



Staff Report

MEETING DATE: April 25, 2023

TITLE:

Consider action to approve the second reading of Ordinance No. 2023-12, of the City Council of the City of Bastrop, Texas, amending Chapter 1, Subdivision, Article 1.3 Platting Procedures, SEC. 1.3.006 Lots of Record of the City of Bastrop B3 Development Code by adding a section for existing lots of record who can receive administrative approval outside of the normal platting procedure.

AGENDA ITEM SUBMITTED BY:

Submitted by: Sylvia Carrillo, City Manager

BACKGROUND/HISTORY:

Approval of the Bastrop Building Code (B3) created hundreds of non-conforming lots of record throughout the City of Bastrop addressed in (B3) Chapter 1, Subdivisions, Section 1.3.006, Lots of Record. An unintended consequence of the non-conforming use is its disparate impact on property owners who are unable to meet the new requirements in the B3 code. Specifically, lots who were never officially platted but rather subdivided by deed or metes and bounds descriptions.

Many of those lots exist in Bastrop and are already serviced by water, wastewater and other utilities. After the passage of the code, the property owners who own those lots are unable to expand existing homes or even build a home where a vacant lot that has access to streets and all other utilities have existed for years prior.

The Local Government Code, Chapter 212, provides for the City to (1) allow administrative approval and (2) create a classification that allows these lots to be exempt from a costly platting requirement. It is important to remember, the intent of platting is for orderly subdivision and land development. If these lots are already adjacent to infrastructure, it is the City Manager's professional opinion that the intent of Chapter 212 is being met.

The proposed code amendment would allow the existing property owners who have non-conforming lots of record to be allowed to develop their property through an administrative review.

RECOMMENDATION:

Staff recommends amendment to Chapter 1, Nonconforming Lots of Record.

1. Proposed code amendment documents.