zoning Commission: When the Planning and Zoning Commission makes a recommendation that a proposal should
be denied, the request, in its original form, will automatically be placed on the City Council agenda unless requested not to by the applicant within ten (10) days of such action (see E.2. below).

C. Resubmission of Applications - Similar Applications Within One (1) Year Prohibited: No applications for a change of zoning classification, variance or Conditional Use Permit shall be accepted if a similar application for the same property has been denied by the Council or Zoning Board of Adjustment within the preceding twelve (12) month period. However, the City Council or the Zoning Board of Adjustment may, if requested in writing, reconsider an application previously denied within a period of thirty (30) days from such denial if such denial was based upon erroneous or omitted information or if substantial new information is discovered. Such reconsideration shall only be heard if agreed by four or more members of the City Council or the Zoning Board of Adjustment. No previous denial shall be overturned except by a 4/5ths vote of the City Council or the Zoning Board of Adjustment. Written notice of any such reconsideration shall be given to all property owners within two hundred feet (200') of the subject property at least ten (10) days prior to any reconsideration hearing. All costs of such notices shall be paid by the applicant for reconsideration prior to any vote on the matter. (Ordinance 97-26 adopted 7/22/97)

D. City Council Hearing and Notice for Zoning Changes: Notice of the City Council public hearing shall be given by publication in the official newspaper of the City, stating the time and place of such hearing, which shall be at least fifteen (15) days after the date of publication.

E. Three-Fourths Vote:
   a. A favorable vote of three-fourths (3/4) of all members of the City Council shall be required to approve any change in zoning when written objections are received from twenty percent (20%) of the area of the adjacent landowners which comply with the provisions of Section 211.006 of the Local Government Code of the State of Texas commonly referred to as the "twenty percent (20%) rule." If a protest against such proposed amendment, supplement or change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the lots included in such a proposed change or those immediately adjacent to the area thereof extending two hundred feet (200') therefrom or of those directly opposite thereto extending two hundred feet (200') from the street frontage of such opposite lots, such amendments shall not become effective except by a three-fourths (3/4) vote of the City Council.
   b. When the Planning and Zoning Commission makes a recommendation(s) that a proposed zoning change or site plan be denied, the request (in its original form) shall require a three-fourths (3/4) majority vote from City Council for it to be approved.

F. Final Approval and Ordinance Adoption: Upon approval of the zoning request by the City Council, the applicant shall submit all related material with revisions, if necessary, to the City for the preparation of the amending ordinance. A metes and bounds description of all property and appropriate exhibits must be submitted with the zoning change request application. The amending ordinance will not be approved until a correct description has
been prepared. The zoning request shall be approved at the time the City Council makes a decision to approve the request as submitted or with certain conditions.

10.9 – JOINT PUBLIC HEARINGS:

As authorized in Section 211.007 of the Texas Local Government Code, the City Council may, by a two-thirds (2/3) vote, prescribe the type of notice to be given of the time and place of a public hearing held jointly by the City Council and Planning and Zoning Commission. If the notice provisions are different than Section 10.4 above, then the provisions of Section 10.4 do not apply.

10.10 – PROCEDURE FOR NEWMELY ANNEXED LAND:

As soon as reasonable, after an annexation ordinance is approved by the City Council, the Director of Planning and Development shall prepare an application for zoning the newly annexed land from "AOS" Agricultural Open Space to a more permanent zoning district. The application shall be placed on the Planning and Zoning Commission's agenda. All procedures as set forth in this section shall apply.

10.11 – FEES:

Fees shall be as provided for in the Fee Schedule found in the Appendix A of the Code of Ordinances.

Section 2: In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

Section 3: If any provision of this Ordinance or the application thereof to any person or circumstances 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.

Section 4: This Ordinance shall take effect immediately upon passage.

Section 5: 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.
READ and APPROVED on First Reading on the 14th day of August 2019.

READ and ADOPTED on Second Reading on the 27th day of August 2019.

APPROVED:

___________________________
Connie B. Schroeder, Mayor

ATTEST:

_____________________________
Ann Franklin, City Secretary

APPROVED AS TO FORM:

_____________________________
Alan Bojorquez, City Attorney
MEETING DATE: August 27, 2019

AGENDA ITEM: 3K

TITLE:
Public hearing and consider action to recommend approval of Ordinance No. 2019-34 of the City Council of the City of Bastrop, Texas adopting a Development Manual dated August 27, 2019 in compliance with Chapter 14 – Zoning, Section I – Enacting Provisions, Section 6.1 – Development Manual and Chapter 10 – Subdivisions, Article 10.03 – Subdivision, Section 3 – Purpose, Authority and Jurisdiction, as shown as Exhibit A, and forward to the August 27, 2019 City Council meeting.

STAFF REPRESENTATIVE:
Lynda K. Humble, City Manager
Trey Job, Managing Director of Public Works & Leisure Services
Matt Jones, Director of Planning & Development
Alan Bojorquez, City Attorney

BACKGROUND/HISTORY:
House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction.

POLICY EXPLANATION:
Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality’s jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

In order to ensure compliance with Texas Local Government Code Chapters 211 and 212, City Council will annually adopt Schedule of Uniform Submittal Dates for Zoning Change & CUP applications, Public Improvement Plan applications, Plat applications, and Site Development Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and Planning & Zoning Commission meetings.

Chapter 14 – Zoning, Section I – Enacting Provisions, Section 6.1 – Development Manual and Chapter 10 – Subdivisions, Article 10.03 – Subdivision, Section 3 – Purpose, Authority and Jurisdiction require a Development Manual, which needs to be updated to reflect the new development review process, Schedule of Uniform Submission Dates, checklists, and fees.
The Development Manual (Exhibit A) will be forwarded separately for review prior to the August 27th meeting.

FUNDING SOURCE: N/A

RECOMMENDATION:
Hold public hearing and consider action to recommend approval of Ordinance No. 2019-34 of the City Council of the City of Bastrop, Texas adopting a Development Manual dated August 27, 2019 in compliance with Chapter 14 – Zoning, Section I – Enacting Provisions, Section 6.1 – Development Manual and Chapter 10 – Subdivisions, Article 10.03 – Subdivision, Section 3 – Purpose, Authority and Jurisdiction, as shown as Exhibit A, and forward to the August 27, 2019 City Council meeting.

ATTACHMENTS:
- Ordinance
ORDINANCE 2019-34

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ADOPTING A DEVELOPMENT MANUAL IN COMPLIANCE WITH CHAPTER 14 – ZONING, SECTION I – ENACTING PROVISIONS ADDING SECTION 6.1 – DEVELOPMENT MANUAL AND CHAPTER 10 – SUBDIVISIONS, ARTICLE 10.03 – SUBDIVISION, SECTION 3 – PURPOSE, AUTHORITY AND JURISDICTION, AS SHOWN AS EXHIBIT A; ESTABLISHING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

WHEREAS, Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality’s jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

WHEREAS, To ensure compliance with Texas Local Government Code Chapters 211 and 212, City Council will annually adopt Schedule of Uniform Submittal Dates for Zoning Change & CUP applications, Public Improvement Plan applications, Plat applications, and Site Development Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and Planning & Zoning Commission meetings.

WHEREAS, In compliance with Chapter 14 – Zoning, Section I – Enacting Provisions, Section 6.1 – Development Manual and Chapter 10 – Subdivisions, Article 10.03 – Subdivision, Section 3 – Purpose, Authority and Jurisdiction, which require a Development Manual, City Council adopts a Development Manual dated August 27, 2019 in compliance with both requirements.

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

Section 1: The City Council hereby adopts the Development Manual dated August 27, 2019, as attached in Exhibit A.

Section 2: In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

Section 3: If any provision of this Ordinance or the application thereof to any person or circumstances 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.

Section 4: This Ordinance shall take effect immediately upon passage.
READ and APPROVED on First Reading on the 14th day of August 2019.
READ and ADOPTED on Second Reading on the 27th day of August 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

________________________________________
Ann Franklin, City Secretary

APPROVED AS TO FORM:

________________________________________
Alan Bojorquez, City Attorney
MEETING DATE: August 27, 2019

AGENDA ITEM: 3L

TITLE:
Discussion and evaluation on Chapter 4: Housing and Neighborhoods of the 2036 Comprehensive Plan.

STAFF REPRESENTATIVE:
Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

BACKGROUND/HISTORY:
At the April 25, 2019 Planning and Zoning Commission meeting Staff asked the Commission to submit comments regarding what specific items of Chapter 4: Housing & Neighborhoods they would like to discuss. The following were the talking points submitted:

- 4-2 - Housing Trends - How have the new subdivisions, i.e. Pecan Park, Piney Creek Bend, apartments at Hunters Crossing, etc., affected housing demands?
  - Neighborhood Trends - Under multi-modal transportation, why was public transportation not included?

- 4-3 - Second paragraph re healthy neighborhoods, discuss Piney Creek Bend and parts of Pecan Park that have built privacy fences around part or all of the development making them NOT complimentary of or inviting to the surrounding neighborhoods.

- 4-9 - What is the last area that has been annexed? Plans for future annexation?

- 4-12 - 4.2.1 Objective - Is this worthwhile objective viable given current staff?

- 4-19 - Objective 4.3.1 - Has EDC collected recommended data? If so, what has been done with it? If not, why, and is this still a recommendation?

- 4-22 - Objective 4.4.1 - Progress?

- 4-28 - Objective 4.5.1 - Realistically how much can be done in already developed areas of the city, like the Historic District, where there are already streets, often sidewalks on one side of the street, etc. to encourage interconnectivity and make the areas public transit friendly? Bus and/or van pull offs near bus stops would help avoid traffic slowdowns.

- Regarding Objective 4.1.1, Establish a process to diversify housing options in Bastrop:
  - a. I agree with each of the points on page 4-9.
  - b. Would like to see what recommendations you would have for including more ADU’s, so-called Tiny Houses, and Short-Term Rentals?
- Regarding Objective 4.4.1 Create incentives to support the provision of low-to-moderate income housing opportunities by partnering agencies in Bastrop:
  - a. I agree strongly with point 3 to establish an incentive for new development.
  - b. Would like to see what recommendations you would have to spread out affordable housing in existing neighborhoods, such as large vacant homes that can be converted to group homes that can be remodeled into a type of single renter, single room, with a common kitchen and common yard? Not sure if this is the right place for this language, however, if we can distribute affordable housing into SF housing it can help break up large tracks of MF. Just a thought.

- Regarding Objective 4.5.1 Incorporate preferred neighborhood design provisions into City land development regulations:
  - a. Following up on point 4, would like to see your recommendations for Vertical Mix-Use, not unlike the City of Austin’s guidelines. Especially along certain corridors like Chestnut Street?

The 2036 Comprehensive Plan can be found online at: [https://www.cityofbastrop.org/page/plan.long_range](https://www.cityofbastrop.org/page/plan.long_range)
MEETING DATE: August 27, 2019

AGENDA ITEM: 4A

TITLE:
Update on recent City Council actions regarding Planning Department items.

STAFF REPRESENTATIVE:
Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director