

City of Bastrop

Building Bastrop

Frequently Asked Questions



BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

Updated September 12, 2018

1. What is Building Bastrop?

Building Bastrop is an initiative the City is undertaking to guide responsible development that honors our authentic past and prepares for our sustainable future.

On August 14, Bastrop City Council called for an ordinance that will put a temporary moratorium on development permits within the city for the next 90 days. A moratorium is a resource provided to cities by the State's local government codes that essentially allows us to stop automatic development that would be detrimental to our community so we can update our land-use regulations. Council also voted to enact an emergency drainage ordinance.

Under Council's direction, the City planning team will analyze and modify existing land-use regulations, so we can properly address Bastrop's infrastructure needs. This effort will simultaneously promote new development that is in line with what we know and love about Bastrop. It is completely aligned with our comprehensive plan.

2. Why is the City taking on this project?

Drainage and stormwater planning is one of the most critical elements to building a resilient city and ensuring new development doesn't negatively impact the existing population or environment. This effort will allow us to develop appropriate systems to prevent small area flooding in the future.

Beyond drainage, we also have the opportunity to take a holistic approach to create geographically-sensitive development standards and improve our infrastructure to address the city's long-term needs. By stepping back to assess the city's needs, we will make appropriate changes to all our land-use regulations to ensure Bastrop is fiscally sustainable moving forward.

3. How did we get here? Does the City really need to update all of our land-use regulations?

Bastrop has a unique ecology with many geographies meeting in one place – the piney woods, the coastal plains, the hill country and more – that makes it imperative to create regulations that ensure development respects these differing ecological challenges.

In recent decades, the technology did not exist to analyze the land in an effective way and

understand the full extent of how development impacts the environment. City Council held a special workshop on February 20, 2018, to study Bastrop's drainage patterns alongside new FEMA data and updated floodplain maps.

Now that we have the technology and data we need, we plan to analyze our natural land patterns and the DNA of Bastrop to create a new set of tools that will support the community in a responsible manner for generations to come.

Creating and updating policy is the responsible next step based on the strategy we've already started to implement. This effort is in line with the City's comprehensive plan.

4. How will Building Bastrop benefit the community?

Building Bastrop will improve development in this community and yield new opportunities for a sustainable future. It will help the City continue to invest in the infrastructure Bastrop needs and provide the services our residents deserve.

We have the benefit of knowing what is and has been successful for our community; we simply need to ensure our land-use regulations are informed by our geography and reflect what we already know works.

Our downtown is the perfect example of what we want to replicate: timeless buildings and forms that pay for themselves and can turnover for multiple uses such as shops, restaurants, banks, offices and more.

We want to promote responsible, sustainable growth that combines the heritage of Bastrop with modern amenities that benefit everyone.

5. What exactly does this mean for developers that want to build in Bastrop?

Bastrop is pro-development. We see this moratorium as an opportunity to protect our city and to create a roadmap for responsible development that honors our authentic past and prepares for our sustainable future.

We'll analyze our natural geography and the various land-use patterns already in play to create a new set of tools that will preserve authentic Bastrop. These policies will promote geographically-sensitive developments with a variety of housing options, walkable and unique neighborhoods and a diversity of commercial, retail and modern services and amenities.

We know there will be project-level questions, and our staff already has time blocked every Thursday morning throughout the moratorium to meet with developers. There will be some qualified exemptions and exceptions, but we will work through that process as defined by the approved ordinances.

6. What qualifies as an Exception?

Exceptions include:

No Impact Projects: Applicants must certify that the project will not (a) increase density, (b) increase or impact impervious cover, (c) expand the footprint of an existing structure, or (d) alter the current drainage pattern on the property. Examples include trade permits (electric work, water heater change out, HVAC work, new roof) and an interior remodel.

Ongoing Projects: A permit that was submitted, approved and under review as of Tuesday, August 14, 2018, or a permit that was submitted, approved and work is being performed as of August 14, 2018.

Grandfathered Project: A project that qualifies for rights under Texas Local Government Code Chapter 245. A Project has multiple permits. A Grandfathered project is generally one that has successfully applied for one or more permits for the project and provided the city with notice of the nature of the project.

7. What qualifies as an Exemption?

Exemptions include:

Planned Development District: For properties over three acres, custom zoning standards may be enacted by the City Council.

Alternate Design Standards: Any property may submit plans showing a drainage design that exceeds current standards in the Code of Ordinances for City Council approval.

ETJ Development Agreement: Any property in the ETJ may negotiate a contract with the City Council for construction standards, platting and development rules pursuant to Texas Local Government Code Chapter 212, Subsection G.

Waiver: Any property owner may agree to construct drainage infrastructure (public and/or private) at their own expense with Texas Local Government Code Chapter 212, Subsection E.

8. How can you apply for an Exception?

The following steps must be completed to apply for an Exception:

1. Applicant must complete the Submittal Package*, which includes: Application Form and associated Checklist Items.
2. Staff will review the Submittal Package, with comments issued as needed.
3. An Exception Determination Letter will be issued by Planning Director:

- If it is determined that the project DOES qualify as an Exception by the Planning Director, the applicant should submit a permit application for their project
- If it is determined the project DOES NOT qualify as an Exception by the Planning Director, the City Manager will make a determination, followed by a City Council determination if needed.

9. How can you apply for an Exemption?

The following steps must be completed to apply for an Exemption:

1. Applicant must request a Pre-Submission Meeting with the Directors (or their designees) of Planning, Engineering, and Public Works using the Pre-Submission Meeting Request Form.
2. Applicant must meet with the Directors at the scheduled time.
3. Applicant must complete the Submittal Package*, which includes: Application Form and associated Checklist Items. Package might require execution of negotiated agreements or enactment of additional ordinances.
4. Staff will review the Submittal Package, with comments issued as needed.
5. The application will be taken up at the next City Council meeting and approved or denied by Resolution or Ordinance:
 - If approved, the applicant should submit the appropriate permit application for their project.
 - If denied, the applicant will not be able to move forward with their project until the moratorium is lifted or expires and a traditional permit has been issued. Applicants may reconfigure project proposals (consistent with City feedback) for resubmission and reconsideration.

10. Are trade permits included under the temporary moratorium?

No. City Council has revised the ordinance to clarify that trade permits are not affected by the temporary moratorium because they do not impact drainage. Our focus is on making appropriate changes to our land-use regulations to ensure new development doesn't negatively impact the existing population or environment.

Anyone seeking a trade permit for projects such as roofing, plumbing, or HVAC repair should follow the standard [trade permit application](#) process.

11. How will this process unfold?

The first step in the process will be “mapping the DNA” of Bastrop: extracting the numerical data and creating models that show what fiscally sustainable development looks like.

Under Council's direction, the City has expanded its planning team to include industry experts, [Simple City Design](#), to lead this process. It will begin immediately, with the Simple City Design team working through Bastrop to create models of our most successful development.

After this initial phase, we will share this information with the community and have a series of conversations about what we want to emphasize in our updated land-use regulations.

We will take all of this information and input and draft new land-use regulations to adopt moving forward.

12. What is the timeline for Building Bastrop?

The temporary moratorium is effective for 90 days.

We will work as quickly as possible, while ensuring we are effective in updating our land-use regulations to reflect the Bastrop we know and love. But, we want to get it right more than anything.

13. Where can I find more information on Building Bastrop?

The project webpage is the best place to find information about Building Bastrop: www.CityofBastrop.org/BuildingBastrop

All information related to this effort will be added to the webpage. Please continue to check back for regular updates.

14. How can I get involved and share feedback?

We'll be hosting a public open house on Tuesday, September 18 at 6:30 p.m. at the Bastrop Convention & Exhibit Center where anyone can learn more about the initiative and how to get involved.

Everyone is also encouraged to share feedback and questions at any time by contacting the Building Bastrop hotline at 512-588-8181 or by email at buildingbastrop@cityofbastrop.org.

15. What is the bottom line, the one thing you want people to know?

The only way to keep Bastrop as we know and love it is to control our own destiny by updating our land-use regulations to promote fiscally sustainable development that we know works.