



# STAFF REPORT

**MEETING DATE:** December 19, 2024

**TITLE:**

**Hold public hearing, consider, and act to amend section SEC. 6.5.003 BUILDING STANDARDS PER PLACE TYPE A- LOT OCCUPATION (table) to reduce lot occupation standards also known as impervious cover ratios to reduce flooding risk.**

This amendment seeks to reduce impervious cover (concrete, asphalt, other) that water cannot travel through, and require more greenspace on lots to reduce flood risk throughout the city.

**AGENDA ITEM SUBMITTED BY:**

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

**BACKGROUND/HISTORY:**

The B3 code was adopted in November of 2019, and subsequently amended in April of 2022. 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.

***“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” pg. 11 – B3 Code***

While the aspirational ideas envisioned in the preamble of the B3 code (as noted above) to provide for fiscal sustainability, geographically sensitive developments, and perpetuation of Authentic Bastrop, several segments of the code accomplished just the opposite.

The B3 code removed several key factors to orderly growth under the guise of “affordability” and “fiscal sustainability” by perpetuating the belief that denser neighborhoods create a larger tax base, and that denser development means the reduction of infrastructure costs, or that the cost can be spread among more people.

1. <https://archive.epa.gov/greenbuilding/web/pdf/density.pdf>
2. <https://www.cityofbastrop.org/upload/page/0569/docs/City%20of%20Bastrop%20Drainage%20Master%20Plan.pdf>

Further, the Code was written during a development moratorium meant to address flooding in the community; instead of lowering the impervious cover ratios which would have decreased runoff that would decrease flooding; the code decreased lot sizes by removing lot size minimums, increase impervious cover ratios, and called for onsite detention of runoff water on private development.

In the publication, "Creating Great Neighborhoods: Density in Your Community"<sup>1</sup>, written in coordination with the National Association of Realtors, the Local Government Commission, and the Environmental Protection Agency, the publication cites many of the same arguments heard in Bastrop:

- 1) *Density helps create walkable neighborhoods*
- 2) *Density supports housing choice and affordability*
- 3) *Density helps expand housing choices*
- 4) *Density helps support community fiscal health*
- 5) *Density helps improve security*
- 6) *Density helps protect the environment*

However, the publication goes further into a "lessons learned" where density did not work, and ways to improve design to achieve denser neighborhoods or areas. This includes:

- 1) *"Increase densities in appropriate locations*
- 2) *Connect people and places through a complete street network that invites walking and bicycling and provides convenient access to bus or rail,*
- 3) *Mix uses to create a quality of life where people may choose to live near their work, walk to the local store, or bike to the library with their kids,*
- 4) *Place parking in alternative locations to support density and create inviting places to walk,*
- 5) *Create great places for people.*

The combination of these five principles, along with resident involvement, helps ensure that density contributes to the community's economic, social and environmental health" pg. 12

While many will argue that 1000's of people had input into the development of the B3 code, many residents are unaware of the implications of the code beyond a pretty picture, and especially those who live in "town proper" are not aware that their neighbor may tear down an existing home, subdivide the lot, and create a series of tiny homes on tiny lots which currently allow for 60% maximum in the P3 (normal residential) zoning.

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Place Types	P1	P2	P3	P4	P5
<b>A. LOT OCCUPATION</b>					
Lot Coverage		40% max	50 60% max	60 70% max	65 80% max
Facade Buildout at Build-to-Line		40% min	40% min	60% min	80% min
<del>Build-to-Line</del>		<del>10 ft—no max</del>	<del>10 ft—25 ft*</del>	<del>5 ft—15 ft</del>	<del>2 ft—15 ft</del>
Additional Dwelling Unit		1 2	1 2	1 2	

\*Lots exceeding 1/4 acre may extend the 1 layer of the Lot up to 60 ft from the Frontage Line.

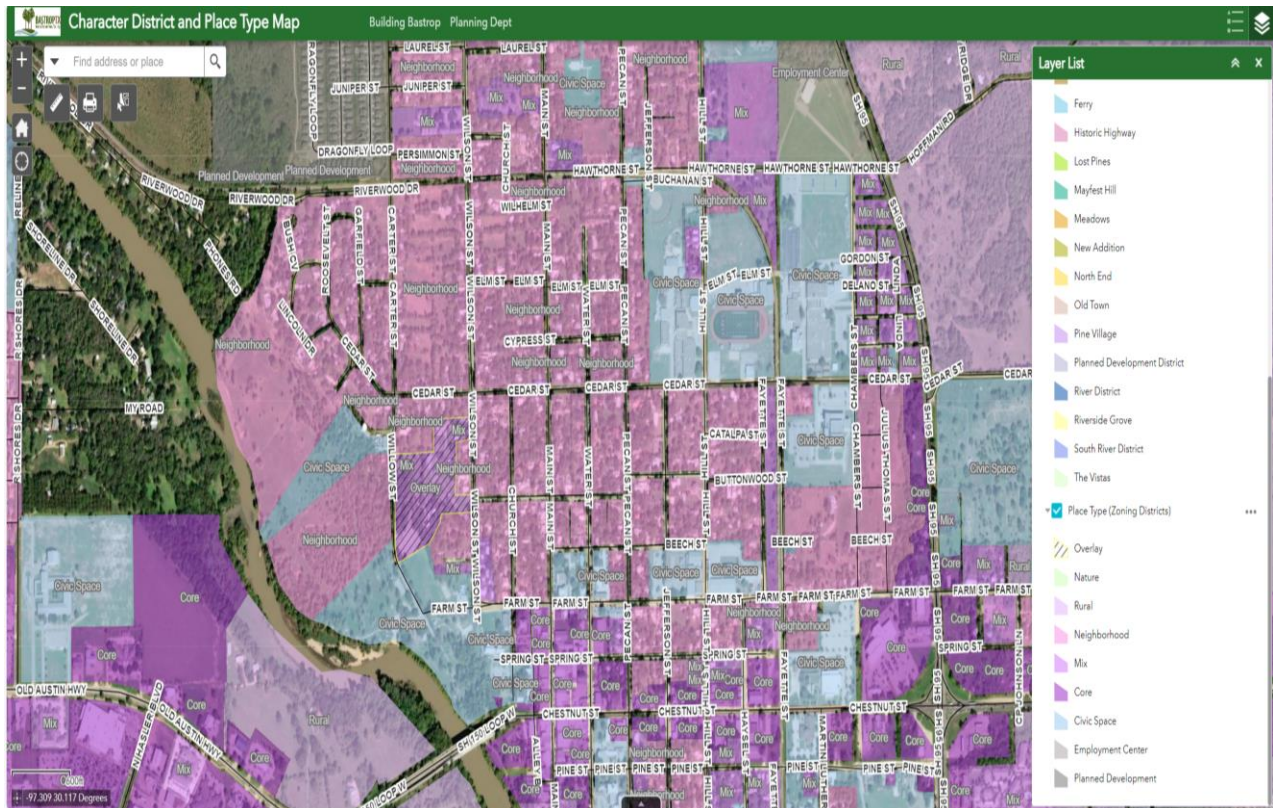
Strike through in the “Build-to-Line” will be dependent on the type of development and parking proposed. For example, if a development chooses front layer parking, the setback should be adequate to allow for a parking space that would not cause the vehicle to hang over into the sidewalk causing an obstruction to walkers. Alternatively, if a developer proposes alley loaded parking, the rear setback should be adequate enough to park a vehicle also without encroachment. This “Build-to-Line” requires scrutiny at the site development process and needs further refinement. Evidence of an unsafe “Build-to-Line” can be seen at the multifamily development on 969.

The existing zoning map shows the vast majority of “town proper” to be zoned P3 shown in the areas highlighted in pink. P3 is called out as “low density”, however, the not lot size minimum, as well as 60% impervious cover, two (2) additional dwelling units, although well intentioned in the graphic below, does not fit the “low density” label.

SEC 3.1.005 PLACE TYPE ZONING DISTRICTS TABLE



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Further, the absence of mass transit or a fully developed transportation system renders many of these points moot.

### Drainage Costs

Increased impervious cover numbers increase the amount of runoff on a piece of property. The City received a draft drainage plan<sup>2</sup> from Halff and Associates in 2023 with a price tag of more than \$121M dollars.

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**Table 5-4: Drainage CIP Project Ranking**

Ranking	Project ID	Project Name	Estimated Project Cost	Ranking Value
<b>Mitigation Projects</b>				
1	SB-01	Detention Pond at Hunters Crossing	\$709,000	83.3
2	GB-02	Gills Branch Flood Mitigation Improvements	\$14.05 M	73.3
3	GB-01	SH-95 at Gills Branch	\$688,000	71.7
4	PC-02	Riverwood Dr. at Piney Creek	\$2.29 M	68.3
5	GB-03	Water, Spring, & Cedar St. Drainage	\$25.66 M	66.7
6	PC-04	Local Storm Drain Improvements Near Piney Creek	\$5.14 M	63.3
6	PC-05	Pecan St. Bypass & Pond Diversion	\$23.73 M	63.3
6	GB-04	Hill, Pecan, & Pine St. Drainage	\$8.70 M	63.3
9	GB-05	Pecan, Beech, & Haysel to Gills Branch	\$20.56 M	61.7
10	PC-01	SH-95 at Piney Creek (2% ACE LOS)	\$6.72 M	60.0
11	PC-01	SH-95 at Piney Creek (1% ACE LOS)	\$13.61 M	58.3

The drainage improvements needed in “town proper” are more than \$86M dollars. Increasing density and increasing impervious cover serves to spread this cost among existing residents.

Quite simply, increased impervious cover as provided for in the existing B3 increases the propensity for flood.

This proposal seeks to reduce the impervious cover ratio in the P3 to 50% max, P4 60% max, and P5 to 65% max, and places the needs of residents above the desire for denser development.

Representatives with Half and Associates will be available for discussion and questions from the Commission.

**FISCAL IMPACT:**

None

**RECOMMENDATION:**

Recommend the amendments as proposed by staff.

**ATTACHMENTS:**

1. B3 Code Proposed Amendment in redline

1. <https://archive.epa.gov/greenbuilding/web/pdf/density.pdf>
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