



STAFF REPORT

MEETING DATE: March 11, 2025

TITLE:

Consider and act on the second reading of Ordinance 2025-15, amending Code of Ordinances Chapter 1 "General Provisions", Article 1.20 "Uniformity of Requirements", amending Section 1.20.015 Appeal of Board of Adjustment to Appeal of City Council, Amending subsection (a) and (c), removing subsection (b) and (d).

AGENDA ITEM SUBMITTED BY:

Submitted by: Andres Rosales, Assistant City Manager

BACKGROUND/HISTORY:

The City of Bastrop seeks to promote orderly, safe, and reasonable development of land within the City Limits and Extraterritorial Jurisdiction ("ETJ"). The City supports the rights of property owners and advocates clarity, predictability, and efficiency in the City's regulatory program. In April 2019, the City adopted the Uniformity of Requirements, establishing the framework within which property owners and the City can determine what projects have obtained Grandfathered Development Status under certain regulations.

The Texas Local Government Code Chapter 245 provides an opportunity for landowners or developers to "grandfather" or "vest" government regulations that apply to development at the time of filing of a permit application.

This ordinance provides a process and criteria for the City of Bastrop to determine if a project falls within the protection of Chapter 245 of the Texas Local Government Code; that is, to determine if a project should be exempt from current regulations. This ordinance, which incorporates case law on Chapter 245, creates a procedure and standards for complying with state law while protecting the public safety and welfare of the citizens of Bastrop.

Staff anticipates that the regulatory changes currently being adopted by the city council will increase the instances of property owners asserting rights under Chapter 245 and seeking grandfathered status. The City finds it necessary to review and amend codes to meet changing conditions, and is in the best interest of the City to amend the appeals process from the Board of Adjustment to the City Council.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve Ordinance 2025-15 amending the Code of Ordinances.

ATTACHMENTS:

1. Ordinance 2025-15