



---

**AMENDED - March 04, 2025**

**Special City Council Meeting at 6:30 PM**

**Item 3H was added to the Agenda and Packet**

---

*City of Bastrop City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.*

---

The City of Bastrop reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

**PLEASE NOTE: ANYONE IN ATTENDANCE WISHING TO ADDRESS THE COUNCIL MUST COMPLETE A CITIZEN COMMENT FORM AND GIVE THE COMPLETED FORM TO THE CITY SECRETARY PRIOR TO THE START OF THE CITY COUNCIL MEETING. ALTERNATELY, IF YOU ARE UNABLE TO ATTEND THE COUNCIL MEETING, YOU MAY COMPLETE A CITIZEN COMMENT FORM WITH YOUR COMMENTS AT [CITYOFBASTROP.ORG/CITIZENCOMMENT](http://CITYOFBASTROP.ORG/CITIZENCOMMENT) AT LEAST TWO HOURS BEFORE THE MEETING STARTS ON THE REQUESTED DATE. COMMENTS SUBMITTED BY THIS TIME WILL BE GIVEN TO THE CITY COUNCIL DURING THE MEETING AND INCLUDED IN THE PUBLIC RECORD, BUT NOT READ ALOUD. COMMENTS FROM EACH INDIVIDUAL IN ATTENDANCE WILL BE LIMITED TO THREE (3) MINUTES.**

- 1. CALL TO ORDER**
- 2. CITIZEN COMMENTS**

*At this time, three (3) minute comments will be taken from the audience on any topic. Anyone in attendance wishing to address the Council must complete a citizen comment form and give the completed form to the City Secretary prior to the start of the City Council meeting. Alternately, if you are unable to attend the council meeting, you may complete a citizen comment form with your comments at [www.cityofbastrop.org/citizencommentform](http://www.cityofbastrop.org/citizencommentform) at least two hours before the meeting starts on the requested date. Comments submitted by this time will be given to the City Council during the meeting and included in the public record, but not read aloud. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific*

*factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Manager for research and possible future action.*

*It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.*

### **3. CONSENT AGENDA**

3A. Consider and act on the second reading of Ordinance No. 2025-14, apportioning the costs of certain improvements to property in and for the Valverde Public Improvement District Area #1; fixing a charge and lien against all properties within the District, and the owners thereof; providing for the manner and method of collection of such assessments; making a finding of special benefit to property in the District and the real and true owners thereof; approving a service and assessment plan.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

3B. Consider and act on the second reading of Ordinance No. 2025-09, setting the salary for the Office of the Presiding Municipal Court Judge, and approving an amendment to the agreement between the City and Caroline A. McClimon, JD, to reflect such salary increase.

Submitted by: Andres Rosales, Assistant City Manager

3C. Consider and act on the first reading of Ordinance No. 2025-29, authorizing the appointment of Jay Caballero as Associate Municipal Judge of the City of Bastrop Municipal Court; to complete an unexpired term ending on June 19, 2025; and reappointing said Judge for an additional 3-year term effective June 20, 2025; and move to include on the March 11, 2025 Consent Agenda for the second reading.

Submitted by: Andres Rosales, Assistant City Manager

3D. Consider and act on Resolution No R2025-55 authorizing the City Manager to submit a grant, loan, and any other applicable resource, application to the Texas Water Development Board- State Revolving Fund for a new expansion to the wastewater treatment plant.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

3E. Consider and act on Resolution No. R-2025-54, approving the acquisition of certain real property, known as 1311 Walnut Street, being 0.330 acres of land out of Building Block 55 east of Main Street, in the City of Bastrop; authorizing the City Manager to execute a purchase and sale agreement and all other necessary documents for the acquisition of said property for the amount of \$150,000.00 plus applicable closing costs.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

- 3F. Consider and act on Resolution 2025-56 expressing support for Texas House Bill HB 3500 which adds the City of Bastrop to a group of cities able to capture additional tax revenue derived from a hotel and convention center project.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

- 3G. Conduct a public hearing, consider, and act on the first reading of Ordinance No. 2025-28, amending the Master Fee Schedule for tree mitigation fees and amending the Code of Ordinances Chapter 1 "General Provisions", adding Section 1.13.005 "Tree Mitigation Penalty"; amending the Bastrop Building Block (B3) Code, Section 6.3.004 "Protected & Heritage Trees, adding subsection (j) Administrative Decision; establishing fees and the penalty for violation, and move to include on the March 11, 2025 Consent Agenda for the second reading.

Submitted by: James E. Cowey, Director of Development Services

- 3H. Consider and act on Resolution No. R-2025-57, confirming the appointment of Jimmy Crouch to Place 2 of the City's Planning and Zoning Commission, as required in Section 3.08 of the City's Charter.

Submitted by: Mayor Pro Tem John Kirkland and Council Member Cynthia Meyer

#### **4. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 4A. Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-23, repealing the 2019 Amendment to Chapter 5 of the Transportation Master Plan, as attached in Exhibit A; replacing with 2017 Chapter 5 of the Transportation Master Plan and amending, as attached in Exhibit B; and move to include on the March 11, 2025, Consent Agenda for the second reading.

Submitted by: Andres Rosales, Assistant City Manager

- 4B. Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-24, amending the Bastrop Code of Ordinances Chapter 14, the Bastrop Building Block (B3) Code, by removing all references to the Mandatory Street Network and the Gridded Street Network; and establishing standards and procedures; as shown in Exhibit A; move to include on the March 11, 2025 Consent Agenda for the second reading.

Submitted by: Andres Rosales, Assistant City Manager

- 4C. Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-25, amending the Code of Ordinances related to Chapter 14, the B3 Technical Manual, by removing all references to the Mandatory Street Network and the Gridded Network; as shown in Exhibit A; and move to include on the March 11, 2025 Consent Agenda for the second reading.

Submitted by: Andres Rosales, Assistant City Manager

- 4D. Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-21, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, Minimum Lot Sizes in P2 and P3; and move to include on the March 11, 2025 Consent Agenda for a second reading.

Submitted by: Sylvia Carrillo-Trevino, CM, ICMA-CM, CPM

- 4E. Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-22, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, Build-to-Line standards in P2 and P3, and adopting a First Layer Setback in P2 and P3; and move to include on the March 11, 2025 Consent Agenda for a second reading.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

- 4F. Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-26, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, by removing duplexes as an allowable building type in P2, and requiring a Conditional Use Permit to construct duplexes in P3; and move to include on the March 11, 2025 Consent Agenda for a second reading.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

- 4G. Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-19, amending the Bastrop Code of Ordinances, Chapter 10 – Subdivisions, by enacting Article 10.01 titled “Parkland Dedication and Park Enrichment Fund,” Sections 10.01.001 – 10.01.014; and move to include on the March 11, 2025 Consent Agenda for the second reading.

Submitted by: Viviana Nicole Andres, Assistant to the City Manager

## 5. ADJOURNMENT

***All items on the agenda are eligible for discussion and action unless specifically stated otherwise.***

***The Bastrop City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development), and §551.086 (Competitive Matters regarding Electric Utility).***

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place convenient and readily accessible to the general public, as well as to the City's website, [www.cityofbastrop.org](http://www.cityofbastrop.org) and said Notice was posted on the following date and time: Thursday, February 27, 2025 at 9:00 pm and the amended Agenda Notice was posted on Friday, February 28, 2025 at 4:30 pm and remained posted for at least two hours after said meeting was convened.

/s/Victoria Psencik  
Victoria Psencik, Assistant City Secretary





# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Consider and act on the second reading of Ordinance No. 2025-14, apportioning the costs of certain improvements to property in and for the Valverde Public Improvement District Area #1; fixing a charge and lien against all properties within the District, and the owners thereof; providing for the manner and method of collection of such assessments; making a finding of special benefit to property in the District and the real and true owners thereof.

**AGENDA ITEM SUBMITTED BY:**

Sylvia Carrillo- Trevino, ICMA-CM, CPM, City Manager

**BACKGROUND/HISTORY:**

The City Council of the City of Bastrop, Texas is authorized under Chapter 372 of the Texas Local Government Code, as amended, to create a public improvement district. David K. Grassel, the predecessor-in-title to Continental Homes of Texas, L.P., a Texas limited liability company, previously submitted and filed with the City Secretary of the City of Bastrop, Texas, a petition requesting the establishment of a public improvement district.

After providing all notices required under Chapter 372 and 551 of the Texas Local Government Code, the City Council, on December 8, 2020, conducted a public hearing to consider comments for and against the creation of the District and the advisability of the proposed public improvements and, after closing the public hearing, passed and approved Resolution No. R-2021-28 authorizing the formation of the Valverde Public Improvement District (originally created as Viridian Public Improvement District, and formerly known as NEU Community Bastrop).

In accordance with Section 372.010 of the Texas Local Government Code, notice the resolution creating the District was published in the *Bastrop Advertiser* on April 22, 2021, and Resolution No. R-2021-28 was published in the *Bastrop Advertiser* on April 22, 2021.

The City has reviewed the Preliminary Service and Assessment Plan (the "SAP") attached to this Resolution as "**Exhibit A**" and the Proposed Assessment Roll for Improvement Area #1 (as defined by the SAP).

In accordance with Section 372.016 of the Texas Local Government Code, the City Council desires to make certain determinations and findings with regard to the total cost of the "Authorized Improvements" set forth in the Preliminary Service and Assessment Plan (Exhibit A) and the City Council desires to approve the Proposed Assessment Roll for Improvement Area #1, which is included in the Preliminary Service and Assessment Plan attached to this resolution as Exhibit A, cause the Proposed Assessment roll for Improvement Area #1 to be filed with the City Secretary, and to direct the City Secretary to make such Proposed Assessment Roll available for public inspection and publish notice of the City Council's intention to consider the proposed assessments for Improvement Area #1 at a public hearing, all in accordance with the requirements of the Texas Local Government Code.

**FISCAL IMPACT:**

According to the SAP, the total assessment per lot is approximately \$17,000 - \$22,000, depending on the lot type. This amount will be paid over 30 years. The amount assessed to each landowner will be provided in the SAP annually and included on their property tax bill. The assessment will be collected by the City annually and used to pay the bonds and all costs associated with the PID. There will be no maintenance and operating costs paid for by the PID or the City.

**RECOMMENDATION:**

Sylvia Carrillo-Trevino, City Manager, recommends approving the first reading of Ordinance No. 2025-14, apportioning the costs of certain improvements to property in and for the Valverde Public Improvement District Area #1; fixing a charge and lien against all properties within the District, and the owners thereof; providing for the manner and method of collection of such assessments; making a finding of special benefit to property in the District and the real and true owners thereof; approving a service and assessment plan; providing for a severability clause; and move to include on the March 11, 2025, consent agenda for a second reading.

**ATTACHMENTS:**

1. Ordinance No. 2025-14

**ORDINANCE NO. 2025-14**

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR, AND APPORTIONING THE COSTS OF, CERTAIN IMPROVEMENTS TO PROPERTY IN AND FOR THE VALVERDE PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREA #1; FIXING A CHARGE AND LIEN AGAINST ALL PROPERTIES WITHIN THE DISTRICT, AND THE OWNERS THEREOF; PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SUCH ASSESSMENTS; MAKING A FINDING OF SPECIAL BENEFIT TO PROPERTY IN THE DISTRICT AND THE REAL AND TRUE OWNERS THEREOF; APPROVING A SERVICE AND ASSESSMENT PLAN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Subchapter A of Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, a petition was submitted and filed with the City Secretary (the "*City Secretary*") of the City of Bastrop, Texas (the "*City*") pursuant to the Act, requesting the creation of a public improvement district located within the corporate limits of the City to be known as Valverde Public Improvement District (originally created as Viridian Public Improvement District, and formerly known as NEU Community Bastrop) (the "*District*") to provide public improvements within the District to include the design, acquisition, and construction of public improvement projects authorized by Section 372.003(b) of the Act that are necessary for development of the District, which public improvements will include, but not be limited to, streets, roadway construction, water, wastewater, and drainage facilities and improvements, and other improvement projects; and

WHEREAS, the petition contained the signatures of the record owners of taxable real property representing more than 50% of the appraised value of the real property liable for assessments within the District, as determined by the then current ad valorem tax rolls of the Williamson Central Appraisal District, and the signatures of record property owners who own taxable real property that constitutes more than 50% of the area of all taxable property that is liable for assessment by the District; and

WHEREAS, on December 8, 2020, after due notice, the City Council (the "*City Council*") of the City held the public hearing in the manner required by law on the advisability of the improvement projects described in the petition as required by Section 372.009 of the Act and on December 8, 2020 the City Council made the findings required by Section 372.009(b) of the Act and, by Resolution No. R-2021-28 (the "*Creation Resolution*"), adopted by a majority of the members of the City Council, authorized the creation of the District in accordance with its finding as to the advisability of the improvement projects; and

WHEREAS, in accordance with Section 372.010 of the Act, notice of the resolution creating the District was published in the Bastrop Advertiser on April 22, 2021, and Resolution No. R-2021-28 was published in the Bastrop Advertiser on January 29, 2025;; and

WHEREAS, no written protests regarding the creation of the District from any owners of record of property within the District were filed with the City Secretary within 20 days after the date of publication of such notice; and

WHEREAS, the District is expected to be developed in phases beginning with an area designated as "Improvement Area #1" within the District ("Improvement Area #1"); and

WHEREAS, pursuant to the Act, the proposed assessment roll for Improvement Area #1 (the "*Assessment Roll*") and service and assessment plan were filed with the City Secretary; and

WHEREAS, the statutory notice of a public hearing was published on \_\_\_\_\_, 2025, to consider the levy of the proposed assessments (the "*Assessments*") on real property within Improvement Area #1 was published in the *Bastrop Advertiser*, a newspaper of general circulation in the City and was mailed to the last known address of the owners of the property liable for the Assessments; and

WHEREAS, after notice was provided as required by the Act, the City Council on February 25, 2025, held a public hearing to consider the levy of the proposed Assessments on property within the District, at which any and all persons who appeared, or requested to appear, in person or by their attorney, were given the opportunity to contend for or contest the Assessment Roll, and the proposed Assessments, and to offer testimony pertinent to any issue presented on the amount of the Assessments, the allocation of the Actual Costs of the authorized improvements to be undertaken for the benefit of all property to be assessed within the District (the "*Authorized Improvements*"), the purposes of the Assessments, the special benefits of the Authorized Improvements, and the penalties and interest on annual installments and on delinquent annual installments of the Assessments; and

WHEREAS, the City Council finds and determines that the Assessment Roll and the Valverde Public Improvement District Service and Assessment Plan, in a form substantially similar to the attached Exhibit A, which final form shall be approved by the City Manager (the "*Service and Assessment Plan*"), and which is incorporated herein for all purposes, should be approved and that the Assessments should be levied as provided in this Ordinance, the Service and Assessment Plan and the Assessment Roll; and

WHEREAS, the City Council further finds that there were no written objections or evidence submitted to the City Secretary in opposition to the Service and Assessment Plan, the Actual Costs of the Authorized Improvements as described in the Service and Assessment Plan, the Assessment Roll, and the levy of the Assessments; and

WHEREAS, in connection with the levy of the Assessments, concurrently herewith, the owners (the "*Landowners*") of the privately-owned and taxable property located within the District will execute a landowner agreement, wherein the Landowners, among other things, approves and accepts this Ordinance and the Service and Assessment Plan, including the Assessment Roll, consents to and accepts the levy of the Assessments against their property located within the District and agrees to pay the Assessments; and

WHEREAS, the City Council closed the hearing on February 25, 2025, and, after considering all written and documentary evidence presented at the hearing, including all written comments and statements filed with the City, determined to proceed with the adoption of this Ordinance in conformity with the requirements of the Act; and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and the public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended.

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

Section 1. All matters stated in the preamble of this Ordinance are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. The Service and Assessment Plan, attached hereto as Exhibit A has been presented to and reviewed by the City Council and the City Council hereby approves the Service and Assessment Plan and adopts the Service and Assessment Plan as the service plan and assessment plan for Improvement Area #1 within the District. All capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Service and Assessment Plan.

Section 3. The Authorized Improvements described in the preamble hereof include the improvements that will benefit and serve all of the property within Improvement Area #1 (the "IA#1 Improvements"). The IA#1 Improvements benefit and serve all of the property within Improvement Area #1 and are set forth in Section III of the Service and Assessment Plan.

Section 4. The City Council hereby finds and determines upon the evidence presented in reference to the property located within the Improvement Area #1 that: (i) the enhancement and value to accrue to Improvement Area #1 and the real and true owner or owners thereof by virtue of construction of the IA #1 Improvements will be equal to or in excess of the amount of the cost of the proposed IA #1 Improvements; (ii) that the apportionment of the costs of the IA #1 Improvements and the Assessments here and below made are just and equitable and produce substantial equality, considering the benefits received and the burdens imposed thereby, and result in imposing equal shares of the cost of the IA #1 Improvements on property similarly benefitted, and are in accordance with the laws of the State of Texas; (iii) the property assessed is specially benefitted by means of the said IA #1 Improvements in Improvement Area #1 in relation to the costs of such improvements; (iv) all procedures that have taken place heretofore with reference to the IA #1 Improvements and Assessments are in all respects regular, proper, and valid; and (v) all prerequisites to the fixing of the assessment liens against the properties within Improvement Area #1, and the personal liability of the real and true owner or owners thereof, whether correctly named herein or not, have been in all things regularly and duly performed in compliance with the Act and the proceedings of the City Council. The cost of said IA#1 Improvements is hereby assessed and levied as a special assessment against such properties and the real and true owner or owners thereof in the amounts as described in Exhibit F of the Service and Assessment Plan attached hereto.

Section 5. There shall be and is hereby levied and assessed against the property within Improvement Area #1, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in Exhibit H of the Service and Assessment Plan attached hereto and made a part hereof shown for each of the respective parcels of property, and the assessed against the same, and the owners thereof.

Section 6. The sums assessed against property located within Improvement Area #1 and the real and true owners or owner thereof, whether the owner or owners be named or correctly named, or the properties be correctly described therein or not, together with interest thereon at the rate per annum when required as set forth in the Service and Assessment Plan and with reasonable attorney's fees and all costs and expenses of collection, if incurred, are hereby declared to be and made a first and prior lien upon the respective parcels of property against which same are assessed from and after this date, and a personal liability and charge against the real and true owner or owners thereof, whether or not such owner or owners be correctly named herein, paramount and superior to all other liens, claims or titles except for lawful claims for state, county, school district, or municipality ad valorem taxes; and that the sum so assessed shall be payable to the City or its assigns in accordance with the Assessment Roll attached as Exhibit H to the Service and Assessment Plan.

Section 7. (a) The levy of the Assessments shall be effective on the date of adoption of this Ordinance levying assessments and strictly in accordance with the terms of the Service and Assessment Plan.

(b) The apportionment of the costs of the IA#1 Improvements to be assessed against the property within Improvement Area #1, shall be as set forth in the Service and Assessment Plan.

(c) Assessments and Annual Installments shall be collected, administered and may be reallocated, and the costs of improvements paid, as set forth in: (i) this Ordinance; (ii) the Service and Assessment Plan and (iii) any ordinance, resolution, bond indenture or agreement approved by the City Council.

(d) Each Assessment may be paid in a lump sum or may be paid in Annual Installments pursuant to the terms of the Service and Assessment Plan.

(e) Each Assessment shall accrue and bear interest at the rate or rates specified in the Service and Assessment Plan.

(f) Each Annual Installment shall be due and payable and shall be collected each year in the manner set forth in the Service and Assessment Plan.

(g) Assessments and the interest thereon shall be deposited as and when received by the City into a separate fund to be used to pay the costs incurred for the IA#1 Improvements, including debt service on obligations issued to pay the costs of the IA#1 Improvements, and the establishment of each such fund is hereby approved.



(h) The Annual Installments shall be reduced to equal the actual costs of repaying the related series of bonds and actual Annual Collection Costs (as provided for in the definition of such term), taking into consideration any other available funds for these costs, such as interest income on account balances.

Section 8. This Ordinance incorporates by reference all provisions and requirements of the Act.

Section 9. If any section, article, paragraph, sentence, clause, phrase, or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

Section 10. This Ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED, APPROVED AND ADOPTED on the 25th day of February, 2025.

---

Mayor, City of Bastrop, Texas

ATTEST:

---

City Secretary, City of Bastrop, Texas

[SEAL]

Exhibit A

VALVERDE PUBLIC IMPROVEMENT DISTRICT  
SERVICE AND ASSESSMENT PLAN

(see attached)



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Consider and act on the second reading of Ordinance No. 2025-09, setting the salary for the Office of the Presiding Municipal Court Judge, and approving an amendment to the agreement between the City and Caroline A. McClimon, JD, to reflect such salary increase.

**AGENDA ITEM SUBMITTED BY:**

Submitted by: Andres Rosales, Assistant City Manager

**BACKGROUND/HISTORY:**

The City of Bastrop has a Municipal Court of Record governed by Texas Government Code Chapter 30, the City's local Charter Section 5.02 and City Code Article 7.01. Pursuant to the authority granted to the City Council through the City Charter and the laws of the State of Texas, the City Council appointed Caroline A. McClimon, JD, to a two-year term as the Presiding Municipal Court Judge, as shown in Resolution R-2023-23, approved by the City Council on February 28, 2023, with an annual salary of \$53,004.00.

The City Council by Ordinance No. 2024-29, as part of the City's annual budget for Fiscal Year 2024-2025 (October 1, 2024, through September 30, 2025), approved an increase in allocation of the budget for professional services for the Municipal Court specifically to "increase the judges' base pay based on a market study".

The City Council desires to approve a salary increase for the Office of the Presiding Municipal Court Judge from the prior annual salary amount of \$53,004.00 to a new salary amount of \$117,371.00, and for such salary increase to be reflected in the agreement between the City and Caroline A. McClimon, JD, regarding her appointment to such an office as attached to Resolution No. R-2023-23.

**FISCAL IMPACT:**

Professional services line in the FY 2025 budget for Municipal Court was increased by approximately \$100,000 to increase the judges' pay based on a market study and to cover any additional Associate Judge costs.

**RECOMMENDATION:**

Approve the Ordinance and authorize the City Manager to execute all necessary documents.

**ATTACHMENTS:**

1. Ordinance No. 2025-09
2. Attachment A – First Amendment to the Agreement between the City and Caroline A. McClimon, JD
3. Exhibit A – Resolution No. R-2023-23

**ORDINANCE NO. 2025-09****SETTING THE SALARY FOR THE OFFICE OF THE PRESIDING  
MUNICIPAL COURT JUDGE**

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, SETTING THE SALARY FOR THE OFFICE OF THE PRESIDING MUNICIPAL COURT JUDGE, AND APPROVING AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND CAROLINE A. MCCLIMON, JD, TO REFLECT SUCH SALARY INCREASE; ESTABLISHING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

- WHEREAS,** The City of Bastrop ("City") has a municipal court of record, governed by Texas Government Code Chapter 30, the City's local Charter Section 5.02, and City Code Article 7.01; and
- WHEREAS,** pursuant to the authority granted to the City Council through the City Charter and the laws of the State of Texas, the City Council appointed Caroline A. McClimon, JD, to a two-year term as the Presiding Municipal Court Judge, as shown in Resolution No. R-2023-23, approved by the City Council on February 28, 2023, with an annual salary of \$53,004.00; and
- WHEREAS,** the City Council, by Ordinance No. 2024-29, as part of the City's annual budget for Fiscal Year 2024-2025 (October 1, 2024, through September 30, 2025), approved an increase in allocation of the budget for professional services for the Municipal Court specifically to "increase the judges' pay based on a market study"; and
- WHEREAS,** the City Council desires to approve a salary increase for the Office of the Presiding Municipal Court Judge from the prior annual salary amount of \$53,004.00 to a new annual salary amount of \$117,371.00, and for such salary increase to be reflected in the agreement between the City and Caroline A. McClimon, JD, regarding her appointment to such office attached to Resolution No. R-2023-23.

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

- Section 1.** Findings of Fact: The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.
- Section 2.** Salary Increase: The City Council hereby sets the salary for the office of the Presiding Municipal Court Judge to an annual salary amount of \$117,371.00. The City Council further approves the execution of a First Amendment to the Agreement between the City and Caroline A. McClimon, JD, regarding her appointment to such office, attached hereto as Attachment A, to reflect the increase in salary from the prior annual salary amount of \$53,004.00 to a new annual salary amount of \$117,371.00 for the remainder of her current term of office.

- Section 3.** Repealer: To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.
- Section 4.** Severability: If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.
- Section 5.** Codification: The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.
- Section 6.** Effective Date: This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.
- Section 7.** Proper Notice and Meeting: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**READ & ACKNOWLEDGED on First Reading** by the City Council of the City of Bastrop, on this, the 11th day of February 2025.

**PASSED & APPROVED on Second Reading** by the City Council of the City of Bastrop, on this, the 25th day of February 2025.

**APPROVED:**

\_\_\_\_\_  
John Kirkland, Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_  
\_\_\_\_\_, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
\_\_\_\_\_, City Attorney



**ATTACHMENT A**

**First Amendment to the Agreement  
Between the City of Bastrop and Caroline A. McClimon, JD**

**STATE OF TEXAS** §  
**COUNTY OF BASTROP** §

**FIRST AMENDMENT TO  
 AGREEMENT BETWEEN THE CITY OF BASTROP  
 AND  
 CAROLINE A. MCCLIMON, JD**

This First Amendment (“Amendment”) is entered into to amend certain terms of the Agreement between the City of Bastrop and Caroline A. McClimon, JD, executed by the Parties on March 10, 2023 (“Agreement”).

**WITNESSETH:**

**WHEREAS**, pursuant to the authority granted to the City Council through the City Charter and the laws of the State of Texas, the City Council of the City of Bastrop has appointed Caroline A. McClimon, JD, to a two-year term as the Presiding Municipal Court Judge, as shown in Resolution No. R-2023-23, approved by the City Council on February 28, 2023, attached hereto as *Exhibit “A”*; and

**WHEREAS**, the City Council, by Ordinance No. 2024-29, as part of the City’s annual budget for Fiscal Year 2024-2025 (October 1, 2024, through September 30, 2025), approved an increase in allocation of the budget for professional services for the Municipal Court specifically to “increase the judges’ pay based on a market study”; and

**WHEREAS**, the City Council desires to approve a salary increase for the office of the Presiding Municipal Court Judge from the prior annual salary amount of \$53,004.00 to a new annual salary amount of \$117,371.00; and

**WHEREAS**, the Parties desire by this Amendment to make certain changes to the Agreement, as set forth below.

**NOW, THEREFORE**, in consideration of the mutual covenants and promises, the Parties agree as follows:

A. *Salary Increase*. Section 3.2 of the Agreement is amended by being replaced in its entirety to read as follows:

3.2 Pursuant to the First Amendment to this Agreement, the City agrees to pay Judge McClimon an annual salary of \$117,371.00, to be paid on a monthly basis, for all the duties cited in section 2.3, which equate to approximately 1,000 hours annually.

- B. The salary increase shall take effect upon the date such salary increase was approved by the City Council by Ordinance No. 20\_\_-\_\_, on \_\_\_\_\_.
- C. *Interpretation of Amendment.* Except as modified herein by this Amendment, all other terms and conditions of the Agreement shall continue in full force and effect. The Agreement, as modified by this Amendment, supersedes all prior agreements and understandings (oral and written) between the Parties with respect to the subject matter hereof to the extent in conflict therewith.
- D. *Severability.* If any provision of the Agreement, as modified by this Amendment, is determined to be invalid or unenforceable, such determination shall not affect any other term of the Agreement or this Amendment, which shall continue in full force and effect.

**IN WITNESS WHEREOF**, the Parties have entered into this Amendment to the Agreement as of the date last executed by both Parties below.

**CITY OF BASTROP, TEXAS**

BY:

\_\_\_\_\_  
Sylvia Carrillo-Trevino, City Manager

DATE: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, City Secretary

BY:

\_\_\_\_\_  
Caroline A. McClimon, JD, Presiding Municipal Court Judge

DATE: \_\_\_\_\_

**Exhibit A**  
**Resolution No. R-2023-23**

## RESOLUTION NO. R-2023-23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING APPOINTMENT OF CAROLINE A. MCCLIMON JD AS PRESIDING MUNICIPAL JUDGE, BASTROP MUNICIPAL COURT, CITY OF BASTROP; AND APPROVING A CONTRACT TO PROVIDE SERVICES; ATTACHED AS EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Section 30.00006 of the Texas Government Code provides that the term of office for municipal judges "must be for a definite term of two or four years."; and

**WHEREAS**, Section §5.02 of the City of Bastrop Home Rule Charter states that the Judge of the Municipal Court "shall be nominated by the Mayor and appointed by the Council"; and

**WHEREAS**, Section 7.01.003(f) of the Bastrop City Code states "each alternate judge shall be appointed for a term of two (2) years; and

**WHEREAS**, the City Council of the City of Bastrop, Texas has determined that it is in the best interest of the City of Bastrop and for the orderly operation of the City of Bastrop Municipal Court to appoint Caroline A. McClimon, JD as Presiding Municipal Judge.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:**

**Section 1:** The City hereby appoints, under the authority of §5.02 of the City of Bastrop Home Rule Charter and Section 7.01.003 of the Bastrop City Code, Caroline A. McClimon, JD to the position of Presiding Municipal Judge for a term of two (2) years.

**Section 2:** The City Manager is hereby authorized to execute a contract for Presiding Municipal Judge services between the City of Bastrop, Texas and Caroline A. McClimon, JD (attached as Exhibit A) as well as all other necessary documents related to this contract.

**Section 3:** All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.


**Section 4:** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

# Exhibit A

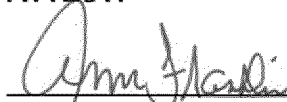
Item 3B.

**DULY RESOLVED AND APPROVED** by the City Council of the City of Bastrop, Texas  
this 28<sup>th</sup> day of February 2023.

**APPROVED:**

  
\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Alan Bojorquez, City Attorney





- Preside over civil truant conduct hearings/trials.
  - Maintain a central docket of all cases filed in the City of Bastrop.
  - Establish and maintain Court Security panel.
  - Review and/or deny requests for continuances.
  - Determine innocence or culpability (when hearing cases without a jury) and levies fine commensurate with the violation in such manner to preserve equity and uniformity in the application of existing laws and ordinances.
  - Supervise the administration of juror notification and direct jurors in trial cases on their role in the interpretation and application of law.
  - Be available, or have adequate associate judge expertise available, on a 24/7 basis, to review and/or sign complaints, summons, subpoenas, affidavits for search and arrest warrants, appeal bonds, etc.
  - Support court activities with Municipal Court Clerk and City Prosecutor and other city departments.
  - Review legislation and current case law affecting offenses and the criminal justice system and implement procedures to ensure compliance. Perform legal research as needed and determine fine amounts.
  - Conduct hearings (including property, emergency protective order, code enforcement, dangerous dog, etc.).
  - Daily jail magistrations – rights warnings, set bonds
  - Juvenile hearings.
  - Indigent hearings.
  - Approve/Deny Personal Recognizance (PR) Bond requests.
  - Issue warrants (search, arrest, mental health), summons, magistrate warnings, etc.
  - Primarily responsible for the review and signing of all paperwork prepared by court clerks.
- 2.4 The City of Bastrop's regular Municipal Court shall be held at Bastrop Municipal Court located at 104 Grady Tuck Lane, Bastrop, Texas 78602. However, the City of Bastrop reserves the right to designate days of the week, hours, and alternate locations where the Municipal Court may be held in the event that facility should not be available.
- 2.5 The City Council shall have the power to create and establish additional Municipal Courts, with the same or separate jurisdictions, and to appoint an additional Magistrate for each Court so established.
- 2.6 Judge. McClimon agrees to provide prompt, courteous, efficient, and professional services in the performance of his duties.
- 2.7 Judge McClimon shall deal with the administrative services of Municipal Court solely through the Municipal Court Clerk or the City Manager.

- 2.8 In the event Judge McClimon is unable to act for any reason, the Council may appoint an Alternate Municipal Court Judge to act in the Judge's place.
- 2.9 Judge McClimon shall meet with the City Attorney, City Manager, Director of Planning and Community Development, City Prosecutor, and the Chief of Police, or such officials' respective designees, on request, to discuss procedures within the Municipal Court.

### 3. SALARY AND BENEFITS

- 3.1 Judge McClimon shall be deemed an independent contractor of the City.
- 3.2 The City agrees to pay Judge McClimon annually at \$53,004, paid monthly in the amount of \$4,417 for all the duties sited in section 2.3, which equate to approximately 1,000 hours annually.
- 3.3 Judge McClimon shall pay all applicable local, state, federal taxes, including income tax, withholding tax, social security tax, and pension contributions, if any.
- 3.4. The City agrees to pay Judge McClimon travel and expenses to attend the Texas Municipal Courts Education Center ("TMCEC") judges training, up to a maximum of three (3) days annually. Judge McClimon is required to attend the TMCEC judges training each year during the term of this contract.

### 4. TERMINATION

- 4.1 Judge McClimon may terminate this Agreement at any time, with or without notice.
- 4.2 Judge McClimon shall waive all claims for compensation if not claimed within thirty (30) days for the date of the termination of this Agreement.

### 5. GENERAL PROVISIONS

- 5.1 If any provision of this Agreement shall, for any reason, be held to violate of any applicable law, the invalidity of such a specific provision of this Agreement shall not be deemed to invalidate any other provisions of this Agreement, which shall remain in full force and effect unless removal of the invalid provisions destroy the legitimate purposes of this Agreement, in which event the parties shall deem this Agreement canceled.

- 5.2 The paragraph headings used in this Agreement are descriptive only and shall have no legal force or effect.
- 5.3 This Agreement represents the entire agreement by and between the parties, except as otherwise provided in this Agreement, and it may not be changed except by written amendment duly executed by all parties.
- 5.4 This Agreement shall be subject to and governed by the laws of the State of Texas. Any and all obligations or payments are due and payable in the City of Bastrop, Bastrop County, Texas.

IN WITNESS WHEREOF, the City Council of the City of Bastrop, by and through the Mayor, has caused this Agreement to be executed and that upon execution thereof, it shall be deemed the act and deed of the City of Bastrop.

[SIGNATURES FOLLOW ON PAGE 4]

# Exhibit A

Item 3B.

CITY OF BASTROP, TEXAS

BY: \_\_\_\_\_

Sylvia Carrillo, City Manager

BY: \_\_\_\_\_

Caroline A. McClimon, JD Presiding Municipal Court Judge

ATTEST: \_\_\_\_\_

Ann Franklin, City Secretary



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Consider and act on the first reading of Ordinance No. 2025-29, authorizing the appointment of Jay Caballero as Associate Municipal Judge of the City of Bastrop Municipal Court; to complete an unexpired term ending on June 19, 2025; and reappointing said Judge for an additional 3-year term effective June 20, 2025; and move to include on the March 11, 2025 Consent Agenda for the second reading.

**AGENDA ITEM SUBMITTED BY:**

Submitted by: Andres Rosales, Assistant City Manager

**BACKGROUND/HISTORY:**

The City of Bastrop has a Municipal Court of Record governed by Texas Government Code Chapter 30 and the City's local Charter Section 5.02. Chapter 7 of the City Code of Ordinances references the term, required qualifications and process for appointment of the Municipal Judge and Associate Municipal Judge.

The Associate Municipal Judge position is a backup to the Presiding Judge, which assists in the alleviation of the workload of the Municipal Judge, Judge McClimon. The Municipal Court issued a Request for Qualifications (RFQ) for the position of Associate Municipal Judge. Jay Caballero submitted a response to the RFQ that was issued. Mr. Caballero's qualifications meet the requirements of Associate Judge. Judge McClimon and the Court Administrator have reviewed and recommended him for the position.

The appointment will be a 3-year term as per Section 5.02 of the Charter. If approved, the Council will authorize the City Manager to execute a contract for Associate Municipal Judge services between the City of Bastrop and Jay Caballero, as well as all other necessary documents related to this contract (Exhibit A). The agreement terms will be to complete the unexpired term ending June 19, 2025, and reappointing said Associate Judge to an additional 3-year term, effective June 20, 2025

**FISCAL IMPACT:**

This position is already budgeted in the Fiscal Year 2025 budget. There will be no additional impact to the FY 2025 budget.

**RECOMMENDATION:**

To appoint Jay Caballero, to fill the Associate Municipal Judge unexpired term ending on June 19, 2025 and reappointing said Associate Judge to an additional 3-year term, effective June 20, 2025.



**ATTACHMENTS:**

1. Ordinance No. 2025-29
2. Resume – Jay Caballero
3. Employment Agreement -Jay Caballero

## ORDINANCE NO. 2025-29

### APPOINTMENT OF ASSOCIATE MUNICIPAL JUDGE

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE APPOINTMENT OF JAY CABALLERO AS ASSOCIATE MUNICIPAL JUDGE OF THE CITY OF BASTROP MUNICIPAL COURT; TO COMPLETE AN UNEXPIRED TERM ENDING ON JUNE 19, 2025; AND REAPPOINTING SAID JUDGE FOR AN ADDITIONAL 3-YEAR TERM EFFECTIVE JUNE 20, 2025; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE**

- WHEREAS,** the City of Bastrop, Texas (the “City”) is a home rule municipality located in Bastrop County, Texas acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and
- WHEREAS,** Section §5.02 of the City of Bastrop Home Rule Charter states that the Judge of the Municipal Court “shall be nominated by the Mayor and appointed by the Council”; and
- WHEREAS,** Chapter 7 of the Bastrop City Code of Ordinances references a 3-year term, required qualifications and process for appointment of Municipal Judge and Associate Municipal Judge; and
- WHEREAS,** Section 7.01.003 of the Bastrop City Code of Ordinances states if a vacancy occurs in the office of municipal judge, the City Council shall adopt an ordinance appointing a qualified person to fill the office for the remainder of the unexpired term; and
- WHEREAS,** in accordance with Section 7.01.003 of the Bastrop City Code, the City Council has determined that it is in the best interest of the City of Bastrop and to ensure orderly operation of the City of Bastrop Municipal Court to appoint Jay Caballero, to fill the Associate Municipal Judge unexpired term ending on June 19, 2025 and reappointing said Associate Judge to an additional 3-year term, effective June 20, 2025; and
- WHEREAS,** the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Bastrop held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

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

- Section 1.** The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.
- Section 2.** The City Council hereby appoints, under the authority of §5.02 of the City of Bastrop Home Rule Charter and Chapter 7 of the Bastrop Code of Ordinances, Jay Caballero, as Associate Municipal Judge, to complete the unexpired term ending June 19, 2025, and reappointing said Associate Judge to an additional 3-year term, effective June 20, 2025; and
- Section 3.** The City Council of Bastrop authorizes the City Manager to execute a contract for Associate Municipal Judge services between the City of Bastrop and Jay Caballero, as well as all other necessary documents related to this contract (attached and incorporated herein as Exhibit A); and
- Section 4.** Passage. Pursuant to Section 3.12 of the City Charter, the Council determined that the first reading of this Ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading and the Ordinance was passed by the affirmative vote of four or more members of the City Council; therefore, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon a second reading.
- Section 5.** Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.
- Section 6.** Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.
- Section 7.** Effective Date. This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.

**READ & ACKNOWLEDGED on First Reading** by the City Council of the City of Bastrop, on this, the 4th day of March 2025.

**PASSED & APPROVED on Second Reading** by the City Council of the City of Bastrop, on this, the 11th day of March 2025.

**APPROVED:**

by: \_\_\_\_\_  
John Kirkland, Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_  
Victoria Psencik, Assistant City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

**STATE OF TEXAS** §  
**COUNTY OF BASTROP** §

**AGREEMENT BETWEEN THE CITY OF BASTROP  
AND  
JAY CABALLERO**

This agreement is effective the 4<sup>th</sup> day of March 2025, between the City of Bastrop, acting through its duly elected City Council of the City of Bastrop and Jay Caballero as follows.

WITNESSETH:

WHEREAS, pursuant to the authority granted to the City Council through **The City Charter** and the laws of the State of Texas, the City Council of the City of Bastrop has appointed Jay Caballero, as Associate Municipal Court Judge (Associate Judge); and

WHEREAS, the parties desire to enter into a written agreement setting forth all terms, conditions, and obligations of the parties;

NOW, THEREFORE, in consideration of the mutual covenants and promises, the parties agree as follows:

## 1. TERM

1.1 The term of this Agreement shall be for two months to complete the portion of such unexpired term as remains at the time of this appointment, and thereafter, an initial three-year term, unless sooner terminated as provided by the terms of this Agreement.

## 2. SCOPE OF AGREEMENT

2.1 The purpose of this Agreement is to engage Jay Caballero, for the express purpose of serving the City of Bastrop, Texas, as the City's Associate Municipal Court Judge.

2.2 Associate Judge Caballero shall perform all duties of the Associate Municipal Court Judge of the City of Bastrop, Texas, as set forth in the current or revised **Charter of the City of Bastrop** as required by **The Code of the City of Bastrop, as amended**, by applicable State law, as it now exists or may be amended in the future, and the **Texas Code of Judicial Conduct**.

- 2.3 These duties include but are not limited to:
- Preside over Municipal Court for all criminal Class C Misdemeanors, criminal jury and nonjury trials, pre-trial conferences, juvenile warnings, and other cases appropriately tried in Municipal Court.
  - Preside over civil truant conduct hearings/trials.
  - Maintain a central docket of all cases filed in the City of Bastrop.
  - Establish and maintain Court Security panel.
  - Review and/or deny requests for continuances.
  - Determine innocence or culpability (when hearing cases without a jury) and levy fines commensurate with the violation in such manner to preserve equity and uniformity in the application of existing laws and ordinances.
  - Supervise the administration of juror notification and direct jurors in trial cases on their role in the interpretation and application of law.
  - Be available on a 24/7 basis to review and/or sign complaints, summons, subpoenas, affidavits for search and arrest warrants, appeal bonds, etc.
  - Support court activities with Municipal Court Clerk and City Prosecutor and other city departments.
  - Review legislation and current case law affecting offenses and the criminal justice system and implement procedures to ensure compliance. Perform legal research as needed and determine fine amounts.
  - Conduct hearings (including property, emergency protective order, code enforcement, dangerous dog, etc.).
  - Daily jail magistrations – rights warnings, set bonds
  - Juvenile hearings.
  - Indigent hearings.
  - Approve/Deny Personal Recognizance (PR) Bond requests.
  - Issue warrants (search, arrest, mental health), summons, magistrate warnings, etc.
- 2.4 The City of Bastrop's regular Municipal Court shall be held at Bastrop Municipal Court located at 104 Grady Tuck Lane, Bastrop, Texas 78602. However, the City of Bastrop reserves the right to designate days of the week, hours, and alternate locations where the Municipal Court may be held in the event that facility should not be available.
- 2.5 The City Council shall have the power to create and establish additional Municipal Courts, with the same or separate jurisdictions, and to appoint an additional Magistrate for each Court so established.
- 2.6 Associate Judge Caballero agrees to provide prompt, courteous, efficient, and professional services in the performance of his duties.
- 2.7 Associate Judge Caballero shall deal with the administrative services of Municipal Court solely through the Presiding Judge, Municipal Court Clerk or the City Manager.

- 2.8 Associate Judge Caballero shall meet with the Presiding Judge, City Attorney, City Manager, Director of Development Services, City Prosecutor, and the Chief of Police, or such officials' respective designees, on request, to discuss procedures within the Municipal Court.

### 3. SALARY AND BENEFITS

- 3.1 Associate Judge Caballero shall be deemed an independent contractor of the City.
- 3.2 The City agrees to pay Associate Judge Caballero the following flat rates: one hundred and fifty dollars (\$150) per event (i.e., jail magistrate trips), four hundred dollars (\$400) for each half day Associate Judge Caballero conducts court, and fifty dollars (\$50) per overnight warrant Associate Judge Caballero processes on behalf of the City. The City agrees to pay Associate Judge Caballero within 15 business days of receiving an invoice for services received.
- 3.3 Associate Judge Caballero shall pay all applicable local, state, federal taxes, including income tax, withholding tax, social security tax, and pension contributions, if any.
- 3.4. The City agrees to pay Associate Caballero a daily rate of \$400 and his travel and expenses to attend the Texas Municipal Courts Education Center ("TMCEC") judges training, up to a maximum of three (3) days annually. Associate Judge Caballero is required to attend the TMCEC judges training each year during the term of this contract.

### 4. TERMINATION

- 4.1 Associate Judge Caballero may terminate this Agreement at any time, with or without notice.
- 4.2 The City may terminate Associate Judge Caballero at any time without cause, and without notice, as allowed by law.
- 4.3 Associate Judge Caballero shall waive all claims for compensation if not claimed within thirty (30) days from the date of the termination of this Agreement.

## 5. GENERAL PROVISIONS

- 5.1 If any provision of this Agreement shall, for any reason, be held to violate of any applicable law, the invalidity of such a specific provision of this Agreement shall not be deemed to invalidate any other provisions of this Agreement, which shall remain in full force and effect unless removal of the invalid provisions destroy the legitimate purposes of this Agreement, in which event the parties shall deem this Agreement canceled.
- 5.2 The paragraph headings used in this Agreement are descriptive only and shall have no legal force or effect.
- 5.3 This Agreement represents the entire agreement by and between the parties, except as otherwise provided in this Agreement, and it may not be changed except by written amendment duly executed by all parties.
- 5.4 This Agreement shall be subject to and governed by the laws of the State of Texas. Any and all obligations or payments are due and payable in the City of Bastrop, Bastrop County, Texas.

IN WITNESS WHEREOF, the City Council of the City of Bastrop, by and through the Mayor, has caused this Agreement to be executed and that upon execution thereof, it shall be deemed the act and deed of the City of Bastrop.

CITY OF BASTROP, TEXAS

BY: \_\_\_\_\_  
Sylvia Carrillo, City Manager

BY: \_\_\_\_\_  
Jay Caballero, Associate Municipal Court Judge

ATTEST: \_\_\_\_\_  
Victoria Psencik, City Secretary



P.O. BOX 1626 • ROUND ROCK, TX 78680-1626  
PHONE (512) 305-3892 • JGCABALLERO@HOTMAIL.COM

# JAY G. CABALLERO

4 October 2024

City Council  
City of Bastrop  
1311 Chestnut Street  
Bastrop, Texas 78602

Re: Municipal Court Associate Judge

Honorable Council Members:

Please accept this letter, the cover letter, and the accompanying résumé as my application for the position of Municipal Court Associate Judge. In addition to my experience as a municipal court judge, I have over 20 years of experience as a criminal defense trial attorney. I believe that my experience has well prepared me to be the associate judge for the City of Bastrop.

As the presiding judge in Lago Vista, I have presided over jury trials and bench trials, held docket calls, magistrates prisoners and juveniles, reviewed probable cause affidavits, and issued both arrest and search warrants. I have brought court procedures and standing orders into compliance with existing law and streamlined docket procedures so that the court operates more efficiently. In March/April 2021, I presided over the transition of the Lago Vista Municipal Court from a non-record court to a court of record. Additionally, we have almost completely transitioned to being a paperless court. As the associate judge in Manor and West Lake Hills, I sit on the bench when the presiding judge is unavailable. I have conducted docket calls, bench trials, jury trials, and show cause hearings in these capacities. Also, in Manor, I am on call to handle police requests for blood warrants in DWI arrests. Finally, I was just recertified in TLETS in June 2024.

During my time practicing as a criminal defense attorney, I was the lead attorney in jury trials for serious felony cases such as Murder, Aggravated Robbery, and Aggravated Assault with a Deadly Weapon on a Family Member, as well as numerous "less serious" felonies and misdemeanor cases such as Possession of a Controlled Substance, Assault Family Violence, and Driving While Intoxicated. Moreover, I conducted many pretrial hearings on issues such as the admissibility of evidence (in which the issue of probable cause for arrest was central), the admissibility of confessions, the admissibility of hearsay outcry statements in child abuse cases, motions to quash the indictment, and motions to set reasonable bail, reduce bail, or release the defendant on

personal recognizance. Each of these cases and individual issues required that I be knowledgeable in all aspects of criminal investigation, criminal procedure, the rules of evidence, and trial/court procedure as well as all federal and Texas constitutional provisions regarding each.

Accordingly, I believe that I am well qualified to serve the citizens of Bastrop as the municipal court associate judge and it would be my privilege to do so.

Thank you again for your time and consideration in this matter. Please feel free to contact me if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jay Caballero', with a stylized, flowing script.

Jay Caballero  
SBN: 24006941

JC:jc  
Encl.

P.O. BOX 1626 • ROUND ROCK, TX 78680-1626  
 PHONE (512) 305-3892 • JGCABALLERO@HOTMAIL.COM

# JAY G. CABALLERO

## PROFESSIONAL EXPERIENCE

---

2023-Pres. City of Manor, Texas

*Associate Municipal Judge*

2022-Pres. City of West Lake Hills, Texas

*Associate Municipal Judge*

2019-Pres. City of Lago Vista, Texas

*Presiding Municipal Judge*

2019-Pres. Smith & Vinson, P.L.L.C—Austin, Texas

*Of Counsel—Criminal Defense Practice*

2007–2015 Law Office of Jay Caballero—Ft. Worth, Texas

*Sole Proprietor—Criminal Defense Practice*

2001–2007 Law Office of Jay Caballero—Austin, Texas

*Sole Proprietor—Criminal Defense Practice*

## EDUCATION

---

2015–Pres. The University of Texas Graduate School

*Doctor of Philosophy (Hebrew Bible and the Ancient Near East)*

Anticipated Graduation—Aug 2025

2015 Dallas Theological Seminary

*Master of Sacred Theology*

2012 Civil/Family Mediator Qualified

2011 Southwestern Baptist Theological Seminary

*Master of Arts in Theology*

1998 The University of Texas School of Law

*Doctor of Jurisprudence*

1994 The University of Texas at Arlington  
*Bachelor of Arts (English)*

#### CURRENT PROFESSIONAL MEMBERSHIPS

Williamson County Bar Association (2001–2007, 2019–Pres)

Society of Biblical Literature (2015–Pres.)

#### REFERENCES

Judge Elizabeth Beach, Criminal District Court No. 1, Tim  
 Curry Justice Center, 5<sup>TH</sup> floor, 401 W. Belknap, Ft. Worth,  
 Texas 76196, (817) 884-1351

Mr. Brad Vinson, Smith & Vinson, P.L.L.C., 1411 West Ave.,  
 Suite 124, Austin, Tx 78701, (615) 347-3205

Ms. Robin Smith, Court Clerk, Jonestown Municipal Court,  
 18649 F.M. 1431 Ste. 4A, Jonestown, TX 78645  
 (512) 267-3243

#### CURRENT COURTS

Lago Vista Municipal Court of Record #1  
 5803 Thunderbird St., Lago Vista, Tx 78645  
 (512) 267-9419  
 Stephanie Alff, Court Administrator:  
[stephanie.alf@lagovistatexas.gov](mailto:stephanie.alf@lagovistatexas.gov)

West Lake Hills Municipal Court of Record #1  
 911 Westlake Drive, West Lake Hills, TX 78746  
 (512) 327-1862  
 Robert Martinez, Jr., Court Administrator:  
[rmartinez@westlakehills.gov](mailto:rmartinez@westlakehills.gov)

Manor Municipal Court  
105 E Eggleston St, Manor, TX 78653  
(512) 272-5555  
Sofi Duran, Court Administrator:  
[sduran@manortx.gov](mailto:sduran@manortx.gov)





# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Consider and act on Resolution No R2025-55 authorizing the City Manager to submit a grant, loan, and any other applicable resource, application to the Texas Water Development Board- State Revolving Fund for a new expansion to the wastewater treatment plant.

**AGENDA ITEM SUBMITTED BY:**

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

**BACKGROUND/HISTORY:**

The Texas Water Development Board has a variety of application which may be able to assist the City of Bastrop with grants or low interest loans to assist in the funding of Wastewater Treatment Plant No. 4. (#1 and #2 and the old plant, 3 is the new plant recently brought online)

The State Revolving Fund (SRF) - Clean Water (SRFCW) and Drinking Water programs and the Texas Water Development Fund (dFund) are two programs the city may qualify for. The dFund period is already closed for the year, but the SRF remains open with preliminary project information sheets due on March 7, 2025.

Staff are interested in pursuing this option but are unable to determine specific amounts or what interest rates would be for a loan at this time. The Council approved an impact fee for a 6MGD treatment plant. Preliminary estimates on a membrane technology plant is approximately \$65M. This cost could be offset with the potential sale of effluent among other items.

This agenda item is in keeping with the City Manager's internal policy that Council be made aware prior to any grants or similar are submitted when a match or other financial commitment may be necessary.

Attached are information sheets related to both funds.

**FISCAL IMPACT:**

None at this time.

**RECOMMENDATION:**

Approve Resolution No. 2025-55 authorizing the City Manager to submit a grant application to the State Revolving Fund.

**ATTACHMENTS:**

1. Resolution 2025-55

## 2. SRF & dFund information

## RESOLUTION NO. R-2025-55

**A RESOLUTION OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE CITY MANAGER AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT, LOAN, AND ANY OTHER APPLICABLE RESOURCE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD – STATE REVOLVING FUND FOR A NEW EXPANSION TO THE WASTEWATER TREATMENT PLANT; AUTHORIZING EXECUTION OF ALL NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Bastrop, Texas (“City”) is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS,** the City Council understands the need to seek additional resource funding to bring the wastewater treatment plant expansion to fruition; and

**WHEREAS,** the City Council understands the burden on the ratepayers of not seeking additional funding; and

**WHEREAS,** the Texas Water Development Board State Revolving Fund is intended for such uses; and

**WHEREAS,** the City Council finds that it is necessary and proper to enact this Resolution.

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

**Section 1.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Bastrop, Texas, and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

**Section 2.** The City Council authorizes the City Manager to submit a Project Information Form, attached as Exhibit A.

**Section 3.** Should any portion or part of this Resolution be held for any reason invalid or unenforceable by a court of competent jurisdiction, the same shall not be construed to affect any other valid portion hereof, but all valid portions hereof shall remain in full force and effect.

**Section 4.** This Resolution shall be in full force and effect from and after its passage.



**Section 5.** The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**DULY RESOLVED & ADOPTED** by the City Council of the City of Bastrop, Texas, on this, the 25th day of February, 2025.

**THE CITY OF BASTROP, TEXAS:**

\_\_\_\_\_  
John Kirkland, Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_  
\_\_\_\_\_, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
\_\_\_\_\_, City Attorney

**EXHIBIT  
A**

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)  
**Project Information Form (PIF)**

Item 3D.

**To be considered for the upcoming SFY 2026 Intended Use Plan (IUP), you must submit your Project Information Form (PIF) by March 7, 2025.**

**If you have computer access, please submit your PIF through TWDB's On-line Loan Application (OLA) system found at [ola.twdb.texas.gov](http://ola.twdb.texas.gov).**

**Section 1. GENERAL INFORMATION**

Please Indicate the State Fiscal Year (SFY) for this PIF*:		For SFY 2025 IUP (Ends Aug. 31, 2025)	<input type="checkbox"/>	For SFY 2026 IUP (Begins Sep. 1, 2025)	<input type="checkbox"/>
Name of Entity (City, Town, County, District, Authority, System, Corporation, etc.)		County			
Name of Project (Provide a brief name for this project.)		Proposed Total Project Costs (Section 10, Line L.)			
Entity Contact Information		Engineering Firm Contact Information			
		Name of Firm			
Contact Person		Contact Person			
Title & Department		Title & Department			
Mailing Address		Mailing Address			
Phone Number		Phone Number			
Email Address		Email Address			
Are you a first-time applicant?	Yes	No	If Yes, how did you hear about the State Revolving Fund program?	Choose an item.	
	<input type="checkbox"/>	<input type="checkbox"/>			
If "Other", please indicate					
Entities must be registered in SAM.gov to receive State Revolving Fund financial assistance.					
Is your entity registered in SAM.gov?	Choose an item.	If "Yes", provide the 12-character alphanumeric SAM.gov number.		Enter SAM ID #	

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

## Project Information Form (PIF)

### Section 2. SERVICE AREA INFORMATION

**Attach and submit a map of the entity's current and, if applicable, proposed service area. The map of the service area must be overlaid by a map of the census boundaries in the service area.**

To determine population served indicate the number of people who reside within the service area of, or receive wholesale or retail water service from, the entity based on the most recent [American Community Survey \(ACS\) 5-year Estimates](#) or the most recent ACS 5-year data found in [Census Data Search \(WRD-284\)](#).

For an **unincorporated area** (e.g., a county, district, river authority, system, or corporation) provide a table that 1) identifies the number of household connections within each census tract or block group that covers the entity's service area and 2) prorates the population accordingly. See example table in [Census Data Search \(WRD-284\)](#).

**Population Served**

**Total Household Connections**

### Section 3. PROJECT CATEGORY (check all that apply)

**Publicly Owned Treatment Works (POTW)—Treatment and/or Collection:** Treatment projects may include, but not be limited to, construction or rehabilitation of a Wastewater Treatment Plant (WWTP); expansion of the hydraulic capacity at a WWTP; expansion of the solids treatment and handling portion of a WWTP; or construction of facilities, including linework, to enable reuse of reclaimed wastewater or stormwater for irrigation or other purposes. Collection projects may include, but not be limited to, construction or rehabilitation of collection systems; installation or rehabilitation of transmission, trunk, or relief lines; construction, rehabilitation, or replacement of lift stations; installation of diversion sewers; or stormwater treatment and/or control.

☐

**Nonpoint Source Pollution Control (NPS):** NPS pollution control projects control sources of water pollution that do not enter water from a point source, including pollution generally resulting from land runoff, precipitation, atmospheric deposition, drainage, seepage, or hydrologic modification. This may also involve stormwater projects.

☐

**Estuary Management:** Estuary management includes conservation and/or management projects that impact a national estuary.

☐

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

Project Information Form (PIF)

Name of Entity \_\_\_\_\_

**Section 4. PROJECT DESCRIPTION**

Briefly describe the proposed project and any innovative or alternative technology to be used. If the project is a regional project, include all the names of the communities involved or (WWTP) service areas altered. If the project is a nonpoint source pollution control or estuary management project, identify the water body or estuary, respectively, that will benefit from the project. If the proposed project is the result of a disaster, describe any public health or water quality problems consequent to the disaster that will be addressed by the proposed project. Add additional sheets as necessary.

Is the proposed project involving first time service?

Choose an item.

If yes, describe how:

**Urgent Need.** If the entity is requesting Urgent Need funding, please provide a description of circumstances that justify urgent need support, and a timeline of expected project activity.

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

**Project Information Form (PIF)**

**Section 5. RATING CRITERIA FOR POTW PROJECTS**

- Publicly Owned Treatment Works Projects: Fill out **Section 5**.
- Nonpoint Source Pollution Control Projects: Proceed to **Section 6**.
- Estuary Management Projects: Proceed to **Section 7**.

		Yes	No
<b>A.</b>	<b>Enforcement Action</b> Is the work required by a schedule that is imposed by court order, Environmental Protection Agency (EPA) administrative order, Texas Commission on Environmental Quality (TCEQ) Notice of Enforcement or Agreed Order, or participation in the TCEQ's SSO Initiative? If "Yes," attach a copy of the order or SSO plan.	<input type="checkbox"/>	<input type="checkbox"/>
<b>B.</b>	<b>Unserved Area</b> 1. Does the project involve extending service (centralized or alternative system) to populated areas of an existing developed community that are not served by a centralized collection system? 2. Has a public health official found that a nuisance dangerous to public health and safety exists resulting from water supply and sanitation problems in the area to be served by the project? If "Yes," attach a letter from a Designated Agent licensed by the TCEQ or a registered sanitarian from the Texas Department of State Health Services that documents the nuisance. 3. If the proposed project is providing service to areas currently using on-site sewage facilities (OSSF), please provide the number of on-site systems to be removed from service.	<input type="checkbox"/>   <input type="checkbox"/>  Enter Number	<input type="checkbox"/>   <input type="checkbox"/>  
<b>C.</b>	<b>Watershed Protection Plan</b> Is a water body impacted by the proposed project listed in a Watershed Protection Plan that is under development or has been accepted by the TCEQ or Texas State Soil and Water Conservation Board (TSSWCB)? If "Yes," attach the cover page, table of contents, and highlighted page(s) from the plan that clearly identify(ies) the water body and how the project will implement an element of the plan.	<input type="checkbox"/>	<input type="checkbox"/>
<b>D.</b>	<b>Innovative and Alternative</b> 1. Will the project include innovative or alternative collection or treatment technology, as defined below? <ul style="list-style-type: none"> <li><b>Alternative Technology</b> Proven wastewater management techniques that provide for the reclaiming and reuse of water, productively recycle wastewater constituents, or recover energy. Specifically, alternative technology includes land application of effluent and sludge, aquifer recharge, aquaculture, direct reuse, horticulture, revegetation of disturbed land, containment ponds, sludge composting and drying prior to land application, self-sustaining incineration, methane recovery, individual and onsite systems, and small diameter pressure and vacuum sewers and small diameter gravity sewers carrying partially or fully treated wastewater.</li> <li><b>Innovative Technology</b> Nonconventional methods of treatment, such as rock reed, root zone, ponding, irrigation, or other technologies, which represent a significant advance in the state of the art.</li> </ul> 2. For stormwater projects required under an NPDES permit, will the proposed project treat or minimize urban stormwater pollution discharges using any of the following innovative approaches: decentralized or distributed stormwater controls; low impact development technologies and nonstructural approaches; stream buffers; wetland restoration and enhancement; actions to minimize the quantity of and direct connections to impervious surfaces; or soil, vegetation, or other permeable materials? <b>Note:</b> Stormwater projects that are not specifically part of a NPDES permit may be considered NPS projects.	<input type="checkbox"/>          <input type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>
<b>E.</b>	<b>More Stringent Effluent Limits</b> Does the project involve more stringent permit limitations? This can include conversion to a no-discharge or partial reuse facility to avoid a higher level of treatment. If "Yes," attach a copy of the new discharge permit or a letter from the TCEQ stating the new limits.	<input type="checkbox"/>	<input type="checkbox"/>

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

**Project Information Form (PIF)**

Section 5. RATING CRITERIA FOR POTW PROJECTS (Continued)			
<b>F.</b>	<b>Regional Projects</b>		
	1. Does the project result in removing one or more existing WWTPs from service, thereby reducing the number of plant outfalls?	<input type="checkbox"/>	<input type="checkbox"/>
	2. Is the project a trunk sewer that will convey wastewater from a plant that will be removed from service to an existing treatment plant?	<input type="checkbox"/>	<input type="checkbox"/>
	3. Is the project a trunk sewer to an existing or developing area that will convey wastewater to an existing WWTP, thereby avoiding the construction of a separate treatment facility?	<input type="checkbox"/>	<input type="checkbox"/>
	4. Will the project expand an existing regional facility to receive flow from another community rather than create or continue use of a separate wastewater treatment facility?	<input type="checkbox"/>	<input type="checkbox"/>
If "Yes" to any of the above questions, attach a map showing the existing service area along with the proposed expanded or altered service areas resulting from this project.			
<b>G.</b>	<b>Demand Reduction</b>		
	Will a majority of the funds being requested for the project be used to implement measures to reduce the demand for publicly owned treatment works capacity through water conservation, efficiency, or reuse? If yes, please explain below.	<input type="checkbox"/>	<input type="checkbox"/>
<b>H.</b>	<b>Planning Assistance (for qualified non-profit entities only holding a Federal tax-exempt status)</b>		
	Will a majority of the funds being requested from the CWSRF be used to assist owners and operators of small and medium publicly owned treatment works to either (a) plan, develop, and obtain financing for eligible CWSRF projects, including planning, design, and associated pre-construction activities; or (b) assist such treatment works in achieving compliance with the Federal Water Pollution Control Act? If yes, please explain below.	<input type="checkbox"/>	<input type="checkbox"/>

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

## Project Information Form (PIF)

### Section 5. RATING CRITERIA FOR POTW PROJECTS (Continued)

I.	Wastewater Treatment Plant Parameters	Yes	No
	1. Does the project result in abandoning or relieving a WWTP and diverting flow to another facility? If "Yes," complete Questions I.2 and I.3. If "No," complete only Question I.2.	<input type="checkbox"/>	<input type="checkbox"/>
	2. Provide the following data for the facility to be abandoned or relieved of flow, or the plant serving the project.		
	WWTP Name		
		TCEQ Permit #	
		NPDES #	
	No-Discharge Facility?	<div style="display: flex; justify-content: space-around;"> <span>Yes</span> <span>No</span> </div> <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> <input type="checkbox"/> </div>	If "No," identify the Discharge Segment
		Current Permit Limits	Proposed Permit Limits
	Average Daily Flow		
	Peak 2-Hour Flow		
	CBOD/BOD		
	TSS		
	Chlorination		
	Nitrogen		
	Phosphorus		
	DO		
	Dechlorination		
	Status of Permit Application		
	3. If "Yes" to Question I.1 above, provide the following data for the facility to receive diverted flow.		
	WWTP Name		
		TCEQ Permit #	
		NPDES #	
	No-Discharge Facility?	<div style="display: flex; justify-content: space-around;"> <span>Yes</span> <span>No</span> </div> <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> <input type="checkbox"/> </div>	If "No," identify the Discharge Segment
			No-Discharge Facility?
		Current Permit Limits	Proposed Permit Limits
	Average Daily Flow		
	Peak 2-Hour Flow		
	CBOD/BOD		
	TSS		
	Chlorination		
	Nitrogen		
	Phosphorus		
	DO		
	Dechlorination		
	Status of Permit Application		

Proceed to Section 8.

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

## Project Information Form (PIF)

### Section 6. RATING CRITERIA FOR NPS PROJECTS

This section should only be completed for Nonpoint Source Pollution Control Projects. For eligibility criteria, please refer to the Project Information Form Guidance.

		Yes	No
<b>A. Public Health Threat</b>	Has a public health official found that a nuisance dangerous to public health and safety exists resulting from water supply and sanitation problems in the area to be served by the proposed project? If <b>"Yes,"</b> attach a letter from a Designated Agent licensed by the TCEQ or a registered sanitarian from the Texas Department of State Health Services that documents the nuisance.	<input type="checkbox"/>	<input type="checkbox"/>
<b>B. Groundwater Threat</b>	Does a threat exist to an aquifer or groundwater that may be impacted by the proposed project? If <b>"Yes,"</b> attach any studies or other documentation needed to show that a threat exists.	<input type="checkbox"/>	<input type="checkbox"/>
<b>C. Watershed Protection Plan</b>	Is a water body impacted by the proposed project listed in a Watershed Protection Plan that is under development or has been accepted by the TCEQ or TSSWCB? If <b>"Yes,"</b> attach the cover page, table of contents, and highlighted page(s) from the plan that clearly identify(ies) the water body and how the project will implement an element of the plan.	<input type="checkbox"/>	<input type="checkbox"/>
<b>D. Impaired Water Body</b>	The proposed project impacts a water body that does not meet applicable water quality standards. (refer to water bodies listed as Category 4a, 5a, 5b, or 5c in the latest Watershed Action Planning Strategy Table at <a href="http://www.tceq.texas.gov/assets/public/waterquality/wap/wap_allbasins.pdf">www.tceq.texas.gov/assets/public/waterquality/wap/wap_allbasins.pdf</a> ). Projects impacting water bodies with TMDL Implementation Plans (TMDL/I-Plans) will be awarded additional points.	<input type="checkbox"/>	<input type="checkbox"/>
	If entity answered <b>"Yes"</b> , to <b>D.</b> , identify the discharge segment impacted by the proposed project.		
<b>E. Low Impact Development</b>	Does the project include stream bank restoration or contain elements of Low Impact Development, such as vegetated filter strips, bio-retention, rain gardens, or porous pavement?	<input type="checkbox"/>	<input type="checkbox"/>

**Reminder:** Submit information that documents that the project meets the NPS eligibility criteria.

Proceed to Section 8.

### Section 7. RATING CRITERIA FOR ESTUARY MANAGEMENT PROJECTS

This section should only be completed for Estuary Management projects. All estuary management projects must be consistent with the management plan of either the Coastal Bend Bays & Estuaries Program ([cbbep.org](http://cbbep.org)) or the Galveston Bay Estuary Program ([gbep.state.tx.us](http://gbep.state.tx.us)).

		Yes	No
Is the proposed project consistent with one or more of the following objectives?			
<b>A.</b>	Restore, protect, and enhance coastal natural resources?	<input type="checkbox"/>	<input type="checkbox"/>
<b>B.</b>	Improve water quality?	<input type="checkbox"/>	<input type="checkbox"/>
<b>C.</b>	Enhance public access?	<input type="checkbox"/>	<input type="checkbox"/>
<b>D.</b>	Improve onshore infrastructure and environmental management?	<input type="checkbox"/>	<input type="checkbox"/>
<b>E.</b>	Mitigate erosion and stabilize shorelines?	<input type="checkbox"/>	<input type="checkbox"/>
<b>F.</b>	Educate the public on the importance of coastal natural resources?	<input type="checkbox"/>	<input type="checkbox"/>

**Reminder:** Submit information that documents that the project meets the estuary management eligibility criteria.

### Section 8. ADDITIONAL RATING CRITERIA

	Yes	No
<b>Stormwater Reduction</b> Will a majority of the funds being requested from the CWSRF be used to implement innovative approaches to manage, reduce, treat, or recapture stormwater or subsurface drainage water? If yes, please explain.	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reuse and Recycling</b> Will a majority of the funds being requested from the CWSRF be used to implement reuse or recycling wastewater, stormwater, or subsurface drainage water? If yes, please explain below.	<input type="checkbox"/>	<input type="checkbox"/>



Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

**Project Information Form (PIF)**

**Section 9. RATING CRITERIA FOR ALL PROJECTS—EFFECTIVE MANAGEMENT**

A.	Asset Management	Yes	No
1.	<p><b>a.</b> In the past 5 years, has an asset management plan been adopted by the entity's governing body that incorporates an inventory of all assets, an assessment of the criticality and condition of the assets, a prioritization of capital projects needed, and a budget? <i>Note: Asset management plans must have been adopted within a 5-year period (60 months) prior to the date TWDB receives this PIF.</i></p> <p>If <b>"Yes,"</b> attach 1) the cover page and table of contents of the entity's adopted or approved asset management plan and 2) the highlighted pages from the plan that clearly identify each of the above-referenced elements. <i>Note: A Capital Improvement Plan (CIP) alone does not constitute an asset management plan.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><b>b.</b> If <b>"No"</b> to Question A.1.a., is the entity planning to prepare an asset management plan as part of the proposed project? If so, include language in the Project Description (Section 4) that states this.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Assistance with establishing an asset management plan is offered through TCEQ's Financial, Managerial, and Technical (FMT) contract. Contact TCEQ, at 512-239-4691 or <a href="mailto:fmt@tceq.texas.gov">fmt@tceq.texas.gov</a> to schedule a meeting.</p>			
2.	<p>Has asset management training been administered to the entity's governing body and employees? If <b>"Yes,"</b> attach the following information for each trainee: name, title/position, date of training, course name, and name of organization that conducted the training.</p>	<input type="checkbox"/>	<input type="checkbox"/>
B.	<b>Water Conservation</b>		
	<p>Does the proposed project address specific targets, goals, or measures in a water conservation or drought contingency plan that has been adopted by the entity's governing body within the past 5 years? <i>Note: Plans must have been adopted within a 5-year period (60 months) prior to the date TWDB receives this PIF.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>If <b>"Yes,"</b> 1) list the targets, goals, or measures to be supported; 2) describe how they will be addressed by the proposed project; 3) enter the estimated cost of the water conservation measures of the proposed project; AND 4) attach the cover page, table of contents, and highlighted pages from the plan that clearly identify the project-related targets, goals or measures.</p> <ul style="list-style-type: none"> <li>For questions regarding water conservation plans, contact <a href="mailto:wcpteam@twdb.texas.gov">wcpteam@twdb.texas.gov</a> or 512-463-7988, or visit the Municipal Water Conservation Plans web page at <a href="http://www.twdb.texas.gov/conservation/municipal/plans/index.asp">www.twdb.texas.gov/conservation/municipal/plans/index.asp</a>.</li> <li>Information on drought contingency planning can be found online at <a href="https://www.tceq.texas.gov/permitting/water_rights/wr_technical-resources/contingency.html">https://www.tceq.texas.gov/permitting/water_rights/wr_technical-resources/contingency.html</a>.</li> </ul> <p><i>Note: Entities seeking financial assistance in excess of \$500,000 must submit a water conservation plan during the application phase.</i></p>			
C.	<b>Energy Efficiency</b>		
	<p>Does the proposed project address specific goals in a system-wide or plant-wide energy assessment, audit, or optimization study that has been conducted within the past three years? If <b>"Yes,"</b> attach the highlighted pages from the energy assessment, audit, or optimization study that clearly identify the goals to be addressed by the project.</p>	<input type="checkbox"/>	<input type="checkbox"/>

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

**Project Information Form (PIF)**

**Section 9. RATING CRITERIA FOR ALL PROJECTS—EFFECTIVE MANAGEMENT (Continued).**

D.	<b>Implementation of Water Plans</b>	Yes	No
	Does the proposed project implement elements contained in a state or regional water plan, integrated water resource management plan, regional facility plan, regionalization or consolidation plan, finalized Economically Distressed Areas Program (EDAP) facility plan, or a total maximum daily loads (TMDL) implementation plan?	<input type="checkbox"/>	<input type="checkbox"/>
	<p>If “Yes,” 1) list the plan name and sponsor; 2) list the elements of the plan to be implemented; and 3) attach the cover page, table of contents, and highlighted pages featuring the relevant information from the plan that clearly identify the elements to be implemented.</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>		
E.	<b>Cybersecurity Awareness</b>	Yes	No
	In the past 5 years, has a Cybersecurity Awareness Plan been adopted by the entity's governing body? If "Yes," attach the cover page, table of contents, and highlighted pages of the entity's adopted cybersecurity awareness plan.	<input type="checkbox"/>	<input type="checkbox"/>

**Section 10. GREEN PROJECT INFORMATION**

For assistance in responding to this section, see the CWSRF Green Project Guidance (TWDB-0161) available online at <a href="http://www.twdb.texas.gov/financial/instructions/doc/TWDB-0161.pdf">http://www.twdb.texas.gov/financial/instructions/doc/TWDB-0161.pdf</a> .		Yes	No
<b>A.</b>	Does the proposed project contain, either partially or completely, green elements as defined by the Green Project Information Worksheets?	<input type="checkbox"/>	<input type="checkbox"/>
If “No,” proceed to Section 11.			
<b>B.</b>	Enter the estimated cost of the green portion of the proposed project.		
<b>C.</b>	Describe and justify in the space below the green elements of the proposed project. Add additional sheets as necessary. If available, attach a green business case.		

**Section 11. REFINANCING**

<b>CWSRF funds may be used to refinance projects that have been completed utilizing other funding sources outside of the TWDB.</b>	Yes	No
Will CWSRF funds be used to refinance existing debt related to this project and received from a source other than the TWDB?	<input type="checkbox"/>	<input type="checkbox"/>

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

**Project Information Form (PIF)**

Section 12. READINESS TO PROCEED TO CONSTRUCTION			
<b>A.</b>	<b>Permitting</b>	<b>Yes</b>	<b>No</b>
	Have permits necessary for construction been acquired; in particular, TCEQ wastewater discharge permit for wastewater treatment plant construction or wastewater reuse authorization (if applicable)? <ul style="list-style-type: none"> <li>If <b>"Yes,"</b> please provide the permit name(s) in the space below.</li> <li>If <b>"No,"</b> identify in the space below each federal, state, or local permit, license, or other authorizations needed for the project to proceed to construction and the status of each.</li> </ul> <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>
<b>B.</b>	<b>Land Acquisition</b>		
	Have all land acquisitions and easements necessary to complete the project been obtained?	<input type="checkbox"/>	<input type="checkbox"/>
	If <b>"No,"</b> please explain in the space below and provide an anticipated completion date.	Completion Date	
<b>C.</b>	<b>Design</b>	<b>Yes</b>	<b>No</b>
	1. Have you completed the design process including full development of plans and specifications? (If <b>"No,"</b> proceed to Question 2. If <b>Yes</b> , proceed to Section D).	<input type="checkbox"/>	<input type="checkbox"/>
	2. Has design work <b>progressed beyond preliminary design</b> ? If so, please provide the completion date. Completed preliminary design documents must consist of the following: <ul style="list-style-type: none"> <li>Design criteria, preliminary drawings, outline of specifications, written descriptions of the project, and updated opinion of probable cost.</li> <li>Project sites are plotted on site maps, the site has been surveyed, geotechnical analysis of site is complete, facility sizing is complete, and process schematics are complete.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
	For rehab projects, the above is complete, meaning the details as to what linework portions and what plant components are to be rehabbed are well defined.	Completion Date	
	3. Will design work be initiated after the TWDB releases design funds for this project?	<input type="checkbox"/>	<input type="checkbox"/>

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

**Project Information Form (PIF)**

Section 12. READINESS TO PROCEED TO CONSTRUCTION (continued)				
D. Environmental Review			Yes	No
<p>Only answer "Yes" to <b>ONE</b> of the following four questions:</p>	<p>1. Have you received a Finding of No Significant Impact (FNSI), Categorical Exclusion (CE), a Record of Decision (ROD), or an environmental determination prepared by another entity in compliance with the National Environmental Policy Act (NEPA) for this project? For projects that may qualify for a FNSI, please review <a href="#">31 TAC §371.44</a>; or that require a CE, review <a href="#">31 TAC §371.43</a>; or that require a ROD, review <a href="#">31 TAC §371.49</a>; or that have a determination by another entity, review <a href="#">31 TAC §371.51</a>.</p>		<input type="checkbox"/>	<input type="checkbox"/>
	<p>If "Yes," provide Issuer (Agency) and date of issuance(s):</p>	<p><b>Issuer (Agency)</b></p>	<p><b>Date of Issuance</b></p>	
	<p>2. If an environmental finding has not been issued, does your project meet the criteria to receive Categorical Exclusion as defined at <a href="#">31 TAC §371.42</a>?</p>		<input type="checkbox"/>	<input type="checkbox"/>
	<p>3. Can you submit an environmental report with the completed loan application that documents coordination with agencies has proceeded sufficiently to determine that no major issues remain?</p>		<input type="checkbox"/>	<input type="checkbox"/>
	<p>4. Will the environmental review be initiated after the TWDB releases planning funds for this project?</p>		<input type="checkbox"/>	<input type="checkbox"/>
E. Does the project have an approved Engineering Feasibility Report?			<input type="checkbox"/>	<input type="checkbox"/>
F. Construction Phase (Estimated start date for first contract and estimated completion date for last contract)		<p><b>Start Date</b></p>	<p><b>Completion Date</b></p>	
G. Project Bidding and Contracts				
<p>Will the proposed project be ready to advertise for construction bids immediately following a funding commitment for construction costs?</p>			<input type="checkbox"/>	<input type="checkbox"/>
<p>If you are seeking reimbursement for eligible planning and/or design costs, was the work performed in compliance with applicable state law and federal crosscutters, including procurement following Disadvantaged Business Enterprise (DBE) requirements? For more information on DBE, please visit <a href="http://www.twdb.texas.gov/finance/programs/DBE/index.asp">http://www.twdb.texas.gov/finance/programs/DBE/index.asp</a></p>			<input type="checkbox"/>	<input type="checkbox"/>
<p>How many months will it take to close the loan after receiving a funding commitment? Projects deemed ready to proceed to construction must be able to expend funds quickly after receiving a funding commitment.</p>			<input type="checkbox"/> N/A	
			<p>Months</p>	

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

## Project Information Form (PIF)

Name of Entity:

### Section 13. ESTIMATED COSTS

Cost Category		(a) Planning	(b) Acquisition	(c) Design	(d) Construction	(e) Total (a)+(b)+(c)+(d)
<b>Check the phase(s) for which CWSRF funding is desired</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
A.	POTW Project: Treatment Project					
B.	POTW Project: Collection Project					
C.	NPS Project					
D.	Estuary Management Project					
E.	Engineering					
F.	General, Legal, Financial					
G.	Contingency					
H.	Other (Describe Cost)					
I.	Subtotal (Add Lines A-H)					
J.	Financing from Local Funds					
K.	Financing from Other Sources					
L.	Total, SRF-Funded Amount (Subtract Lines J and K from Line I)					

**Note: A loan origination fee will be applied to any committed loan amount.**

One-Time Commitment

☐

**Up to date financial audits for your entity are required for funding to be awarded.**

Are Audits up to date?

Select.

Enter the year of entity's most recent completed financial audit?

Enter date.

The last rate increase was completed in?

Enter date.

Texas Water Development Board (TWDB)  
Clean Water State Revolving Fund (CWSRF)

Item 3D.

**Project Information Form (PIF)**

Section 14. (Continued) ESTIMATED COSTS	
Printed Name and Title of Entity's Authorized Representative	Telephone Number
	XXX-XXX-XXXX
Signature of Entity's Authorized Representative	Date (mm/dd/yyyy)
<div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">X</div> <div style="border-bottom: 1px solid black; width: 300px; margin-bottom: 5px;"></div> <div>Authorized Representative</div>	<div>Enter date.</div>
If the grand total (Section 10, Line P) is <b><u>less than or equal to \$100,000</u></b> , include: <ul style="list-style-type: none"> <li>Statement establishing the basis for the project cost.</li> <li>Signature of system operator.</li> </ul>	If the grand total (Section 10, Line P) is <b><u>greater than \$100,000</u></b> , include: <ul style="list-style-type: none"> <li>Seal of registered Professional Engineer.</li> <li>Signature of registered Professional Engineer.</li> </ul>
<div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">X</div> <div style="border-bottom: 1px solid black; width: 300px; margin-bottom: 5px;"></div> <div>System Operator</div>	<div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">X</div> <div style="border-bottom: 1px solid black; width: 300px; margin-bottom: 5px;"></div> <div>Professional Engineer</div>
System Operator's Statement	Seal of registered Professional Engineer

This form must be completed in full to be considered for rating and inclusion in the CWSRF Program IUP.

Incomplete forms will prevent projects from being rated.

For questions, contact: [CWSRF@twdb.texas.gov](mailto:CWSRF@twdb.texas.gov)

A Disadvantaged Community Worksheet must be submitted to be considered for CWSRF Disadvantaged Community Funding. TWDB staff will utilize the information provided on this worksheet to determine if the entity meets the eligibility criteria.

**Note:** Information that is not submitted as requested will not be considered.

### Section 1. ELIGIBILITY CRITERIA

**Eligibility for the entire service area:** The entity's service area meets the criteria for a disadvantaged community if the Annual Median Household Income (AMHI) for the entity's service area is less than or equal to 75% of the state's AMHI (see [Census Data Search \(WRD-284\)](#) and

- A. the household cost factor (HCF) is greater than or equal to 1.0% if the service area is charged for either water or sewer service (whichever is applicable), **or**
- B. the household cost factor (HCF) is greater than or equal to 2.0% if the service area is charged for both water and sewer service.

**Eligibility for a portion of service area:** A portion of an entity's service area meets the criteria for a disadvantaged community if the AMHI for that portion is less than or equal to 75% of the state's AMHI, **and**

- A. the household cost factor (HCF) is greater than or equal to 1.0% if the entire service area is charged for either water or sewer service (whichever is applicable), **or**
- B. the household cost factor (HCF) is greater than or equal to 2.0% if the entire service area is charged for both water and sewer service.

### Section 2. SERVICE AREA

Indicate whether the entity is pursuing disadvantaged status for either the entire service area or a portion of its service area. For entire service area projects, a map depicting the service area boundaries with major features (highways, census boundaries, city limit boundaries, etc.) **must** be included for eligibility. Entities are allowed disadvantaged eligibility for a portion of a service area if that portion meets annual median household income (AMHI) and household cost factor (HCF) thresholds pursuant to SRF rules. For portion of a service area eligibility, a map depicting the location of proposed new household connections (to existing homes) within the portion of an entity's service area **must** be included for eligibility.

Entire Service Area

☐

Portion of a Service Area

☐

### Section 3. SOURCE SOCIOECONOMIC DATA

**Identify the source(s) for the socioeconomic data to be entered in Section 4.**

Follow the steps in [Census Data Search \(WRD-284\)](#) to find data. Census data is based on the most recent available American Community Survey (ACS) 5-year Estimates.

U.S. Census Bureau Data	County, City, Town, or Census Designated Place:	Most recent (5-year) ACS <sup>1</sup>	<input type="checkbox"/>	
		The prior (5-year) ACS (for Population) <sup>1</sup>	<input type="checkbox"/>	
	Incongruous Census and Service Area Boundaries	Summary File 5-year block group data: Must provide a table that shows prorated data according to the example table in <a href="#">Census Data Search (WRD-284)</a> .	<input type="checkbox"/>	
TWDB-Approved Survey	An entity must submit documentation that substantiates the inadequate or absent census data that led to the need to conduct a survey. All entities must obtain prior approval to use survey data instead of the most recent available American Community Survey data. Previously completed surveys, including surveys completed for funding from other sources, will be rejected if they do not follow survey methods listed in the latest version of the <a href="#">Socioeconomic Survey Guidelines (WRD-285)</a> . An approved survey may be considered valid for the five (5) year period (60 months) prior to the date the TWDB receives the Project Information Form.			<input type="checkbox"/>
	Date of Survey:	Enter date.		

### Section 4. SOCIOECONOMIC DATA

Annual Median Household Income (AMHI)		Unemployment Rate (UR)		
Average Household Size (AHS)		Population	Prior (5-year) ACS <sup>1</sup>	
			Current (5-year) ACS <sup>1</sup>	

<sup>1</sup> Population Adjustment: For SFY 2026 use the 2020 ACS 5-year estimate for Prior population and use the 2023 ACS 5-year estimate for Current population; for SFY 2025 use the 2018 ACS 5-year estimate for Prior population and use the 2022 ACS 5-year estimate for Current population

## Section 5. AVERAGE ANNUAL WATER AND SEWER COSTS

Using the Average Household Size entered in Section 4 and the entity's current rate structure, calculate the entity's average annual water and sewer costs. This information will be factored into the entity's affordability calculations.

Average Monthly Water Flow per Household		Average Monthly Sewer Flow per Household	
A. Avg. monthly gallons per person	2,325	L. Avg. monthly gallons per person	1,279
B. Avg. household size (for the entire service area)		M. Avg. household size (for the entire service area)	
C. Avg. monthly water flow per household (AxB)		N. Avg. monthly sewer flow per household (LxM)	
Average Monthly Water Bill		Average Monthly Sewer Bill	
D. Avg. monthly water flow per household (C)		O. Avg. monthly sewer flow per household (N)	
E. Initial base water rate (first <input type="text"/> gallons)		P. Initial base sewer rate (first <input type="text"/> gallons)	
F. Additional rate (each add'l. <input type="text"/> gallons)		Q. Additional rate (each add'l. <input type="text"/> gallons)	
If system utilizes a tiered billing structure, attach additional rates with this worksheet. Base Line H on tiered structure.		If system utilizes a tiered billing structure, attach additional rates with this worksheet. Base Line S on tiered structure	
G. Other charges (e.g., taxes, surcharges, or other fees) used to subsidize the water system		R. Other charges (e.g., taxes, surcharges, or other fees) used to subsidize the sewer system	
H. Calculate avg. monthly water bill		S. Calculate avg. monthly sewer bill	
Average Annual Water Bill		Average Annual Sewer Bill	
I. Avg. monthly water bill (H)		T. Avg. monthly sewer bill (S)	
J. Number of months in a year	12	U. Number of months in a year	12
K. Avg. annual water bill (IxJ)		V. Avg. annual sewer bill (TxU)	

## Section 6. ANNUAL LOAN COST

Using the current market rate of 3.95% and a financial assistance term of 20 years, amortize the requested grand total and submit a copy of the amortization schedule with this form. This information will be factored into the entity's affordability calculations.

W. Annual payment on SRF loan (from amortization schedule)	
X. Total household connections (from Section 2 of Project Information Form)	
Y. Annual loan cost per customer (W/X)	

## Section 7. AFFORDABILITY ADJUSTMENTS

Using the Unemployment Rate (UR) and Population Trends based on the ACS 5-year Surveys (Section 4), calculate the Household Cost Factor (HCF) adjustments for affordability criteria. Unemployment Rate Adjustment may not exceed an HCF increase of 0.75; and Population Adjustments may not exceed an HCF increase of 0.5

Z. Unemployment Rate Adjustments ( $[UR - \text{State}^1 / \text{State}^1] * 2$ ) (Only use if a positive amount)	
AA. Population Adjustments $[(\text{Prior Population} - \text{Current Population}) / \text{Prior Population}] * 6.7$ (Only use if positive amount, i.e., a decline)	

Population Adjustment: For SFY 2026 use the 2020 ACS 5-year estimate for Prior population and use the 2023 ACS 5-year estimate for Current population; for SFY 2025 use the 2018 ACS 5-year estimate for Prior population and use the 2022 ACS 5-year estimate for Current population

## Section 8. HOUSEHOLD COST FACTOR

If your utility provides water or sewer service, the minimum required Household Cost Factor (HCF) must be greater than or equal to 1.00%. If your utility provides water and sewer service, the minimum required HCF must be greater than or equal to 2.00%. If the HCF does not meet the minimum required HCF, do not submit this worksheet.

BB. Household Cost Factor $[(K+V+Y)/AMHI]+Z+AA$	
---	--

<sup>1</sup>State of Texas Unemployment Rate (Most recently available ACS 5-year Estimates) For SFY 2026 use 2020 as Prior and 2023 as Current; for SFY 2025 use 2018 as Prior and 2022 as Current.





December 18, 2024

## Clean and Drinking Water State Revolving Funds Project Priority Invitation State Fiscal Year 2026

The Texas Water Development Board (TWDB) invites entities to submit information on projects to be included in the upcoming state fiscal year's State Revolving Fund programs' "General Activities" Intended Use Plans.

**Project information forms (PIFs) must be received by Friday, March 7, 2025, at 5:00 p.m. CST.**

To be included in the initial project priority list for **State Fiscal Year (SFY) 2026**, entities must submit a completed PIF one of two ways:

- 1) via TWDB's [Online Loan Application](#) (OLA) system, or
- 2) by emailing the [Microsoft Word version](#) of the CWSRF PIF to [CWSRF@twdb.texas.gov](mailto:CWSRF@twdb.texas.gov) or the Microsoft Word Version of the DWSRF PIF to [DWSRF@twdb.texas.gov](mailto:DWSRF@twdb.texas.gov).

PIFs submitted last year must be updated to be included in the SFY 2026 Intended Use Plan project priority lists. You may update your PIF in OLA or submit updated forms via email.

For assistance in completing a PIF, watch the "[How to fill out a Project Information Form](#)" webinar and/or review the **SRF Project Information Form Guidelines** found on our [website](#) under Project Information Form Guidance.

The Clean and Drinking Water State Revolving Funds financial assistance programs help communities save money by providing cost-effective funding for wastewater and water infrastructure projects. Entities that use these programs achieve substantial savings by receiving below-market interest rates and, in some instances, principal forgiveness. Principal forgiveness may be available for entities that qualify as disadvantaged communities, small/rural disadvantaged systems, very disadvantaged communities, first-time service, projects with green components, very small systems or urgent need situations.

For assistance regarding the Clean Water State Revolving Fund, please contact Moises Madrid at 512-475-1645. For assistance regarding the Drinking Water State Revolving Fund program, please contact Heather O'Keefe at 512-475-1835. You can also email the respective programs at [CWSRF@twdb.texas.gov](mailto:CWSRF@twdb.texas.gov) or [DWSRF@twdb.texas.gov](mailto:DWSRF@twdb.texas.gov).

# Texas Water Development Fund (DFund)

## [TWDF Program Information Sheet](#)

**The TWDB is no longer accepting applications for the Texas Water Development Fund (DFund) for this cycle. Entities that are interested in this program should contact a Regional Water Project Development Team Manager about future funding opportunities.**

### 1. What can the program do for you?

The Water Development Fund (DFund) is a state funded loan program that does not receive federal subsidies and is not subject to federal crosscutters. The DFund enables the Board to fund multiple eligible components in one loan to our borrowers, e.g. an application for funding of water and wastewater components can be processed in a single loan.

### 2. Who can borrow?

Eligible applicants for the DFund include all political subdivisions of the state (at tax exempt rates) and nonprofit water supply corporations (at taxable rates). Political subdivisions include cities, counties, districts, and river authorities. (See additional eligibility Special Requirements below).

### 3. What types of projects can I use the loan funding for?

Financial assistance for **water supply** projects may include planning, design, and construction for:

- wells
- retail distribution and wholesale transmission lines
- system acquisitions
- pumping facilities
- storage reservoirs and tanks
- water treatment plants
- purchase of water rights

Financial assistance for **wastewater** projects may include planning, design, and construction for:

- sewer treatment plants
- collection systems
- system acquisitions
- nonpoint source pollution abatement
- development of new municipal solid waste disposal facilities

Financial assistance for **flood control** may include structural and nonstructural flood protection improvements such as:

- construction of storm water retention basins
- enlargement of stream channels
- modification or reconstruction of bridges
- acquisition of floodplain land for use in public open space

- relocation of residents of buildings removed from a floodplain
- public beach re-nourishment
- flood warning systems
- control of coastal erosion
- development of flood management plans

#### 4. Are loans and grants offered?

Due to statutory limitations, only loans are offered through the DFund. The interest rate on a DFund loan varies depending on market conditions. The lending rate scales are set at approximately the TWDB's borrowing cost. The lending rates are intended to provide reasonable rates for TWDB customers while covering the TWDB's cost of funds and risk exposure.

Current [interest rates](#) are available.

#### 5. What project components can I receive funding to complete?

The pre-design funding option is available for most water supply, treatment, and wastewater projects and allows an eligible applicant to receive a loan commitment on the basis of preliminary engineering, environmental, economic, and social information. Funds for completing detailed planning, including environmental studies, are provided at closing, whereas funds for design, preparation of final plans and specifications, and construction are placed in escrow until needed.

If the pre-design funding option is not used, applicants seeking only construction phase funding must develop plans and specifications and have them approved by TWDB staff, obtain all necessary permits, and open bids prior to closing the loan.

#### 6. How much funding is available?

The TWDB will sell bonds as needed to obtain proceeds for DFund which will be used to fund loans for our applicants.

#### 7. When can I apply?

The first step in the application process is to schedule a pre-application conference with your [Regional Project Implementation Team](#) to discuss the project's eligibility. The purpose of the conference is to discuss the proposed project and receive any needed guidance and assistance. For tax-exempt borrowers, the applicant, the applicant's financial advisor, and the applicant's consulting engineer should attend this conference. Requesting a preapplication conference does not in any way obligate an applicant to continue the process.

#### 8. What are the Conditions of Financial Assistance?

For detailed information of the [Conditions of Financial Assistance](#)

## Special Requirements

- Water supply projects must be consistent with the current TWDB State Water Plan.
- Water Use Survey response for the previous three years must be on file for the applicant ([31 TAC §358.5](#)). Applicants that are wholesalers only are exempt from this requirement. Your survey response

status is available [here](#). To complete missing water use surveys, please visit the [Water Use Surveys](#) webpage.

Item 3D.

- Entities receiving assistance greater than \$500,000 must adopt a water conservation and drought contingency plan.
- U.S. Iron and Steel Manufactured Goods requirements.
- Review of legislative requirements regarding water loss threshold limits.

## Loan Process



## Where Can I Get More Information?

In order to provide you with a single point of contact at the Texas Water Development Board (TWDB), our project implementation staff is organized into six regional project implementation teams. Each team is led by a manager that serves as the primary point of contact for both our existing and future customers. For assistance with the application or any questions related to your project, please contact your [Regional Project Implementation Team](#).



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Consider and act on Resolution No. R-2025-54, approving the acquisition of certain real property, known as 1311 Walnut Street, being 0.330 acres of land out of Building Block 55 east of Main Street, in the City of Bastrop; authorizing the City Manager to execute a purchase and sale agreement and all other necessary documents for the acquisition of said property for the amount of \$150,000.00 plus applicable closing costs.

**AGENDA ITEM SUBMITTED BY:**

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

**BACKGROUND/HISTORY:**

The City desires to acquire property known as 1311 Walnut Street. The City Council gave the City Manager authority to negotiate and bring back an agreement during the April 23, 2024 City Council meeting.

The property is on the Bastrop County Appraisal rolls at \$155,037. The city's offer is \$150,000 plus closing costs.

The property is part of a long term plan to create an African American Cultural District and incorporate the district into the Comprehensive Plan.

**FISCAL IMPACT:**

The purchase is for \$150,000 plus closing costs and will be funded from the hotel occupancy fund. A budget amendment will be brought forward at the March 11, 2025 regular council meeting.

**RECOMMENDATION:**

Authorize the City Manager to execute a purchase and sale agreement for the real property at 1311 Walnut Street.

**ATTACHMENTS:**

1. Resolution No. R-2025-54
2. Sales Agreement
3. Exhibit A – Metes and Bound Description

## RESOLUTION NO. R-2025-54

**A RESOLUTION OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND ALL OTHER NECESSARY DOCUMENTS FOR THE ACQUISITION OF 1311 WALNUT ST., BEING 0.330 ACRES OF LAND OUT OF BUILDING BLOCK 55, EAST OF MAIN STREET, IN THE CITY OF BASTROP FOR THE AMOUNT OF \$150,000.00 PLUS APPLICABLE CLOSING COSTS; AUTHORIZING EXECUTION OF ALL NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Bastrop, Texas ("City") is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS,** the City Council seeks to preserve the history of the African American Community in the City of Bastrop; and

**WHEREAS,** the purchase of the property will allow the further advancement of the creation of an African American Historical District; and

**WHEREAS,** the Hotel Occupancy Fund can be used for the preservation of historical property; and

**WHEREAS,** the City Council finds that it is necessary and proper to enact this Resolution.

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

**Section 1.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Bastrop, Texas, and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

**Section 2.** The City Council authorizes the City Manager to complete a purchase and sale agreement, attached as Exhibit A.

**Section 3.** Should any portion or part of this Resolution be held for any reason invalid or unenforceable by a court of competent jurisdiction, the same shall not be construed to affect any other valid portion hereof, but all valid portions hereof shall remain in full force and effect.

**Section 4.** This Resolution shall be in full force and effect from and after its passage.

**Section 5.** The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**DULY RESOLVED & ADOPTED** by the City Council of the City of Bastrop, Texas, on this, the 25th day of February, 2025.

**THE CITY OF BASTROP, TEXAS:**

\_\_\_\_\_  
John Kirkland, Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_  
\_\_\_\_\_, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
\_\_\_\_\_, City Attorney

## EXHIBIT A

### PURCHASE & SALE AGREEMENT GUADALUPE BARRAGAN, SYLVIA BARRAGAN, JESSICA COLLETTE ASTORGA BARRAGAN, EVILLED GIOVANNI BARRAGAN AND MARCOS SIMON BARRAGAN AND THE CITY OF BASTROP, TEXAS

This Purchase and Sale Agreement (this “Agreement”) is made and entered into by and between **Guadalupe Barragan, Sylvia Barragan, Jessica Collette Astorga Barragan, Evilledo Giovanni Barragan and Marcos Simon Barragan** (“Seller”) and **THE CITY OF BASTROP, TEXAS**, a Texas Home Rule Municipal Corporation situated in Bastrop County (“Buyer”), and, hereafter collectively referred to as the “Parties,” upon the premises and for the purposes set out herein, and is effective as stated in this Agreement.

WHEREAS, the Sellers are the current owners thereof of the property located at 1311 Walnut Street, Bastrop, Texas, being a 0.33-acre tract of land, more or less, out of Building Block 55, East of Main Street, City of Bastrop, in Bastrop County, Texas, as conveyed to Guadalupe Barragan, Sylvia Barragan, Jessica Collette Astorga Barragan, Evilledo Giovanni Barragan and Marcos Simon Barragan, by Document No. 202122798, as recorded in the Official Public Records of Bastrop County, Texas; and

WHEREAS, Buyer desires to acquire the fee simple interest in the property to serve the City of Bastrop’s drainage and flood mitigation efforts; and

WHEREAS, Seller is willing to convey and Buyer to purchase the real property interests for an agreed price.

NOW, THEREFORE, in exchange for the mutual promises provided herein, the Parties agree as follows:

#### I.

*Purchase and Sale Agreement.* For the Purchase Price, the Seller agrees to sell and convey the following property interests (the “Property”) to the Buyer, and the Buyer agrees to buy and pay the Seller for the Property:

- (i) All rights, title, and interest in the real property and improvements located on approximately 0.33-acre tract of land, more or less, out of Building Block 55, East of Main Street, City of Bastrop, in Bastrop County, Texas, as shown by the plat recorded in Cabinet 1, Page 23A, Plat Records, Bastrop County, Texas, and being that same property as conveyed to Guadalupe Barragan, Sylvia Barragan, Jessica Collette Astorga Barragan, Evilledo Giovanni Barragan and Marcos Simon Barragan, by Document No. 202122798, as recorded in the Official Public Records of Bastrop



County, Texas, as more fully described by metes and bounds and depicted in “**Exhibit A**”, which is attached hereto and incorporated herein as if copied verbatim.

The promises by Buyer and Seller stated in this Agreement are the consideration for the formation of this contract.

## II.

*The Purchase Price.* The total purchase price to the Seller is **ONE HUNDRED FIFTY THOUSAND DOLLARS AND NO/CENTS (\$150,000.00)**, to be paid at closing.

## III.

*Instrument of Conveyance.* The Instrument of Conveyance shall be in substantial conformance with the form and substance as stated in the Deed in “**Exhibit A**”, attached hereto and incorporated herein by reference for all purposes.

## IV.

- A. *Closing Date.* The parties shall close on this transaction within thirty (30) days after the Effective Date.
- B. *Title Commitment, Review, and Title Policy.* Buyer will secure a title commitment (the “Commitment”) for the Property from Independence Title of Bastrop, 301 Highway 71 West, Suite 106, Bastrop, Texas 78602 (the “Title Company”), binding the Title Company to issue a Texas Owner's Policy of Title Insurance on the standard form prescribed by the Texas State Board of Insurance at the Closing in the full amount of the Purchase Price, subject only to any exceptions approved by Buyer. The Commitment will be accompanied by copies or hyperlinks to all of the instruments referred to in the Commitment as exceptions on the title. Within 5 days of receipt of the Commitment, the Buyer will review the Commitment and notify the Seller of any objections the Buyer has to any exceptions in the Commitment. Any matters to which Buyer does not object will be deemed to be accepted. Seller and Buyer will cooperate in good faith to cure any objections made by Buyer within 10 days of notice of such objections. If the Seller is unable to cure the objections, the Buyer may either waive the objections or terminate this Agreement by written notice to the Seller. Buyer, at its expense, will prepare the necessary conveyance documents and will pay all costs related to the closing, including but not limited to the cost of the title insurance premium and of recording all conveyance documents.

- C. Taxes.* General real estate taxes for the then-current year for the Property shall be prorated as of midnight preceding the Closing Date. If the Closing occurs before the tax rate is fixed for the then current year, the apportionment of taxes shall be made upon the basis of the tax rate for the immediately preceding year applied to the latest assessed valuation of the Land and Improvements (“Estimated Prorated Taxes”). Seller’s portion of the Estimated Prorated Taxes shall be paid to Buyer at Closing, and Buyer assumes the responsibility to remit both Seller’s and Buyer’s Estimated Prorated Taxes to the taxing authorities when due. Within 30 days after the actual taxes for the year in which the Closing occurs are determined, Seller and Buyer shall adjust the Estimated Prorated Taxes, and Seller and Buyer, as the case may be, shall pay to the other any amount required as a result of such adjustment and this covenant shall not merge with the Deed delivered hereunder but shall survive the Closing. After adjustment of the Estimated Prorated Taxes to cover the actual prorated taxes, the Buyer will pay the actual prorated taxes to the taxing authorities prior to the date they are due. All special taxes or assessments assessed prior to the Closing Date shall be paid by the Seller.
- D. Notice.* Any notice given under this Agreement must be in writing and may be given: (i) by depositing it in the United States mail, certified, with return receipt requested, addressed to the party to be notified and with all charges prepaid; (ii) by depositing it with Federal Express or another service guaranteeing “next day delivery”, addressed to the party to be notified and with all charges prepaid; or (iii) by personally delivering it to the party, or any agent of the party listed in this Agreement. Notice by United States mail will be effective on the earlier of the date of receipt or three (3) days after the date of mailing. Notice given in any other manner will be effective only when received. For purposes of notice, the addresses of the parties will, until changed as provided below, be as follows:

Buyer: Sylvia Carrillo, City Manager  
City of Bastrop, Texas  
1311 Chestnut Street  
Bastrop, Texas 78602

With a copy to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Seller:

\_\_\_\_\_  
\_\_\_\_\_

---



---

*Severability; Waiver.* If any provision of this Agreement is illegal, invalid, or unenforceable, under present or future laws, it is the intention of the Parties that the remainder of this Agreement not be affected, and, in lieu of each illegal, invalid, or unenforceable provision, that a provision be added to this Agreement which is legal, valid, and enforceable and is similar in terms to the illegal, invalid, or enforceable provision as is possible. Each of the rights and obligations of the Parties hereto are separate covenants. Any failure by a party to insist upon strict performance by the other party of any provision of this Agreement will not be deemed a waiver of such provision or any other provision, and such party may at any time thereafter insist upon strict performance of any and all of the provisions of this Agreement.

- E. No Waiver of Immunities.* Nothing in this Agreement shall be deemed to waive, modify or amend any legal defense available at law or in equity to the Parties hereto, their past or present officers, employees, or agents or employees, nor to create any legal rights or claim on behalf of any third party. Neither party waives, modifies, or alters to any extent whatsoever the availability of the defense of governmental immunity under the laws of the State of Texas and of the United States.
- F. Applicable Law and Venue.* The interpretation, performance, enforcement, and validity of this Agreement is governed by the laws of the State of Texas. Venue will be in a court of appropriate jurisdiction in Bastrop County, Texas.
- G. Entire Agreement.* With the exception of the permits and approvals to be issued in connection with this Agreement, this Agreement contains the entire agreement of the Parties and there are no other agreements or promises, oral or written between the Parties regarding the subject matter of this Agreement.
- H. Amendments.* This Agreement can be amended only by written agreement signed by the Parties. This Agreement supersedes all other agreements between the Parties concerning the subject matter hereof.
- I. Exhibits and Counterparts.* All exhibits referred to in or attached to this Agreement are incorporated into and made a part of this Agreement for all purposes.
- J. Headings, Cooperative Drafting.* The section headings contained in this Agreement are for convenience only and do not enlarge or limit the scope or meaning of the sections. The Parties acknowledge that each of them has been actively and equally involved in the negotiation of this Agreement. Accordingly, the rule of construction that any ambiguities are to be resolved against the drafting

party will not be employed in interpreting this Agreement or any exhibits hereto. If there is any conflict or inconsistency between the provisions of this Agreement and otherwise applicable City ordinances, the terms of this Agreement will control.

- K. Counterparts and Effective Date.* This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original, and all of which will together constitute the same instrument. This Agreement will become effective only when one or more counterparts bear the signatures of all the parties.
- L. Representations and Warranties by Seller.* Seller warrants, represents, covenants, and agrees that Seller has fee simple absolute title to the Property described in **Exhibit A**, and that said Property is free of any liens or other encumbrances that would prevent this sale.
- M. Eligibility Certification.* Seller certifies that the individuals or business entity named in the Agreement is not ineligible to receive the award of or payments under the Agreement and acknowledges that the Agreement may be terminated, and payment withheld if this certification is inaccurate.
- N. Payment of Debt or Delinquency to the State or Political Subdivision of the State.* Seller agrees that any payments owing to Seller under the Agreement may be applied directly toward any debt or delinquency that Seller owes to the City of Bastrop, State of Texas, or any political subdivision of the State of Texas regardless of when it arises, until such debt or delinquency is paid in full.
- O. Texas Family Code Child Support Certification.* Seller certifies that it is not ineligible to receive the award of or payments under the Agreement and acknowledges that the Agreement may be terminated, and payment may be withheld if this certification is inaccurate.
- P. Signature Warranty.* Seller represents and warrants that the persons signing this Agreement are authorized to do so. Buyer represents and warrants that those representatives executing this Agreement on behalf of the City are authorized to do so in the capacities stated.

**EXECUTED** to be effective on the last date signed by both Parties.

**SELLER:**

\_\_\_\_\_  
By: Guadalupe Barragan  
Date: \_\_\_\_\_

\_\_\_\_\_  
By: Sylvia Barragan  
Date: \_\_\_\_\_

\_\_\_\_\_  
By: Jessica Collette Astorga Barragan  
Date: \_\_\_\_\_

\_\_\_\_\_  
By: Evilledo Giovanni Barragan  
Date: \_\_\_\_\_

\_\_\_\_\_  
By: Marcos Simon Barragan  
Date: \_\_\_\_\_

**BUYER:**

**THE CITY OF BASTROP, TEXAS**

\_\_\_\_\_  
By: Sylvia Carrillo, City Manager  
Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
By: Victoria Psenick, Assistant City Secretary

## EXHIBIT "A"

BEING A PORTION OF BUILDING BLOCK NO. 55, MAP OF BASTROP, TEXAS, AN ADDITION TO BASTROP COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 1, PAGE 23-A, PLAT RECORDS, BASTROP COUNTY, TEXAS, BEING ALL THAT CERTAIN TRACT OF LAND DESCRIBED AS TRACT 3 IN A RELEASE OF LIEN DATED MARCH 06, 2017, AS RECORDED IN INSTRUMENT NO. 201703200, OFFICIAL PUBLIC RECORDS, BASTROP COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET WITH CAP STAMPED "PREMIER SURVEYING" AT THE NORTHEAST CORNER OF SAID TRACT 3, SAID IRON ROD BEING THE INTERSECTION OF THE SOUTH LINE OF WALNUT STREET AND THE WEST LINE OF MARTIN LUTHER KING DRIVE;

THENCE SOUTH  $01^{\circ} 14' 41''$  EAST, A DISTANCE OF 126.00 FEET ALONG SAID WEST LINE TO A 1/2-INCH IRON ROD SET WITH CAP STAMPED "PREMIER SURVEYING" AT THE SOUTHEAST CORNER OF SAID TRACT 3;

THENCE SOUTH  $87^{\circ} 17' 04''$  WEST, A DISTANCE OF 108.27 FEET ALONG THE SOUTH LINE OF SAID TRACT 3 TO A 1/2-INCH IRON ROD SET WITH CAP STAMPED "PREMIER SURVEYING" AT THE SOUTHWEST CORNER OF SAID TRACT 3, SAID IRON ROD BEING ON THE EAST LINE OF THAT CERTAIN TRACT OF LAND CONVEYED IN DEED TO LINDA K. GREENE, AS RECORDED IN

INSTRUMENT NO. 201206718, AFORESAID OFFICIAL PUBLIC RECORDS;

THENCE NORTH  $02^{\circ} 46' 12''$  WEST, A DISTANCE OF 135.05 FEET ALONG THE COMMON LINE OF SAID TRACT 3 AND SAID GREENE TRACT TO A 1/2-INCH IRON ROD FOUND AT THE COMMON NORTH CORNER OF SAID TRACT 3 AND SAID GREENE TRACT, SAID IRON ROD BEING ON THE AFORESAID SOUTH LINE OF WALNUT STREET;

THENCE SOUTH  $88^{\circ} 03' 41''$  EAST, A DISTANCE OF 112.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 14,356 SQUARE FEET OR 0.330 OF ONE ACRE OF LAND.



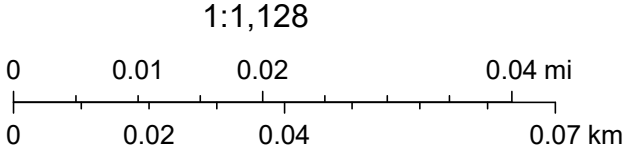
1311 Walnut Street

Item 3E.



2/27/2025, 2:08:10 PM

- Parcels
- Abstracts
- Lot Lines



© OpenStreetMap (and) contributors, CC-BY-SA





# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Consider and act on Resolution 2025-56 expressing support for Texas House Bill HB 3500 which adds the City of Bastrop to a group of cities able to capture additional tax revenue derived from a hotel and convention center project.

**AGENDA ITEM SUBMITTED BY:**

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

**BACKGROUND/HISTORY:**

Last legislative session, the City received legislation that allowed the recapture of the state's portion of hotel occupancy taxes in order to attract a hotel convention center project.

The legislation did not include another bracket which would allow the recapture of the state's portion of hotel, sales, and mixed beverage taxes. The recapture of these taxes will allow the city to attract a quality development that can be its own economic engine with little or no burden on the taxpayers.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Support resolution 2025-56

**ATTACHMENTS:**

1. Resolution
2. Bill Language



## RESOLUTION NO. R-2025-56

**A RESOLUTION OF THE CITY OF BASTROP, TEXAS, EXPRESSING SUPPORT FOR TEXAS HOUSE BILL 3500 WHICH ADDS THE CITY OF BASTROP TO A GROUP OF CITIES ABLE TO CAPTURE ADDITIONAL TAX REVENUE DERIVED FROM A HOTEL AND CONVENTION CENTER PROJECT; AUTHORIZING EXECUTION OF ALL NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

- WHEREAS,** the City of Bastrop, Texas (“City”) is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and
- WHEREAS,** the City Council seeks to develop a hotel and convention center project; and
- WHEREAS,** the recapture of all available tax revenue in the vicinity of a qualified hotel and convention center project would greatly benefit the City of Bastrop; and
- WHEREAS,** State Representative Stan Gerdes has filed a bill on behalf of the City of Bastrop; and
- WHEREAS,** the City Council finds that it is necessary and proper to enact this Resolution.

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

- Section 1.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Bastrop, Texas, and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.
- Section 2.** The City Council authorizes the City Manager to support the legislation as, attached in Exhibit A.
- Section 3.** Should any portion or part of this Resolution be held for any reason invalid or unenforceable by a court of competent jurisdiction, the same shall not be construed to affect any other valid portion hereof, but all valid portions hereof shall remain in full force and effect.
- Section 4.** This Resolution shall be in full force and effect from and after its passage.

**Section 5.** The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**DULY RESOLVED & ADOPTED** by the City Council of the City of Bastrop, Texas, on this, the 25th day of February, 2025.

**THE CITY OF BASTROP, TEXAS:**

\_\_\_\_\_  
John Kirkland, Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_  
\_\_\_\_\_, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
\_\_\_\_\_, City Attorney

# EXHIBIT A

By: Gerdes

H.B. No. 3500

## A BILL TO BE ENTITLED

### AN ACT

relating to the authority of certain municipalities to receive and pledge for the payment of obligations certain additional tax revenue derived from a hotel and convention center project.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 351.157(b), Tax Code, is amended to read as follows:

(b) This section applies only to:

- (1) a municipality described by Section 351.152(3);
- (1-a) a municipality described by Section 351.152(5);
- (2) a municipality described by Section 351.152(6);
- (3) a municipality described by Section 351.152(7);
- (4) a municipality described by Section 351.152(10);
- (4-a) a municipality described by Section 351.152(14);
- (5) a municipality described by Section 351.152(16);
- (6) a municipality described by Section 351.152(22);
- (7) a municipality described by Section 351.152(25);
- (8) a municipality described by Section 351.152(34);
- (9) a municipality described by Section 351.152(35);
- (10) a municipality described by Section 351.152(36);
- (11) a municipality described by Section 351.152(38);
- (11-a) a municipality described by Section 351.152(41);

H.B. No. 3500

(12) a municipality described by Section 351.152(43);

(13) a municipality described by Section 351.152(46);

(14) a municipality described by Section 351.152(47);

(15) a municipality described by Section 351.152(49);

(15-a) a municipality described by Section  
351.152(51);

(16) a municipality described by Section 351.152(53);

(17) a municipality described by Section 351.152(54);

(18) a municipality described by Section 351.152(56);

and

(19) a municipality described by Section 351.152(58).

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Conduct a public hearing, consider, and act on the first reading of Ordinance No. 2025-28, amending the Master Fee Schedule for tree mitigation fees and amending the Code of Ordinances Chapter 1 "General Provisions", adding Section 1.13.005 "Tree Mitigation Penalty"; amending the Bastrop Building Block (B3) Code, Section 6.3.004 "Protected & Heritage Trees, adding subsection (j) Administrative Decision; establishing fees and the penalty for violation, and move to include on the March 11, 2025 Consent Agenda for the second reading.

**AGENDA ITEM SUBMITTED BY:**

Submitted by: James E. Cowey, Director of Development Services

**BACKGROUND/HISTORY:**

Trees are an integral part of the Bastrop culture. Bastrop is also a Tree City. Staff introduced amendments that would increase tree protections within the City of Bastrop.

Planning Commission heard the proposed tree mitigation at several meetings. In accordance with the Local Government Code 212.905, the Planning and Zoning Commission proposed the following at the February 24, 2025 meeting:

**Mitigation Fee**

1. Create a tree mitigation FEE of \$400 per one (1) caliper inch for individuals following the requirements and process; up from \$150 per caliper inch, and higher than the Park Board Recommendation of \$250 per caliper inch
2. Double the caliper inch mitigation fee for those who commence work without a permit.
3. Create an administrative process for relief for homeowners who are attempting to comply with the ordinance.

**Penalty**

4. Establish a penalty for any individual who commences work and does not comply with mitigation requirements. The penalty is a misdemeanor for each offense. Penalty is established by the local government code, \$500 minimum, \$2,000 maximum per tree. The municipal court judge has judicial discretion on the amount of fine actually assessed.
5. Removal of each protected tree shall be considered a separate incident subject to the above penalty.

*Mitigation fees will not be assessed according to 212.905(2)(b) if:*

*(1) is located on a property that is an existing one-family or two-family dwelling that is the person's residence; and*

*(2) is less than 10 inches in diameter at the point on the trunk 4.5 feet above the ground.*

Additionally, as proposed, the Planning and Zoning Commission requested administrative relief for residents.

Chapter 6 of the B3 Code is also proposed to be amended by:

**Administrative Decision:**

*The City Manager, upon written report by a certified arborist (City or Other) who states the tree is diseased or dead, poses an imminent or immediate threat to persons or property, or determined unsavable shall have the ability to waive the mitigation fee.*

**Example Fees:**

Developer A files a tree survey and receives permission to remove 10 trees of 12 inches each in diameter. Total 120 inches in diameter.

Mitigation fee is \$400 per 1 caliper inch x 120 inches = \$48,000 paid.

Developer B removes 10 trees of 12 inches each in diameter WITHOUT permission. 120 caliper inches have been removed.

Fee (Listed as #1 above) of \$400 per 1 caliper inch is now \$800 per 1 caliper inch.  $\$800 \times 120 = \$96,000$

**Example Penalty:**

Trees Penalty (Minimum  $\$500 \times 10 = \$5,000$ ) (Maximum  $\$2,000 \times 10 = \$20,000$ )

It is important to note that penalties are applied by the municipal court judge who has judicial discretion to lower the penalty assigned by City Staff to the minimum allowed by law. Thus under this scenario, the Penalty portion may range from \$5,000 to \$20,000 making the possible overall cost to Developer B range from \$101,000 to \$116,000.

**FISCAL IMPACT:**

None

**RECOMMENDATION:**

TABLE TO MARCH 11, 2025 TO ALLOW ADDITIONAL TIME TO REVIEW THE PENALTY PROVISIONS.

**ATTACHMENTS:**



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Consider and act on Resolution No. R-2025-57, confirming the appointment of Jimmy Crouch to Place 2 of the City's Planning and Zoning Commission, as required in Section 3.08 of the City's Charter.

**AGENDA ITEM SUBMITTED BY:**

Mayor Pro Tem John Kirkland and Council Member Cynthia Meyer

**BACKGROUND/HISTORY:**

Section 3.08, of the City Charter states that the Mayor, in this case Mayor Pro Tem, shall appoint members to all City Boards and Commissions, subject to confirmation by the City Council.

Chair Ishmael Harris resigned on February 24, 2025 from Place 2 which created a vacancy for an unexpired term ending in September 2025. Mayor Pro Tem Kirkland has nominated Jimmy Crouch to fill the vacancy of the unexpired term.

The Planning and Zoning Commission will convene on February 28, 2025 for a Special Meeting to appoint a new Chair and Vice Chair.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Recommend approval of the resolution.

**ATTACHMENTS :**

- Resolution No. R-2025-57

**RESOLUTION NO. R-2025-57**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS CONFIRMING THE APPOINTMENT OF JIMMY CROUCH TO PLACE 2 OF THE CITY'S PLANNING AND ZONING COMMISSION AS REQUIRED IN SECTION 3.08 OF THE CITY'S CHARTER; RECEIVING CONFIRMATION BY THE CITY COUNCIL OF THE APPOINTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** Section 3.08 of the City of Bastrop Charter states that the Mayor, in this case, Mayor Pro Tem, shall appoint members to all City Boards and Commissions,

**WHEREAS,** the Planning and Zoning Commission Chair resigned on February 24, 2025, which created a vacancy in Place 2 for an unexpired term ending in September 2025.

**NOW, THEREFORE, BE IT RESOLVED BY THE BASTROP CITY COUNCIL:**

**SECTION 1.** Findings of Fact: The foregoing recitals are incorporated into this Resolution by reference as findings of fact as if expressly set forth herein.

**SECTION 2.** Mayor Pro Tem Kirkland has nominated, and the City Council has confirmed the appointment of Jimmy Crouch, for an unexpired term ending in September 2025.

**SECTION 3.** This Resolution shall take effect immediately upon its passage and it is so resolved that the Planning and Zoning Commission shall now be composed of the following:

Place	Name	Appointment Date	Term	Expiration Date
1	Christopher Toth	2024	Unexpired	2025
2	Jimmy Crouch	2025	Unexpired	2025
3	Keith Ahlborn	2024	1	2027
4	Gary Moss	2023	Unexpired	2025
5	Jeffrey Estes	2024	1	2027
6	Patrice Parsons	2022, 2023	Unexpired, 1	2023, 2026
7	Joshua Bingaman	2024	1	2027
8	Jordan Scott	2023	1	2026
9	David Barrow	2023	1	2026
10 (Impact Fee)	Nancy Rabensburg	2024	1	2027

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this **4th** day of **March 2025**.



**APPROVED:**

\_\_\_\_\_  
John Kirkland, Mayor Pro Tem

**ATTEST:**

\_\_\_\_\_  
Victoria Psencik, Assistant City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:** Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-23, repealing the 2019 Amendment to Chapter 5 of the Transportation Master Plan, as attached in Exhibit A; replacing with 2017 Chapter 5 of the Transportation Master Plan and amending, as attached in Exhibit B; and move to include on the March 11, 2025, Consent Agenda for the second reading.

**AGENDA ITEM SUBMITTED BY:**

Submitted by: Andres Rosales, Assistant City Manager

**BACKGROUND/HISTORY:**

The Planning and Zoning Commission held a public hearing on February 17, 2025 and February 24, 2025, and recommended approval for repealing the 2019 amendment to Chapter 5 Thoroughfare Plan of the Transportation Master Plan and replacing it with the previously adopted Chapter 5 Thoroughfare Plan. The motion passed 6-1.

During the meeting, it was discussed that specifically Blakey Lane was listed in the 2017 Thoroughfare Plan as a Collector Street. Based on feedback, Staff is requesting to change Blakey from a Collector Street to a Principal Arterial as defined in the 2017 Thoroughfare Plan. The Other streets and roads will be evaluated during the Master Transportation Plan update and recommendations for changes will be provided at that time.

The Transportation Master Plan was adopted in February 2017 and was subsequently amended with the adoption of the Bastrop Building Block (B3) Code in November of 2019. The proposed amendments to the Transportation Master Plan are to rectify the intent of the B3 code to a gridded street network in all new development.

A published notice was placed in the Elgin Courier on January 29<sup>th</sup> and sent mailed notices to all property owners within the City Limits and within 200 feet of City Limits, in accordance with the B3 Code Technical Manual.

Currently, every development is required to follow a mandatory gridded street network, the intent was to make smaller blocks that allowed for walkability and slowed down or eliminated vehicular traffic.

*"The City will.....Create a framework of transit, Pedestrian, and bicycle systems that provide alternatives to the automobile" B3 Code Intent, Page 12 of 249*

When the grid street requirement is in place with little or no flexibility, it can be challenging to plan a site that matches the grid requirement. For example, Alta Trails Apartments were required to meet the grid requirement. This led to a public street being constructed between two buildings of

the same apartment complex. This is a street that the city now has to maintain that goes through a private development.

The overabundance of public streets creates more maintenance than is required for the City to fund. When a public road runs through commercial development, it is a burden on the residents of the city because of the maintenance that is associated with those roads. Current cost estimates for a 1 mile, 25 ft wide street section are estimated to be above \$1 million. While this is a development cost, the dedication to the City once the road is complete will require additional maintenance dollars for repair and maintenance. Additionally, this much asphalt creates a heat effect, and the stormwater runoff within the street system causes unnecessary pollutants into the surrounding bodies of water.

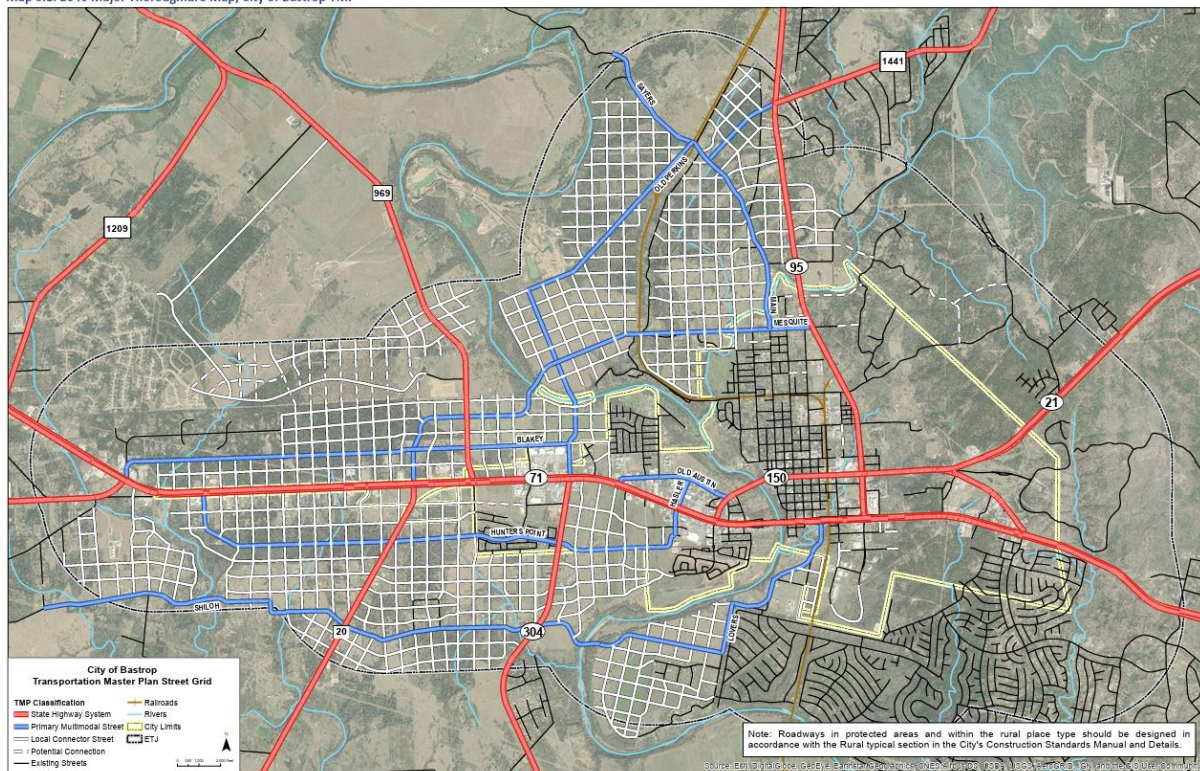
There are other factors that do not always allow for a grid block, such as land acquisition and topography, that make the grid street requirements less feasible.

The proposed amendments based on comments and recommendations from Planning and Zoning Commission are:

- Remove the Chapter 5 Thoroughfare Plan that was adopted in November of 2019.
- Replace with Chapter 5 Thoroughfare Plan that was previously adopted in February of 2017.

The currently adopted Chapter 5 Thoroughfare Plan appears as follows with the white shown as the gridded network and the additional lane miles to maintain.

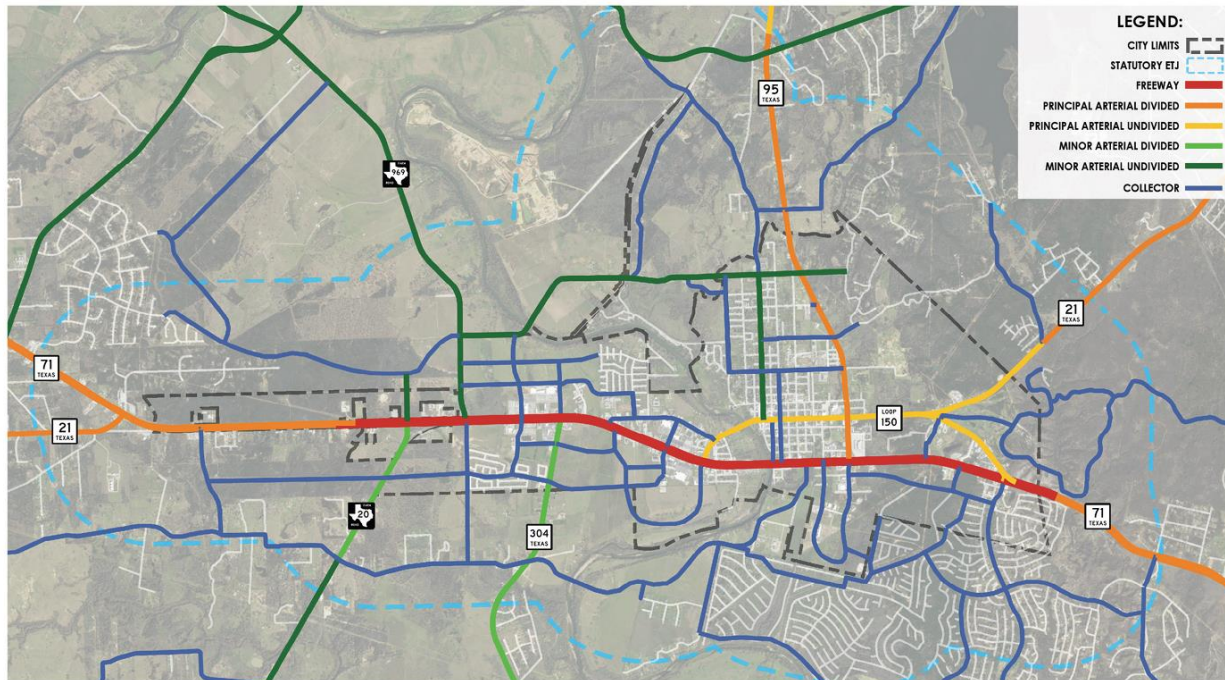
Map 5.1: 2040 Major Thoroughfare Map, City of Bastrop TMP



The previously adopted Chapter 5 Thoroughfare Plan showed only major and minor arterials, as well as connectors, leaving the ability to create a meaningful and intentional street network to ease traffic concerns.



Map 5.1: 2040 Major Thoroughfare Map, City of Bastrop TMP

**FISCAL IMPACT:**

None

**RECOMMENDATION:**

Recommend the amendments as proposed by staff to replace the Chapter 5 Thoroughfare Plan with the previously adopted Chapter 5 Thoroughfare Plan.

**ATTACHMENTS:**

1. Ordinance No. 2025-23
2. Exhibit A – 2019 Bastrop Transportation Master Plan Chapter 5
3. Exhibit B – 2017 Bastrop Transportation Master Plan Chapter 5

**ORDINANCE NO. 2025-23**

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, REPEALING THE 2019 AMENDMENT TO CHAPTER 5 OF THE TRANSPORTATION MASTER PLAN, AS ATTACHED IN EXHIBIT A; REPLACING WITH 2017 CHAPTER 5 OF THE TRANSPORTATION MASTER PLAN AND AMENDING, AS ATTACHED IN EXHIBIT B; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE, AND MEETING.**

**WHEREAS,** the City of Bastrop, Texas (the “City”) is a home rule municipality located in Bastrop County, Texas acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to amend an ordinance that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

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

**WHEREAS,** these amendments are to repeal the amendment of 2019 Chapter 5 Transportation Master Plan (Exhibit A) and replacing it with the 2017 Chapter 5 Transportation Master Plan (Exhibit B) and amending the Blakey Lane from Collector Street to Principal Arterial as described in the 2017 Thoroughfare Plan; and

**WHEREAS,** the Planning and Zoning Commission held a public hearing on February 17, 2025 and February 24, 2025, and recommended approval with a vote of 6-1 of the Transportation Master Plan amendment on February 24, 2025; and

**WHEREAS,** notice of the public hearing to consider the amendments to the Code of Ordinances was published on January 29, 2025, and the City held a public hearing and conducted the first reading for the City Council on March 4, 2025; and

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

**WHEREAS,** the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Bastrop held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

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

- Section 1.** The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.
- Section 2.** The City Council of Bastrop authorizes the amendment to the Transportation Master Plan, and amending the Blakey Lane from Collector Street to Principal Arterial as described in the 2017 Thoroughfare Plan as attached and incorporated herein as Exhibit B.
- Section 3.** Passage. Pursuant to Section 3.12 of the City Charter, the Council determined that the first reading of this Ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading and the Ordinance was passed by the affirmative vote of four or more members of the City Council; therefore, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon a second reading.
- Section 4.** Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.
- Section 5.** Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.
- Section 6.** Effective Date. This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.

[Signature Page Follows]

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

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

**APPROVED:**

*by.* \_\_\_\_\_  
John Kirkland, Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney



EXHIBIT A

2019

5

Item 4A.

# Thoroughfare Plan

Thoroughfare Network, Functional Classification,  
and Cross-Sections



## STREET NETWORK PLAN

An important element of the Transportation Master Plan is a Street Network Plan that establishes a long-range vision for a highly connected, multimodal street system throughout the City of Bastrop. The plan is designed to advance the goals of the City’s Comprehensive Plan, meet the future travel needs of the City, and support sustainable development patterns by identifying the preferred level of connectivity within the City and the ETJ. This street network plan supports a level of flexibility in land uses and high degree of mobility and route choices.

Traditional thoroughfare planning practices in recent decades have often resulted in communities developed around widely spaced, large arterials fed by smaller roadways that often do not connect with each other. This type of roadway system causes vehicle traffic to be dependent on a limited number of major thoroughfares for most trips and limits opportunities for alternate routes. This causes trip lengths to be longer and indirect and is especially problematic for people who might walk, bike, or use public transportation. Well-designed, connected streets make travel more efficient by providing choice not only in modes, but also in routes.

One of the core transportation goals of the Comprehensive Plan is to enhance transportation system connectivity. Recommended objectives to achieve this goal include enhancing east-west connectivity through Bastrop, identifying and prioritizing gaps in the road network, prioritizing pedestrian and bicycling connectivity, and promoting connectivity through development regulations. This Street Network Plan directly addresses this connectivity goal and provides a guide for use by City officials and staff, developers, business owners, and residents to better achieve the City’s vision for its street and roadway system.

### Purpose

This Street Network Plan promotes a connected network inspired by the original Iredell grid network plan of 1920 that established the development pattern in Downtown Bastrop and surrounding areas between the Colorado River and State Highway 95. These streets, with shorter blocks and multiple route options, are a prime example of connections that support a mix of uses, activities, and trip types.

This plan recommends a grid-like pattern of primary and local streets, with major block spacing based on the traditional Bastrop farm lot (approximately 715 feet by 715 feet). This transportation planning approach not only benefits route choice, but also minimizes congested roadway corridors. A hierarchical street system typically funnels traffic onto just a few major arterial roadways for most trips, and these arterials can become overly congested during peak travel times. This connected Street Network Plan can mitigate concentrated traffic congestion by dispersing traffic and offering travel options. This mapped grid network is considered the minimum required level of connectivity and provides a high degree of flexibility for development types within the street pattern. Development is encouraged to provide additional connectivity within the mandatory grid that may include additional local streets, trails, or pedestrian pathways.

### Street Types and Multimodal Networks

This Thoroughfare Plan addresses both existing and proposed streets and roadways and is intended to support the connectivity of all road users. In addition to defining a thoroughfare network, a basic classification system is assigned to area roadways based on intended route function. With a well-connected grid network, a complex hierarchy of arterials and collectors is not necessary. However, it is important that the Street Network Plan identify certain routes for logical and efficient routing of cross-city travel. These routes are intended to address some of the known transportation constraints in the Bastrop area, which include limited crossing options across the Colorado River, areas with significant topography or environmental constraints, and the current reliance on State Highway 71 for most east-west travel.



Map 5.1: 2040 Major Thoroughfare Map, City of Bastrop TMP

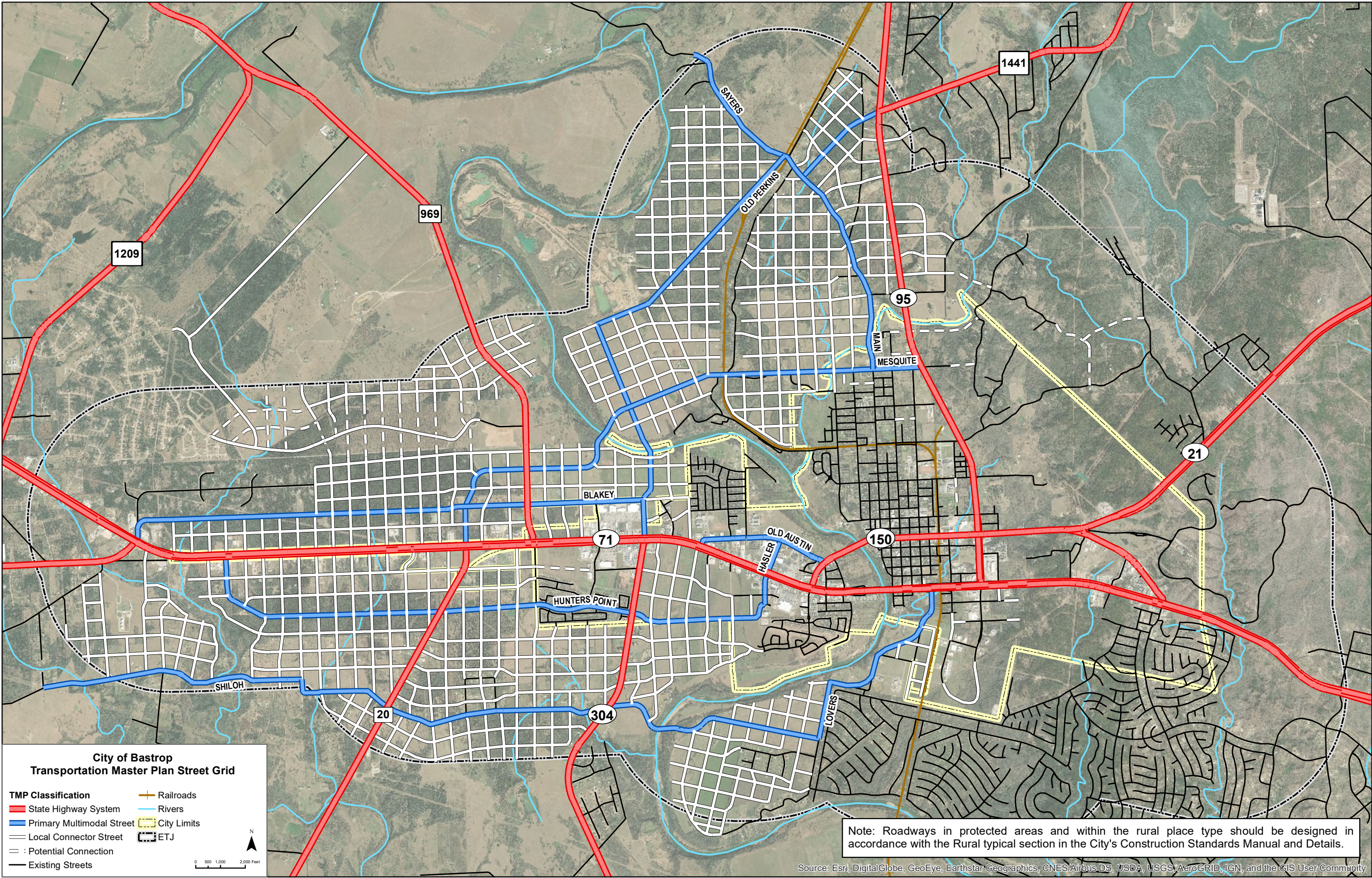
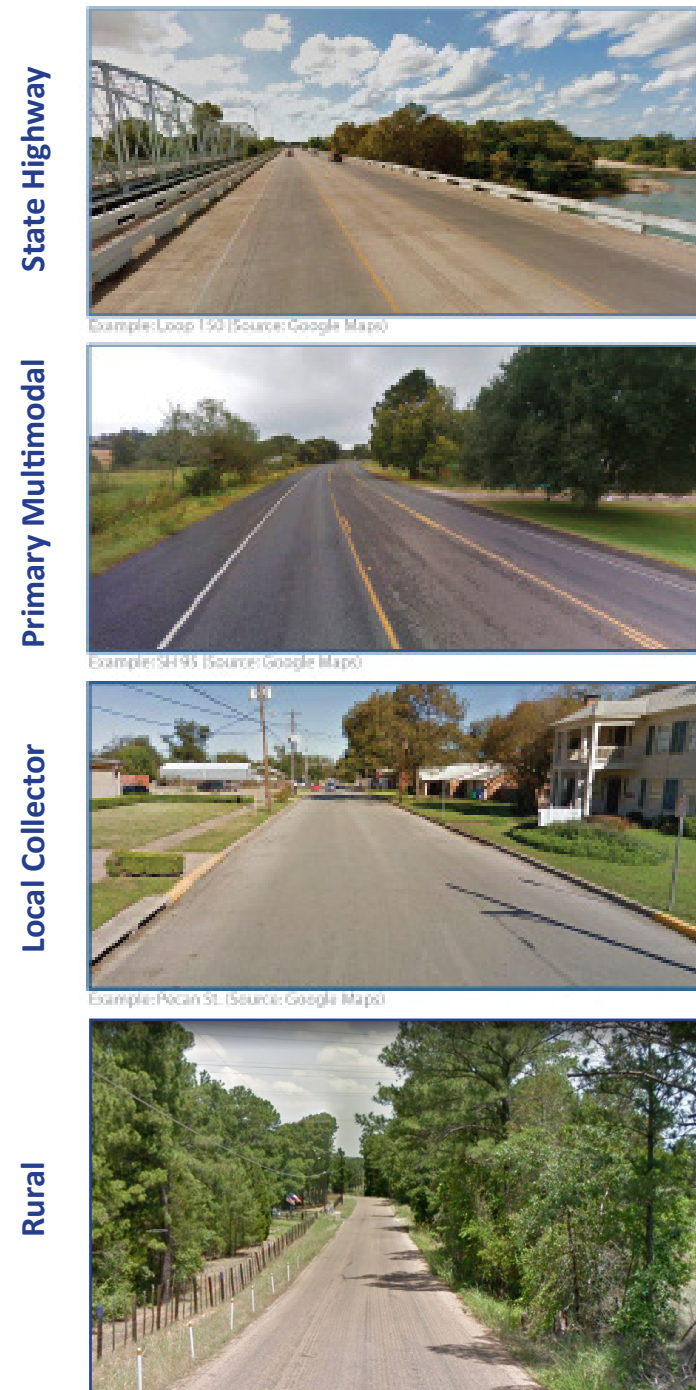




Figure 5.1: Street Network Plan



## Functional Classifications

The Street Network Plan uses the following classifications:

### State Highway System

The State Highway System are routes built and maintained by the Texas Department of Transportation (TxDOT) and are intended to provide regional connectivity between Bastrop and neighboring communities. Major routes within Bastrop include State Highways 71, 21, 95, and 304, as well as Farm to Market Roads 969 and 20. These routes are intended to collect local trips from the grid network and serve higher traffic volumes and longer-distance trips. Design of these roadways can range from freeways with limited access (e.g. State Highway 71) to urban arterials with direct access to cross streets and adjacent development. As improvements to this system is necessary, the City should coordinate with TxDOT to ensure that roadway design improvements include a context-sensitive approach that takes into account the compatibility of the thoroughfare with surrounding land uses.

### Primary Multimodal Streets

Primary Multimodal Streets are intended to provide a higher degree of mobility than most of the grid network by serving travel between major destinations or activity centers, as well as providing local cross-city route alternatives to the major highway routes. However, different than the State Highway System which may prioritize capacity and flow of motor vehicles, Primary Multimodal Streets are intended to provide a higher level of “person capacity” regardless of vehicle type. These streets should be designed as walkable, low-to-moderate speed thoroughfares that carry both through and local traffic, pedestrians, and bicyclists. These streets are also important connections for primary goods movement and emergency response routes. These streets will often require additional right-of-way than a typical grid connector, either for additional through travel lanes or for dedicated pedestrian and bicycle facilities.

### Local Connector Streets

The remainder of the mandatory grid network is made up of Local Connector Streets which provide a higher degree of direct access to abutting property. These streets should be designed as walkable, low-speed streets that connect different development districts and residential neighborhoods with each other. The Local Connector street network should provide continuous, connected links to distribute local travel patterns. Due to the diversity of land uses these streets serve, a variety of street design elements and cross sections may be appropriate to serve adjacent land use contexts. This includes potential accommodations for higher pedestrian, bicyclist, or on-street parking demand.

### Rural Streets

Rural Streets are intended to provide local access to protected areas and rural development types primarily characterized by large lots or open space. Due to environmental protections, rolling terrain, and low-density development context, a rural cross section and design elements are recommended. This street design typically includes two travel lanes, ribbon curbs, and pedestrian trails.

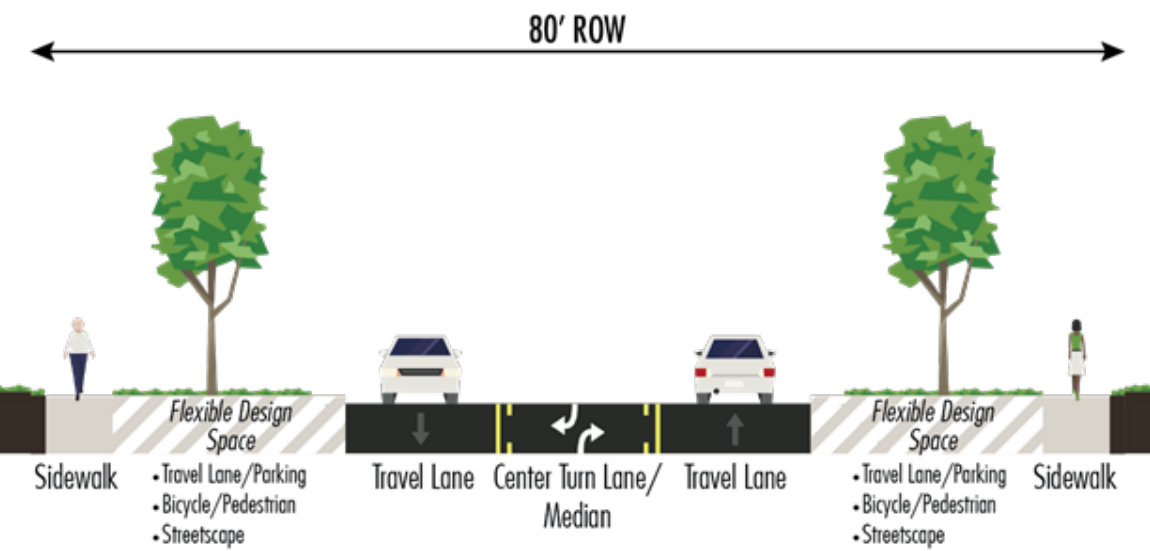
### Multimodal Connections (Trails and Shared-Use Paths)

Walking is the most basic form of transportation, and long, indirect routes either discourage pedestrian trips or force pedestrians to use roads not designed for their comfort. The planned connected street grid and continuous sidewalk accommodations will significantly increase pedestrian connectivity and safety. However, even when roads are connected, there may still be a need for additional connections specifically to support the walking and bicycling networks. Where a proposed street segment is not feasible or practical, such as in areas with topography or floodplain constraints, a shared-use pathway may be a suitable alternative to maintain overall network connectivity. Additionally, the Street Network Plan is intended to create an interconnected, layered mobility network with the City’s planned trail system to minimize disconnected streets and dead-ends.

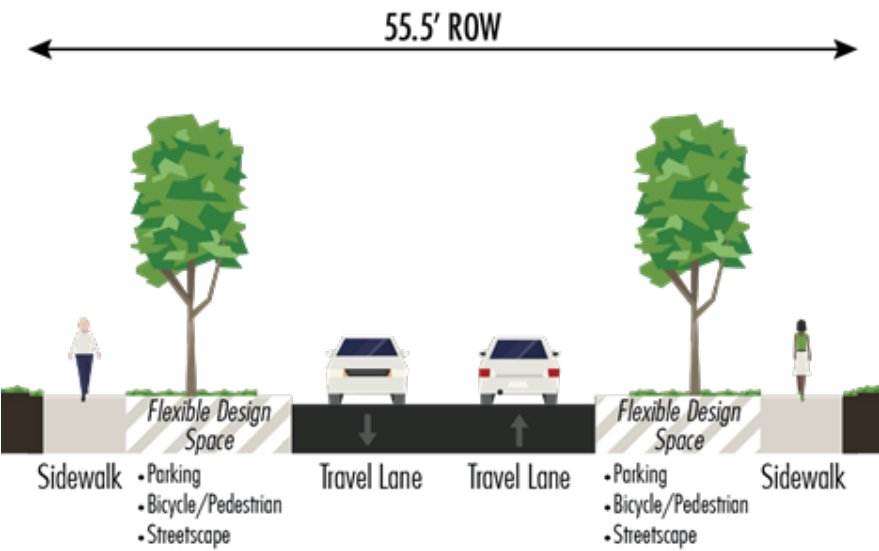
TYPICAL CROSS SECTIONS

The following typical cross sections are intended as conceptual frameworks for dedication of minimum necessary right-of-way and to facilitate the planning process of future street improvements. These typical sections are intended to support design flexibility to meet the needs of various multimodal and context-sensitive priorities. Specific engineering requirements and design guidelines for implementation of roadways are contained in the City’s standard specifications and B3 Technical Manual. The engineering and design of specific facilities must be carried out in collaboration with and under the review of the City Engineer.

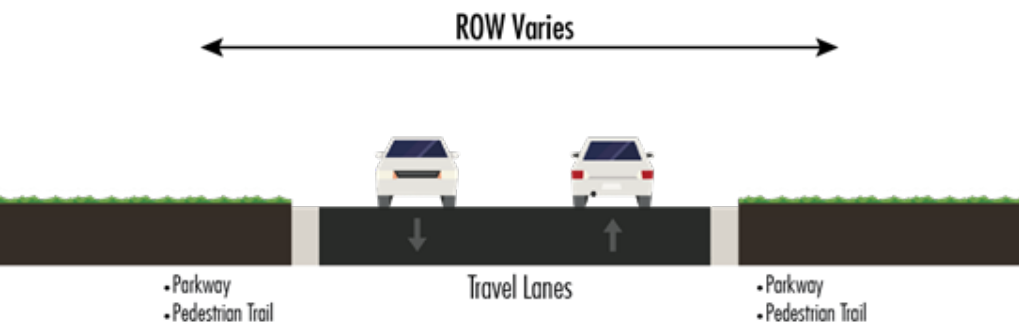
Primary Multimodal Street (80’ ROW)



Local Connector Street (55.5’ ROW)



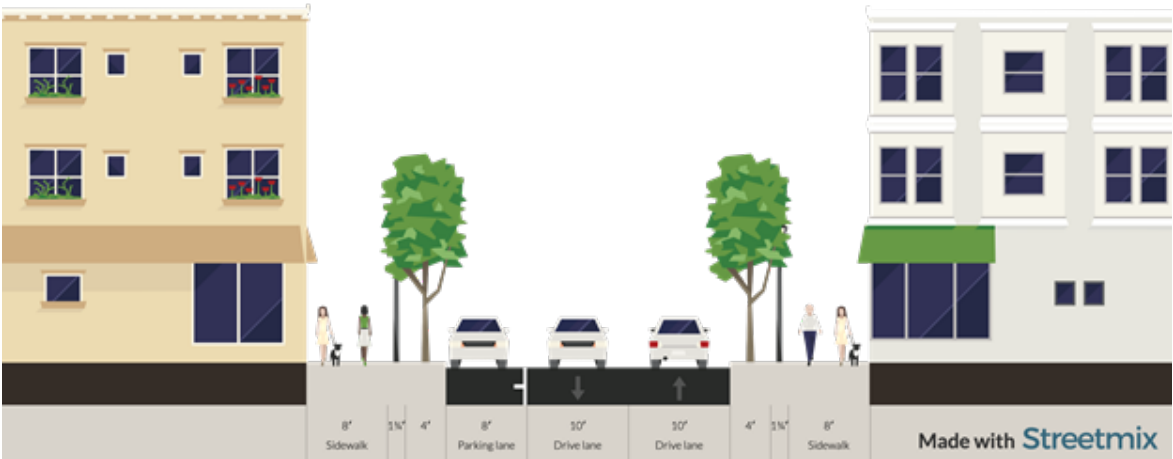
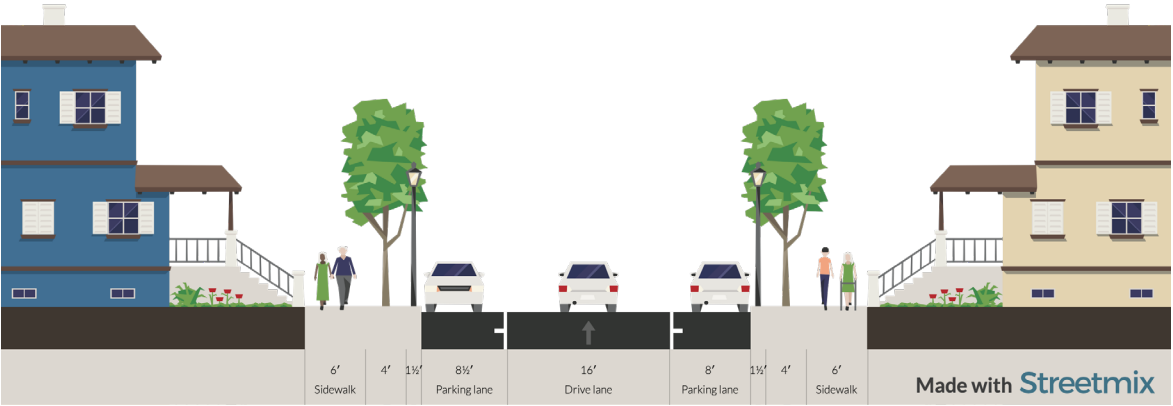
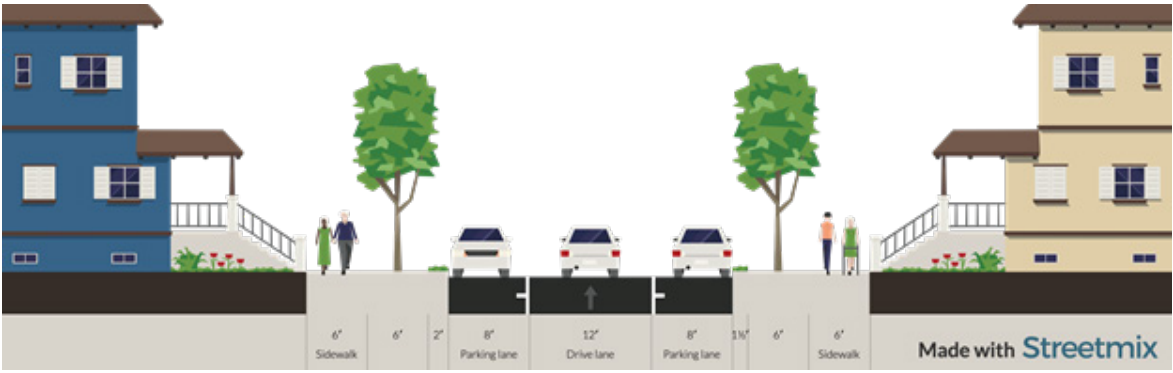
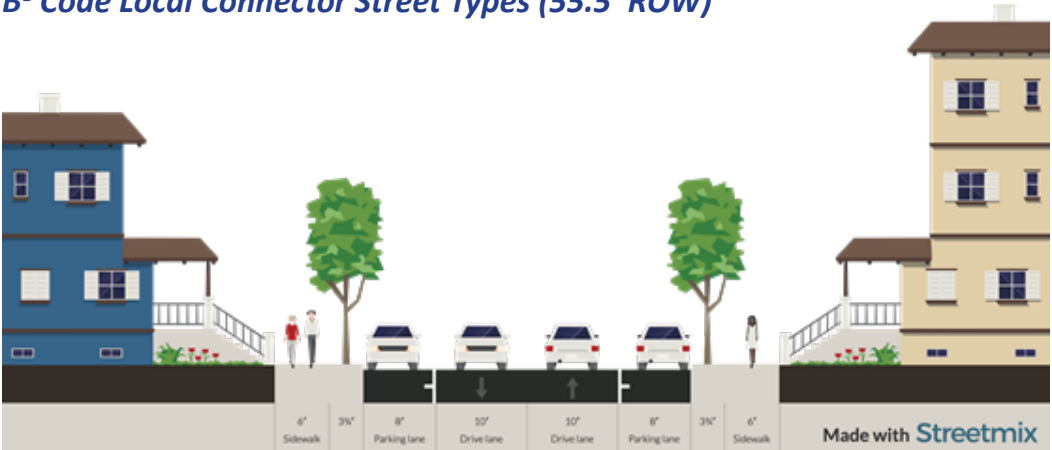
Rural Street (ROW Varies)



B³ Code Primary Multimodal Street Types (80' ROW)

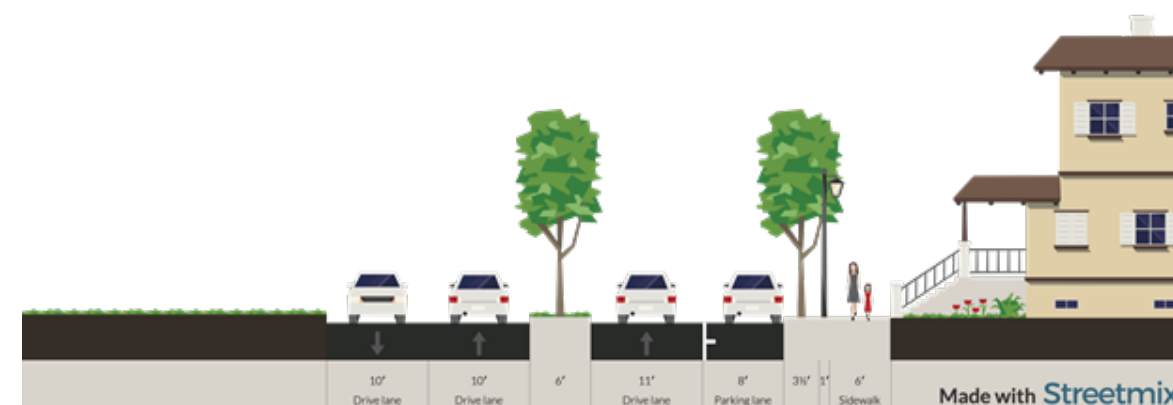
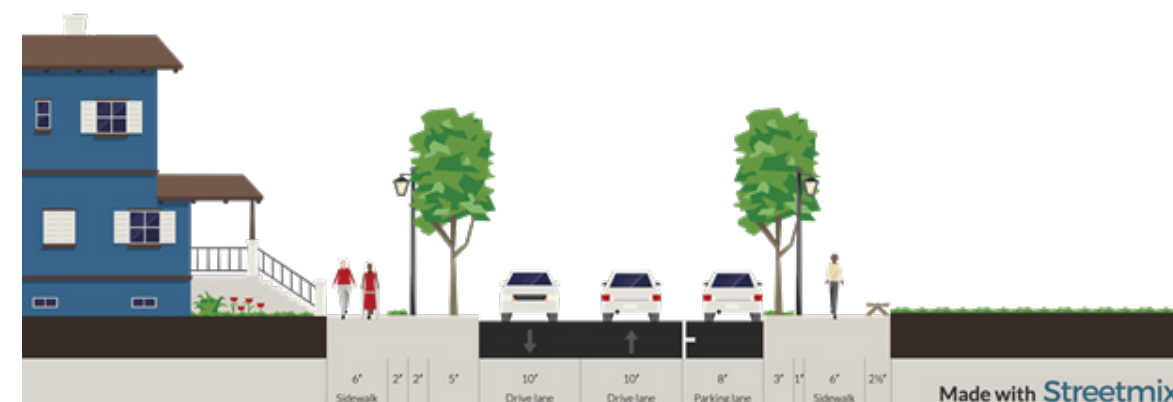


B³ Code Local Connector Street Types (55.5' ROW)





## B<sup>3</sup> Code Local Connector Street Types (55.5' ROW) Continued



## IMPLEMENTING THE STREET NETWORK

This plan serves as the primary tool to enable the City to preserve future corridors and the necessary right-of-way to establish appropriate thoroughfare corridors as development occurs and to improve the existing street system as the need arises. The Transportation Master Plan locates and classifies streets for desired connectivity and capacity for through traffic, access to adjacent land uses, and compatibility with each street's development character. This plan provides the ability to better integrate networks of other mode choices, including walking, bicycling, and transit. The plan guides future investments and provides the public and the development community with information about the long-term plan for the road network. Simply put, the TMP is the community's blueprint for a safe, efficient, and sustainable transportation system. It seeks to create and sustain a system that balances local and regional priorities and existing and future conditions, to steer the community toward its vision for the future.

Improvements to Bastrop's transportation system will include both the construction of new roadways to serve future development, as well as enhancement of existing facilities to further support the mobility and economic vitality of the established community. These improvements are intended to not only provide improved vehicular connectivity as the City grows, but also provide increased options for alternative modes of transportation. Funding and implementation of the planned street network will require contributions from multiple sources for design, right-of-way acquisition, and construction of various thoroughfare projects. In many cases, new thoroughfare connections and street expansions that the plan anticipates will require right-of-way or easements as part of the development of property. However, the City may need to address priority transportation needs through capital improvement funding or project partnership with regional transportation agencies for funds administered at the county or regional level. The City may also consider alternate funding mechanisms to fund public infrastructure necessitated by new development.







## EXHIBIT B

2017

5

Item 4A.

# Thoroughfare Plan

Thoroughfare Network, Functional Classification,  
and Cross-Sections



An important element of the Transportation Master Plan is a Thoroughfare Plan that establishes a long-range vision for the City of Bastrop major street network. The plan is designed to meet the future travel needs of the City by classifying the streets and roadways within the City and the ETJ based on access to adjacent land use, mobility, and context within the surrounding area.

This Thoroughfare Plan addresses both existing and proposed streets and roadways. This plan also provides conceptual standards by thoroughfare type for use in the implementation of future roadways or the reconstruction of existing roadways. The plan provides a guide for use by City officials and staff, developers, business owners, and residents to better understand the City’s vision for its street and roadway system.

## FUNCTIONAL CLASSIFICATION SYSTEM

In addition to defining a thoroughfare network, a classification system was assigned to area roadways based on thoroughfare type. Functional classification is the process by which local and regional roadways are grouped into hierarchal categories according to the transportation objectives the roadways are intended to provide. This process identifies the role each roadway serves in the context of the larger transportation system, and facilitates planning for logical and efficient routing of traffic through the roadway network. Functional classification was mandated by the Federal-Aid Highway Act of 1973 and remains in effect today.

The Thoroughfare Plan provides guidance only for those streets and roadways that are under the legal control of the City of Bastrop. Attributes, proposed improvements and functional classifications for state maintained roadways of regional significance and county roadways in the ETJ were defined based on their definitions in the CAMPO 2040 Regional Transportation Plan and the 2016 Bastrop County Transportation Plan, respectively, which were incorporated into this City of Bastrop Thoroughfare network by reference.

### Purpose

Transportation systems are designed to serve a diverse range of travel needs, from long-distance travel between cities to local trips between home and the grocery store. Assigning a functional class to each roadway in the system helps ensure that the transportation system can serve the diverse travel needs of users in a logical and efficient manner. Functional classifications provide a basis for selecting appropriate speed and geometric design criteria for a given roadway. However, this does not mean that the functional classification for a given roadway prescribes specific design criteria.

Instead, the actual configuration of streets and roadways is subject to review and adjustment through detailed engineering studies to ensure facility design is coordinated with adjacent development, and takes into account other community goals and objectives. A context sensitive approach that takes into account the compatibility of thoroughfare types with surrounding land uses, in addition to the efficient movement of traffic, was used for designating functional classifications for the City of Bastrop Thoroughfare Network. The proposed functional classifications were determined by weighing mobility versus access needs, the surrounding land uses, and the facility characteristics of existing roadways.

### Mobility vs. Access

The two primary travel needs served by roadways are mobility, or the ability to move people or goods efficiently between locations, and access, or the ability to reach numerous desired destinations. While all roadways serve these two needs to at least some degree, by design certain types of roadways serve one need better than the other. Highways, for example, provide a high degree of mobility, facilitating long-distance travel between destinations by providing minimal traffic conflicts and few opportunities to enter/exit the roadway. Such roadways are classified as Principal Arterials under the City of Bastrop classification system (described in more detail in the next section). Neighborhood streets, on the other hand, provide a high degree of access (to homes, shopping centers, etc.), but offer lower mobility due to the presence traffic signals, lower speed limits and other design characteristics. These roadways are classified as local streets under the City of Bastrop functional classification system. Figure 5.1 shows the relationship between mobility and access.



Map 5.1: 2040 Major Thoroughfare Map, City of Bastrop TMP

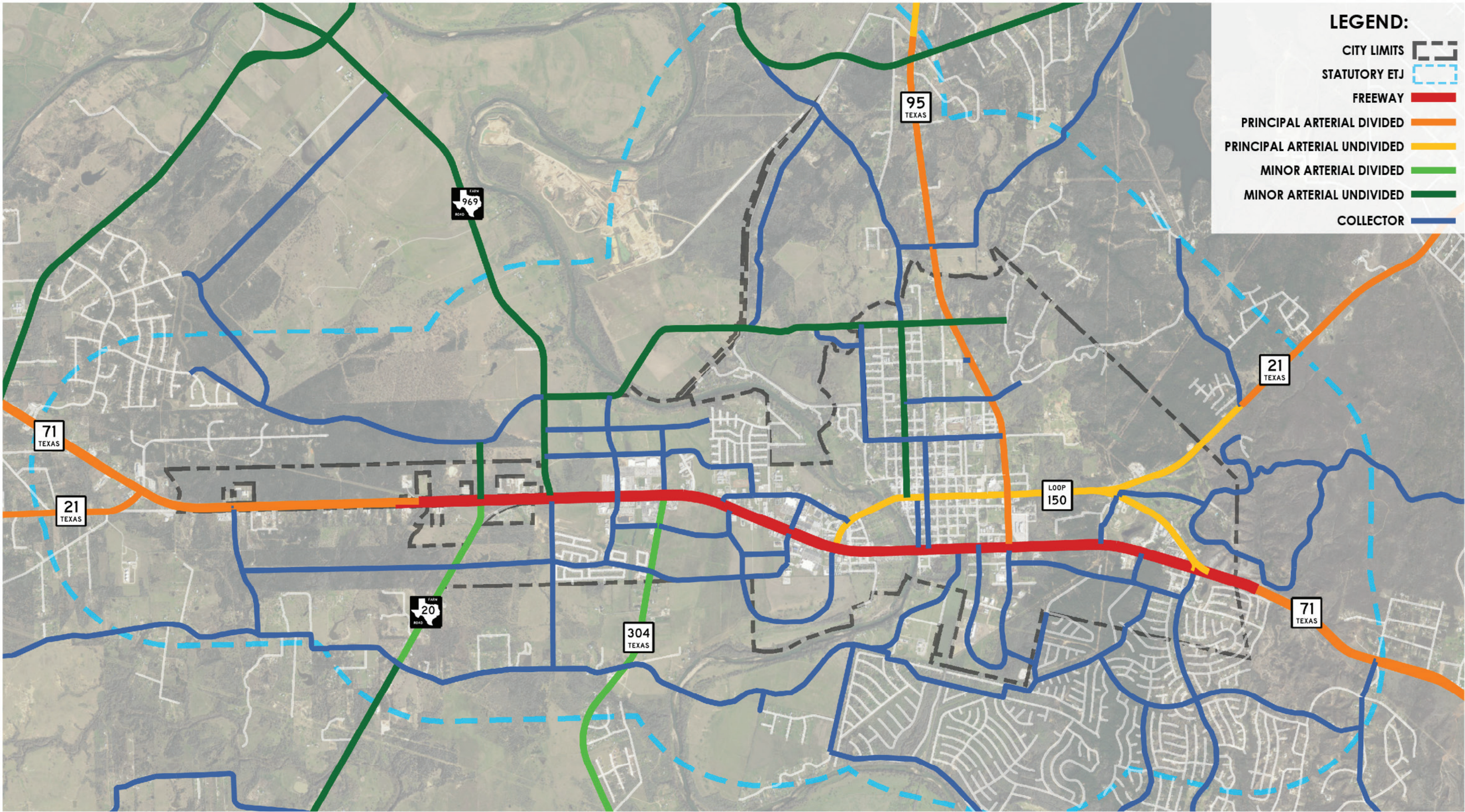
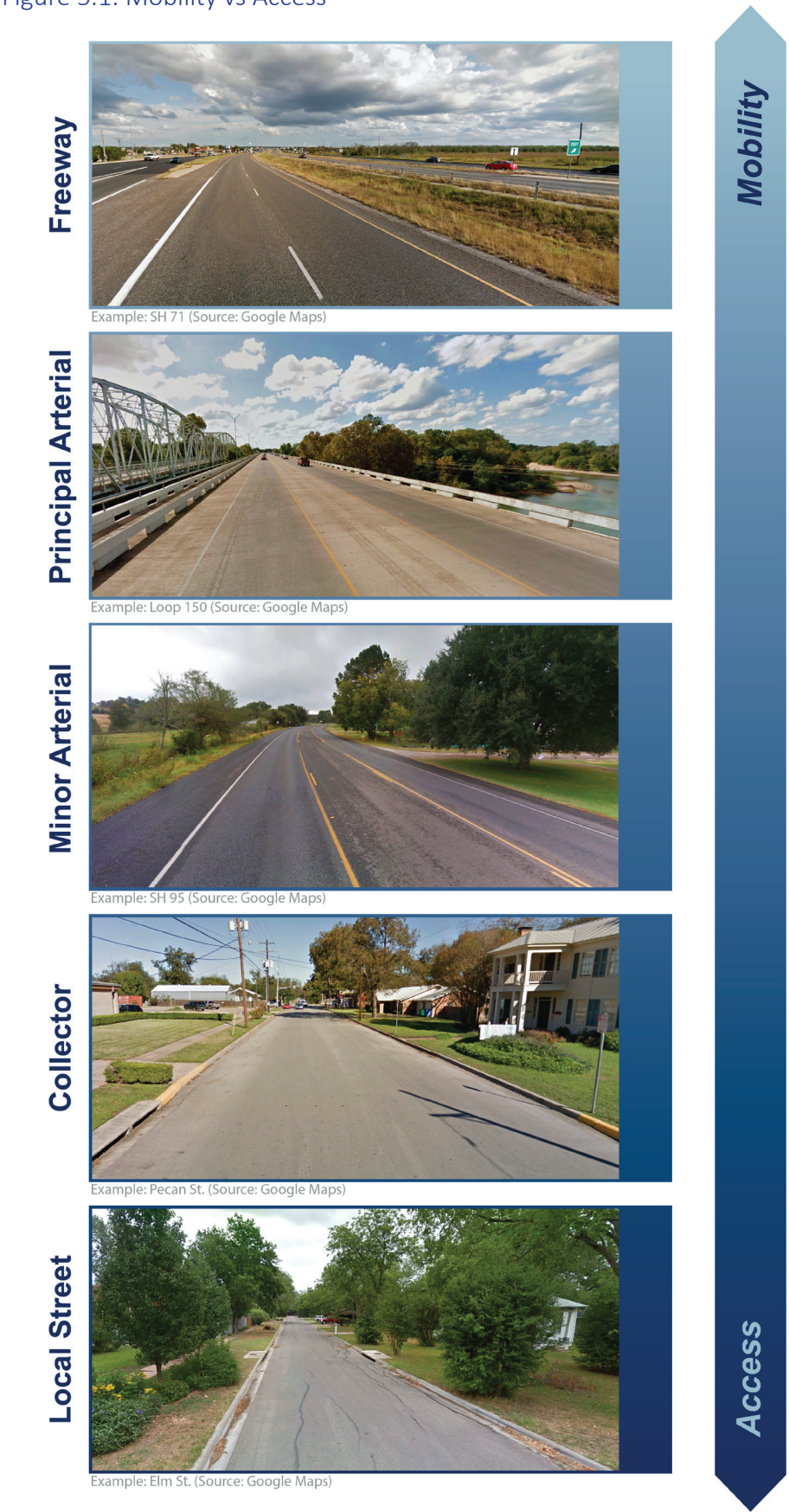




Figure 5.1: Mobility vs Access



Functional Classifications

This Thoroughfare Plan uses the following classifications as defined below. Note that in the context of the mobility versus access continuum, higher functional classes (e.g. principal arterials) serve mobility while lower classes (local streets) prioritize access.

Freeways

Freeways provide maximum mobility and do not directly serve land uses. Freeways are generally separated by physical barriers and their access and egress points are limited to on- and off- ramps. Freeways are typically two lanes in each direction.

Principal Arterials

Principal arterials provide a high degree of mobility by serving travel between major destinations or activity centers, as well as long-distance traffic that goes through or bypasses an area. They are designed to minimize travel time by providing high posted speed limits, offering physical separation from other roadways (e.g. few at-grade intersections) and providing a limited number of access/egress points (e.g. on- and off- ramps).

Minor Arterials

Minor arterials are intended to connect traffic into and between the principal Arterial system. They can serve trips of moderate length by connecting smaller geographic areas. While minor arterials provide slightly less mobility benefit than principal arterials, overall they are characterized by relatively high travel speeds and low interference from cross traffic.

Collectors

Collectors provide a balance between mobility and access, primarily serving to “collect” traffic from local streets and provide connections to arterials. In urban areas, collectors provide traffic circulation in residential areas or commercial districts, while in rural areas they primarily serve travel within the City (i.e. trips shorter than those served by arterials). Due to the large number of collector roadways and the diversity of adjacent land uses, appropriate context subcategories were defined for collector roadways. These categories include residential, commercial, and mixed-use collectors.

Local Streets

Local streets offer lower mobility than other functional classes but provide the highest degree of access to adjacent land. They discourage through traffic with low posted speed limits and the use of traffic calming features. Local streets make up the bulk of the transportation system in terms of mileage.

Typical Roadway Cross Sections

For each of the functional classes defined in the thoroughfare plan, a typical cross section was developed for use in the planning and conceptual engineering of new roadways or in the potential upgrade of existing roadways as they are reconstructed or expanded. The following typical cross sections are intended as conceptual frameworks to facilitate the planning process. Specific engineering requirements and design guidelines for implementation of roadways are contained in the City subdivision regulations and other capital improvement program guidelines. The engineering and design of specific facilities must be carried out in collaboration with and under the review of the City Engineer.

Figure 5.2: Neighborhood Collector Constrained ROW- Extreme Case

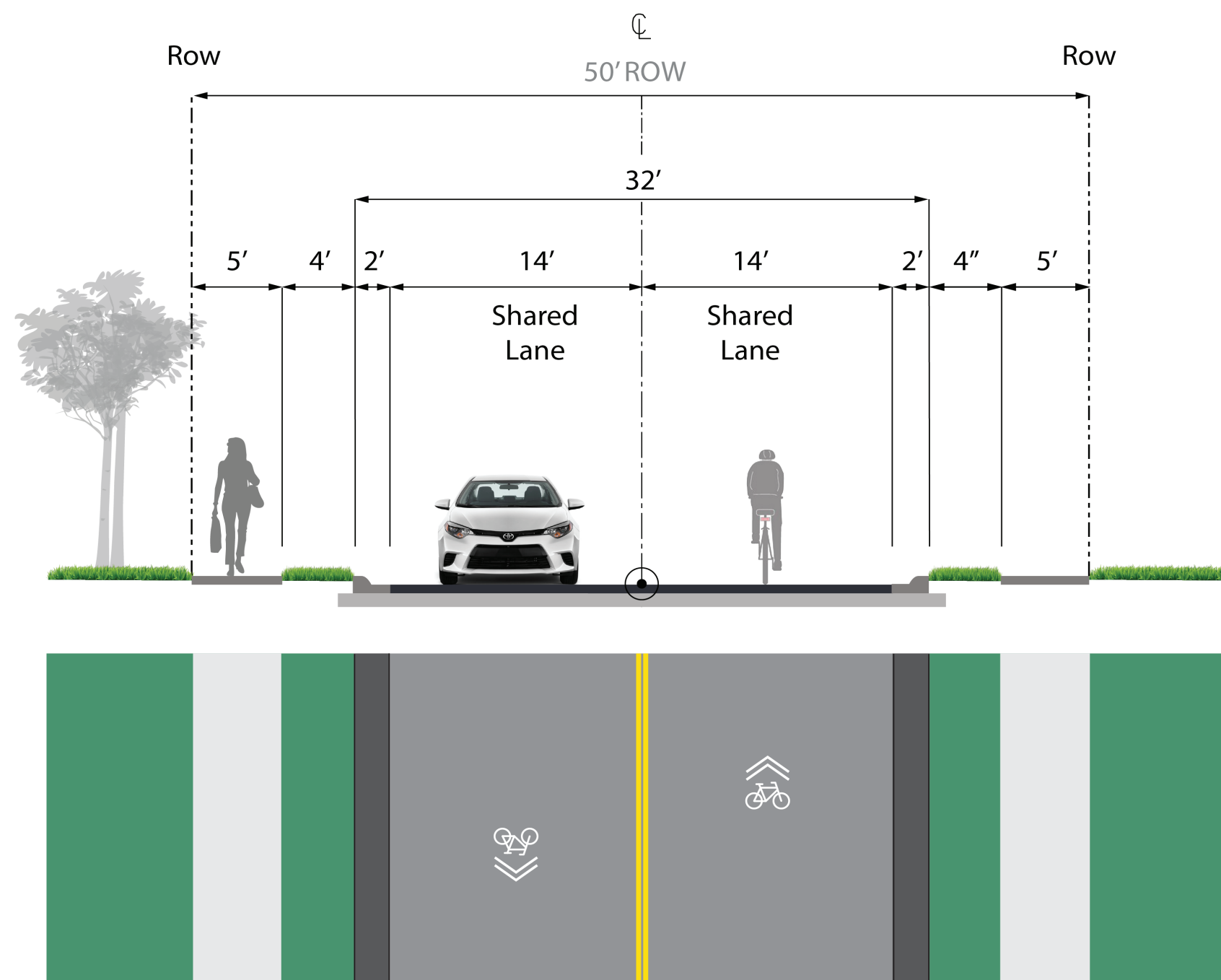


Figure 5.3: Principal Arterial/Divided Minor Arterial- Typical Urban Section

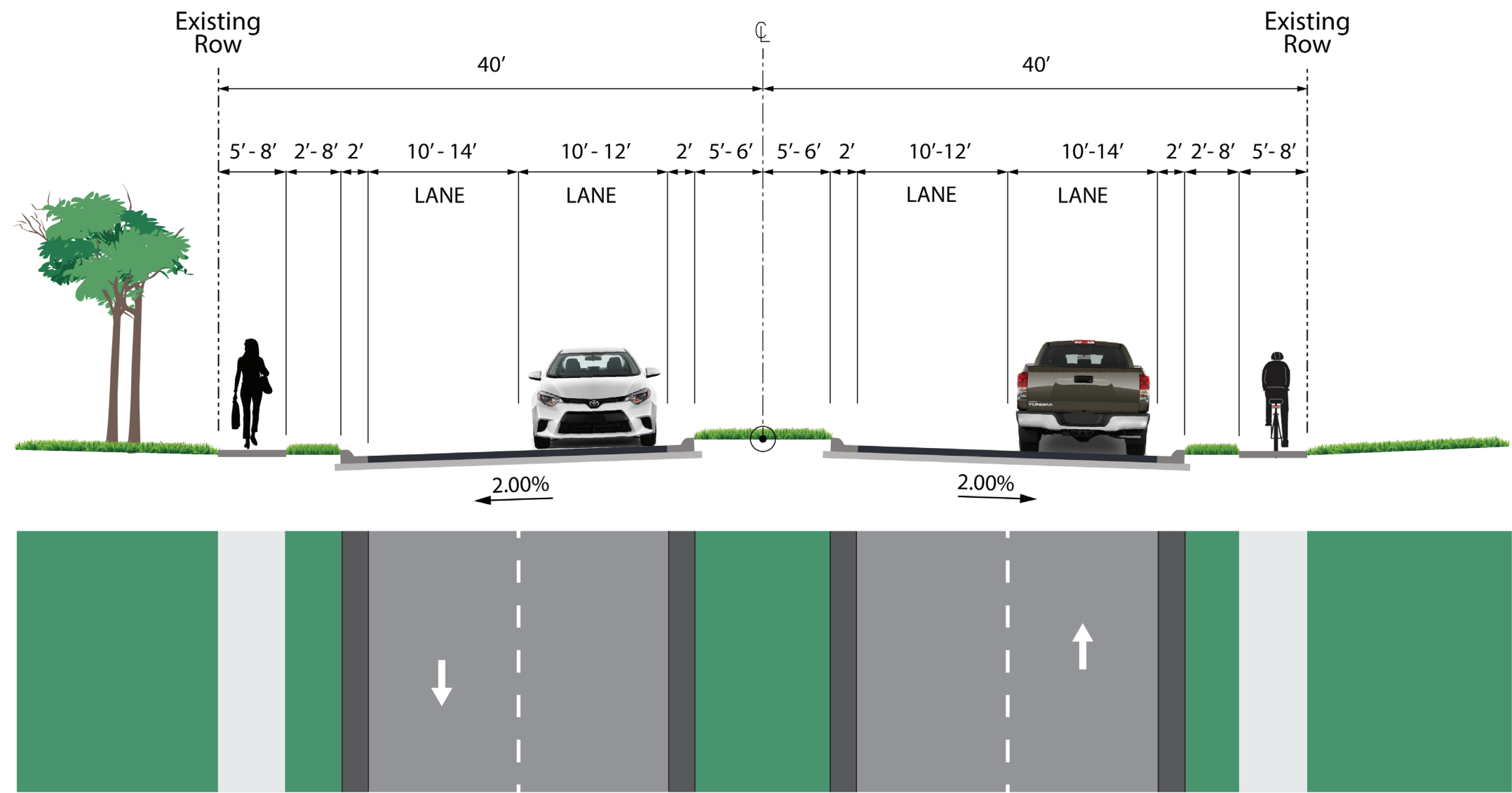


Figure 5.4: Example Downtown Cross Section

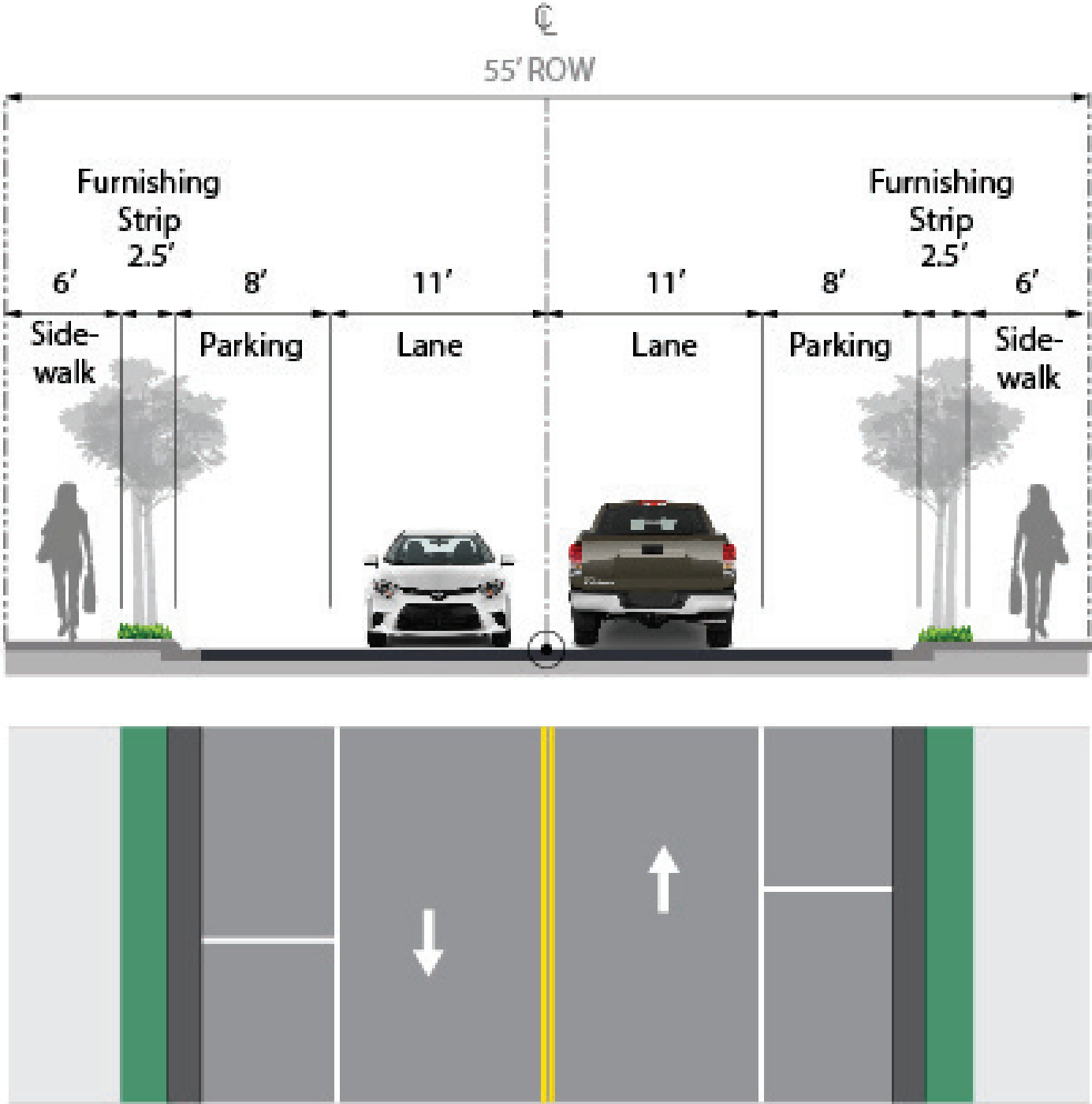
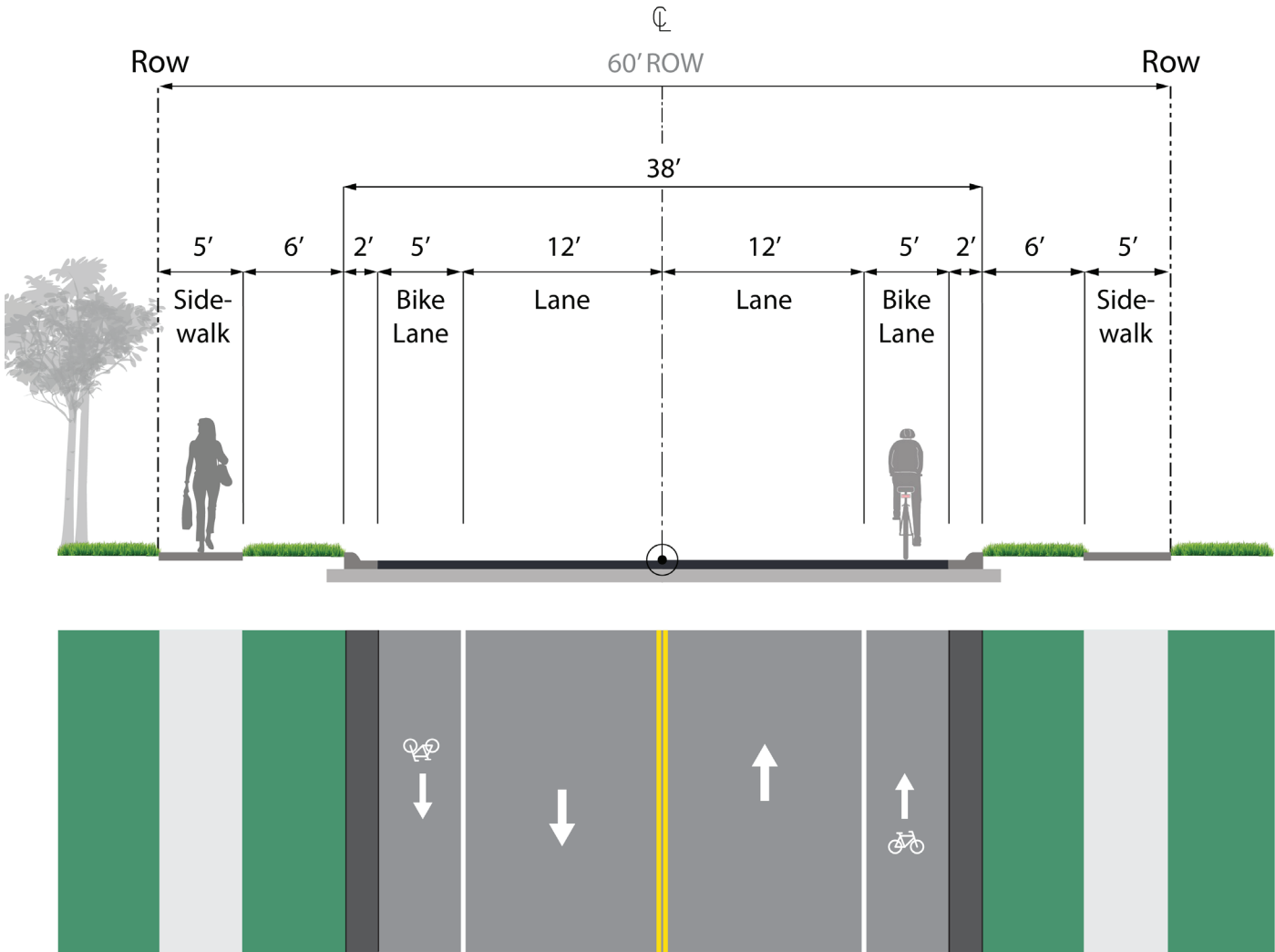


Figure 5.5: Minor Arterial/Collector- Typical Section







# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-24, amending the Bastrop Code of Ordinances Chapter 14, the Bastrop Building Block (B3) Code, by removing all references to the Mandatory Street Network and the Gridded Street Network; and establishing standards and procedures; as shown in Exhibit A; move to include on the March 11, 2025 Consent Agenda for the second reading.

**AGENDA ITEM SUBMITTED BY:**

Submitted by: Andres Rosales, Assistant City Manager

**BACKGROUND/HISTORY:**

The Planning and Zoning Commission held a public hearing on February 17, 2025, and February 24, 2025, and recommended approval for removing all references to the Mandatory Street Network and Gridded Street Network from the Bastrop Building Block (B3) Code. The motion passed 6-1.

The B3 Code was adopted in November 2019 and subsequently amended in April 2022. The intent of the Code was to establish the Standards that enable, encourage, and ensure the community achieves fiscal sustainability, geographically sensitive developments, and the perpetuation of authentic Bastrop.

A published notice was placed in the Elgin Courier on January 29<sup>th</sup> and sent mailed notices to all property owners within the City Limits and within 200 feet of City Limits, in accordance with the B3 Code Technical Manual.

As discussed in the prior amendments, the code related to gridded streets lies in many different areas.

The proposed amendments here lie within each place type, definitions, and executive summary pages. The intent is to create cohesion in other areas of the code that are also in line to be modified.

Further review shows additional future changes will need to be made to the sections related to Mandatory Street Network and the definition of the American Grid. Those changes will be forthcoming. More information is available at the end of this staff report.

The proposed amendments are as follows:

- 1) Amend 2 sections within the Executive Summary on page 12 and page 22;



- Remove reference to grid from page 13: *“Facilitate development of Infill properties contiguous to an existing built environment in the pattern of Traditional Neighborhood Development (TND) or Village Center Development (VCD) and be integrated with the existing ~~grid~~ pattern;”* on page 13 of the B3 code.

#### THE CITY

##### THE CITY OF BASTROP WILL:

- Adopt Standards and processes that result in fiscally sustainable development and promote Incremental development with intentional character by focusing on the intersection of the Public and Private Realms;
- Retain its natural infrastructure and visual character derived from topography, woodlands, farmlands and waterways;
- Encourage Infill and redevelopment growth strategies along with new neighborhoods;
- Facilitate development of Infill properties contiguous to an existing built environment in the pattern of Traditional Neighborhood Development (TND) or Village Center Development (VCD) and be integrated with the existing ~~grid~~ pattern;
- Promote development of properties non-contiguous to an existing built environment organized in the pattern of Traditional Neighborhood Development (TND), Cluster Land Development (CLD), or Village Center Development (VCD);
- Plan and reserve Transportation Corridors in coordination with land development;
- Define and connect the built environment with trails and greenways; and
- Create a framework of transit, Pedestrian, and bicycle systems that provide alternatives to the automobile.

- Remove reference to gridded from page 23: *“**Block Types** - Blocks are the foundation for development in Bastrop. The ~~gridded~~ network of Streets formed by the Bastrop Building Block has been proven to support each Place Type and all associated Standards in the Code.”* on page 23 of the B3 Code.

**Block Types** - Blocks are the foundation for development in Bastrop. The ~~gridded~~ network of Streets formed by the Bastrop Building Block has been proven to support each Place Type and all associated Standards in the Code. Block Types match the level of intensity of development they are serving. The Block Types will vary from rural to urban, becoming more formal as the urbanity increases. See the Pattern Book for more examples of Block Types.

**Building Types** - Building Types correspond to the Place Types and Street Types. Building Types are contained within each Place Type to confirm the intensity of development aligns with the infrastructure and building forms to support the wide variety of Building Types.



Block Examples for illustrative purposes

- Amend Article 3.2 Place Type Standards, Section 3.2.001 ALLOCATION & SEQUENCE OF PLACE TYPE DETERMINATION, (a) (2)

- Remove reference to Mandatory Street Network from: “(2) *The existing Streets and Master Thoroughfare Plan* ~~Mandatory Street Network~~,” on page 73 of the B3 Code.

#### ARTICLE 3.2 PLACE TYPE STANDARDS

##### SEC 3.2.001 ALLOCATION & SEQUENCE OF PLACE TYPE DETERMINATION

- (a) Determination of Place Type designations shall be made based on the ~~the~~ following factors considered in the following sequence:

- (1) Geographically sensitive Development Patterns;
- (2) The existing Streets and Master Thoroughfare Plan ~~Mandatory Street Network~~;
- (3) Proximity to existing Place Types (built or entitled);
- (4) Size of new Development; and
- (5) Pedestrian Shed Distribution.

- (b) The City of Bastrop shall have the following assigned percentages of each Pedestrian Shed allocated to the established Place Types. Before preparing a Neighborhood Concept Scheme the Applicant must review permitted Development Patterns and the associated Standards. Place Type percentage allocation per Pedestrian Shed as described in Article 3.3:

P1- Nature	Varies
P2- Rural	Varies
P3 - Neighborhood	10-35%
P4 - Mix	25-75%
P5 - Core	5 - 20%
CS - Civic Space	10% min.
EC - Employment Center	No min.

### 3) Amend Article 3.2 Place Type Standards, Section 3.2.002 NEIGHBORHOOD REGULATING PLAN, (c)

- Replace the reference to Mandatory Street Network with Transportation Master Plan from: “(c) *Neighborhood Regulating Plans must provide the Street Types, location and sizes of proposed Streets consistent with the* ~~Mandatory Street Network~~ *Transportation Master Plan, and the Block requirements of this Code. It must contain Place Type allocation as defined in Section 3.2.001.b and be reflective of Section 4.2.001 Character District Descriptions & additional Standards.*” on page 74 of the B3 Code.

##### SEC 3.2.002 NEIGHBORHOOD REGULATING PLAN

- (a) All areas within the City of Bastrop more than 3.4 acres that do not require Place Type Zoning changes will require a Neighborhood Regulating Plan. Place Types shall be assigned through the creation of a Neighborhood Regulating Plan.
- (b) The process for creating a Neighborhood Regulating Plan is described in the B3 Technical Manual Article 2.3 - Neighborhood Regulating Plan.
- (c) Neighborhood Regulating Plans must provide the Street Types, location and sizes of proposed Streets consistent with the ~~Transportation Master Plan~~ ~~Mandatory Street Network~~, and the Block requirements of this Code. It must contain Place Type allocation as defined in Section 3.2.001.b and be reflective of Section 4.2.001 Character District Descriptions & additional Standards.
- (d) A Neighborhood Regulating Plan must adhere to the Pedestrian Shed Map, Sec. 3.3.001, and must be reviewed and comply with the percentages of 3.2.002(b).

##### SEC 3.2.003 NEIGHBORHOOD REGULATING PLAN EXEMPTIONS

- (a) All areas within the City of Bastrop over 3.4 acres on a platted Lot not seeking to develop.

##### ARTICLE 3.3 PEDESTRIAN SHED

- (a) In TND developments, every 1/4 mile radius or “Pedestrian Shed,” i.e. approx. 80 acres or 6 Farm Lots, is to contain a mix/allocation of Place Types that reflect the Character District. Measuring Development by the Pedestrian Shed will ensure walkable neighborhoods are created.
- (b) The Pedestrian Shed is the area encompassed by the walking distance from a town or neighborhood center. They are often defined as the area covered by a 5-minute walk (about 0.25 miles or 1,320 feet) from the center.
- (c) Pedestrian Sheds in VCD or CLD Development Patterns vary in size and are prescribed in Article 5.2 Development Patterns Standards.

4) Amend ARTICLE 4.1 GENERAL, Section .4.2.001 CHARACTER DISTRICTS DESCRIPTIONS & ADDITIONAL STANDARDS, (b) 5,13,17 and 19

- Replace the reference of gridded with downtown in section: *“(b) (5) Downtown District - Downtown Bastrop is laid out in an almost perfect series of small, gridded blocks. The ~~gridded~~ downtown network of Streets is a fundamental element that creates the most effective and efficient structure for cities to be walkable, flexible and timeless. It contains human scale Streets and buildings organized in a uniform manner. Parks and Civic Spaces integrated into the built form of the City. The shopfronts and ground floor characteristics at the Street edge are made up of glass and directly relate to the Street. The Residential Lot sizes, House sizes, housing types, and setbacks vary throughout the district.”* on page 81 of the B3 Code.

lends itself to village centers. A mix of retail, restaurant and office Buildings, that incorporate Residential around community agriculture, open fields, and water features being reminiscent of meandering streams and stock tanks that once served livestock.

(3) **Cultural Arts District** - Arts and culture are the centerpiece of this district. Located in one of the oldest parts of the City, this district will pay homage to the rich culture of Bastrop by providing a physical landscape to share the human experience. A sophisticated mix of theater, music, and art will blend with a mix of housing, while also providing shopping and dining opportunities. Situated along two state highways, this district will be a destination for tourists and locals alike sharing a cultural experience.

(4) **District 71** - District 71 promotes regional trade and easy vehicular access from major Thoroughfares. Developments become destinations unto themselves, with parking areas nearby for visitor access. Elements within the Public Realm encourage walk- or bike-ability bringing large developed areas back to the human scale.

(5) **Downtown District** - Downtown Bastrop is laid out in an almost perfect series of small gridded blocks. The

~~gridded~~ **downtown** network of Streets is a fundamental element that creates the most effective and efficient structure for cities to be walkable, flexible and timeless. It contains human scale Streets and buildings organized in a uniform manner. Parks and Civic Spaces integrated into the built form of the City. The shopfronts and ground floor characteristics at the Street edge are made up of glass and directly relate to the Street. The Residential Lot sizes, House sizes, housing types, and setbacks vary throughout the district.

(6) **Ferry District** - This district follows the east side of the Colorado River north of SH 71. People may seamlessly access both riverine resources and shopfronts. Shopfronts directly interact with the Street where topography allows or are clustered into accessible destinations along the river providing entertainment in scenic setting. Walkable trail connections to other districts, with shade from mature trees and structural features of the Public Realm, are key elements of Development.

(7) **Historic Highway District** - As one of the oldest towns in Texas, Bastrop has served travelers going from Austin to Houston for over 100 years. The Historic

- Add the word downtown after gridded in section *“(b) (13) Old Town District - Old Town has a rich history based on the Building Block and Farm Lot configuration of the 1920 Iredell Map. The gridded ~~downtown~~ Street network is well connected, and a variety of Lot types, setbacks, and Building Types are present. Human scale and tree shaded Streets encourage comfortable multimodal connectivity to the surrounding neighborhoods, while discrete and rural-style infrastructure functions steadily.”* on page 82 of the B3 Code.

Railroad, State Highway 95, and Piney Creek. Originally laid out in the pattern of Farm Lots, Residential growth has happened incrementally, creating a diverse mix of Lot sizes and housing styles. The addition of neighborhood Commercial along established Streets and the inclusion of housing type variation will add to the vitality and timeless nature of the community. Continued Development should focus on establishing additional east/west connectivity to continue the Building Block pattern originally established in Downtown Bastrop.

(13) **Old Town District** - Old Town has a rich history based on the Building Block and Farm Lot configuration of the 1920 Iredell Map. The ~~gridded downtown~~ Street network is well connected, and a variety of Lot types, setbacks, and Building Types are present. Human scale and tree shaded Streets encourage comfortable multimodal connectivity to the surrounding neighborhoods, while discrete and rural-style infrastructure functions steadily.

(14) **PDD District** - Planned Development Districts are existing master planned developments created under previous Codes that allow a mix of land uses and design Standards. Each area has specific concept and

Development plans that determine Street connectivity, Lot layout, and Building design.

(15) **Pine Village District** - Characterized by scenic vistas of the Colorado River, this district is positioned along the rolling hills of the Lost Pines. The natural geography in the district provides both opportunity for commerce and Residential neighborhoods. The built environment will harmoniously integrate with the natural environment, creating inviting Open Spaces with storefronts and residences.

(16) **River District** - The Colorado River serves as the focal point of this district. Ample Commercial and Residential opportunities are present, interacting with the natural environment, giving an uptown feel along the banks of the river. Open space, Civic Spaces, and trails will bring people to the district while they enjoy dining, retail, and entertainment opportunities. The natural geography will inform the Building pattern blending the urban and natural form.

(17) **Riverside Grove District** - Situated between a City Park and a Commercial corridor, Riverside Grove provides a classic opportunity to connect people to places. Mobility is promoted via the tree-lined Streets in a semi-grid pattern that allow multiple modes of

- No change to reference (b) (17) on page 82 and 83 of the B3 Code.
- No change to reference (b) (18) on page 83 of B3 Code.

5) Amend ARTICLE 5.2 DEVELOPMENT PATTERN STANDARDS, SEC. 5.2.001 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) (b)

- Replace the reference to grid with street network in section: *“(b) TND characteristics may include the continuation of the ~~Grid Street Network~~ as the basic platform of arrangement of the Neighborhood Regulating Plans and Zoning Concept Schemes. They contain a range of housing types, a network of well-connected Streets and blocks, well defined public spaces, and have amenities such as stores, schools, and Third Places within walking distance of residences.”* on page 87 of the B3 Code.

6) Amend ARTICLE 5.2 DEVELOPMENT PATTERN STANDARDS, SEC. 5.2.002 TND STANDARDS, (b) (c) (d) and (e)

- Replace the reference in section “(c) 330’ x 330’ ~~preferred~~ suggested Block size.” on page 87 of the B3 Code.
- Replace the reference in section “(b) 1,320’ ~~preferred~~ suggested max Block perimeter.
- No change to sections (d) and (e) on page 87 of the B3 Code.

ARTICLE 5.2 DEVELOPMENT PATTERN STANDARDS

SEC. 5.2.001 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND)

(a) Intent:

TND may occur in Infill areas and involve adaptive reuse of existing buildings, or can be created as new Construction on previously undeveloped land.

(b) TND characteristics may include the continuation of the ~~Grid~~ Street Network as the basic platform of arrangement of the Neighborhood Regulating Plans and Zoning Concept Schemes. They contain a range of housing types, a network of well-connected Streets and blocks, well defined public spaces, and have amenities such as stores, schools, and Third Places within walking distance of residences.

(c) TND is the preferred and default Development Pattern in the City of Bastrop.

SEC. 5.2.002 TND STANDARDS

(a) Location: The TND is located within a Character District that allows for the Development Pattern.

(b) 1,320' suggested preferred max Block perimeter.

(c) 330' x 330' suggested preferred Block size.

(d) If Block dimensions exceed the preferred Block perimeter and size, a 20' Pedestrian Walkway shall be included at mid-Block.

(e) Smaller blocks are allowed By Right.

(f) In the P4 Mix, a minimum Residential mix of three Building Types (not less than 20%) shall be required.

(g) A TND shall be structured by one standard or Linear Pedestrian Shed (see Article 3.2.2 Place Types by Pedestrian Shed) and shall be no fewer than 13.6 acres and no more than 160 acres.

(h) A TND shall include Place Types as allocated in Section 3.2.002.b.

(i) Sites larger than 80 circular acres or 160 linear acres shall be designed and developed as multiple Neighborhood Regulating Plans. Each Neighborhood Regulating Plan is subject to the individual Place Type requirements for its Development Pattern as allocated Section 3.2.002.b or associated Standards.

7) Amend ARTICLE 5.2 DEVELOPMENT PATTERN STANDARDS, Section 5.2.005 VILLAGE CENTER DEVELOPMENT (VCD), (b)

- Replace the reference in section (b) referenced the Village Center Development (VCD) street types "Description: VCD consists of a small dense grouping of predominately P4 and P5 Building serving as Residential, live/ work and Commercial and office buildings organized in a vernacular, curvilinear grid, or potential for a grid network of blocks and Streets. The Streets are small and serve as shared Streets. Vehicles are kept on the exterior of the developments. Buildings are located directly to the Street edge." (Page 89 of the B3 Code)



**SEC. 5.2.005 VILLAGE CENTER DEVELOPMENT (VCD)**

- (a) Intent: A VCD is a series of small Streets lined with buildings at the Street edge creating a unique village style community.
- (b) Description: VCD consists of a small dense grouping of predominately P4 and P5 Building serving as Residential, live/ work and Commercial and office buildings organized in a vernacular, curvilinear grid, or potential for a grid network of blocks and Streets. The Streets are small and serve as shared Streets. Vehicles are kept on the exterior of the developments. Buildings are located directly to the Street edge.

**SEC. 5.2.006 VCD STANDARDS**

- (a) See Section 5.2.007 Development Patterns by Character District to determine if Village Center Development is an allowed Development Pattern.
- (b) Streets Types are narrow and serve as shared Streets in the Development.
- (c) Vehicles are kept on the exterior of the key areas of developments to create plazas and Civic Spaces throughout the Development.

- (d) Buildings are located directly to the Street edge at the Frontage Line and occupy 80% to 100% of the Lot Frontage; and
- (e) Parking shall be located in the Third Layer of the Lot.
- (f) Vehicle access shall be kept in the rear of the property served by alleys or the rear lanes.
- (g) P3 shall be limited to 10% of the Development.
- (h) P1 and CS shall be more than 40% of the Development.
- (i) P4 and P5 shall make up the remaining 50% of the Development.
- (j) A VCD shall be structured by one Long Pedestrian Shed or Linear Pedestrian Shed and shall consist of no fewer than 13.6 acres and no more than 80 acres.

## 8) Amend ARTICLE 7.1 STREETS &amp; PUBLIC REALM, Section 7.1.002 GENERAL, (d)

- The section (d) referenced Mandatory Street Network. There will be no change to this section as it is necessary to reference the Mandatory Street Network found in the Transportation Master Plan. (Page 127 of the B3 Code)

## 9) Amend ARTICLE 7.3 STREET TYPES, (b) (1)

- Remove both references to the grid and add street before network in this section: *(1) Primary Multimodal Streets (80' R.O.W.) - provide a higher degree of mobility than most of the ~~grid street~~ network by serving travel between major destinations or activity centers, as well as providing local cross-City route alternatives to the major highway routes. These Streets should be designed as walkable, low-to-moderate speed Thoroughfares that carry both through and local traffic, pedestrians, and bicyclists. These Streets are also important connections for primary goods movement and emergency response routes. These Streets will often require additional right-of-way than a typical ~~grid~~ connector, either for additional through travel lanes or for dedicated Pedestrian and bicycle facilities (Bastrop Master Transportation Plan).* on page 131 of the B3 Code.

(c) Applicants must dedicate sufficient right-of-way to the City for Streets and sidewalks, in accordance with the Master Transportation Plan. Typical Street right-of way widths are illustrated in this Section.

(d) The City may require turn lanes and additional right-of-way beyond that shown in the applicable Street typical cross-section to accommodate turn lanes when warranted.

#### SEC. 7.2.004 MEASUREMENT OF STREETS & PUBLIC REALM

(a) Face of Curb. All measurements of parking spaces and lane widths are taken from the Face of Curb and are inclusive of the gutter.

(b) Pavement Markings. All measurements of parking spaces and lane widths are made to the center of pavement markings.

#### ARTICLE 7.3 STREET TYPES

(a) A range of Streets Types have been provided which correspond back to the built environment they serve. Street Types were created in conjunction with all other B<sup>3</sup> Code sections to promote long-term fiscal sustainability and a walkable environment. Each Street Type contains

characteristics which correspond with the Place Types and Building Types in the B<sup>3</sup> Code.

(b) The following Street illustrations are to be used as a guide when designing Streets for Neighborhood Regulating Plans or Zoning Concept Schemes and Infill Street designs. The Streets types are separated into two categories:

(1) Primary Multimodal Streets (80' R.O.W.) - provide a higher degree of mobility than most of the ~~grid street~~ network by serving travel between major destinations or activity centers, as well as providing local cross-City route alternatives to the major highway routes. These Streets should be designed as walkable, low-to-moderate speed Thoroughfares that carry both through and local traffic, pedestrians, and bicyclists. These Streets are also important connections for primary goods movement and emergency response routes. These Streets will often require additional right-of-way than a typical ~~grid~~-connector, either for additional through travel lanes or for dedicated Pedestrian and bicycle facilities (Bastrop Master Transportation Plan).

(2) Local Connector Streets (55.5' R.O.W.) - provide a higher degree of direct access to abutting property.

10) Amend Chapter 10, Section 10.1.002 DEFINITIONS, American Grid, and Mandatory Street Network

- ***No changes proposed to the definitions of American Grid and Mandatory Street Network. It is necessary to keep the references. (Pages 223 and 236 of the B3 Code)***

#### FISCAL IMPACT:

None

#### RECOMMENDATION:

Recommend the amendments as proposed by staff.

#### ATTACHMENTS:

1. Ordinance No. 2025-24
2. Exhibit A – Redline Bastrop Building Block B3 Code Book

**ORDINANCE NO. 2025-24**

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CODE OF ORDINANCES CHAPTER 14, THE BASTROP BUILDING BLOCK (B3) CODE, BY REMOVING ALL REFERENCES TO THE MANDATORY STREET NETWORK AND THE GRIDDED STREET NETWORK AND ESTABLISHING STANDARDS AND PROCEDURES; AS SHOWN IN AS EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE, AND MEETING.**

**WHEREAS,** the City of Bastrop, Texas (the “City”) is a home rule municipality located in Bastrop County, Texas acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to amend an ordinance that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

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

**WHEREAS,** these amendments are to remove references to the gridded street network within each place type, definition, and executive summary pages to create cohesion in other areas of the code that are also in line to be modified with previously adopted ordinances; and

**WHEREAS,** the Planning and Zoning Commission held a public hearing on February 17, 2025 and February 24, 2025, and recommended approval with a vote, six to one to recommend these B3 Code text amendments at the February 24, 2025 meeting; and

**WHEREAS,** notice of the public hearing to consider the amendments to the Code of Ordinances was published on January 29, 2025, and the City held a public hearing and conducted the first reading for the City Council on March 4, 2025; and

**WHEREAS,** the City finds these certain amendments to the aforementioned ordinances are necessary and reasonable to meet changing conditions and are in the



best interest of the City.

**WHEREAS,** the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Bastrop held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

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

- Section 1.** The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.
- Section 2.** The City of Bastrop authorizes the amendment to the Bastrop Building Block Code (B3), Section 3.2.001, 3.2.002, 4.2.001, 5.2.001, 5.2.002, 5.2.005, 10.1.002, and Article 7.3 Street Types of the Bastrop Building Code is hereby amended and shall read in accordance with Exhibit "A", which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any struck-through text shall be deleted from the Code, as shown in each of the attachments.
- Section 3.** Passage. Pursuant to Section 3.12 of the City Charter, the Council determined that the first reading of this Ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading and the Ordinance was passed by the affirmative vote of four or more members of the City Council; therefore, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon a second reading.
- Section 4.** Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.
- Section 5.** Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.
- Section 6.** Effective Date. This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.

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

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

**APPROVED:**

*by:* \_\_\_\_\_  
John Kirkland, Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

---

## THE CITY

---

### THE CITY OF BASTROP WILL:

- ▶ Adopt Standards and processes that result in fiscally sustainable development and promote Incremental development with intentional character by focusing on the intersection of the Public and Private Realms;
- ▶ Retain its natural infrastructure and visual character derived from topography, woodlands, farmlands and waterways;
- ▶ Encourage Infill and redevelopment growth strategies along with new neighborhoods;
- ▶ Facilitate development of Infill properties contiguous to an existing built environment in the pattern of Traditional Neighborhood Development (TND) or Village Center Development (VCD) and be integrated with the existing ~~grid~~ pattern;
- ▶ Promote development of properties non-contiguous to an existing built environment organized in the pattern of Traditional Neighborhood Development (TND), Cluster Land Development (CLD), or Village Center Development (VCD);
- ▶ Plan and reserve Transportation Corridors in coordination with land development;
- ▶ Define and connect the built environment with trails and greenways; and
- ▶ Create a framework of transit, Pedestrian, and bicycle systems that provide alternatives to the automobile.

# Exhibit A

Item 4B.

**Block Types** - Blocks are the foundation for development in Bastrop. The ~~gridded~~ network of Streets formed by the Bastrop Building Block has been proven to support each Place Type and all associated Standards in the Code. Block Types match the level of intensity of development they are serving. The Block Types will vary from rural to urban, becoming more formal as the urbanity increases. See the [Pattern Book](#) for more examples of Block Types.

**Building Types** - Building Types correspond to the Place Types and Street Types. Building Types are contained within each Place Type to confirm the intensity of development aligns with the infrastructure and building forms to support the wide variety of Building Types.



Block Examples for illustrative purposes

*See Chapter 10 - Definitions for defined terms. All defined terms are capitalized throughout this document.*

## ARTICLE 3.2 PLACE TYPE STANDARDS

### SEC 3.2.001 ALLOCATION & SEQUENCE OF PLACE TYPE DETERMINATION

(a) Determination of Place Type designations shall be made based on the following factors considered in the following sequence:

- (1) Geographically sensitive Development Patterns;
- (2) The existing Streets and Master Thoroughfare Plan  
~~Mandatory Street Network;~~
- (3) Proximity to existing Place Types (built or entitled);
- (4) Size of new Development; and
- (5) Pedestrian Shed Distribution.

(b) The City of Bastrop shall have the following assigned percentages of each Pedestrian Shed allocated to the established Place Types. Before preparing a Neighborhood Concept Scheme the Applicant must review permitted Development Patterns and the associated Standards. Place Type percentage allocation per Pedestrian Shed as described in Article 3.3:

P1 - Nature	Varies
P2 - Rural	Varies
P3 - Neighborhood	10-35%
P4 - Mix	25-75%
P5 - Core	5 - 20%
CS – Civic Space	10% Min.
EC – Employment Center	No Min.
PDD – Planned Development District	No Min.

## SEC 3.2.002 NEIGHBORHOOD REGULATING PLAN

- (a) All areas within the City of Bastrop more than 3.4 acres that do not require Place Type Zoning changes will require a Neighborhood Regulating Plan. Place Types shall be assigned through the creation of a Neighborhood Regulating Plan.
- (b) The process for creating a Neighborhood Regulating Plan is described in the B<sup>3</sup> Technical Manual Article 2.3 - Neighborhood Regulating Plan.
- (c) Neighborhood Regulating Plans must provide the Street Types, location and sizes of proposed Streets consistent with the Transportation Master Plan ~~Mandatory Street Network~~, and the Block requirements of this Code. It must contain Place Type allocation as defined in Section 3.2.001.b and be reflective of Section 4.2.001 Character District Descriptions & additional Standards.
- (d) A Neighborhood Regulating Plan must adhere to the Pedestrian Shed Map, Sec. 3.3.001, and must be reviewed and comply with the percentages of 3.2.002(b).

## SEC 3.2.003 NEIGHBORHOOD REGULATING PLAN EXEMPTIONS

- (a) All areas within the City of Bastrop over 3.4 acres on a platted Lot not seeking to develop.

## ARTICLE 3.3 PEDESTRIAN SHED

- (a) In TND developments, every 1/4 mile radius or “Pedestrian Shed,” i.e. approx. 80 acres or 6 Farm Lots, is to contain a mix/allocation of Place Types that reflect the Character District. Measuring Development by the Pedestrian Shed will ensure walkable neighborhoods are created.
- (b) The Pedestrian Shed is the area encompassed by the walking distance from a town or neighborhood center. They are often defined as the area covered by a 5-minute walk (about 0.25 miles or 1,320 feet) from the center.
- (c) Pedestrian Sheds in VCD or CLD Development Patterns vary in size and are prescribed in Article 5.2 Development Patterns Standards.

lends itself to village centers. A mix of retail, restaurant and office Buildings, that incorporate Residential around community agriculture, open fields, and water features being reminiscent of meandering streams and stock tanks that once served livestock.

- (3) **Cultural Arts District** - Arts and culture are the centerpiece of this district. Located in one of the oldest parts of the City, this district will pay homage to the rich culture of Bastrop by providing a physical landscape to share the human experience. A sophisticated mix of theater, music, and art will blend with a mix of housing, while also providing shopping and dining opportunities. Situated along two state highways, this district will be a destination for tourists and locals alike sharing a cultural experience.
- (4) **District 71** - District 71 promotes regional trade and easy vehicular access from major Thoroughfares. Developments become destinations unto themselves, with parking areas nearby for visitor access. Elements within the Public Realm encourage walk- or bike-ability bringing large, developed areas back to the human scale.
- (5) **Downtown District** - Downtown Bastrop is laid out in an almost perfect series of small, gridded blocks. The

~~gridded~~ **downtown** network of Streets is a fundamental element that creates the most effective and efficient structure for cities to be walkable, flexible and timeless. It contains human scale Streets and buildings organized in a uniform manner. Parks and Civic Spaces integrated into the built form of the City. The shopfronts and ground floor characteristics at the Street edge are made up of glass and directly relate to the Street. The Residential Lot sizes, House sizes, housing types, and setbacks vary throughout the district.

- (6) **Ferry District** - This district follows the east side of the Colorado River north of SH 71. People may seamlessly access both riverine resources and shopfronts. Shopfronts directly interact with the Street where topography allows or are clustered into accessible destinations along the river providing entertainment in scenic setting. Walkable trail connections to other districts, with shade from mature trees and structural features of the Public Realm, are key elements of Development.
- (7) **Historic Highway District** - As one of the oldest towns in Texas, Bastrop has served travelers going from Austin to Houston for over 100 years. The Historic

Railroad, State Highway 95, and Piney Creek. Originally laid out in the pattern of Farm Lots, Residential growth has happened incrementally, creating a diverse mix of Lot sizes and housing styles. The addition of neighborhood Commercial along established Streets and the inclusion of housing type variation will add to the vitality and timeless nature of the community. Continued Development should focus on establishing additional east/west connectivity to continue the Building Block pattern originally established in Downtown Bastrop.

(13) **Old Town District** - Old Town has a rich history based on the Building Block and Farm Lot configuration of the 1920 Iredell Map. The **gridded downtown** Street network is well connected, and a variety of Lot types, setbacks, and Building Types are present. Human scale and tree shaded Streets encourage comfortable multimodal connectivity to the surrounding neighborhoods, while discrete and rural-style infrastructure functions steadily.

(14) **PDD District** - Planned Development Districts are existing master planned developments created under previous Codes that allow a mix of land uses and design Standards. Each area has specific concept and

Development plans that determine Street connectivity, Lot layout, and Building design.

(15) **Pine Village District** - Characterized by scenic vistas of the Colorado River, this district is positioned along the rolling hills of the Lost Pines. The natural geography in the district provides both opportunity for commerce and Residential neighborhoods. The built environment will harmoniously integrate with the natural environment, creating inviting Open Spaces with storefronts and residences.

(16) **River District** - The Colorado River serves as the focal point of this district. Ample Commercial and Residential opportunities are present, interacting with the natural environment, giving an uptown feel along the banks of the river. Open space, Civic Spaces, and trails will bring people to the district while they enjoy dining, retail, and entertainment opportunities. The natural geography will inform the Building pattern blending the urban and natural form.

(17) **Riverside Grove District** - Situated between a City Park and a Commercial corridor, Riverside Grove provides a classic opportunity to connect people to places. Mobility is promoted via the tree-lined Streets in a semi-grid pattern that allow multiple modes of



## ARTICLE 5.2 DEVELOPMENT PATTERN STANDARDS

### SEC. 5.2.001 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND)

#### (a) Intent:

TND may occur in Infill areas and involve adaptive reuse of existing buildings or can be created as new Construction on previously undeveloped land.

(b) TND characteristics may include the continuation of the Grid Street Network as the basic platform of arrangement of the Neighborhood Regulating Plans and Zoning Concept Schemes. They contain a range of housing types, a network of well-connected Streets and blocks, well defined public spaces, and have amenities such as stores, schools, and Third Places within walking distance of residences.

(c) TND is the preferred and default Development Pattern in the City of Bastrop.

### SEC. 5.2.002 TND STANDARDS

(a) Location: The TND is located within a Character District that allows for the Development Pattern.

(b) 1,320' preferred suggested max Block perimeter.

(c) 330' x 330' preferred suggested Block size.

(d) If Block dimensions exceed the preferred Block perimeter and size, a 20' Pedestrian Walkway shall be included at mid-Block.

(e) Smaller blocks are allowed By Right.

(f) In the P4 Mix, a minimum Residential mix of three Building Types (not less than 20%) shall be required.

(g) A TND shall be structured by one standard or Linear Pedestrian Shed (see Article 3.2.2 Place Types by Pedestrian Shed) and shall be no fewer than 13.6 acres and no more than 160 acres.

(h) A TND shall include Place Types as allocated in Section 3.2.002.b.

(i) Sites larger than 80 circular acres or 160 linear acres shall be designed and developed as multiple Neighborhood Regulating Plans. Each Neighborhood Regulating Plan is subject to the individual Place Type requirements for its Development Pattern as allocated Section 3.2.002.b or associated Standards.

## SEC. 5.2.005 VILLAGE CENTER DEVELOPMENT (VCD)

- (a) Intent: A VCD is a series of small Streets lined with buildings at the Street edge creating a unique village style community.
- (b) Description: VCD consists of a small dense grouping of predominately P4 and P5 Building serving as Residential, live/ work and Commercial and office buildings organized in a vernacular, curvilinear grid, or potential for a grid network of blocks and Streets. The Streets are small and serve as shared Streets. Vehicles are kept on the exterior of the developments. Buildings are located directly to the Street edge.

## SEC. 5.2.006 VCD STANDARDS

- (a) See Section 5.2.007 Development Patterns by Character District to determine if Village Center Development is an allowed Development Pattern.
- (b) Streets Types are narrow and serve as shared Streets in the Development.
- (c) Vehicles are kept on the exterior of the key areas of developments to create plazas and Civic Spaces throughout the Development;

- (d) Buildings are located directly to the Street edge at the Frontage Line and occupy 80% to 100% of the Lot Frontage; and
- (e) Parking shall be located in the Third Layer of the Lot.
- (f) Vehicle access shall be kept in the rear of the property served by alleys or the rear lanes.
- (g) P3 shall be limited to 10% of the Development.
- (h) P1 and CS shall be more than 40% of the Development.
- (i) P4 and P5 shall make up the remaining 50% of the Development.
- (j) A VCD shall be structured by one Long Pedestrian Shed or Linear Pedestrian Shed and shall consist of no fewer than 13.6 acres and no more than 80 acres.

- (c) Applicants must dedicate sufficient right-of-way to the City for Streets and sidewalks, in accordance with the Master Transportation Plan. Typical Street right-of way widths are illustrated in this Section.
- (d) The City may require turn lanes and additional right-of-way beyond that shown in the applicable Street typical cross-section to accommodate turn lanes when warranted.

## SEC. 7.2.004 MEASUREMENT OF STREETS & PUBLIC REALM

- (a) Face of Curb. All measurements of parking spaces and lane widths are taken from the Face of Curb and are inclusive of the gutter.
- (b) Pavement Markings. All measurements of parking spaces and lane widths are made to the center of pavement markings.

## ARTICLE 7.3 STREET TYPES

- (a) A range of Streets Types have been provided which correspond back to the built environment they serve. Street Types were created in conjunction with all other B<sup>3</sup> Code sections to promote long-term fiscal sustainability and a walkable environment. Each Street Type contains

characteristics which correspond with the Place Types and Building Types in the B<sup>3</sup> Code.

- (b) The following Street illustrations are to be used as a guide when designing Streets for Neighborhood Regulating Plans or Zoning Concept Schemes and Infill Street designs. The Streets types are separated into two categories:

(1) Primary Multimodal Streets (80' R.O.W.) - provide a higher degree of mobility than most of the grid **street** network by serving travel between major destinations or activity centers, as well as providing local cross-City route alternatives to the major highway routes. These Streets should be designed as walkable, low-to-moderate speed Thoroughfares that carry both through and local traffic, pedestrians, and bicyclists. These Streets are also important connections for primary goods movement and emergency response routes. These Streets will often require additional right-of-way than a typical **grid** connector, either for additional through travel lanes or for dedicated Pedestrian and bicycle facilities (Bastrop Master Transportation Plan).

(2) Local Connector Streets (55.5' R.O.W.) - provide a higher degree of direct access to abutting property.



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-25, amending the Code of Ordinances related to Chapter 14, the B3 Technical Manual, by removing all references to the Mandatory Street Network and the Gridded Network; as shown in Exhibit A; and move to include on the March 11, 2025 Consent Agenda for the second reading.

**AGENDA ITEM SUBMITTED BY:**

Andres Rosales, Assistant City Manager

**BACKGROUND/HISTORY:**

The Planning and Zoning Commission held a public hearing on February 17, 2025, and February 24, 2025, and recommended approval to amend Chapter 14, the B3 Technical Manual, by removing all references to the Mandatory Street Network and the Gridded Network. The motion passed 6-1.

The B3 code was adopted in November of 2019, and subsequently amended in April of 2022. With the adoption of the B3 code, the Technical Manual was introduced as a supporting development document.

A published notice was placed in the Elgin Courier on January 29<sup>th</sup> and sent mailed notices to all property owners within the City Limits and within 200 feet of City Limits, in accordance with the B3 Code Technical Manual.

The Planning and Zoning Commission held a public hearing on February 17, 2025 and February 24, 2025 and recommend approval with a vote six to one of the B3 Technical Manual text amendments.

As discussed in the prior public hearing, the Thoroughfare Plan lays out requirements for the gridded street network. The gridded street network requires 330' by 330' building block. This creates an overabundance of public streets and creates more maintenance requirements for the City to fund. This amendment is a change not to the B3 code, but rather it's accompanied by the Technical Manual. A change in one creates a change in the other.

The proposed amendments are as follows:

1. Amend ARTICLE 1.2 DEVELOPMENT PROCEDURES, Section. 1.2.003 DEVELOPMENT PROCESS, (c) (1) (C)

- Remove Mandatory reference to Mandatory Street Network from: “(C) Placement of the **mandatory** street network and blocks.”

- B. A recommendation and subsequent decision from one or more of the following public hearing bodies:
- Zoning Board of Adjustment (ZBA),
  - City Council, and/or
  - Planning and Zoning Commission.
  - Refer to Table A for the specific review processes.
- (4) Application for construction document review and permits;
- (5) Inspections; and,
- (6) Certificate of Occupancy.
- (c) Detailed Development Process:
- (1) Step 1: Pre-development meeting and site visit:
- A. Development activities begin with a pre-development meeting request to the City. Go to the City of Bastrop website at <https://www.cityofbastrop.org/page/>
- ~~plan new development process~~, for pre-development application details and scheduling.
- B. The primary purpose of the pre-development meeting is for staff to help identify the scope of the development proposal, so that the City can determine the appropriate submittal requirements and process(es), including whether the development will require administrative or public approval.
- C. The site visit will:
- Identify the geographic center of the development;
  - Key features to be preserved on the lot(s);
  - The appropriate Development Patterns;
  - Environmental/ infrastructure constraints; and
  - Placement of the **mandatory** street network and blocks.
- (2) Step 2: Development application submittal and review:

Page 7 of 81

## 2. Amend section ARTICLE 2.3 NEIGHBORHOOD REGULATING PLANS, (e)

- Replace the grid reference to street network: “Neighborhood Regulating Plans using the Traditional Neighborhood Design (TND) pattern may use the downtown Bastrop **grid street network** blocks as helpful new neighborhood examples. See the Pattern Book for the Bastrop Block and other block examples.”

districts promote rural developments with less intense development standards.

- (e) Neighborhood Regulating Plans using the Traditional Neighborhood Design (TND) pattern may use the downtown Bastrop ~~grid~~ **street network** blocks as helpful new neighborhood examples. See the Pattern Book for the Bastrop Block and other block examples.
- (f) Neighborhood Regulating Plans in Character Districts will allow for Cluster Land Development (CLD), or Village Center Development (VCD); may create alternative designs to the block that best integrate with the existing site conditions. For more information on Development Patterns, see Chapter 5 - Development Patterns - in the B<sup>3</sup> Code.
- (g) Creating a Neighborhood Regulating Plan is a three-step process. Specific requirements, standards, and recommendations are outlined in the Code and the pattern book and this B<sup>3</sup> Technical Manual. Additional requirements and recommendations may be determined at pre-application meeting and site visit.
- (h) The specific standards for an application will be determined at the pre-application meeting.

- (i) A response will be issued by DRC to the applicant to summarize the pre-development meeting and site visit.

#### SEC. 2.3.001 STEP ONE: NEIGHBORHOOD REGULATING PLAN

- (a) Submission includes:

- (1) Legal description & geographic location [map](#);
- (2) Block and Place Type [designation](#);



Neighborhood Regulating Plan with 5 Neighborhoods  
Rendering by Geoff Dyer

Page 42 of 81

3. Amend ARTICLE 2.3 NEIGHBORHOOD REGULATING PLANS, Section 2.3.001 STEP ONE: NEIGHBORHOOD REGULATING PLAN, (a) – (4) A, (5) B, and (6)
  - (4) A – Add clarity to reference: “The street network plan must show existing streets and the transition Street Types into the proposed neighborhood, **in accordance with the Transportation Masterplan.**”
  - (5) B – Add clarity to reference: “Blocks with Street Types with wider than 55.5 feet of right-of-way can chose to create smaller blocks or propose to adjust the grid to accommodate the selected street network of Street Types, **if compliant with the Transportation Masterplan.**”
  - (6) Add clarity to reference: “Refer to the Transportation Masterplan and Thoroughfare Masterplan for **street network** requirements.”

- (3) Demonstrate the structure of the proposed neighborhood based on the standards associated with the property.
- A. The proposed neighborhood must allocate a variety of Place Types on sites over 3.4 acres or per block of development, as defined in the B<sup>3</sup> Code.
  - B. Each block may vary in design. Natural conditions, physical barriers, special site features, or existing development shall be used to inform the patterns of the block. See the Pattern Book for alternative block configurations.
- (4) Street Network:
- A. The street network plan must show existing streets and the transition Street Types into the proposed neighborhood, in accordance with the Transportation Masterplan.
  - B. A network of streets shall show streets to and through the development.
- (5) Street Types:
- A. Each Street Type is scaled propositional to the associated Place Types and Building Types.
  - B. Blocks with Street Types with wider than 55.5 feet of right-of-way can choose to create smaller blocks or propose to adjust the grid to accommodate the selected street network of Street Types, if compliant with the Transportation Masterplan.
  - C. Blocks with Street Types wider than 55.5 ft of right-of-way must also demonstrate the fiscal sustainability of the requested Place Types and Street Types.
  - D. Blocks adjacent to undeveloped land, areas unsuitable for development, or pre-existing incomplete Blocks may be exempt from Block Face length and Block perimeter requirements by Warrant.
- (6) Refer to the Transportation Masterplan and Thoroughfare Masterplan for street network requirements, if applicable.

#### SEC. 2.3.002 STEP TWO: SUBDIVISION PLAT SUBMITTAL

- (a) Subdivision Plat.
- (b) See Chapter 1 - Subdivisions of the B<sup>3</sup> Codes.

Page 43 of 81

### FISCAL IMPACT:

None

### RECOMMENDATION:

Recommend the amendments proposed by staff to remove all references to the mandatory street network and the gridded street network.

### ATTACHMENTS:

1. Ordinance No. 2025-25
2. Exhibit A – Redline B3 Technical Manual

**ORDINANCE NO. 2025-25**

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CODE OF ORDINANCES CHAPTER 14, THE (B3) TECHNICAL MANUAL, BY REMOVING ALL REFERENCES TO THE MANDATORY STREET NETWORK AND GRIDDED NETWORK; AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE, AND MEETING.**

**WHEREAS,** the City of Bastrop, Texas (the “City”) is a home rule municipality located in Bastrop County, Texas acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to amend an ordinance that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

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

**WHEREAS,** these amendments are to remove references of the gridded street network to create cohesion in other areas of the code that are also in line to be modified with previously adopted ordinances; and

**WHEREAS,** the Planning and Zoning Commission held a public hearing on February 17, 2025 and February 24, 2025, and recommended approval with a vote, six to one to recommend these B3 Technical Manual text amendments at the February 24, 2025 meeting; and

**WHEREAS,** notice of the public hearing to consider the amendments to the Code of Ordinances was published on January 29, 2025, and the City held a public hearing and conducted the first reading for City Council on March 4, 2025; and

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

**WHEREAS,** the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Bastrop held in strict compliance with the



Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

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

- Section 1.** The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.
- Section 2.** The City of Bastrop authorizes the amendment to the (B3) Technical Manual, Section 1.2.003 and Section 2.3.001 of the Bastrop Building Block Technical Manual is hereby amended and shall read in accordance with Exhibit "A", which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any struck-through text shall be deleted from the Code, as shown in each of the attachments.
- Section 3.** Passage. Pursuant to Section 3.12 of the City Charter, the Council determined that the first reading of this Ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading and the Ordinance was passed by the affirmative vote of four or more members of the City Council; therefore, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon a second reading.
- Section 4.** Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.
- Section 5.** Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.
- Section 6.** Effective Date. This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.

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

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

**APPROVED:**

by: \_\_\_\_\_  
John Kirkland, Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

B. A recommendation and subsequent decision from one or more of the following public hearing bodies:

- i. Zoning Board of Adjustment (ZBA),
- ii. City Council, and/or
- iii. Planning and Zoning Commission.
- iv. Refer to Table A for the specific review processes.

(4) Application for construction document review and permits;

(5) Inspections; and,

(6) Certificate of Occupancy.

(c) Detailed Development Process:

(1) Step 1: Pre-development meeting and site visit:

A. Development activities begin with a pre-development meeting request to the City. Go to the City of Bastrop website at <https://www.cityofbastrop.org/page/>

plan.newdevelopmentprocess for pre-development application details and scheduling.

B. The primary purpose of the pre-development meeting is for staff to help identify the scope of the development proposal, so that the City can determine the appropriate submittal requirements and process( es), including whether the development will require administrative or public approval.

C. The site visit will:

- i. Identify the geographic center of the development;
- ii. Key features to be preserved on the lot(s);
- iii. The appropriate Development Patterns;
- iv. Environmental/ infrastructure constraints; and
- v. Placement of the ~~mandatory~~ street network and blocks.

(2) Step 2: Development application submittal and review:

districts promote rural developments with less intense development standards.

- (e) Neighborhood Regulating Plans using the Traditional Neighborhood Design (TND) pattern may use the downtown Bastrop ~~grid~~ **street network** blocks as helpful new neighborhood examples. See the Pattern Book for the Bastrop Block and other block examples.
- (f) Neighborhood Regulating Plans in Character Districts will allow for Cluster Land Development (CLD), or Village Center Development (VCD); may create alternative designs to the block that best integrate with the existing site conditions. For more information on Development Patterns, see Chapter 5 - Development Patterns - in the B<sup>3</sup> Code.
- (g) Creating a Neighborhood Regulating Plan is a three-step process. Specific requirements, standards, and recommendations are outlined in the Code and the pattern book and this B<sup>3</sup> Technical Manual. Additional requirements and recommendations may be determined at pre-application meeting and site visit.
- (h) The specific standards for an application will be determined at the pre-application meeting.

- (i) A response will be issued by DRC to the applicant to summarize the pre-development meeting and site visit.

## SEC. 2.3.001 STEP ONE: NEIGHBORHOOD REGULATING PLAN

- (a) Submission includes:

- (1) Legal description & geographic location map;
- (2) Block and Place Type designation;



Neighborhood Regulating Plan with 5 Neighborhoods  
Rendering by Geoff Dyer

(3) Demonstrate the structure of the proposed neighborhood based on the standards associated with the property.

- A. The proposed neighborhood must allocate a variety of Place Types on sites over 3.4 acres or per block of development, as defined in the B<sup>3</sup> Code.
- B. Each block may vary in design. Natural conditions, physical barriers, special site features, or existing development shall be used to inform the patterns of the block. See the Pattern Book for alternative block configurations.

(4) Street Network:

- A. The street network plan must show existing streets and the transition Street Types into the proposed neighborhood, in accordance with the Transportation Masterplan.
- B. A network of streets shall show streets to and through the development.

(5) Street Types:

- A. Each Street Type is scaled propositional to the associated Place Types and Building Types.

- B. Blocks with Street Types with wider than 55.5 feet of right-of-way can chose to create smaller blocks or propose to adjust the grid to accommodate the selected street network of Street Types, if compliant with the Transportation Masterplan.
- C. Blocks with Street Types wider than 55.5 ft of right-of- way must also demonstrate the fiscal sustainability of the requested Place Types and Street Types.
- D. Blocks adjacent to undeveloped land, areas unsuitable for development, or pre-existing incomplete Blocks may be exempt from Block Face length and Block perimeter requirements by Warrant.

(6) Refer to the Transportation Masterplan and Thoroughfare Masterplan for street network requirements, if applicable.

## SEC. 2.3.002 STEP TWO: SUBDIVISION PLAT SUBMITTAL

- (a) Subdivision Plat.
- (b) See Chapter 1 - Subdivisions of the B<sup>3</sup> Codes.



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-21, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, Minimum Lot Sizes in P2 and P3; and move to include on the March 11, 2025 Consent Agenda for a second reading.

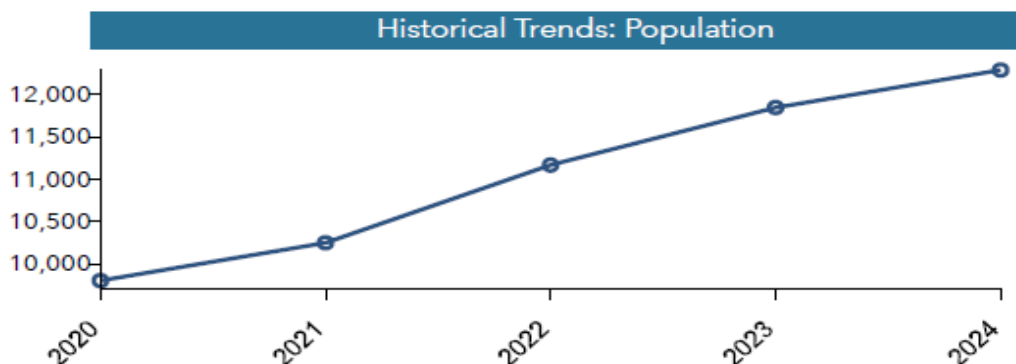
**AGENDA ITEM SUBMITTED BY:**

Submitted by: Sylvia Carrillo-Trevino, CM, ICMA-CM, CPM

**BACKGROUND/HISTORY:**

The B3 code was adopted in November of 2019. The B3 Code, is a code rooted in New Urbanism. New Urbanism seeks to create walkable and denser communities where walking or other non-automobile forms are the preferred method of transportation. The B3 is a code that was designed to urbanize what was once a semi-rural community. For example, the B3 Code promotes no minimum lot standards and the construction of multi-family product types, such as duplexes, in traditional single-family neighborhoods. In addition to this, the B3 Code also encourages residential structures in traditional single-family neighborhoods to be placed close to the front property line. These standards in the B3 Code only add to further remove the traditional semi-rural landscape that was once authentic Bastrop.

In addition to the urbanized code standards in the B3 Code, the city has also seen immense development pressure since its adoption in 2019. From 2016 to 2023, Bastrop's population grew by approximately 34.3%. With the increased growth from Austin to the west, the availability of large land parcels, the availability of water, and abundant natural resources, the growth shows no signs of slowing.



Since adopting the B3 Code, and experiencing the pressure of growth in the community, the citizens of Bastrop have begun to identify certain aspects of the B3 Code that do not truly align with the authentic Bastrop. One consistently conveyed request Staff has received is to put

measures in place that will protect the traditional semi-rural neighborhood fabric of Bastrop from the unbridled densification of residential neighborhoods that are currently allowed in the B3 Code.

Essentially, the desire of the community is to keep Bastrop looking authentic by preserving what's already in place.

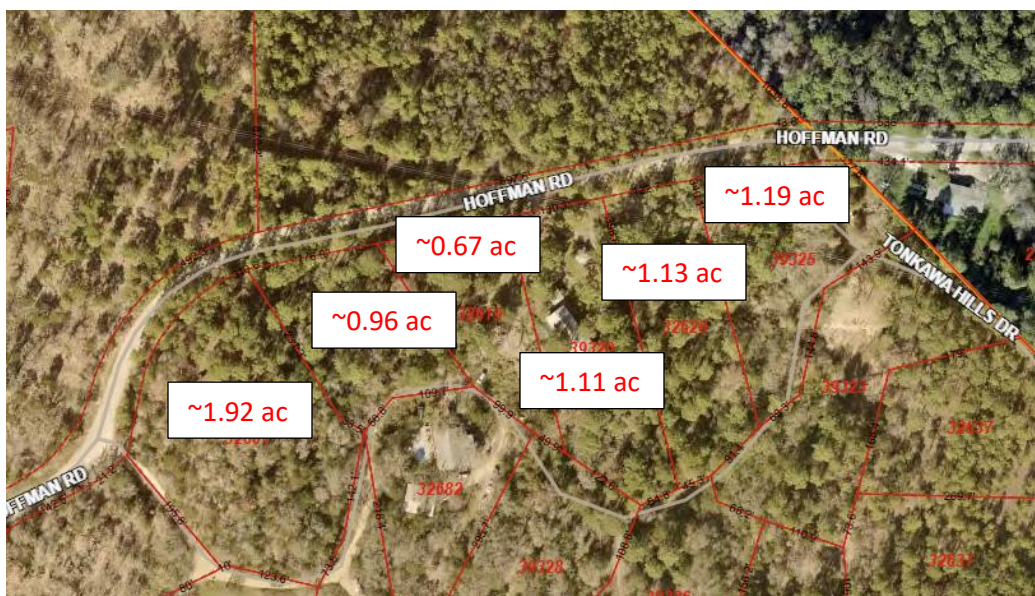
To accomplish this, staff is proposing is to establish a minimum lot size for the P2 and P3 Place Types, which are the more traditional single-family neighborhoods, that will be based on a metric that is driven by the current average lot size of all P2 and P3 lots within the City of Bastrop. To put it more simply, P2 and P3 should look no different that what is currently in place. This provides some predictability to existing residents that their neighborhood will not face transition to tiny homes, or other dense product types.

This statistical analysis was obtained from a Geographic Information System (GIS) analysis of all of the P2 and P3 lots within the city.

The analysis of the average lot size for P2 lots was found to be between 1 and 1.3 acres. Staff is recommending that the minimum lot size for P2 be 1 acre to have a clean, consistent metric.

TrimAvg 10%	TrimAvg 20%
1.293	1.018
1.358	1.070
(Avg of the Middle 90% of data)	(Avg of the Middle 80% of data)

For instance, in this traditional P2 single-family neighborhood along Hoffman Road Street, the average lot size is +/-1.16 acres.

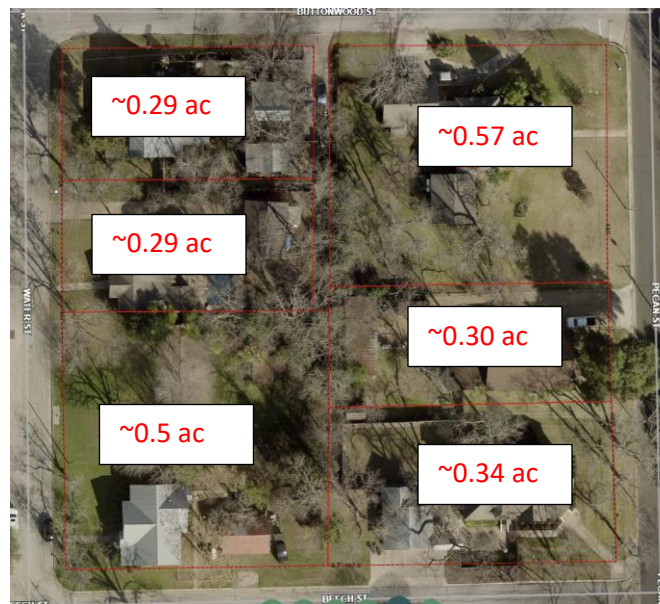


The analysis of the average lot size for P3 was found to be 0.30 acres. Staff is recommending that the minimum lot size in P3 be 0.33 acres to have a more consistent metric of approximately 3 lots per acre.



TrimAvg 10%	TrimAvg 20%
0.316	0.301
0.319	0.304
(Avg of the Middle 90% of data)	(Avg of the Middle 80% of data)

For instance, in this traditional P3 single-family neighborhood, such as this one bounded by Buttonwood, Water, Beech, and Pecan Street, the average lot size is +/-0.38 acres.



Currently, with no minimum lot size in place, there is no way to truly create predictability within residential neighborhoods for what the expectation can be for the built environment in the future. Residents are seeking predictability in their already established neighborhoods.

These changes affect all P2 and P3 zones, however, if a new residential development would like to build a different or denser product in an undeveloped area of town, and they can build and sustain the necessary infrastructure, then a tool currently exists which allows them to seek administrative relief through the codes via a Planned Development District (PDD).

#### Mitigating Unintended Consequences for Existing Residents

In addition to proposing the minimum lot size of 0.33 acres for P3 and a minimum lot size of 1 acre for P2, Staff is also proposing language that will give citizens the opportunity to mirror their built environment in the lots in that area do not explicitly fall in line with the proposed standards by amending **Section 2.4.001 – Nonconforming Uses and Structure** to include **Lots**:

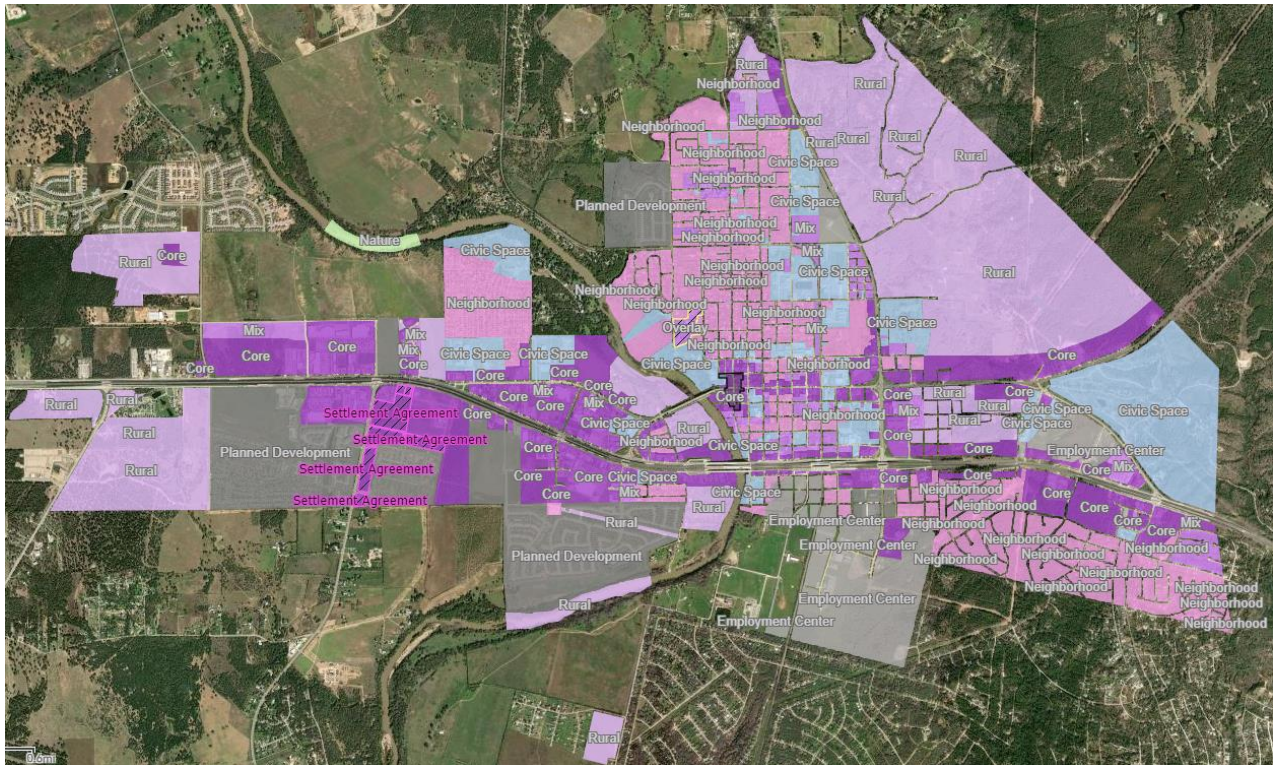
#### **SEC. 2.4.001 NONCONFORMING USES, STRUCTURES, AND LOTS**

(4) No nonconforming use, ~~or~~ ~~S~~ structure, or lot may be expanded, further subdivided, reoccupied with another nonconforming use, or increased as of the effective date of this Code, unless:



- A. An application is authorized by the ZBA;
- B. An application is administratively approved by the Director of Development Services if;
  - (1) Properties within 500 feet of the adjacent structures **or lots** have similar encroachments, building standards, setbacks, ~~or~~ build-to-lines, **or lot sizes** and the application is generally consistent with the surrounding built environment; or
  - (2) The application is for an Accessory Structure that does not directly increase or expand the characteristics that render the use or structure nonconforming;
  - (3) The expansion to the structure does not directly increase or expand the characteristics that render the use or structure nonconforming.

Zoning Map depicting P2 (Rural) and P3 (Neighborhood) locations that would be affected by the proposed changes.



#### **FISCAL IMPACT:**

None.

#### **PUBLIC NOTICE:**

A published notice was placed in the Elgin Courier on January 29<sup>th</sup> and sent mailed notices to all property owners within the City Limits and within 200 feet of City Limits, in accordance with the B3 Code Technical Manual.

#### **PLANNING AND ZONING COMMISSION:**

The proposed ordinance changes were presented to the Planning and Zoning Commission on Monday, February 17, 2025. The Planning and Zoning Commission recommended approval of the proposed changes to the ordinance with a vote of 5 to 1.

The proposed ordinance changes were presented to the Planning and Zoning Commission again on Monday, February 25, 2025. The Planning and Zoning Commission recommended approval of the proposed changes to the ordinance with a vote of 6 to 1.

**RECOMMENDATION:**

Take action on the first reading of Ordinance No. 2025-21, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, Minimum Lot Sizes in P2 and P3; and move to include on the March 11, 2025 Consent Agenda for a second reading.

**ATTACHMENTS:**

1. Ordinance No. 2025-21
2. Exhibit A: Proposed changes to Bastrop Building Block (B3) Code

**ORDINANCE NO. 2025-21**

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

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to amend an ordinance that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

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

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

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

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

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

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

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

**Section 4. Repealer.** This Ordinance shall be and is hereby cumulative of all other

ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.

**Section 5. Codification.** The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

**Section 6. Effective Date.** This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.

**Section 7. Proper Notice and Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**READ & ACKNOWLEDGED** on First Reading on this the 4<sup>th</sup> day of March 2025.

**READ & ADOPTED** on Second Reading on this the 11<sup>th</sup> day of March 2025.

**APPROVED:**

by: \_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

# EXHIBIT A

Item 4D.

	P1	P2	P3	P4	P5	EC
PORCH	NP	P	P	P	NP	NP
DOORYARD	NP	NP	NP	P	P	P
TERRACE	NP	NP	NP	P	P	P
STOOP	NP	P	NP	P	P	P
LIGHTWELL	NP	NP	NP	P	P	P
GALLERY	NP	NP	NP	P	P	P
ARCADE	NP	NP	NP	NP	P	P
<b>LOT OCCUPATION - SEC. 6.3.008</b>						
LOT COVERAGE		40% max	60% max	70% max	80% max	80% max
BUILDING FRONTAGE AT BUILD-TO-LINE		40% min	40% min	60% min	80% min	80% min
BUILD-TO-LINE		25 ft *	25 ft *	5 ft - 15 ft	2 ft - 15 ft	
<u>MINIMUM LOT SIZE</u>		<u>1 acres***</u>	<u>0.33 acres***</u>			
<u>FIRST LAYER SETBACK</u>		<u>Built Environment**</u>	<u>Built Environment**</u>			

\* Only applicable to undeveloped lots in P2 & P3, lots being redeveloped shall adhere to the First Layer Setback for P2 & P3

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

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

Formatted Table

Formatted Table

Formatted: Indent: Hanging: 2.39"

Formatted: Indent: First line: 0.55"

- (2) An Application for a building permit for any proposed use other than those specified in the "P2" District must be made to the Director of Planning & Development. If the Applicant shows that plans and other preparation for developing the property commenced prior to annexation by the City, as established by the Texas Local Government Code Chapter 43, City Council shall authorize the Construction of the Project by a majority vote.

**SEC. 2.3.004 ANNUAL ADOPTION OF SCHEDULE OF UNIFORM SUBMITTAL DATES FOR SITE PLANS AND PLACE TYPE ZONING CHANGES**

City Council will annually meet in September to adopt a Schedule of Uniform Submittal Dates in order to comply with Texas Local Government Code Chapter 211 for Zoning Changes, and Site Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, when the Planning & Zoning Commission will meet, and/or when Administrative decisions by the Director of Planning & Development will occur.

**ARTICLE 2.4 ADMINISTRATION**

**SEC. 2.4.001 NONCONFORMING USES, AND STRUCTURES, AND LOTS**

- (a) Intent of Provisions
- (1) Within the districts established by this Code or amendments thereto, exist lots, Structures, uses of land, and characteristics of use that were lawful before this Code was enacted, amended or otherwise made applicable to such lots, Structures or uses, but that do not now conform to the Standards of the Code where they are located. It is the intent of this Code to permit such nonconforming lots, Structures or uses to continue, as long as the conditions within this Section and other applicable sections are met.
  - (2) It is further the intent of this ordinance that nonconforming uses shall not be enlarged upon, expanded or extended, intensified and not be used as a basis for adding other Structures or uses prohibited elsewhere in the same district.
  - (3) Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.



considered to have been abandoned. Manufactured homes and mobile homes may be replaced once per the Texas Occupations Code.

- (4) No nonconforming use, ~~or~~ structure, or lot may be expanded, further subdivided, reoccupied with another nonconforming use, or increased as of the effective date of this Code, unless:

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

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

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

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

- (5) Conforming Residential uses on platted lots approved prior to this Code, that may now be nonconforming due to stricter Standards, shall be deemed in conformance with this Code as long as the use of the Lot is allowed in the respective district.

- (6) Any existing vacant Lot platted prior to the adoption of this Code, that was legally conforming, shall be deemed a conforming Lot subject to the provisions applicable to Lots of Records as defined in Sec. 1.3.013.

(d) Changing Nonconforming Use:

- (1) An expansion of a nonconforming Structure is allowed in accordance with the following:

Formatted: Space Before: 0 pt

Formatted: Indent: Left: 1.19", Numbered + Level: 4 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.65" + Indent at: 0.9"

Formatted: Indent: Left: 1.19", Line spacing: single, Numbered + Level: 4 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.65" + Indent at: 0.9"

Formatted: Indent: Left: 1.19", Numbered + Level: 4 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.65" + Indent at: 0.9"

**SEC. 6.3.003 BUILDING PLACEMENT**

- (a) Principal buildings shall be positioned on a Lot in accordance with Section 6.5.003 Building Standards per Place Type.

(1) The First Layer, also known as the First Layer Setback in P2 and P3, is the area of land between the Frontage Line and the Build-to-Line. The First Layer is measured from the Frontage Line.

(+) For lots being redeveloped in P2 or P3 the First Layer Setback shall be the average of the of the two (2) lots to the right and two lots to the left, with the ability to vary by +/-5 feet from the average.

Formatted: Justified, Right: 0", Line spacing: single, Tab stops: Not at 0.85"

---

**ARTICLE 6.4 LOT STRUCTURE DESCRIPTION & DIAGRAM**


---

BUILDINGS	
Principal Building	The main Building on a Lot.
Accessory Structures	A secondary Building usually located toward the rear of the same Lot as a Principal Building such as a garage, carport, or workshop and may include a dwelling unit, but no more than two per Lot.
LOT LAYERS	
First Layer	The area of a Lot from the Frontage Line to the Facade of the Principal Building, <a href="#">for P2 and P3 see B3 Development Table for Standards, Lot Occupation - Sec. 6.3.008.</a>
Second Layer	The area of a Lot set behind the First Layer to a depth of 20 feet in all Place Types.
Third Layer	The area of a Lot set behind the Second Layer and extending to the rear Lot Line.
LOT	
Build-to-Line	The minimum percentage of the front Building Facade that must be located within the First Layer.
Lot Width	The length of the Principal Frontage Line of a Lot.
Frontage Line	Where the Property Line meets R.O.W.
Rear Lot Line	Where the Property Line meets Alley R.O.W. or an adjoining side/ rear property line.

## SEC. 6.5.003 BUILDING STANDARDS PER PLACE TYPE

Place Types	P1	P2	P3	P4	P5
<b>A. LOT OCCUPATION</b>					
Lot Coverage		40% max	60% max	70% max	80% max
Facade Buildout at Build-to-Line		40% min	40% min	60% min	80% min
Build-to-Line		25 ft*	25 ft*	5 ft - 15 ft	2 ft - 15 ft
<u>Minimum Lot Size</u>		<u>1 acres***</u>	<u>0.33 acres***</u>		
<u>First Layer Setback</u>		<u>B.E.**</u>	<u>B.E.**</u>		

**\*\* Only applicable to undeveloped lots in P2 & P3, lots being redeveloped shall adhere to the First Layer Setback for P2 & P3**

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

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

**Formatted:** Not Strikethrough

**Formatted:** Not Strikethrough

**Formatted:** Centered, Indent: Left: 0"

**Formatted:** Centered

**Formatted:** Font: 10 pt, Font color: Red

**Formatted:** Normal, Indent: Left: 3.89", First line: 0.55", Space Before: 5.5 pt



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-22, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, Build-to-Line standards in P2 and P3, and adopting a First Layer Setback in P2 and P3; and move to include on the March 11, 2025 Consent Agenda for a second reading.

**AGENDA ITEM SUBMITTED BY:**

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

**BACKGROUND/HISTORY:**

The B3 code was adopted in November of 2019. The B3 Code, in its purest form, is a code that was designed to urbanize what was once a semi-rural community. The B3 code is based on New Urbanism principles that seek to reduce reliance on the automobile.

*“The City will.....Create a framework of transit, Pedestrian, and bicycle systems that provide alternatives to the automobile” B3 Code Intent, Page 12 of 249*

Denser development via no lot size minimums, and prior to this year, zero parking requirements.

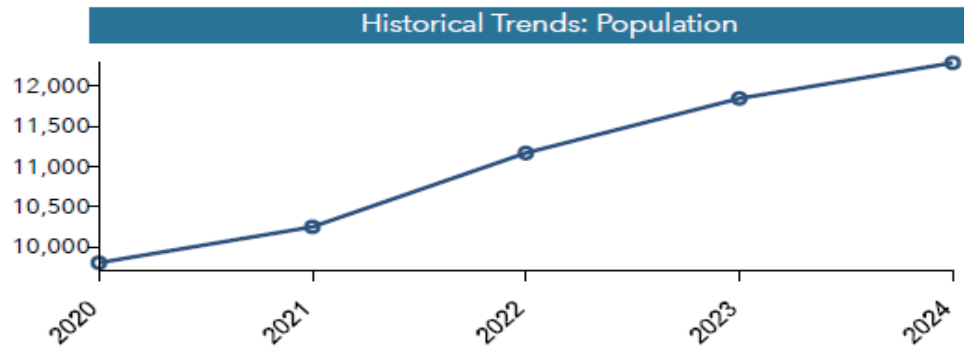
*Intent: Parking shall not be the driver of Site planning. The Standards in the Code support this notion through limited and eliminating parking. The intent of building a walkable, bikeable, and an easily navigable City means all mode of transportation are available to reduce the reliance on the car. Chapter 6, Section 6.3.006 B3 Code*

The B3 Code also encourages residential structures in traditional single-family neighborhoods to be placed close to the front property line to encourage alley parking

*“The preferred means of vehicular access to lots is through the use of Alleys. Alleys provide a location to hide unsightly functions of our communities such as garages, garbage cans, transformers, electric meters, and telephone equipment” Sec. 6.3.005 B3 Code*

These standards in the B3 Code only add to further remove the traditional semi-rural landscape that was once authentic Bastrop.

In addition to the urbanized code standards in the B3 Code, the city has also seen immense development pressure since its adoption in 2019. From 2016 to 2023, Bastrop’s population grew by approximately 34.3%. With the increased growth from Austin to the west, the availability of large land parcels, the availability of water, and abundant natural resources, the growth shows no signs of slowing.



Since adopting the B3 Code, and experiencing the pressure of growth in the community, the citizens of Bastrop have begun to identify certain aspects of the B3 Code that do not truly align with the authentic Bastrop. One consistently conveyed request Staff has received is to put measures in place that will protect the traditional semi-rural neighborhood fabric of Bastrop from the unbridled densification of residential neighborhoods that are currently allowed in the B3 Code.

Proposed amendments to the B3 code are aimed at protecting Bastrop's residential integrity by establishing standards that limit further urbanization and to keep Bastrop looking authentic by preserving what's already in place.

For instance, in a traditional Single-family Neighborhood (P3), such as this one bounded by Buttonwood, Main, Church, and Farm Street, structures are encouraged to be placed **10' - 25'** from the front property line.



However, as you can see from the image above, the current metric of **10' - 25'** in P3 does not mirror the built environment of many of the neighborhoods that make up authentic Bastrop.

The same goes for P2, where structures are currently encouraged to be as close as 10' from the front property line in a zoning designation meant for rural residential properties. Below is the P2

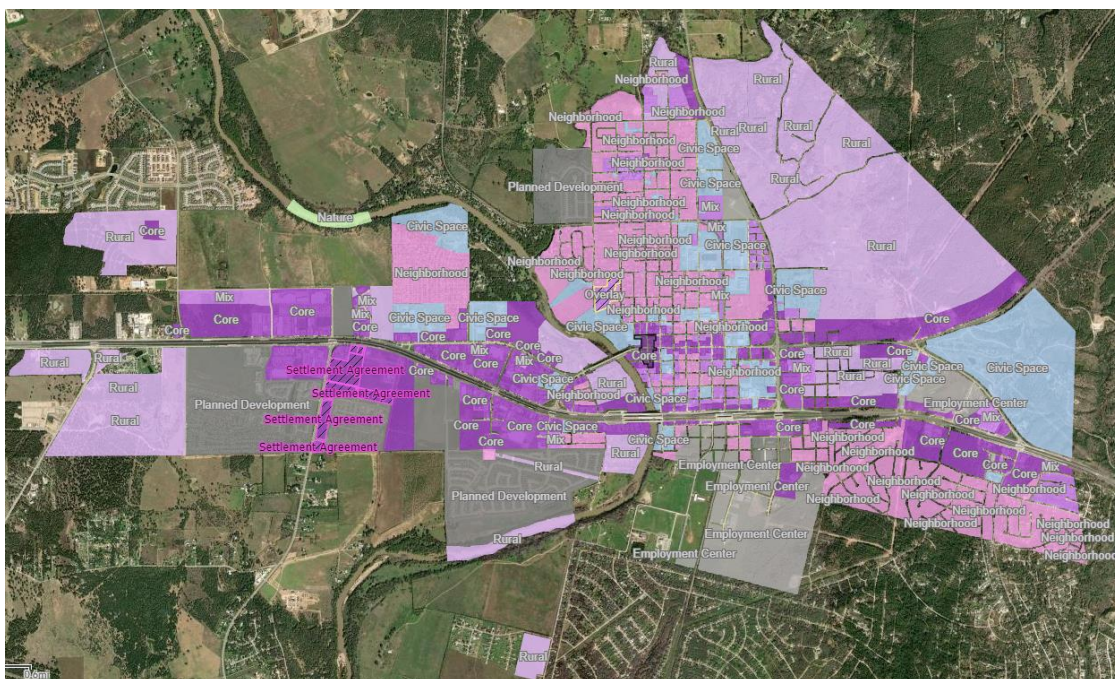


neighborhood located along Piney Ridge Drive. As you can see contextually, 10' does not mirror the authentic build environment of P2.



Therefore, the Staff is proposing to establish that the Build-to-Line in the P2 and P3 Place Types be 25 feet on undeveloped lots. Then, for lots that are being redeveloped and zoned P2 or P3, the First Layer Setback will replace the First Layer Build-to-Line in P2 and P3. These recommendations are reflective of the proposed changes the Planning and Zoning Commission recommended to Staff at the February 24, 2025 Planning and Zoning Commission Meeting.

Zoning Map depicting P2 (Rural) and P3 (Neighborhood) locations that would be affected by the proposed changes.



**FISCAL IMPACT:**

None.

**PUBLIC NOTICE:**

A published notice was placed in the Elgin Courier on January 29<sup>th</sup> and sent mailed notices to all property owners within the City Limits and within 200 feet of City Limits, in accordance with the B3 Code Technical Manual.

**PLANNING AND ZONING COMMISSION:**

The proposed ordinance changes were presented to the Planning and Zoning Commission on Monday, February 17, 2025. The Planning and Zoning Commission recommended approval of the proposed changes to the ordinance with a unanimous vote.

The proposed ordinance changes were presented to the Planning and Zoning Commission again on Monday, February 25, 2025. The Planning and Zoning Commission recommended approval of the proposed changes with the following modifications; undeveloped lots in P2 and P3 shall have a minimum of a 25-foot Build-to-Line, and lots being redeveloped shall adhere to the First Layer Setback with a unanimous vote.

**RECOMMENDATION:**

Take action on the first reading of Ordinance No. 2025-22, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, Build-to-Line standards in P2 and P3, and adopting a First Layer Setback in P2 and P3; and move to include on the March 11, 2025 Consent Agenda for a second reading.

**ATTACHMENTS:**

1. Ordinance No. 2025-22
2. Exhibit A: Proposed code changes to the Bastrop Building Block (B3) Code

## ORDINANCE NO. 2025-22

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CODE OF ORDINANCES, CHAPTER 14, BASTROP BUILDING BLOCK (B3) CODE, BUILD-TO-LINE STANDARDS IN P2 AND P3, AND ADOPTING A FIRST LAYER SETBACK IN P2 AND P3; AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE, AND MEETING.**

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to amend an ordinance that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

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

**WHEREAS,** this amendment seeks to amend the Build-to-Line and establish a First Layer Setback in the P2 and P3 Place Types in order to better facilitate the management of future development within the city limits of Bastrop;

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

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

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

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

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

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

**READ & ACKNOWLEDGED** on First Reading on this the 4<sup>th</sup> day of March 2025.

**READ & ADOPTED** on Second Reading on this the 11<sup>th</sup> day of March 2025.

**APPROVED:**

by: \_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

# EXHIBIT A

Item 4E.

	P1	P2	P3	P4	P5	EC
PORCH	NP	P	P	P	NP	NP
DOORYARD	NP	NP	NP	P	P	P
TERRACE	NP	NP	NP	P	P	P
STOOP	NP	P	NP	P	P	P
LIGHTWELL	NP	NP	NP	P	P	P
GALLERY	NP	NP	NP	P	P	P
ARCADE	NP	NP	NP	NP	P	P
<b>LOT OCCUPATION - SEC. 6.3.008</b>						
LOT COVERAGE		40% max	60% max	70% max	80% max	80% max
BUILDING FRONTAGE AT BUILD-TO-LINE		40% min	40% min	60% min	80% min	80% min
BUILD-TO-LINE		25 ft *	25 ft *	5 ft - 15 ft	2 ft - 15 ft	
<u>MINIMUM LOT SIZE</u>		<u>1 acres***</u>	<u>0.33 acres***</u>			
<u>FIRST LAYER SETBACK</u>		<u>Built Environment**</u>	<u>Built Environment**</u>			

\* Only applicable to undeveloped lots in P2 & P3, lots being redeveloped shall adhere to the First Layer Setback for P2 & P3

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

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

Formatted Table

Formatted Table

Formatted: Indent: Hanging: 2.39"

Formatted: Indent: First line: 0.55"



- (2) An Application for a building permit for any proposed use other than those specified in the "P2" District must be made to the Director of Planning & Development. If the Applicant shows that plans and other preparation for developing the property commenced prior to annexation by the City, as established by the Texas Local Government Code Chapter 43, City Council shall authorize the Construction of the Project by a majority vote.

**SEC. 2.3.004 ANNUAL ADOPTION OF SCHEDULE OF UNIFORM SUBMITTAL DATES FOR SITE PLANS AND PLACE TYPE ZONING CHANGES**

City Council will annually meet in September to adopt a Schedule of Uniform Submittal Dates in order to comply with Texas Local Government Code Chapter 211 for Zoning Changes, and Site Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, when the Planning & Zoning Commission will meet, and/or when Administrative decisions by the Director of Planning & Development will occur.

**ARTICLE 2.4 ADMINISTRATION**

**SEC. 2.4.001 NONCONFORMING USES, AND STRUCTURES, AND LOTS**

(a) Intent of Provisions

- (1) Within the districts established by this Code or amendments thereto, exist lots, Structures, uses of land, and characteristics of use that were lawful before this Code was enacted, amended or otherwise made applicable to such lots, Structures or uses, but that do not now conform to the Standards of the Code where they are located. It is the intent of this Code to permit such nonconforming lots, Structures or uses to continue, as long as the conditions within this Section and other applicable sections are met.
- (2) It is further the intent of this ordinance that nonconforming uses shall not be enlarged upon, expanded or extended, intensified and not be used as a basis for adding other Structures or uses prohibited elsewhere in the same district.
- (3) Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.



considered to have been abandoned. Manufactured homes and mobile homes may be replaced once per the Texas Occupations Code.

- (4) No nonconforming use, ~~or~~ structure, or lot may be expanded, further subdivided, reoccupied with another nonconforming use, or increased as of the effective date of this Code, unless:

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

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

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

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

- (5) Conforming Residential uses on platted lots approved prior to this Code, that may now be nonconforming due to stricter Standards, shall be deemed in conformance with this Code as long as the use of the Lot is allowed in the respective district.

- (6) Any existing vacant Lot platted prior to the adoption of this Code, that was legally conforming, shall be deemed a conforming Lot subject to the provisions applicable to Lots of Records as defined in Sec. 1.3.013.

(d) Changing Nonconforming Use:

- (1) An expansion of a nonconforming Structure is allowed in accordance with the following:

Formatted: Space Before: 0 pt

Formatted: Indent: Left: 1.19", Numbered + Level: 4 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.65" + Indent at: 0.9"

Formatted: Indent: Left: 1.19", Line spacing: single, Numbered + Level: 4 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.65" + Indent at: 0.9"

Formatted: Indent: Left: 1.19", Numbered + Level: 4 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.65" + Indent at: 0.9"

**SEC. 6.3.003 BUILDING PLACEMENT**

- (a) Principal buildings shall be positioned on a Lot in accordance with Section 6.5.003 Building Standards per Place Type.

(1) The First Layer, also known as the First Layer Setback in P2 and P3, is the area of land between the Frontage Line and the Build-to-Line. The First Layer is measured from the Frontage Line.

(+) For lots being redeveloped in P2 or P3 the First Layer Setback shall be the average of the of the two (2) lots to the right and two lots to the left, with the ability to vary by +/-5 feet from the average.

**Formatted:** Justified, Right: 0", Line spacing: single, Tab stops: Not at 0.85"

---

**ARTICLE 6.4 LOT STRUCTURE DESCRIPTION & DIAGRAM**


---

BUILDINGS	
Principal Building	The main Building on a Lot.
Accessory Structures	A secondary Building usually located toward the rear of the same Lot as a Principal Building such as a garage, carport, or workshop and may include a dwelling unit, but no more than two per Lot.
LOT LAYERS	
First Layer	The area of a Lot from the Frontage Line to the Facade of the Principal Building, <a href="#">for P2 and P3 see B3 Development Table for Standards, Lot Occupation - Sec. 6.3.008.</a>
Second Layer	The area of a Lot set behind the First Layer to a depth of 20 feet in all Place Types.
Third Layer	The area of a Lot set behind the Second Layer and extending to the rear Lot Line.
LOT	
Build-to-Line	The minimum percentage of the front Building Facade that must be located within the First Layer.
Lot Width	The length of the Principal Frontage Line of a Lot.
Frontage Line	Where the Property Line meets R.O.W.
Rear Lot Line	Where the Property Line meets Alley R.O.W. or an adjoining side/ rear property line.

## SEC. 6.5.003 BUILDING STANDARDS PER PLACE TYPE

Place Types	P1	P2	P3	P4	P5
<b>A. LOT OCCUPATION</b>					
Lot Coverage		40% max	60% max	70% max	80% max
Facade Buildout at Build-to-Line		40% min	40% min	60% min	80% min
Build-to-Line		25 ft*	25 ft*	5 ft - 15 ft	2 ft - 15 ft
<u>Minimum Lot Size</u>		<u>1 acres***</u>	<u>0.33 acres***</u>		
<u>First Layer Setback</u>		<u>B.E.**</u>	<u>B.E.**</u>		

**\*\* Only applicable to undeveloped lots in P2 & P3, lots being redeveloped shall adhere to the First Layer Setback for P2 & P3**

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

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

**Formatted:** Not Strikethrough

**Formatted:** Not Strikethrough

**Formatted:** Centered, Indent: Left: 0"

**Formatted:** Centered

**Formatted:** Font: 10 pt, Font color: Red

**Formatted:** Normal, Indent: Left: 3.89", First line: 0.55", Space Before: 5.5 pt



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-26, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, by removing duplexes as an allowable building type in P2, and requiring a Conditional Use Permit to construct duplexes in P3; and move to include on the March 11, 2025 Consent Agenda for a second reading.

**AGENDA ITEM SUBMITTED BY:**

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

**BACKGROUND/HISTORY:**

The B3 Code was adopted in November of 2019. The B3 Code is a New Urbanism code that is designed to urbanize what was once a semi-rural community. The B3 Code does this by promoting no minimum lot standards and the construction of multi-family product types, such as duplexes, in traditional single-family neighborhoods. This is a deviation from the traditional fabric of most of the neighborhoods in Historic Bastrop.

Traditional Single-family Neighborhood on Pecan Street, where duplexes are now allowed by right:



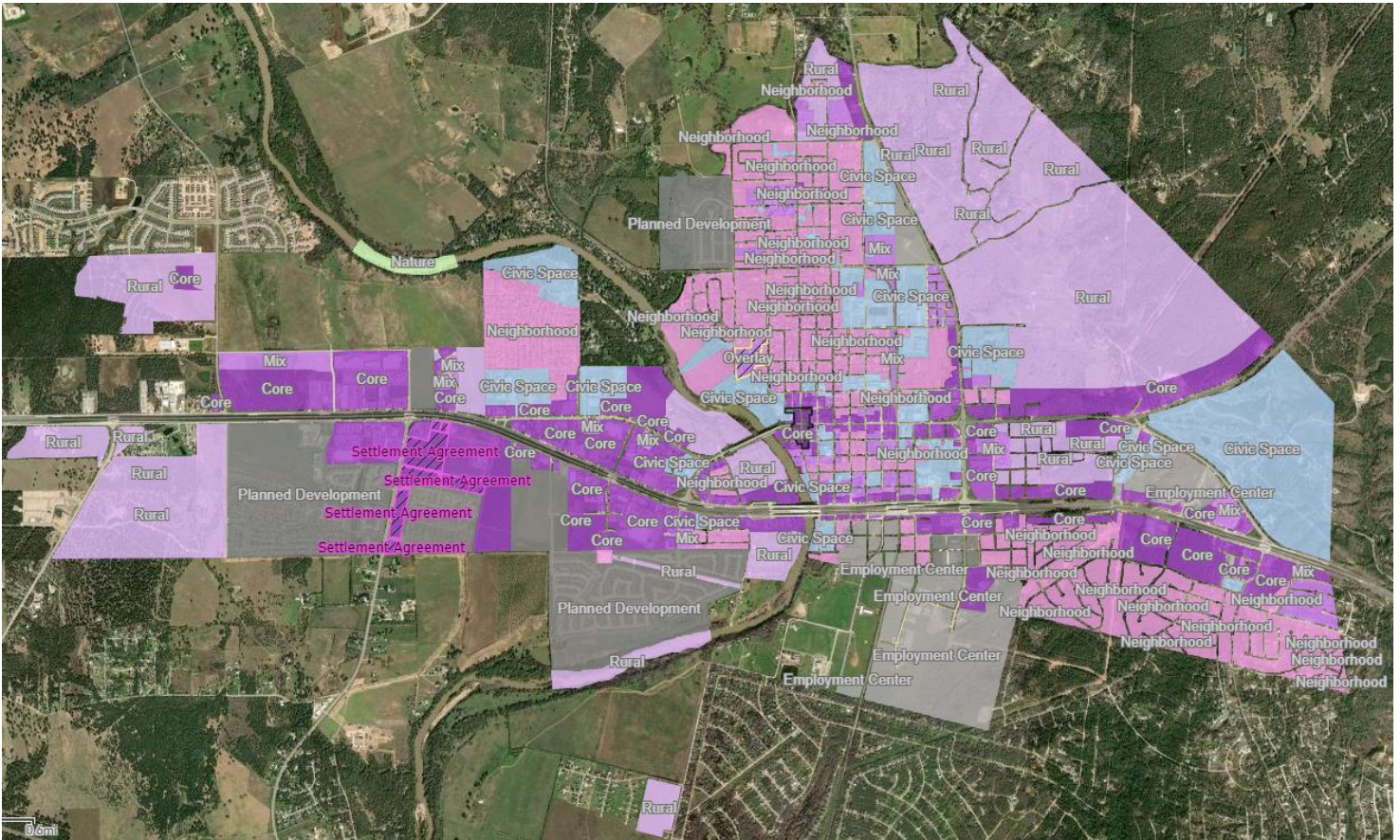
Since adopting the B3 Code, a development pressure from Austin, many investors have begun to view Bastrop as the next gold boom. No minimum lot sizes and smaller housing types create an environment that does all but protect Bastrop.

Therefore, at the request of residents, staff is looking to bring forward amendments to the B3 Code that will help protect Bastrop's residential integrity by establishing standards that limit further



urbanization of the city's core residential neighborhoods. Essentially, the desire of the community is to keep Bastrop looking authentic by preserving what's already in place.

The proposed amendment would remove the ability for duplexes to be constructed in P2 and require a Conditional Use Permit for duplexes to be constructed in P3, which are the more traditional single-family neighborhoods. Adopting this change will preclude what is more commonly understood to be a multi-family housing type from being built in a traditional single-family neighborhood.



Zoning Map depicting P2 (Rural) and P3 (Neighborhood) locations that would be affected by the proposed changes.

#### **FISCAL IMPACT:**

None.

#### **PUBLIC NOTICE:**

A published notice was placed in the Elgin Courier on January 29<sup>th</sup> and sent mailed notices to all property owners within the City Limits and within 200 feet of City Limits, in accordance with the B3 Code Technical Manual.

#### **PLANNING AND ZONING COMMISSION:**



The proposed ordinance changes were presented to the Planning and Zoning Commission on Monday, February 17, 2025. The Planning and Zoning Commission remanded the changes back to Staff and requested Staff bring forth an alternative proposal with a vote of 4 to 2.

The proposed ordinance changes were presented to the Planning and Zoning Commission again on Monday, February 25, 2025. The Planning and Zoning Commission recommended approval of the revised proposed changes to the ordinance which would prohibit duplexes in P2 and require a Conditional Use Permit for duplexes in P3 with a unanimous vote.

**RECOMMENDATION:**

Take action on the first reading of Ordinance No. 2025-26, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, by removing duplexes as an allowable building type in P2, and requiring a Conditional Use Permit to construct duplexes in P3; and move to include on the March 11, 2025 Consent Agenda for a second reading.

**ATTACHMENTS:**

1. Ordinance No. 2025-26
2. Exhibit A: Proposed changes to the Bastrop Building Block (B3) Code

## ORDINANCE NO. 2025-26

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CODE OF ORDINANCES, CHAPTER 14, BASTROP BUILDING BLOCK (B3) CODE, BY REMOVING DUPLEXES AS AN ALLOWABLE BUILDING TYPE IN P2, AND REQUIRING A CONDITIONAL USE PERMIT TO CONSTRUCT DUPLEXES IN P3; AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE, AND MEETING.**

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to amend an ordinance that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

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

**WHEREAS,** this amendment seeks to remove duplexes as an allowable building type in P2, and will require a conditional use permit to construct duplexes in P3 in order to better facilitate the management of future development within the city limits of Bastrop;

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

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

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

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

**Section 3. Severability.** If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall

continue to have full force and effect.

**Section 4. Repealer.** This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.

**Section 5. Codification.** The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

**Section 6. Effective Date.** This Ordinance shall take effect immediately after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.

**Section 7. Proper Notice and Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**READ & ACKNOWLEDGED** on First Reading on this the 4<sup>th</sup> day of March 2025.

**READ & ADOPTED** on Second Reading on this the 11<sup>th</sup> day of March 2025.

**APPROVED:**

by: \_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

# EXHIBIT A

Item 4F.

	P1	P2	P3	P4	P5	EC
COURT	NP	NP	P	P	P	P
CLOSE	NP	NP	P	P	P	P
<b>BUILDING TYPES - ARTICLE 6.5</b>						
REARYARD						
COMMERCIAL	NP	NP	NP	NP	P	P
APARTMENT	NP	NP	NP	P**	P	P
ROWHOUSE	NP	NP	NP	P	P	P
SIDEYARD						
SIDEYARD	NP	NP	NP	P	P	P
COURTYARD						
COURTYARD HOUSE	NP	NP	NP	P	P	P
COURTYARD APARTMENT BUILDING	NP	NP	NP	P**	P	P
EDGEYARD						
RANCH HOUSE, VILLA	NP	P	P	NP	NP	NP
HOUSE	NP	P	P	P	NP	NP
DUPLEX	NP	NP P	CUP-P	P	NP	NP
TRIPLEX, FOURPLEX	NP	NP	NP	P	NP	NP
<b>ENCROACHMENT TYPES - SEC. 6.5.002</b>						

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

## SEC 6.5.001 PERMITTED BUILDING TYPES PER PLACE TYPE

	P1	P2	P3	P4	P5
A: REARYARD					
COMMERCIAL BUILDING	NP	NP	NP	NP	P
APARTMENT BUILDING	NP	NP	NP	P**	P
ROWHOUSE	NP	NP	NP	P	P
B: SIDEYARD					
SIDEYARD	NP	NP	NP	P	P
C: COURTYARD					
COURTYARD HOUSE	NP	NP	NP	P	P
COURTYARD APARTMENT BUILDING	NP	NP	NP	P**	P
D: EDGEYARD					
RANCH HOUSE, VILLA	NP	P	P	NP	NP
HOUSE	NP	P	P	P	NP
DUPLEX	NP	<u>NP, P</u>	<u>CUP, P</u>	P	NP
TRIPLEX, FOURPLEX	NP	NP	NP	P	NP

P\*\* SEE OVERLAY DISTRICTS    P = PERMITTED    NP = NOT PERMITTED



# STAFF REPORT

**MEETING DATE:** March 4, 2025

**TITLE:**

Conduct a public hearing, consider and act on the first reading of Ordinance No. 2025-19, amending the Bastrop Code of Ordinances, Chapter 10 – Subdivisions, by enacting Article 10.01 titled “Parkland Dedication and Park Enrichment Fund,” Sections 10.01.001 – 10.01.014; and move to include on the March 11, 2025 Consent Agenda for the second reading.

**AGENDA ITEM SUBMITTED BY:**

Vivianna Nicole Andres, Assistant to the City Manager

**BACKGROUND/HISTORY:**

The B3 code was adopted in November of 2019. With the adoption of the B3 Code came a new zoning designation titled “Civic Space”. This zoning designation is intended to encapsulate not only parkland, but also governmental uses, schools, plazas, courtyards, etc.

	P1	P2	P3	P4	P5	EC
<b>CIVIC SPACE - ARTICLE 7.5</b>						
PARK	P	P	P	NP	NP	NP
GREEN	NP	NP	P	P	P	P
SQUARE	NP	NP	NP	P	P	P
PLAZA	NP	NP	NP	NP	P	P
PLAYGROUND	P	P	P	P	P	P
COMMERCIAL PLACE	NP	NP	NP	P	P	P
POCKET PARK	NP	NP	P	P	P	P
COURT	NP	NP	P	P	P	P
CLOSE	NP	NP	P	P	P	P

Requirements also established a concept called Pedestrian Sheds. Pedestrian Sheds are meant to be ¼ mile radiuses within the city limits (approximately 80 acres or six Farm Lots) that have a certain percentage requirement for each Place Type within the B3 Code.

(b) The City of Bastrop shall have the following assigned percentages of each Pedestrian Shed allocated to the established Place Types. Before preparing a Neighborhood Concept Scheme the Applicant must review permitted Development Patterns and the associated Standards. Place Type percentage allocation per Pedestrian Shed as described in Article 3.3:

P1 - Nature	Varies
P2 - Rural	Varies
P3 - Neighborhood	10-35%
P4 - Mix	25-75%
P5 - Core	5 - 20%
<b>CS - Civic Space</b>	<b>10% Min.</b>
EC - Employment Center	No Min.
PDD - Planned Development District	No Min.



The intent was to create complete communities within those respective pedestrian sheds. This means that when a Neighborhood Regulating Plan or a Zoning Concept Scheme is submitted, at least 10% should be allocated as Civic Space.



However, with the Civic Space uses being so broad in nature, it has bypassed the ability of the City to ensure that whenever there is a new development dedicating Civic Space within the city limits, the dedication being given to the City is meaningful, well-developed parkland that aligns with our Parks Master Plan. To that end, if the development is not able to dedicate parkland that aligns with our Parks Master Plan, the City should be able to ensure the developer is paying a fee-in-lieu of dedication for parkland. The collection of a fee in lieu of dedication is meant to offset the impact on the park facilities that will occur from the residents who will eventually occupy that development.

The community identified six areas of great importance when it comes to enhancing the existing parks and recreation system. The Big Six recommendations are as follows:

#### 1. FUNDING

Develop sustainable and robust funding strategies to support the newly envisioned park system, including the development and improvement of parks and their maintenance and operational requirements through the use of conventional and non-conventional funding methods such as grants, partnerships, sponsorships, and proactive CIP project planning.

#### 2. PARK IMPROVEMENTS

Improve existing parks, trails, and recreational facilities to support the newly envisioned park system through coordinated funding efforts with the Finance Dept.; working with other city departments to coordinate projects; tracking inventory and identifying items needing maintenance or replacement; establishing standards for equipment/facilities/amenities; keeping constant supply of materials to quickly repair or replace amenities; and include all-inclusive park infrastructure and amenities.

#### 3. TRAILS

Develop additional trail connections through the implementation of new design standards; addressing safety concerns and accessibility through the development of trails with lighting, proper lane markings, and signage; and improve citywide connectivity by developing a Trails Master Plan to identify items such as specific locations of trails, access points, amenities, and linking the plan to the City's Major Thoroughfare Plan.

#### 4. RECREATIONAL PROGRAMMING

Expand and create additional recreational programming, special events, and educational opportunities by designing new parks and facilities to be flexible in their programming; by coordinating recreational programming with existing city events; developing communication strategies to promote recreational programming to the community; conduct follow-up assessments at least every three years to determine need for new programming; develop partnerships with specialized organizations such as Master Gardeners and Master Naturalists to provide educational opportunities at the parks; partner with the Chamber of Commerce and other private sector groups to utilize the parks and recreation facilities for their public events; and promote events on the City's websites and social media.

#### 5. LAND ACQUISITION

Identify and acquire land for parks, recreational facilities, and trail/open space/preservation areas through the implementation of a parkland dedication ordinance that includes dedication requirements, standards, and a fee-in-lieu-of-process for development projects; coordination with private property owners on the application of easements for public use; and coordination between the Parks Division, Recreations Division, and the Planning Department to identify and track existing and future developments.

#### 6. RECREATIONAL COMMUNITY CENTER

Develop an all-inclusive, multi-use Recreational Community Center to support the recreational needs of the community through the development of a feasibility study to be used to identify items such preferred locations, amenities, facilities, number of FTEs to operate/manage/maintain the facility, and potential methods of funding for the construction/operations/maintenance of the facility.

#### SPORT COMPLEX

As part of the overall development of the PROS Plan, the City requested that the project team investigate the needs and economic opportunities for the construction of a sports complex. The project team undertook this request and what was determined is that the placement of a sports complex within the City of Bastrop would be highly beneficial not only in providing a new facility for sports recreation, but also economically benefit the community. The sports examined were baseball, softball, soccer, pickle ball, and par-3 golf. The study determined that sports complexes geared toward baseball, softball and soccer were the most sought after. These sports complexes were identified as those that brought in the most levels of tournaments and teams to an area. As part of this draw to the sports complex, economic benefits could also be captured through the tourism brought by the tournaments. Those who would be attending the tournaments were found to spend money at local retail businesses, restaurants, and overnight accommodations.

Another reason why the City is seeking to adopt the Parkland and Community Enrichment Fee Ordinance is so that the City can better align with one of the core focuses of the B3 Code, "Perpetuation of Authentic Bastrop." By adopting this ordinance, the City would be able to ensure that we continue to receive meaningful parkland that fits the needs of citizens and the goals of

our Parks Master Plan, and that we have tools in place that will allow us to reinvest in our existing parkland which is a key feature in the fabric of authentic Bastrop. The existing parks, such as the historic Fisherman's Park (est. 1947), serve to enhance the quality of life for our residents.

***The intent of the Code is to establish the Standards that enable, encourage, and ensure the community achieves:***

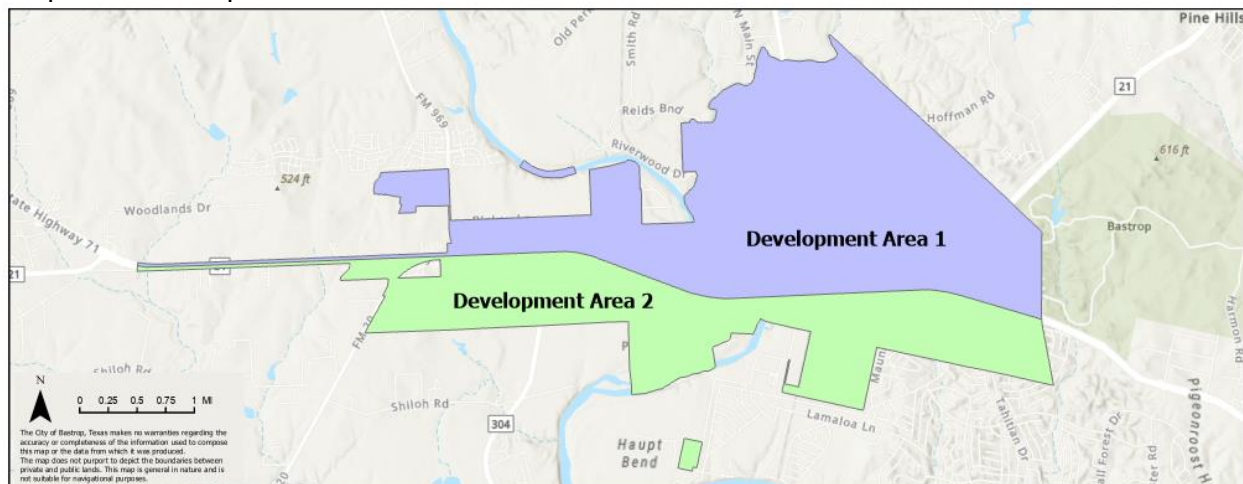
- ✓ ***Fiscal Sustainability***
- ✓ ***Geographically Sensitive Developments***
- ✓ ***Perpetuation of Authentic Bastrop***

The proposed Parkland and Community Enrichment Fee Ordinance will be incorporated into the Bastrop Code of Ordinances, Chapter 10 – Subdivisions. This ordinance seeks to establish specific dedication requirements solely related to parkland and standards for fees-in-lieu of parkland dedication. It also seeks to establish a Community Enrichment Fund and fee, which will be assessed on a per-dwelling or per-dwelling-unit basis.

#### Parkland and Community Enrichment Fund Ordinance Highlights:

- **Parkland Dedication:** The parkland dedication requirement will apply to single-family (SF) and residential or commercial multi-family (MF) uses.
  - The single-family dedication ratio will be 1 acre for each 100 proposed dwelling units.
  - The multi-family dedication ratio will be 1 acre for each 200 proposed units.
  - For mixed-used (SF & MF) development, the dedication requirements shall apply proportionately.
  - All parkland dedicated must be a minimum of 3 acre and contiguous in nature.
- **Park Development Fund:**
  - If paying fee-in-lieu of dedication, fee will be assessed at the time of plat submission and will be collected at the time of filing the plat.
  - The ordinance will establish two separate development areas for the City of Bastrop. These areas will be used for the distribution of any monies collected in lieu of the dedication of the parkland.
  - If the monies collected are not expended within 10 years, the City must relinquish any unused funds to the original grantor of said monies.

#### **Proposed Development Areas:**



- **Community Enrichment Fund:**
  - This will be a fee assessed in addition to the dedication of the parkland or the payment of a fee-in-lieu of the dedication of the parkland.
  - It will be \$500 per dwelling unit or multi-family unit.
  - The funds collected by this fee will be used for the acquisition of land or construction improvements to existing parks. Also, these funds are not tied to the proposed City Development Areas and can be used at large throughout the city on an as-needed basis.
- **Additional Requirements:**
  - Detention or retention areas may be accepted in addition to the required dedication but shall not exceed 10% of the overall land being dedicated for parkland to the City.
  - Parkland being dedicated will be required to be easily accessible to the public (not situated at the back of a development and only accessible by a non-descript green belt).

#### **PLANNING AND ZONING COMMISSION:**

The proposed ordinance was presented to the Planning and Zoning Commission on Monday, February 17, 2025. The Planning and Zoning Commission recommended approval of the ordinance as proposed by a unanimous vote.

The proposed ordinance was presented to the Planning and Zoning Commission again on Monday, February 25, 2025. The Planning and Zoning Commission recommended approval of the ordinance and recommended the Park Enrichment Fee be amended to \$500 per dwelling unit or multi-family unit with a vote of 6 to 1.

#### **RECOMMENDATION:**

Make a recommendation on amending the Bastrop Code of Ordinances, Chapter 10 - Subdivisions, by enacting Article 10.01 titled "Parkland Dedication and Park Enrichment Fund", Sections 10.01.001 – 10.01.014.

#### **ATTACHMENTS:**

1. Ordinance No. 2025-19
2. Exhibit A: "Parkland Dedication and Park Enrichment Fund"

**ORDINANCE NO. 2025-19**

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CODE OF ORDINANCES, CHAPTER 10 - SUBDIVISIONS, BY ENACTING ARTICLE 10.01 TITLED “PARKLAND DEDICATION AND PARK ENRICHMENT FUND”, SECTIONS 10.01.001 – 10.01.014; AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE, AND MEETING.**

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to amend an ordinance that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

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

**WHEREAS**, the City Council of the City of Bastrop finds that parks and recreational areas are a vital and integral part of a municipality's health and general welfare;

**WHEREAS**, the City Council of the City of Bastrop finds that providing its citizens with parks and recreational areas serves a legitimate public goal;

**WHEREAS**, new development imposes increased demands based on a City's parks and recreational system;

**WHEREAS**, the City of Bastrop is experiencing a high rate of growth and based on predictions through 2029 the population is projected to increase by approximately 20%;

**WHEREAS**, the City Council of the City of Bastrop finds this ordinance necessary to maintain the current level of service for parks for its rapidly growing population;

**WHEREAS**, the City Council of the City of Bastrop has a Parks and Recreation Master Plan which provides for the acquisition and development of parks to serve the recreational needs of the City and provide for its citizen's health and general welfare;

**WHEREAS,** the City of Bastrop Parks Advisory Board and the Planning Commission have reviewed and recommended this proposed ordinance;

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

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

**Section 2. Amendment To The Bastrop Code of Ordinances, Chapter 10.** Chapter 10 – Subdivisions is hereby amended and shall read in accordance with Exhibit “A,” which is attached hereto and incorporated into this Ordinance for all intents and purposes.

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

**Section 4. Codification.** The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

**Section 5. Repeal.** This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.

**Section 6. Effective Date.** This Ordinance shall take effect 90 days after its final passage and any publication in accordance with the requirements of the City of Bastrop and the laws of the State of Texas.

**Section 7. Proper Notice and Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

Signature page to follow

**READ & ACKNOWLEDGED** on First Reading on this the 4<sup>th</sup> day of March 2025.

**READ & ADOPTED** on Second Reading on this the 11<sup>th</sup> day of March 2025.

**APPROVED:**

by: \_\_\_\_\_  
John Kirkland, Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney



# Chapter 10

## PARKLAND DEDICATION AND PARK ENRICHMENT FUND

### ARTICLE 10.01 - PARKLAND DEDICATION AND PARK ENRICHMENT FUND

#### SECTION 10.01.001 BASTROP BUILDING BLOCK (B3) CODE – CHAPTER 1 SUBDIVISION AND CHAPTER 7 PUBLIC REALM DEVELOPMENT STANDARDS.

The Bastrop Building Block (B3) Code is incorporated by reference as though copied herein fully, except such portions as are deleted, modified or amended in this chapter. The Code can be found on the city's website.

#### SECTION 10.01.002 ADOPTION.

Section 10.01.003 - Purpose, Section 10.01.004 - Time of Dedication and Assessment, Section 10.01.005 - Exemptions, Section 10.01.006 - Land Dedication, Section 10.01.007 - Park Development Fund (Fee in Lieu of Dedication), Section 10.01.008 Park Enrichment Fee, Section 10.01.009 - Park Development Improvements in Lieu of Park Enrichment Fee, Section 10.01.010 - Additional Dedication, Section 10.01.011 - Prior Dedication, Section 10.01.012 - Additional Requirements, Section 10.01.013 - Review of Dedication Requirements, and Section 10.01.014 Definitions are hereby adopted and incorporated into the Bastrop Building Block (B3) Code, Chapter 1 Subdivision and Chapter 7 Public Realm Development Standards.

#### SECTION 10.01.003 PURPOSE.

- A. The purpose of this Chapter is to provide City planned recreational areas in the form of public parks as a function of the subdivision of land for residential uses and site development in the City.
- B. Public parks are those public open spaces providing for a variety of outdoor recreational opportunities and located at convenient distances within a development from a majority of the residences to be served by said development.

#### SECTION 10.01.004 TIME OF DEDICATION AND ASSESSMENT.

Public Park dedications shall be established at the time of filing a subdivision plat with the City of Bastrop. The developer shall have the option to pay a fee in lieu to the City of Bastrop, which shall be calculated as provided for in the city's then-adopted Master Fee Schedule to mitigate the parkland dedication requirements established in this section. The fee will be assessed at the time of the filing of the plat, per the adopted fee in the Master Fee Schedule, and collected prior to the recordation of the plat.

Plats filed with the City of Bastrop after the effective date of this ordinance shall be subject to the provisions of this ordinance listed herein.

Preliminary Plats shall either demonstrate the developments ability to satisfy the Parkland dedication requirements of this ordinance, OR have a plat note added to the face of the plat acknowledging the obligation to pay a fee-in-lieu in place of parkland dedication.

#### SECTION 10.01.005 EXEMPTIONS.

- A. The following shall be excluded from the requirements of this Section:

1. Amending plats which have previously satisfied the requirements of this Section, or are not creating additional lots;
2. Commercial developments/uses that are not multi-family developments (as defined in Section 10.01.014).

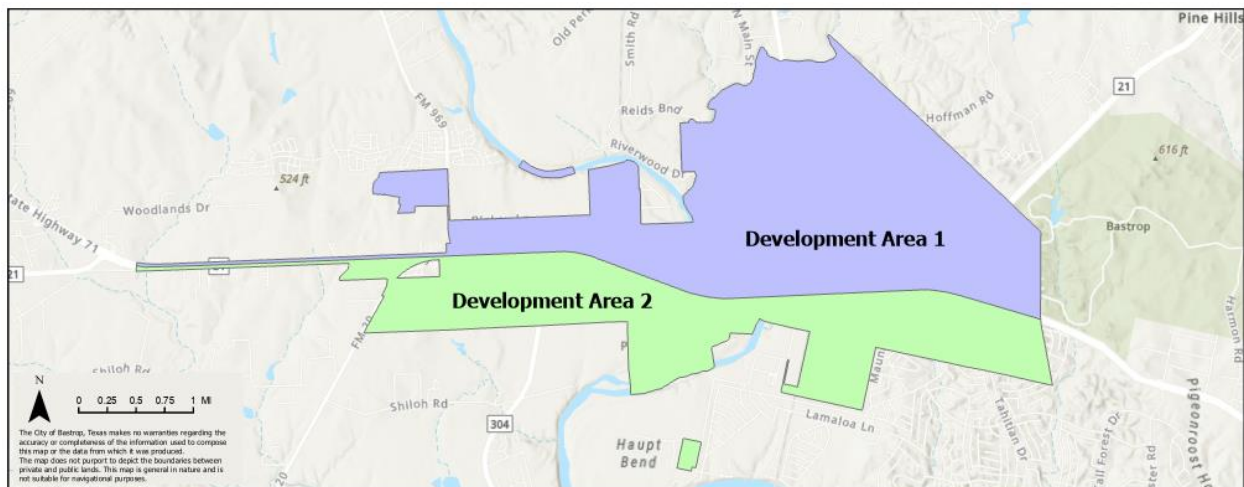
#### **SECTION 10.01.006 LAND DEDICATION.**

- A. Whenever a final plat for a residential subdivision within the city limits of the City of Bastrop is filed, such plat shall contain a clear, fee simple dedication within the subdivision to the City for park purposes.
- B. For subdivisions where all lots are for single-family housing types, the dedication requirement shall be determined by the ratio of 1 acre for each 100 proposed dwelling units (as defined in Section 10.01.014). (Example: 1 dwelling (du) = 0.01 acres; 25 du's = 0.25 acres; 75 du's = 0.75 acres; 200 du's = 2 acres.)
  1. The land must be a minimum of three (3) contiguous acre in size. Land may be considered contiguous if it abuts both sides of a street with a Local classification and the separate areas are joined by a marked pedestrian crossing. For subdivisions that will be dedicating less than 3 acres of land at the time of dedication, a fee-in-lieu as established in Section 10.01.007 shall be required in place of parkland dedication.
- C. For subdivisions where lots are for multi-family units, the dedication requirement shall be determined by the ratio of 1 acre for each 200 proposed multi-family units (as defined in Section 10.01.014). (Example: 1 multi-family unit (mfu) = 0.005 acres; 25 mfu's = 0.125 acres; 75 mfu's = 0.375 acres; 300 mfu's = 1.5 acres.)
  1. The land must be a minimum of three (3) contiguous acre in size. Land may be considered contiguous if it abuts both sides of a street with a Local classification and the separate areas are joined by a marked pedestrian crossing. For subdivisions that will be dedicating less than 3 acres of land at the time of dedication, a fee-in-lieu as established in Section 10.01.007 shall be required in place of parkland dedication.
- D. For subdivisions with both single-family and multi-family units, the appropriate dedication requirement in paragraphs 10.01.006.B and 10.01.006.C shall apply proportionately.
- E. A preliminary plat shall show the area proposed to be dedicated.
- F. If parkland dedication is required due to a change from a nonresidential use to a residential use, and a preliminary or final plat is not required, this dedication shall be met prior to the issuance of a building permit.
- G. The area to be dedicated shall be measured and calculated at the centerline of any street bound by said park within the subdivision.
- H. Park entrances shall be located along collector or higher classification roadways.
- I. No more than 20% of the overall property being dedicated to the city shall be located in the floodway or 100-year floodplain (1% annual chance flood hazard).
- J. A developer may dedicate only a portion of the required dedication and pay a fee-in-lieu of dedication for the remaining portion except that, the minimum land dedication shall be 3 acres.
- K. In the case of Development Agreements, 380 Agreements, or Planned Development Districts, the City may negotiate alternative methods of compliance (AMOC). The AMOC shall meet or exceed the requirements of this ordinance.
- L. Adequate vehicular access shall be provided for parkland operation and maintenance. For public parkland areas not fronting a public street right-of-way or which back up to private properties, an access lot encumbered by a public access easement containing a trail

connection, not less than thirty (30') feet in width, shall be dedicated and conveyed to connect to the public parkland a minimum of every 1,000 linear feet along the public street.

#### **SECTION 10.01.007 PARK DEVELOPMENT FUND (FEE IN LIEU OF DEDICATION).**

- A. A special fund is established for the deposit of all sums paid in lieu of land dedication in accordance with this Section or any preceding regulations. The fund shall be known as the "Park Development Fund."
- B. The City shall account for all sums paid in lieu of land dedication under this Chapter with reference to the individual plats involved. Any funds paid for such purposes shall be expended by the City within ten (10) years from the date received by the City for the acquisition or development of public parks.
  1. Such funds shall be spent on a first-in, first-out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a refund of such sum, which shall be proportional to the amount of monies that remain unutilized from the funds collected for the fee in lieu of dedication. The owners of such property may request such refund in writing within 12 months of the last day of the ten-year period, or such refund right shall be terminated.
- C. Park Development Funds collected in Development Area 1 may only be expended in Area 1, and fees collected in Development Area 2 may only be expended in Area 2. If at the time of dedication there is a conflict regarding fund allocation to the respective Development Area, the City Manager shall make the final determination for the allocation of fees to the appropriate Development Area.



\*Please reference the Master Fee Schedule, Parkland Dedication for the fee-in-lieu amount

#### **SECTION 10.01.008 PARK ENRICHMENT FEE.**

- A. The City will require a fee to be known as the Park Enrichment Fee. The Park Enrichment Fee shall be made at or prior to the time of filing the plat for recordation
- B. The Park Enrichment Fee shall be assessed at five hundred dollars (\$500.00) per dwelling unit or multi-family unit, as defined in Section 10.01.014 of this ordinance.
- C. The Park Enrichment Funds shall be used for the acquisition of land for public parks and the development or construction of park improvements, including, but not limited to, necessary utility extensions.

**SECTION 10.01.009 PARK DEVELOPMENT IMPROVEMENTS IN LIEU OF PARK ENRICHMENT FEE.**

A developer may propose constructing public park improvements in lieu of the payment of a Park Enrichment Fee. The City Council may approve proposed improvements after receiving a recommendation from the Director of the Parks and Recreation Department. All improvements shall either be financially guaranteed or accepted by the City prior to the filing of the plat. The process of financial guarantee shall be the same as that found in the Bastrop Building Block (B3) Code.

This section may only be applicable if the developer is dedicating parkland to the City. In the instance where a developer is paying a fee in lieu of dedication, this section may not apply.

**SECTION 10.01.010 ADDITIONAL DEDICATION.**

- A. If the actual number of completed dwelling units or multi-family units exceeds the figure upon which the original dedication was based, additional dedication shall be required and shall be made by the developer by payment of cash in lieu of land or by a conveyance of additional land to the City as required by this ordinance.
- B. Properties who are not vested under Chapter 245 of the Local Government Code shall be required to pay the fee in lieu of dedication at the time of building permit application.

**SECTION 10.01.011 PRIOR DEDICATION.**

- A. If a dedication requirement arose prior to the effective date of these provisions, that dedication requirement shall be controlled by the public open space dedication requirements in effect at the time such obligation arose, except that additional dedication shall be required if the actual density of structures constructed upon the property is greater than the previously- assumed density. Additional dedication shall be required only for the increase in density and shall be based upon the ratio set forth in Section 10.01.006 of this Section.

**SECTION 10.01.012 ADDITIONAL REQUIREMENTS.**

- A. Any land dedicated to the City under this Chapter shall be suitable for park and recreation uses as determined by the City.
- B. Detention or retention areas may be accepted in addition to the required dedication but shall not exceed 10% of the overall land being dedicated for parkland to the City. If accepted as part of the park, the detention or retention area design shall be as determined by the City and shall meet all park requirements consistent with the Parks, Recreation, and Open Space Master Plan.
- C. Parks should be easy to access and open to public view so as to benefit area development, enhance the visual character of the City, protect public safety, and minimize conflict with adjacent land uses. The following guidelines should be used in designing parks and adjacent development:
  - 1. Where feasible, park sites should be located adjacent to greenways or schools in order to encourage both shared facilities and the potential co-development of new sites.
  - 2. A proposed subdivision adjacent to a park shall not be designed to restrict reasonable access to the park from other area subdivisions. Street and greenway

connections to existing or future adjoining subdivisions may be required to provide reasonable access to parks.

3. Notwithstanding another requirement, the City may require any local collector street built adjacent to a park to be constructed to a primary multi-modal street width along the park frontage to ensure access and prevent traffic congestion. The developer shall be entitled to enter into an Oversize Agreement with the City in such situations.

#### **SECTION 10.01.013 REVIEW OF DEDICATION REQUIREMENTS.**

The City Council shall review the fees set forth in this Section only. The City Council shall take into account inflation as it affects land and park development costs as well as the City's targeted level of service for parkland.

#### **SECTION 10.01.014 DEFINITIONS.**

*Commercial Uses* - shall mean Structures used for Office, Local Retail, General Retail, and Commercial Services, property in a Planned Development District that allows for Commercial Use. Commercial uses are those used for the sale, lease, or rent of goods, services, or property.

*Dwelling Unit* – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

*Multi-family Unit* – A multifamily unit is a classification of housing where multiple separate dwelling units for residential inhabitants are contained within one building or several buildings within one complex.