

**CITY OF BASTROP, TX**  
**ORDINANCE NO. 2023-04**

**AMENDING BASTROP CODES**

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS  
AMENDING THE BASTROP BUILDING BLOCK (B<sup>3</sup>) CODE  
CHAPTER 6, SECTION 6.5.003, AND AMENDING  
BASTROP CODE OF ORDINANCES SECTION 3.01.001  
INTERNATIONAL CODE COUNCIL (ICC);  
INTERNATIONAL CODE FAMILY; 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 adopt an ordinance or police regulation 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,** on February 23, 2023 the Planning and Zoning Commission voted to recommend an ordinance amending provisions of the Bastrop Building Block(B3) Code, the Authentic Bastrop Pattern Book, and the Bastrop Code of Ordinances.

**WHEREAS,** on March 7, 2023 the City Council held a public hearing to consider an ordinance amending provisions of the Bastrop Building Block(B3) Code, the Authentic Bastrop Pattern Book, and the Bastrop Code of Ordinances.

**WHEREAS,** the City Council finds certain amendments to the aforementioned codes are necessary to meet changing conditions and are in the best interest of the City;

**WHEREAS,** the City Council finds the attached amendments reasonable and necessary.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bastrop, TX:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

## **2. AMENDMENT**

Chapter 6, Article 6.5, Section 6.5.003 of the Bastrop Building Block (B3) Code is hereby amended, and after such amendment, shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Chapter 3, Article 3.01, Section 3.01.001 of the City of Bastrop Code of Ordinances is hereby amended, and after such amendment, shall read in accordance with *Attachment "B"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as shown in each of the attachments.

## **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.

## **4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

## **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.

## **6. EFFECTIVE DATE**

This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

## **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 7<sup>th</sup> day of March 2023.

**READ & APPROVED** on the Second Reading on this, the 28<sup>th</sup> day of March 2023.

**APPROVED:**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **ATTACHMENT A**

## 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		10 ft - no max	10 ft - 25 ft*	5 ft - 15 ft	2 ft - 15 ft

\* Lots exceeding 1/2 acre may extend the 1 Layer of the Lot up to 60 ft from the Frontage Line.

## **B. BUILDING HEIGHT (STORIES)**

Principal Building		2 max	2 max	3 max**	5 max / 3 max*
Accessory Dwelling Unit		2 max	2 max	2 max	2 max

\* CD Downtown/ Old Town

\*\* 2 1/2 Max in Overlay

## **C. ENCROACHMENTS**

### **First Layer Encroachments**

Open Porch		50% max	50% max	80% max	n/a
Balcony and/or Bay Window		25% max	25% max	50% max	100% max
Stoop, Lightwell, Terrace or Dooryard		NP	NP	100% max	100% max

### **R.O.W. Encroachments \*\*\***

Place Types	P1	P2	P3	P4	P5
Awning, Gallery, or Arcade		NP	NP	to within 2 ft. of the Curb	to within 2 ft. of the Curb

#### First Layer Encroachment Depths

Porch	5 ft min	8 ft min	8 ft min	n/a
Gallery	NP		10 ft min	10 ft. min.
Arcade	NP			12 ft. min.

#### D. PARKING LOCATION

Second Layer	P	P	NP	NP
Third Layer	P	P	P	P
*** Required to go through an Encroachment process				

#### E. FENCE LOCATION

Fences allowed within the Layers as defined in the Bastrop Code of Ordinances, Chapter 3.

## **ATTACHMENT B**

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### Sec. 3.01.001 International Code Council (ICC); International Code Family.

- (a) The International Building Code (IBC) 2018 edition, with all appendices as published by the International Code Council, Inc., is adopted by reference as though copied herein fully, except such portions as are deleted, modified or amended in this chapter.
- (b) All portions of the existing code shall remain in effect unless specifically amended in this chapter.
- (c) The following amendments are being made to the International Building Code (IBC) 2018:
  - (1) [Amend] Table 1004.5 Maximum Floor Area Allowances Per Occupant.
    - (a) Function of Space: Business Areas, Occupant Load Factor: One hundred (100) Gross.
  - (2) [Amend] [A] 105.2 Work exempt from permit.
    - (a) Fences not over 7 feet (2134 mm) high:
      - (1) Replacement of an existing fence, in the same location, with like for like material and design, does not require a permit.
      - (2) Within the first layer, fences cannot exceed 4 feet in height and must have 50% or greater transparency.
      - (3) Prohibited fence types/materials:
        - (a) Electric fences (not including pet fences)
        - (b) Barbed or razor wire material
        - (c) Broken glass or any protruding sharp or dangerous object cannot be incorporated into fences or walls.
        - (d) Fences blocking the sight triangle (requirements in B<sup>3</sup> Technical Manual)
      - (4) The provisions of this article shall not apply to a fence or wall necessary for the public safety as determined by the public works director, fire chief or building official, or as required by any law or regulation of the State or an agency thereof.
      - (5) In accordance with Subsection (3) (a) above, a pet fence shall be allowed as long as the fence is not accessible to children.

(Ord. No. 2014-28, 12-9-14; Ord. No. 2019-61 , § 3, 11-26-19)