# CITY COUNCIL REGULAR MEETING
# WEDNESDAY - SEPTEMBER 23, 2026 - 6:00 PM

**Council Chamber/Municipal Court Building**
**2801 Ranch Road 1869**
**Liberty Hill, Texas 78642**

Lacy Scott
Elisabeth Brown
Tim Hennessy
Crystal Mancilla
Jacquetta Thayer
Michael Helbing
Diane Williams

**LIVE VIDEO ACCESS AND RECORDINGS**

*The meeting will be streamed live via the link on the City's official Facebook page.*

*Following the meeting, a recording will be made available on the City's website at https://www.libertyhilltx.gov/agendacenter.*

**PLEASE SILENCE YOUR ELECTRONIC DEVICES**

**MAYOR OR CHAIR MAY REORDER AGENDA ITEMS AS NECESSARY**

**1) CALL TO ORDER**

A. Establish Quorum
B. Invocation
C. Pledge of Allegiance
D. Texas Pledge

**2) PUBLIC COMMENTS**

*Comments on Non-Agenda Items:*
Individuals wishing to address the governing body on matters not listed on the agenda must complete a Public Comment Form and submit it prior to the meeting. Each speaker is limited to three (3) minutes. No action may be taken during this portion of the meeting. Members of the governing body may respond only with factual information, references to existing policy, or requests that the subject be placed on a future agenda.

*Comments on Agenda Items:*
Individuals wishing to address an item listed on the agenda must complete a Public Comment Form, identify the specific agenda item, and submit the form prior to the item being considered. Speaker request forms may also be submitted electronically, to citysecretary@libertyhilltx.gov prior to the meeting.

**3) JOINT WORK SESSION OF THE CITY COUNCIL AND PLANNING AND ZONING COMMISSION**

A) Presentation by Freese and Nichols, Inc., and discussion regarding Module 3 of the Unified Development Code (UDC) Rewrite and the SH 29 Corridor Report.
Cover Sheet
Module 3 Draft
Final SH-29 Corridor Report

**4) CONSENT AGENDA**
*Consent Agenda items are routine or previously considered matters that the governing body anticipates approving without discussion. These items are enacted by a single motion unless a member of the governing body requests removal, in which case the item will be considered under the Regular Agenda.*

A) Approval of the City Council Regular Meeting minutes from September 9, 2026.
Minutes

B) Approval of a resolution adopting the updated Community Impact Grant Program Policies and Guidelines.
Cover Sheet
Resolution
Policy

C) Approval of a resolution adopting the City of Liberty Hill Investment Policy and Strategy in accordance with Chapter 2256 of the Texas Government Code, also known as the Public Funds Investment Act.
Cover Sheet
Resolution
Investment Policy 2025-R-058 (Redline)
Investment Policy 2025-R-058 (Clean)

D) Approval of a Construction Contract with Prota, Inc. in the amount of $344,363 for improvements and repairs to Lift Station 19, and authorize the City Manager to execute the agreement.
Cover Sheet
Contract

E) Approval of a lease agreement with Over The Hill Gang for City property located at 3407 Ranch Road 1869, and authorize the City Manager to execute the agreement.
Cover Sheet
Lease Agreement

**5) REGULAR AGENDA**

A) Discussion and consideration of possible action on a Resolution of the City of Liberty Hill Ratifying the Municipal Budget for Fiscal Year 2026-2027; Funding Municipal Purposes; Authorizing Expenditures; Filing of Budget; Repealer; Severability; Effective Date; and Proper Notice.
Cover Sheet
Resolution

B) Discussion and consideration of possible action on Ordinance No. 2026-O-019 amending Section 7.05 (Fiscal Surety and Assurance of Construction and Maintenance) of the City of Liberty Hill Unified Development Code, related to fiscal security, warranty requirements, and acceptance of public improvements.
Cover Sheet
Ordinance

**6) CONVENE TO EXECUTIVE SESSION**

*City Council will convene into Executive Session for discussion of the following items pursuant to Texas Government Code Section 551.071 (Consultation with Attorney), Section 551.072(Deliberations about Real Property), Section 551.073 (Deliberations about Gifts and Donations), Section 551.074 (Personnel Matters), Section 551.076 (Deliberations about Security Devices), and Section 551.087 (Economic Development).*

A) Pursuant to Texas Government Code Section 551.071 (Consultation with Attorney), the City Council shall convene into closed executive session to seek the advice of legal counsel regarding pending and potential litigation.

B) Pursuant to Texas Government Code Section 551.072 (Deliberations about Real Property), the City Council shall convene into closed executive session to deliberate the purchase, exchange, lease, or value of real property related to the Advanced Water Purification Facility (AWPF) and other related infrastructure.

C) Pursuant to Texas Government Code Section 551.072 (Deliberations about Real Property), the City Council shall convene into closed executive session to deliberate the purchase, exchange, lease, or value of real property related to Project Shadow.

D) Pursuant to Texas Government Code Section 551.072 (Deliberations about Real Property), the City Council shall convene into closed executive session to deliberate the purchase, exchange, lease, or value of real property related to Project Nottingham.

**7) RECONVENE TO REGULAR SESSION**

*City Council will reconvene into Regular Session for deliberation and possible action of items as discussed in Executive Session in the previous agenda item.*

**8) ADJOURNMENT**

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**CERTIFICATION**

I certify that the above notice of meeting was posted on the bulletin board at Liberty Hill City Hall, located at 926 Main Street, Liberty Hill, Texas 78642, and on the City website (https://www.libertyhilltx.gov/agendacenter) on or before 5:00 p.m., on September 17, 2026.

_____

Beatrice Canseco, City Secretary

**NOTICE**

The City Council, Boards, and Commissions reserve the right to convene, recess, realign, or adjourn into Executive Session at any time during the meeting, prior to adjournment, as authorized by Chapter 551 of the Texas Government Code.

In compliance with the Americans with Disabilities Act, the City of Liberty Hill provides reasonable accommodations for individuals attending meetings. Requests for accommodation should be made at least forty-eight (48) hours prior to the meeting. For assistance, contact the City Secretary at citysecretary@ libertyhilltx.gov or (512) 778-5449.

# AGENDA ITEM 3.A

**Presentation by Freese and Nichols, Inc., and discussion regarding Module 3 of the Unified Development Code (UDC) Rewrite and the SH 29 Corridor Report.**

**City Council Meeting Date:** September 23, 2026

**Requested By:** Robyn Claridy-Miga, Director of Planning and Development Services

**Requested Agenda Placement:** Regular Agenda

**Agenda Item Type:** Discussion

# AGENDA ITEM COVER SHEET

## ITEM / TITLE:

UDC Rewrite Module 3 and SH 29 Corridor Report Presentation

## AGENDA ITEM WORDING:

Presentation and discussion by Freese and Nichols, Inc. regarding Unified Development Code (UDC) Rewrite Module 3 and the State Highway 29 Corridor Report.

## EXECUTIVE / BACKGROUND SUMMARY:

Freese and Nichols, Inc. is the City's consultant on the Unified Development Code rewrite, working through the update in modules alongside the UDC Advisory Committee, which has been reviewing drafts throughout the process. The rewrite builds on a Diagnostic Report from September 2025 that recommended consolidating the City's roughly 14 zoning districts into a smaller set and laid out the article structure the later modules follow. Since the spring, staff and the consultant have also gathered community input at events like Whimsy & Wonder and the Independence Day Spectacular, with feedback centered on outdoor lighting, signage, tree preservation, and concerns about the SH-29 corridor.

That input helped shape the SH-29 Corridor Report and Module 3, both completed in June. Together, they introduce proposed zoning districts, design standards, use standards, and parking requirements, including the Downtown Core and Downtown Mix districts that consolidate downtown's previous single C2 commercial zoning classification. The SH-29 Corridor Report and Module 3 are the review materials for tonight's meeting.

Module 4 is still in progress, with a developer roundtable follow-up session planned for the afternoon of September 16th. Its biggest changes so far include updated application and permit processes, a formal SH-29 Corridor Overlay District, updated zoning districts and uses, a greater emphasis on development quality, and revised impervious cover and stormwater standards based on feedback from the development community. The recently adopted lighting amortization amendments will also be incorporated into the next draft. The consultant will touch on elements of Module 4 tonight for early awareness only; it isn't part of the review materials for this meeting.

This is a discussion item only. Staff and the consultant will fold feedback from this meeting into a full Discussion Draft expected in October 2026, which will come back to both bodies for formal review.

## FISCAL NOTES / FINANCIAL IMPACT:

No fiscal impact. This presentation is part of the quarterly updates to officials included in Freese and Nichols' existing contract scope.

## CITY ATTORNEY REVIEW (IF APPLICABLE):

Not applicable; no ordinance, resolution, contract, or binding action is before either body tonight.

## RESPONSIBLE STAFF / FOLLOW-UP:

The Planning and Development Services Department will coordinate with Freese and Nichols on incorporating feedback from tonight's meeting into the Discussion Draft, expected in October 2026. Staff will bring the Discussion Draft back to both bodies for formal review once complete.

## ATTACHMENTS:

a. Cover Sheet
b. Module 3 Draft
c. Final SH-29 Corridor Report

# City of Liberty Hill

# UNIFIED DEVELOPMENT CODE

**Module 3 Updated Draft - September 10, 2026**



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# Article 1 General Provisions, Violations and Enforcement

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# Article 2 Review Authority

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# Article 3 Applications and Permits

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# Article 4 Zoning Districts and Uses

## Section 4.01 General

A. Title

This Article of the Unified Development Code of the City of Liberty Hill, Texas, establishes the City's zoning districts and land use regulations, and shall be known as and may be cited as the "zoning regulations" or "zoning ordinance". Applications, permits, procedures, and administrative requirements applicable to this Article are set forth in Article 3.

B. Applicability

This Article applies to all land, buildings, structures, and appurtenances located within the City of Liberty Hill.

C. Compliance Required

1. All land and development is required to conform at minimum to the requirements of this Article, per Section 1.02. Violations and Responsibility.
2. No development shall be allowed that is prohibited by state or federal law or that operates in excess of state or federal environmental, pollution, or performance standards as determined by the U.S. Environmental Protection Agency (EPA), Texas Department of State Health Services (DSHS), Texas Commission of Environmental Quality (TCEQ), Federal Aviation Administration (FAA), Federal Communications Commission (FCC), or any other applicable state or federal agency.
3. No development may occur that:
    a. Creates narrower or smaller front, side, or rear yards than those required by this Article;
    b. Exceeds the maximum height allowed by this Article;
    c. Occupies a greater percentage of the lot than allowed by this Article; or
    d. Accommodates a greater number of dwelling units or occupants than permitted within this Article for the zoning district in which such building is located, where a maximum density is established.

## Section 4.02 Establishment of Zoning Districts

The following zoning districts are established for the City as authorized by the City Charter and TLGC Chapter 211.

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*Figure 4-1 Zoning Districts Established*

| UDC Section | Zoning District | District Classification |
|---|---|---|
| Section 6.02B. Residential, Rural & Agricultural (RA) | RA – Residential, Rural & Agriculture | Residential, see Article 6. Residential Development Standards |
| Section 6.02C. Residential, Single-Family (RSF) | RSF – Residential, Single-Family | |
| Section 6.02D. Residential, Mixed (RM) | RM – Residential, Mixed | |
| Section 6.02E. Manufactured Housing (MH) | MH – Manufactured Housing | |
| Section 5.04A. Downtown Core (DC) | DC – Downtown Core | Downtown, see Article 5. Downtown Regulations |
| Section 5.04B. Downtown Mix (DM) | DM – Downtown Mix | |
| Section 7.02B. Mixed Use Neighborhood (MN) | MN – Mixed Use Neighborhood | Non-Residential and Mixed Use, see Article 7. Non-Residential and Mixed Use Development Standards |
| Section 7.02C. Mixed Use Community and Corridor (MC) | MC – Mixed Use Community and Corridor | |
| Section 7.02D. Light Industrial (LI) | LI – Light Industrial | |
| Section 7.02E. General Industrial (GI) | GI – General Industrial | |
| Section 7.02F. Public/Institutional (P) | P – Public/Institutional | |
| Section 7.02G. Planned Unit Development (PUD) | PUD – Planned Unit Development | |
| Section 4.08. 29 Corridor Overlay District | 29 Corridor Overlay District | See Section 4.08. 29 Corridor Overlay District. |

## Section 4.03 Zoning District Equivalency Table

A. Figure 4-2 Zoning District Equivalency Table identifies zoning districts adopted in previous ordinances and the zoning district regulations that now apply in this UDC to those districts.

*Figure 4-2 Zoning District Equivalency Table*

| Previous UDC | Current UDC |
|---|---|
| AG – Agricultural | RA – Residential, Rural & Agriculture |
| SF1 – Low Density Residential | |
| SF2 – Medium Density Residential | RSF – Residential, Single-Family |
| SF3 – High Density Residential | RM – Residential, Mixed |
| TF – Duplex Residential | |
| MH1 – Manufactured Housing | MH – Manufactured Housing |
| MH2 – Manufactured Housing | |
| C2 – Downtown Commercial/Retail | DC – Downtown Core |
| | DM – Downtown Mix |
| C1 – Neighborhood Commercial/Retail | MN – Mixed Use Neighborhood |

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| | |
|---|---|
| MF1 – Multifamily Residential | MC – Mixed Use Community and Corridor |
| MF2 – Multifamily Residential | |
| C3 – General Commercial/Retail | |
| I1 – Light Industrial | LI – Light Industrial |
| I2 – General Industrial | GI – General Industrial |
| P – Public/Institutional/Civic | P – Public/Institutional |
| PARK – Park | |
| PUD – Planned Unit Development | PUD – Planned Unit Development |
| | 29 Corridor Overlay District |

B. Where an existing Planned Unit Development identifies a zoning district as a base district, the base district standards are updated in accordance with Figure 4-2 Zoning District Equivalency Table above.

## Section 4.04 Official Zoning Map

A. Incorporation of Map

The location and boundaries of the zoning districts defined in Section 4.02 are established by the adoption of the Official Zoning Map of the City, referred to as the "zoning map" hereafter.

B. Map Interpretation

1. Where any uncertainty exists about a zoning boundary that was established by legal description, the legal description accompanying the amending ordinance governs.
2. In circumstances in which the legal description for the property in question is missing, the Director will determine the location of the zoning district boundary.
    a. An appeal of the Director's determination of the zoning district boundary may be appealed to the Zoning Board of Adjustment pursuant to Section 3.13. Appeal of an Administrative Decision – Zoning Regulations.

C. Maintenance

1. The Director is responsible for maintaining a paper and electronic copy of the zoning map.
2. The Director will maintain and update the zoning map in a GIS (Geographic Information Systems) format.

D. Zoning Map Amendments

1. The Director will use all reasonable means to ensure that no changes are made to the zoning map without authorization by official action of the City Council.

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2. Any changes or amendments made to the zoning district boundaries shall be incorporated into the zoning map promptly after the City Council has approved such amendment.
3. The Director will maintain a record of all map amendments approved by the City Council.

## Section 4.05 Newly Annexed Territory

A. Zoning Newly Annexed Territory

1. The Commission and City Council must take action to assign zoning to newly annexed territory in accordance with the procedures of Section 3.07C. Zoning Upon Annexation and Section 3.08. Zoning Map Amendment (Rezoning), as applicable. Land may be classified in the RA District or assigned another zoning classification at the request of the applicant and based on the comprehensive plan, existing land uses, any applicable annexation agreement, and other relevant considerations.
2. A Planned Unit Development may not be considered at the same time as annexation.

## Section 4.06 Zoning Districts and Special Districts

This Section describes the purpose for the Zoning Districts established in Section 4.02. Each district is divided into unofficial categories intended to distinguish similar districts, as shown in Figure 4-1 Zoning Districts Established. For uses allowed in each zoning district, see Section 4.09 Zoning Uses and Section 4.10 Use Tables unless otherwise specified.

A. Residential Districts
The development standards for the Residential Zoning Districts are located in Article 6. Residential Development Standards of this UDC.

1. Residential, Rural & Agricultural (RA)
The RA District provides for large lot, low-density rural residential development, ranching, farming and other agricultural uses and structures. This area may also include lands that are relatively undeveloped and natural areas and helps conserve Liberty Hill's natural beauty, agrarian history, sensitive environmental features and steep slopes. This District also recognizes potentially limited access to public services and is also appropriate for land newly annexed into the City. This District should be applied in a manner that does not cause a nuisance to more densely inhabited areas.

2. Residential, Single-Family (RSF)

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The RSF District provides for smaller-lot residential development and associated uses and services and allows various forms of single-family homes in detached, attached and zero-lot-line formats. Residential development in this District maintains single-family neighborhood characteristics with some separation from other uses, and curvilinear streets where appropriate. The District may be located adjacent to small-scale commercial and public services likely to serve neighborhood residents, and protected from incompatible non-residential uses, such as large-scale retail, office parks, manufacturing, and warehousing.

3. Residential, Mixed (RM)
   The RM District provides for an assortment of residential densities, housing types, and associated uses and services compatible with surrounding neighborhoods, incrementally more intense than the RS District. This District may include housing types such as dense single-family residential, two-family residential, single-family attached and townhouses. This District's development should feature elements that support walking or bicycling access to nearby commercial retail and offices.

4. Manufactured Housing (MH)
   The MH District is intended for the development of manufactured, HUD-code mobile home parks and subdivisions. Manufactured housing subdivisions include individually platted lots for sale within the subdivision, for the placement of manufactured housing. The District also includes manufactured housing parks, as defined in this UDC.

B. Section 4.02Establishment of Zoning DistrictsArticle 6Section 4.09Zoning UsesSection 4.10Use TablesDowntown Districts
   The development standards for the Downtown Zoning Districts are located in Article 5. Downtown Regulations of this UDC.

   1. Downtown Core (DC)
      The DC District is intended to maintain the historic and cultural prominence of Main Street and the corridors serving as gateways/transitions into Downtown Liberty Hill. The District supports development that is compatible with the general character of existing buildings on Main Street and creates opportunities for this character to extend along the corridors in various building formats, both new infill development and adaptive reuse. This District promotes a continuous line of buildings and wide sidewalks to engage and welcome pedestrians while still maintaining vehicular access appropriate to the Downtown context.

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2. Downtown Mix (DM)
   The DM District is intended to accommodate a wide range of development and redevelopment within the older blocks surrounding Downtown Liberty Hill while maintaining residential and small-scale commercial building character with an emphasis on adaptive reuse of residential buildings to support neighborhood-compatible non-residential occupants.

C. Non-Residential and Mixed Use Zoning Districts
   The development standards for the Non-Residential and Mixed Use Zoning Districts are located in Article 7. Non-Residential and Mixed Use Development Standards of this UDC.

   1. Mixed Use Neighborhood (MN)
      The MN District is intended to be a flexible neighborhood zone, transitioning from the more intense mixture of uses to residential neighborhoods while providing neighborhood-compatible commercial and retail uses alongside small-scale, diverse housing types. The District can be used to buffer neighborhoods from more intense uses but should also be applied in ways that support convenient access for bicycles and pedestrians to neighborhood goods and services while accommodating, but not requiring, the use of an automobile.

   2. Mixed Use Community and Corridor (MC)
      The MC District is intended to provide sites for office, retail, personal service, and businesses in a manner that integrates dense forms of residential so that the greatest residential densities found in Liberty Hill are also in areas with high access to goods and services. While the District accommodates auto-oriented and other heavy commercial uses, especially with a regional focus along the City's major arterials and highways, the District includes elevated landscaping and buffering standards to protect the corridors and transition to other primarily residential zoning districts. The District mitigate negative impacts of uses considered obnoxious to nearby residential through various performance and design standards.

   3. Light Industrial (LI)
      The LI District is intended to accommodate limited manufacturing and light industrial uses in order to promote economic viability, encourage employment growth particularly for businesses that may reduce commute time for Liberty Hill residents, and limit the encroachment of nonresidential development within established industrial areas.

   4. General Industrial (GI)

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The GI District is intended to accommodate heavy manufacturing and industrial uses, often involving the conversion of raw materials into finished products and large-scale assembly, in order to promote economic viability, encourage employment growth and limit the encroachment of nonindustrial development within established industrial areas. This District should maintain significant separation from residential or commercial uses due to the potential for nuisance.

5. Public/Institutional (P)
   The P District is intended to provide a location for government and other public or quasi-public facility operations. These may include schools, public parks, hospitals, government offices, churches and other related uses, but would not include industrial facilities or storage yards. Some uses allowed in this District might generate heavy traffic volumes and high-intensity operations, consistent with their government and public functions.

D. Special Zoning Districts
   The development standards for the Planned Unit Development District are located in Section 4.07. Planned Unit Development District and the development standards for the 29 Corridor Overlay District are located in Section 4.08. 29 Corridor Overlay District.

   1. Planned Unit Development District
      The base zoning districts established in Section 4.02 are intended to facilitate a broad range of development within appropriate areas of the City; however, the City recognizes that certain development types and unique areas within the City cannot be reasonably accommodated through standard zoning districts, development standards, or relief procedures established in this UDC. Therefore, the PUD District is established to provide a specialized zoning mechanism for high-quality, innovative development that is consistent with the goals and policies of adopted City plans, sensitive to natural resources and community character, and provides a demonstrable benefit to the community.

   2. 29 Corridor Overlay District
      The purpose of the 29 Corridor Overlay District is to set additional standards to support and enhance the commercial character of a key corridor that serves as a gateway into Liberty Hill. Fronting along Highway 29, this district is highly visible and strategically positioned to capture activity from both local traffic and regional visitors. The district is intended to provide for a range of commercial uses, such as retail, dining and services, as well as employment opportunities. District standards emphasize high-quality site and building design that create an attractive and cohesive

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appearance along the corridor while accommodating both vehicles and pedestrians. This overlay district supports the goals of the Comprehensive Plan by encouraging development that is accessible, functional and complementary to its surroundings.

## Section 4.07 Planned Unit Development District

A. Intent

1. The PUD District is intended to facilitate the creation of developments that are unique due to one or more of the following factors, and that cannot be reasonably accomplished using other zoning, standards, and relief procedures outlined in this UDC:
    a. Natural setting or location on a highly visible or challenging property;
    b. The mixture of uses or the relationship between those uses; or
    c. Coordination of multiple developers with particular specialties.
2. The PUD District is further intended to:
    a. Accommodate various types of development, including multiple housing types, neighborhood and community retail, professional and administrative areas, industrial and business parks, and combinations of such uses;
    b. Permit new or innovative concepts in land use and standards not otherwise permitted by this UDC, but that offer benefits aligned with goals as described in adopted City plans; and
    c. Ensure that, although greater flexibility is given to allow development that would not otherwise be allowed, the procedures and standards established in Section 3.12A guard against misuse and ensure that all approved PUDs provide a demonstrable benefit to the community.

B. Minimum Area Required for a Planned Unit Development
The minimum size of a Planned Unit Development is two (2) contiguous acres.

C. Use of a Planned Unit Development
The City Council, at its discretion and in conformance with the Comprehensive Plan, Master Mobility Plan, Parks Master Plan, Downtown Master Plan, and all other plans adopted by the City, as applicable, may approve a Planned Unit Development to accomplish any of the following:

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1. Provide for a mix of any number or types of uses, provided each use requested appears on the Use Tables (see Section 4.10) at the time of approval. A Planned Unit Development may not be used to propose or authorize uses not found on the Permitted Use Chart.
2. Provide for integrated design and placement of buildings using regulations that govern the form, height, footprint, and separation of buildings.
3. Preserve or enhance areas with environmentally significant natural features.
4. Allow for alternate means of integrating or buffering uses proposed within the Planned Unit Development.
5. Create a coordinated and integrated transportation and infrastructure system throughout the district, including on and off-street parking, provided that the plan facilitates multiple transportation modes, provides sufficient emergency vehicle access, adequately manages stormwater runoff, and is consistent with all applicable adopted City master plans governing mobility, water, wastewater, and other public infrastructure. Any street not conforming to a standard street typology in this UDC shall be privately owned, maintained, and placed within a separate lot deed restricted for shared use.
6. Provide compatibility with adjacent properties and surrounding land uses through cohesive architectural themes, harmonious bufferyards, and thoughtful transitions in use, density, and building scale along the boundaries of the Planned Unit Development.

D. Fees, Forms, and Procedures
See Section 3.12. Planned Unit Development.

E. Pre-Application Procedure
The Director may require that a Pre-Application Meeting take place before submittal of an application for a Planned Unit Development. See Section 3.12. Planned Unit Development.

F. Planned Unit Development Master Plan Required

1. An application for a Planned Unit Development District must be accompanied by a Planned Development Master Plan.
2. The Planned Unit Development Master Plan shall consist of two components:
    a. Planned Unit Development Design Statement; and
    b. Planned Unit Development Concept Plan.

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3. The Director may also require the applicant to produce other supporting maps and exhibits demonstrating how the Planned Unit Development will meet the goals of the UDC, the Comprehensive Plan, and all long-range documents adopted as part of the Comprehensive Plan.
4. Planned Unit Development Design Statement
   The Planned Unit Development Design Statement is a written report containing each of the following elements.

   a. The name or title of the development authorized by the Planned Unit Development District (PUD);

   b. Identification of the base district or districts upon which the Planned Unit Development regulations are based and a list of all standards applicable to the base district(s) that the applicant proposes to modify with the Planned Unit Development;

   c. A list of requested Subdivision Waivers (if applicable). Approval of a Subdivision Waiver with the Planned Unit Development will govern approval of the Preliminary Plat and Final Plat;

   d. List of property owners and developers. If a master developer initiates the application, the Planned Unit Development Design Statement must contain, if known, a list of prospective developers for subsequent phases or areas within the Planned Unit Development;

   e. A description of the location of the Planned Unit Development and its relationship to abutting land uses, whether existing or proposed, or the zoning of neighboring properties. The description should address at a minimum properties and land uses within one-quarter (1/4) mile of the PUD. The Director may require that the description include properties outside of this area based on the size of the proposed PUD or the projected impact or relationship between the proposed PUD and abutting or adjoining districts;

   f. For Planned Unit Developments with a residential component, written documentation that the applicant has coordinated with the applicable school district(s) regarding the projected impacts of the development;

   g. A description of existing and proposed streets that abut, connect to, or may be impacted by the proposed PUD;

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h. A description of proposed streets within the Planned Unit Development, including any waivers to applicable street standards (see Section 3.18. Subdivision Waiver), street design and streetscape concepts, and the relationship of the proposed streets with existing or proposed streets outside the Planned Unit Development. Any alternative street design shall be supported by a technical memorandum or report prepared by a licensed engineer, and shall provide equal or greater streetscape and landscape amenities;

i. Written and illustrated description of the function and design of the Planned Unit Development, including:

   i. The acreage or square footage breakdown of land uses, sub-districts, or areas,

   ii. Proposed building types,

   iii. The relationship(s) between buildings, streets, and open space,

   iv. The residential density (if applicable), and

   v. Any proposed restriction of uses, building orientation, site access, and other characteristics that will define the district or other information deemed helpful or necessary by the applicant or the City.

   Images may be CAD rendered or images of existing locations;

j. Analysis of existing elevation, slope, soils, tree cover, and drainage characteristics and the strategies the Planned Unit Development will utilize to protect and preserve these features in their natural condition;

k. Topographic map with minimum five (5) foot contour intervals;

l. Analysis of drainage area acreage and existing flood plain, if any;

m. Identification of existing and proposed utilities and public facilities;

n. Description of proposed phasing or sequence of development;

o. Additional material requested by the City.

5. Planned Unit Development Concept Plan

   a. The Planned Unit Development Concept Plan (Concept Plan) is a graphic representation of the master plan for a Planned Unit Development.

   b. The Concept Plan must be consistent with the Planned Unit Development Design Statement.

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c. The Concept Plan must be created to a legible scale and contain sufficient detail to articulate the physical plan for implementing the components of the Planned Unit Development Design Statement within the context of the proposed Planned Unit Development.

d. Examples of components that should be included in the Concept Plan include locations of proposed streets, property lines, landmark features, entryway features, building locations, parking locations, common areas to be constructed with each phase of development and identification of the developer or developers responsible for constructing the common features, anticipated location of stormwater management facilities and the timing and responsibility for construction.

G. Approval Process
See Section 3.12. Planned Unit Development.

H. Planned Unit Developments Approved Prior to UDC

1. A Planned Unit Development District approved prior to adoption of this UDC is governed by the ordinance that created the original Planned Unit Development or the most recent amendment to the ordinance.
2. If the ordinance establishing the Planned Unit Development District provides for an expiration date, the expiration date in the ordinance will control. If the ordinance does not provide for an expiration date, the project will expire according to Section 3.12F. Expiration.
3. Following adoption of this UDC, any amendment to a Planned Unit Development District created prior to adoption of this UDC must comply with this Section 1.01A.

I. Amendments to Planned Unit Developments
See Section 3.12E. Changes to a Submitted PUD Master Plan.

## Section 4.08 29 Corridor Overlay District

A. General

1. An overlay district is a “transparent” zoning district that lies over an existing zoning district used to implement additional development standards or places restrictions beyond those required by the existing or base zoning district.
2. The purpose of creating an overlay district is to set and coordinate special development standards to a specific area that has unique value to the City and that

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are designed to provide a distinctive character, charm, and atmosphere to the designated area.

B. Boundaries

The 29 Corridor Overlay District boundary includes all properties located within two hundred (200) feet of either side of Highway 29, provided the property is within the City Limits and has frontage on Highway 29. If a property extends beyond the 200-foot buffer, the overlay will apply only to the first 200 feet of the property. In the event of future annexation, the overlay boundary shall follow the Highway 29 corridor.

C. Applicability

The following regulations are in addition to the underlying base district regulations found in Article 4 above, Article 6 below, and Article 7 below. In the event of a conflict, the regulations of the 29 Corridor Overlay District shall govern.

D. Uses

The uses allowed and permitted within the 29 Corridor Overlay District are as listed for each property's base district in Section 4.10. Use Tables and as modified below.

1. The following uses require a Conditional Use Permit within the 29 Corridor Overlay District:
    a. Any use with a drive-through;
    b. Gas Station;
    c. Motorized Vehicle Sales;
    d. Outdoor Storage; and
    e. Auto service uses.
2. The following uses are prohibited within the 29 Corridor Overlay District:
    a. Mini-Storage;
    b. Warehousing;
    c. Liquor Stores; and
    d. Smoke/Vape Shops.

E. Design Standards

1. Generally

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Development within the 29 Corridor Overlay District shall be designed and coordinated to provide a cohesive, pedestrian-friendly environment that supports local businesses and residents by providing comfortable, safe, and attractive destinations for shopping and living.

2. Public Space

   a. New development within the 29 Corridor Overlay District shall provide public space in accordance with the standards in Section 5.07C.5. Pedestrian Space in Blocks.

   b. New development within the 29 Corridor Overlay District shall also provide open space in conjunction with the public space required by the above.

      i. The open space must be connected to the required public space, landscaped, and at least equivalent in size to the required public space.

3. Bufferyards and Streetscape

   a. Roadway Buffer Required

   To establish a consistent landscape edge along the 29 Corridor, all new development within the 29 Corridor Overlay District must provide a roadway buffer in accordance with the standards of this section. The required roadway buffer is in addition to the streetscape and parking lot landscaping required for the base district's standards.

   b. Roadway Buffer Standards

| 29 Corridor Bufferyard Standards | |
|---|---|
| Bufferyard Depth | 25 feet |
| Minimum Plantings | 2 Shade Trees per 1,000 sq. ft.<br>1 Ornamental or Understory Tree per 1,000 sq. ft.<br>5 Shrubs (5-gallon) per 1,000 sq. ft. |
| Notes<br>1. All tree and plant species planted within the bufferyard shall be native and non-invasive species.<br>2. Trees preserved within the required bufferyard shall count toward the minimum planting requirements.<br>3. Plantings shall be arranged in a layered pattern to soften views of parking areas, drive aisles, and non-residential buildings from SH-29 while also accommodating the mature size and growth habit of each species. | |

   c. Streetscape Enhancement

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i. All new development within the 29 Corridor Overlay District shall include screening along the entire corridor right-of-way (except as necessary for ingress/egress). The required screening shall consist of one of the following:

(A) Decorative split rail fencing not exceeding three (3) feet in height adjacent to the right-of-way along the property's frontage (excluding ingress/egress);

(B) A masonry wall, a minimum of three (3) feet in height, located a minimum of 25 feet but not more than 75 feet from the right-of-way along the property's frontage(excluding ingress/egress); or

(C) Another form of screening as approved by the Director.

ii. Pedestrian amenities shall be provided within or adjacent to the screening and bufferyards required by this section.

(A) Within any required roadway buffer, the developer must dedicate a pedestrian easement to the City in accordance with the Master Mobility Plan.

(B) Meandering sidewalks at least eight (8) feet in width must be provided to link all buildings to the adjacent streets and sidewalks.

(C) Driveway aisle crosswalks shall be composed of stamped concrete or asphalt paving in earth-tone brick patterns.

4. Driveways and Access

a. Driveway Spacing

i. The number of driveways within the 29 Corridor Overlay District shall be minimized through the use of shared driveways.

ii. Driveways connecting to the SH-29 right-of-way must be approved by TxDOT.

iii. On a collector or lower-level street, no driveway is permitted closer than 75 feet to a corner, measured edge to edge, unless lot dimensions prohibit such spacing.

b. Cross-Access and Shared Access

i. All new development within the 29 Corridor Overlay District shall provide shared access and cross-access between and to adjacent properties to

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enable internal circulation outside of SH-29 and reduce congestion and conflict points with pedestrians.

ii. All new development within the 29 Corridor Overlay District shall provide pedestrian network connections to adjacent development. All such connections must be constructed and either stubbed to the property line or connected to an existing stub.

iii. Joint access easements must be dedicated to provide adequate access to outparcels or adjacent developments.

iv. The requirement for a driveway connection may be waived by the Director when one or more of the following constraints are present:

(A) Topographic constraints;

(B) Environmental constraints;

(C) Site constraints; and/or

(D) Adjacent uses are incompatible for the purposes of shared or interconnected access.

c. Driveways and Internal Circulation

i. Cohesive design of internal circulation is required to support safe and efficient movement within developments within the 29 Corridor Overlay District.

ii. Driveway throat lengths shall be a minimum of 30 feet to provide adequate space for vehicles entering a site before encountering parking areas or internal intersections.

5. Sidewalks

a. Parking Area Sidewalks

i. Parking area sidewalks shall be provided in accordance with Section 10.03E. Pedestrian Circulation.

6. Orientation to Pedestrian Spaces

a. Development that includes or abuts a sidewalk, trail, or other pedestrian space shall incorporate lots that front the pedestrian space or provide common open space oriented toward the pedestrian space.

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b. When adjacent to a trail, sidewalk, or other pedestrian space as identified in the Comprehensive Plan, Master Mobility Plan, or any other adopted plans, development should be oriented to provide frontage along that pedestrian space.

c. Lots adjacent to trails, sidewalks, or other pedestrian space shall be configured to avoid rear lot conditions backing onto the pedestrian space, except where site constraints such as drainage features, topography, or lot configuration make this infeasible, as determined by the Director.

d. Buildings adjacent to trails, sidewalks, or other pedestrian space shall incorporate windows, entrances, porches, private pedestrian spaces, outdoor seating, or similar features oriented toward the pedestrian space.

e. Blank walls exceeding 25 feet in length are not permitted along pedestrian space frontages.

f. Ground floor level residential units must have individual street-oriented entryways. If a park, trail, or other pedestrian space is adjacent to residential units, the front of such units shall face that pedestrian space.

F. Parking

1. Parking Location

a. Parking for all new development within the 29 Corridor Overlay District shall either:

i. Be located to the side or rear of the principal building, or

ii. Be buffered by an additional 10 feet of required landscaped bufferyard above the required bufferyard depth in Section 4.08E.3. Bufferyards and Streetscape above.

2. Parking Landscaping
Landscaping shall be provided within the parking areas of all new development in accordance with Section 8.04E.1.d. Parking Lot Landscaping.

G. Signs and Lighting

1. Sign Standards
New signs within the 29 Corridor Overlay District shall be limited to those signs permitted within the Downtown Core District by Article 13. Sign Standards.

2. Lighting Standards

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Lighting within the 29 Corridor Overlay District is subject to the standards of the base zoning districts with the following modifications:

a. The maximum height of new light fixtures is 30 feet.

H. Incentives

1. If a development locates all parking spaces to the side or rear of the principal building, the required parking is reduced by 25 percent.
2. To encourage the creation of smaller lease spaces supportive of new small businesses, the first 300 square feet of each non-residential unit or building within the 29 Corridor Overlay District is exempted from the minimum parking calculations.

## Section 4.09 Zoning Uses

A. General

1. Authority
   The provisions of this Section are adopted pursuant to Texas Local Government Code Chapter 211 and the City Charter.

2. Purpose

   a. Section 4.10 is intended to provide the uses allowed within each of the City's zoning districts.

   b. Approval of a use listed in this Section, and compliance with the applicable use-specific standards for that use, authorizes that use only.

3. Compliance with Code of Ordinances
   Other sections of the City of Liberty Hill Code of Ordinances and other City regulations, including applicable business regulations, may also apply or be relevant to a proposed use in addition to the standards of Article 4, Article 6 and Article 7.

B. Zoning Use Classifications

1. Use Categories
   A primary use is assigned to the Use Category that most closely corresponds to its nature as described in the characteristics of each Use Category. Use Categories classify land uses and activities based on similar functional, product or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties, and site conditions.

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2. Use Table

   The Use Table in Section 4.10 below depicts the specific land uses allowed by zoning district. The table is further divided by use category. All of the uses listed in the Use Table are defined in Article 15. Below is a key to the Use Table indicating how each use is treated by district.

   a. Uses Permitted By Right

      A "P" indicates that a use is allowed by right. Such uses are subject to all other applicable regulations of this UDC and the City Code of Ordinances.

   b. Uses With Conditional Use Permit

      An "C" indicates that a use is allowed only if granted a Conditional Use Permit by the City Council in accordance with the procedures in Section 3.11. Uses that require a Conditional Use Permit are required to meet all other applicable regulations of this UDC and the City Code of Ordinances.

   c. Uses Not Allowed

      A cell left blank indicates that a use is not allowed.

   d. Use-Specific Standards

      References to applicable use-specific standards are provided for certain uses permitted by right or by Conditional Use Permit. Where no reference is indicated, no additional use-specific standards apply.

3. Multiple Primary Uses

   Multiple primary uses on one lot shall be allowed only if each individual use is allowed in the underlying district, unless otherwise specified by this UDC or the City Code of Ordinances. Conditional Use Permits required of any of the primary uses shall be met or obtained before commencement of any use.

C. Determination of Unlisted Uses

1. New or unlisted uses may be proposed that are not specifically addressed by this UDC. When application is made for a use that is not specifically listed in the Use Table, the Director shall consider all relevant characteristics of the proposed use, including but not limited to the following:

   a. The nature of the use and whether the use involves dwelling activity, sales, services, or processing;

   b. The type of product sold or produced under the use;

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c. Whether the use has enclosed or outdoor storage and the amount and nature of the storage;

d. Anticipated employment typically anticipated with the use;

e. Transportation requirements;

f. The nature and time of occupancy and operation of the premises;

g. The off-street parking and loading requirements;

h. The amount of noise, odor, fumes, dust, toxic materials, and vibration likely to be generated;

i. The requirements for public utilities such as sanitary sewer and water and any special public services that may be required; and

j. Impervious surface cover.

2. Standards for unlisted uses may be interpreted as those of a similar use.
3. An appeal of an administrative decision made by the Director in the enforcement of this Section shall be made in accordance with Section 3.13. Appeals of an Administrative Decision - Zoning.

## Section 4.10 Use Tables

A. Residential Uses and Standards

1. Residential Uses

| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts* | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| **Household Living** | | | | | | | | | | | | | |
| Cottage Court | | C | P | P | P | | | | | | P[1] | Section 6.03D.c | 2 spaces per dwelling unit |
| Duplex | | P | P | P | P | | | | | | P | Section 6.03D.a | 2 spaces per dwelling unit |
| Home Occupation | P | P | P | P | P | P | P | P | P | P | P | Section 6.03D.d | -- |
| Live-Work Unit (Downtown) | | | | | | | | | | P[2] | P[2] | | |
| Manufactured Home | P | | | P | | | | | | | | | 1 space per dwelling unit |

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| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts* | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| Manufactured Home Park | | | | P | | | | | | | | | 1 space per dwelling unit |
| Mixed-Use | | | | | P | P | P | S | S | P[3] | P[3] | | |
| Multi-Family, Small-Scale | | | C | C | P | P | | | | P[4] | P[4] | | 1 space per dwelling unit |
| Multi-Family, Large-Scale | | | | | | P | | | | C[4] | | | 1 space per dwelling unit |
| Single-Family, Attached (Downtown) | | | | | | | | | | P[5] | P[5] | | |
| Single-Family, Detached | P | P | P | P | P | | | | | | P[6] | | 2 spaces per dwelling unit |
| Single-Family, Zero-Lot-Line | | P | P | P | P | | | | | | P | Section 6.03D.b | 2 spaces per dwelling unit |
| Townhouse | | C | P | P | P | P | | | | P[7] | P[7] | Section 6.03D.a | 2 spaces per dwelling unit |
| **Group Living** | | | | | | | | | | | | | |
| Assisted Living | C | | | | P | P | | | P | | P | | 1 space per 4 beds |
| Group Home (6 or fewer) | P | P | P | P | P | P | | | | | P | Section 4.10A.2.b | 1 space per 3 bedrooms |
| Halfway House | | | | C | C | C | | | | | | | 1 space per 4 beds |
| Nursing Home | C | | | | P | P | | | P | | P | | 1 space per 5 beds |
| Rooming or Boarding House | | | C | C | C | P | | | | | | | 1 space per 3 bedrooms |

*The Minimum Parking standards listed in this figure do not apply to uses located in the Downtown Districts.
1 See Section 5.05D.5. Cottage Court.
2 See Section 5.05D.7. Live-Work Unit.
3 See Section 5.05D.8. Mixed Use Building.
4 See Section 5.05D.6. Multi-Family.
5 See Section 5.05D.3. Single Family Attached.
6 See Section 5.05D.2. Single Family Detached.
7 See Section 5.05D.4. Townhouse.

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2. Residential Use-Specific Standards

a. Duplex

i. Both dwelling units shall be situated on the same legally platted lot.

b. Townhomes

   i. Dwelling units within a townhome may be on separate, legally platted lots.

c. Group Home (6 or fewer)

   i. For the limitation of six (6) or fewer residents, this means not more than six (6) residents and two (2) authorized supervisory personnel.

   ii. Such entity must comply with Chapter 123 of the Texas Human Resources Code and all applicable licensing requirements.

   iii. The exterior appearance and residential character of the structure must remain compatible with surrounding residential dwellings and must not be altered in a manner that is inconsistent with the residential character of the neighborhood, except as necessary to provide reasonable accommodation or accessibility improvements.

d. Mixed Use

   Where allowed, mixed use development may take the form of either horizontal or vertical mixed use development. Where mixed use development is proposed, the following standards apply:

   i. Mixed use development must be designed or phased, as applicable, to deliver both residential and nonresidential components simultaneously.

      (A) Horizontal mixed use development must provide at least 50 percent of the total commercial square footage with the first project phase.

   ii. Vertical mixed use development may provide less than the full ground floor for commercial use. However, the ground floor commercial use shall not be less than 50 percent of the total ground floor area.

      (A) All ground floor levels of all buildings must be constructed to retail building standards, including a minimum floor-to-ceiling height of 12 feet. Such ground floor levels may be occupied by any allowed use but shall be designed and built to accommodate adaptive reuse in response to market demand.

e. Home Occupation

   The following standards are intended to permit residents to engage in home occupations and operate home-based businesses in a way that is compatible

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with residential uses and ensures that home occupations do not adversely affect the integrity of residential areas.

i. All Home Occupations must be no-impact home-based businesses as defined in §229.902 of the Texas Local Government Code. A home occupation qualifies as a "no-impact home-based business" if it meets the following criteria:

   (A) It has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the municipal occupancy limit for the property;

   (B) It does not generate on-street parking or a substantial increase in traffic through the area;

   (C) It operates in a manner in which none of its activities are visible from a street; and

   (D) It does not substantially increase noise in the area or violate a municipal noise ordinance, regulation, or rule.

ii. A home occupation is considered an accessory use and must be secondary to the use of the property as a residential dwelling. A home occupation is subject to the conditions and restrictions listed below.

iii. All home occupations must comply with federal, state, and local laws, including the City's adopted fire and building codes and all City regulations including regulations pertaining to:

   (A) Health and sanitation;

   (B) Transportation or traffic control;

   (C) Solid or hazardous waste; and

   (D) Pollution and noise control.

iv. A home occupation must be compatible with the residential use of the property where the business is located. The Director will determine whether the home occupation is compatible with the residential use of the property where the business is located based on the criteria for a "no-impact home-based business" in TLGC §229.902, as restated in Section 4.10A.2.e.i above.

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v. Based on the criteria for a "no-impact home-based business" in TLGC §229.902, the following restrictions apply to home occupations:

(A) There shall be no signs or other exterior visible evidence of a home occupation;

(B) There shall be no visible storage of equipment, materials, or vehicles that have more than two axles; and

(C) All home occupations shall comply with the performance standards of this UDC.

vi. In accordance with TLGC §229.902, the City reserves the right to limit or prohibit the operation of a home-based business that:

(A) Sells alcohol or illegal drugs;

(B) Is a structured sober living home; or

(C) Is a sexually oriented business as defined by §243.002 of the Texas Local Government Code.

B. Public and Civic Uses and Standards

1. Public and Civic Uses

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| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts*[1] | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| **Educational and Day Care Facilities** | | | | | | | | | | | | | |
| Day Care, Commercial | C | | | | P | P | | | P | C | P | Section 4.10B.2.a | 1 space per 8 children |
| Day Care, Residential Home | P | P | P | P | P | P | | | P | | P | Section 4.10B.2.a | 1 space per home |
| School, Specialty or Trade | C | | | | C | P | C | | P | | S | | 1 space per 4 students |
| School, College or University | C | | | | C | P | | | P | | | | 5 spaces per classroom plus 1 space per office |
| School, Elementary or Middle | P | P | P | P | P | P | P | P | P | P | P | | 1 space per classroom |
| School, High | P | P | P | P | P | P | P | P | P | P | P | | 3 spaces per classroom |
| **Civic and Government Services** | | | | | | | | | | | | | |
| Civic Center | C | C | C | C | P | P | | | P | P | P | | 1 space per 750 SF |
| Correctional Facility | | | | | | C | C | C | C | | | | 1 space per 750 SF |
| Emergency Services Station | P | C | C | C | P | P | P | P | P | C | C | | 1 space per 750 SF |
| Government Facility | C | C | C | C | P | P | C | | P | P | P | | 1 space per 600 SF |
| Library or Museum | C | C | C | C | P | P | | | P | P | P | | 1 space per 600 SF |
| Utilities | P | P | P | P | P | P | P | P | P | P | P | | -- |
| Wireless Transmission Facilities | C | C | C | C | C | C | P | P | C | C | C | Section 4.10B.2.b | -- |
| **Cultural and Community Facilities** | | | | | | | | | | | | | |
| Cemetery or Mausoleum | C | | | | | | | | P | | | | 1 space per 10,000 SF |
| Community Garden or Nature Preserve | P | P | P | P | P | P | P | P | P | P | P | | -- |
| Country Club | C | C | C | | C | | | | | | | | 1 space per 750 SF of indoor space plus 3 spaces per hole |
| Golf Course | C | C | C | | C | | | | C | | | | 3 spaces per hole |

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| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts*[1] | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| Park | P | P | P | P | P | P | P | P | P | P | P | | 1 space per acre |
| Place of Worship | P | P | P | P | P | P | P | P | P | P | P | | 1 space per 6 fixed seats or 1 space per 200 SF of principal assembly area |
| **Medical Facilities** | | | | | | | | | | | | | |
| | | | | | C | | C | | C | | C | | 1 space per 500 SF |
| Clinic or Lab | | | C | | C | P | C | | C | | C | | 1 space per 500 SF |
| Hospital | | | | | C | C | C | | C | | C | | 1 space per patient bed |

*The Minimum Parking standards listed in this figure do not apply to uses located in the Downtown Districts.
1 The Downtown District's Civic building type is not use-specific. See Section 5.05D.11. Civic.

2. Public and Civic Use-Specific Standards

a. Day Care

i. Generally

(A) All day care facilities shall be licensed by the State of Texas and meet the minimum requirements for such facilities.

(B) Outdoor play or instruction areas, playground equipment, and pools shall be located in the side or rear yard and screened from adjacent property by an opaque fence no less than six feet in height.

(C) Day care facilities located in residential zoning districts may operate only between the hours of 6:00 a.m. and 7:00 p.m. Hours of operation for day care facilities located in nonresidential zoning districts are not limited.

ii. Day Care, Residential Home

(A) No person may be employed other than a member of the household residing on the premises or a non-resident substitute caregiver, as may be required for family day care homes by the State of Texas.

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(B) A day care must be an accessory use to an allowed household living use.

(C) A day care in a residential home may provide supervision for no more than six (6) children.

iii. Parking

(A) Parking and stacking space requirements in accordance with Article 10 below.

(B) Daycare facilities that incorporate a drop-off area must designate the drop-off area on the site plan as detailed in Section 10.06F.2.

b. Wireless Transmission Facilities

i. Purpose

The purpose of this Subsection is to promote the health, safety, welfare, and aesthetics of the community by providing appropriate regulations for network nodes and transmission towers, minimizing the visual impact of towers through design, screening and landscaping, and protecting property by assuring proper engineering and siting of tower structures.

ii. Definitions

See Article 15 for definitions applicable to wireless transmission facilities.

iii. Network Nodes in the Public Right of Way Standards

(A) The purpose of this Subsection is to facilitate the use of public right-of-way for network node deployments in accordance with Chapter 284 of the Texas Local Government Code.

(B) Network nodes and other wireless facilities located within the public right-of-way shall comply with the requirements of Article 10.03 of the Code of Ordinances, including the design manual, as applicable.

(C) Network provider may use the public right-of-way in the following circumstances upon receipt of a valid permit demonstrating compliance with the design manual:

(1) Construct, modify, maintain, operate, relocate and remove a network node on a node support pole including the modification, replacement, or removal of the node support pole;

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(2) Collocate wireless facilities on a utility pole or service pole, subject to an agreement with the City;

(3) Install its own transport facilities on utility poles subject to an agreement with the City; or

(4) Obtain transport service from a person that is paying fees to the City to occupy the right-of-way.

iv. Design Manual

(A) The City hereby adopts the City of Liberty Hill Design Manual for the Installation of Network Nodes and Node Support Poles (Design Manual) which sets forth additional installation and construction requirements for wireless service facilities created to support network providers. The City Council hereby delegates authority to the Director to update the Design Manual to comply with any updates to the National Electric Code. All other amendments to the design manual shall be adopted by the City Council.

(B) A person shall comply with the design manual as a condition of approval of any application, permit, or other approval required by this Section.

v. Designations; Concealment Requirement

(A) Design Districts
For the purposes of this Subsection, the City herein designates Downtown Core and Downtown Mix Districts, as identified in Article 5. Downtown Regulations, as a design district.

(B) Municipal Parks
For the purposes of this Subsection, the City herein designates any land zoned or dedicated as a municipal park for the purposes of recreational activity as a designated area.

(C) Liberal Construction
Designations provided by this Subsection shall be liberally construed. Additional areas may be designated at any time.

(D) Concealment

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Concealment of network nodes and node support poles shall be required by the City in design districts as further provided in the Design Manual pursuant to Chapter 284.105 of the Texas Local Government Code.

vi. Installation and Inspections

(A) A network provider shall, at its own cost and expense, install the network node, network node facilities, node support poles and related ground equipment in a good and skillful manner in accordance with this Section. All work done in connection with the installation, operation, maintenance, repair, modification, or replacement of the network node, network node facilities, node support poles and related ground equipment shall be in compliance with all applicable laws, ordinances, codes, rules and regulations of the City, State and Federal government.

(B) The City may perform visual inspections of any micro network node, network node, node support pole or related ground equipment located in the right-of-way as deemed appropriate without notice. If the inspection requires physical contact with the network node, node support poles or related ground equipment, the City shall provide written notice to the network provider within five business days of the planned inspection. The network provider may have a representative present during the inspection.

(C) After completion of the work within the right-of-way, the network provider shall provide to the City as-built drawings and other construction records for the permitted facilities as actually constructed in the right-of-way and shall provide additional copies upon the City's request.

vii. Collocation

A network provider shall collocate network nodes on poles pursuant to an agreement with the City. Collocation of network nodes on municipally owned utility poles shall be allowed on nondiscriminatory terms and conditions pursuant to a negotiated pole attachment agreement, including any applicable permitting requirements.

(A) Annual Public Right-Of-Way Rate

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(1) Network provider shall pay annual public right-of-way rate as provided in the City's adopted Fee Schedule.

(2) The annual public right-of-way rate may be adjusted by the City on an annual basis by an amount equal to one-half the annual change, if any, in the consumer price index. The City shall provide written notice to each network provider of the new rate, and the rate shall apply to the first payment due to the City on or after the 60th day following the notice.

(3) For purposes of this Subsection, consumer price index means the annual revised Consumer Price Index for All Urban Consumers for Texas, as published by the Federal Bureau of Labor Statistics.

(B) Replacement, Maintenance and Repair

(1) A network provider shall provide the City with 10 days advance written notice of the following activities in the right-of-way:

(a) Routine maintenance that does not require excavation or the closing of sidewalks or vehicular lanes;

(b) Replacement or upgrading a network node or node support pole with a network node or node support pole that is substantially similar in size or smaller and that does not require excavation or the closing of sidewalks or vehicular lanes; and

(2) The installation, placement, maintenance, operation, or replacement of network nodes that are strung on cables between existing poles or node support poles in compliance with the National Electrical Safety Code.

(C) A network provider shall comply with the requirements of this Section and all other applicable codes and ordinances, when installing, replacing, maintaining, repairing, upgrading, removing, relocating or operating network nodes, network node facilities, node support poles and related ground equipment.

viii. Relocation

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Except as provided in State and Federal law, a network provider shall relocate or adjust network nodes in a public right-of-way, as determined by the City, within 90 days and without cost to the City.

ix. Ownership

No part of a micro network node, network node, node support pole and related ground equipment erected or placed on the right-of-way by a network provider will become or be considered by the City as being affixed to or a part of, the right-of-way. All portions of the micro network node, network node, node support pole and related ground equipment constructed, modified, erected, or placed by the network provider on the right-of-way will be and remain the property of the network provider and may be removed by the network provider at any time, provided the network provider shall notify the Director prior to any work in the right-of-way.

x. Signage

(A) A network provider shall post its name, location identifying information, and emergency telephone number in an area on the cabinet of the network node facility that is visible to the public. Signage required under this Section shall not exceed 4 x 6, unless otherwise required by law (e.g. Radio Frequency (RF) ground notification signs) or the Director.

(B) Except as required by any local, State or Federal law or by the utility pole owner, the network provider shall not post any other signage or advertising on the micro network node, network node, node support pole, service pole or utility pole.

xi. Indemnity

To the extent authorized by law, the network provider shall indemnify and hold the City and its officers and employees harmless against any and all claims, lawsuits, judgments, costs, liens, losses, expenses, fees (including attorney's fees and costs of defense), proceedings, actions, demands, causes of action, liability, and suits of any kind and nature, including personal or bodily injury (including death), property damage, or other harm for which recovery of damages is sought that is found to be caused, or other harm for which recovery of damages is sought that is found to be caused by the negligent act, error, or omission of the user of the right-of-way, any agent,

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officer, director, representative, employee, directors, or representatives, while installing, repairing, or maintaining facilities in a right-of-way.

xii. Graffiti Abatement

As soon as practical, but not later than 14 calendar days from the date the network provider receives notice, the network provider shall remove all graffiti on any of its micro network node, network node, node support pole, and related ground equipment located in the right-of-way. The foregoing shall not relieve the network provider from complying with any City graffiti or visual blight ordinance or regulation.

xiii. Restoration

The network provider shall repair any damage to the right-of-way, or any facilities located within the right-of-way, and the property of any third party resulting from the network provider's removal or relocation activities within 10 calendar days following the date of such removal or relocation, at the service provider's sole cost and expense, including restoration of the right-of-way and such property to substantially the same condition as it was immediately before the date the network provider was granted a permit for the applicable location or did the work at such location (even if the network provider did not first obtain a permit), including restoration or replacement of any damaged trees, shrubs or other vegetation. Such repair, restoration and replacement shall be subject to the sole, reasonable approval of the Director. Any permanent improvements, structures, or facilities that encroach into the public right-of-way as a result of restoration activities shall require a License to Encroach in accordance with Section 3.25 above.

xiv. Network Provider’s Responsibility

The network provider shall be responsible and liable for the acts and omissions of its employees, temporary employees, officers, directors, consultants, agents, affiliates, subsidiaries, and subcontractors in connection with the installation of any micro network node, network node, node support pole and related ground equipment, as if such acts or omissions were the network provider's acts or omissions.

xv. Transmission Tower Standards

(A) Setbacks

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(1) The standard setbacks for each zoning district shall apply to WTFs with additional setbacks or separation being required in the sections below.

(2) Transmission towers shall be placed a minimum distance (the "fall zone") equal to the height of the tower away from any residential structure or zone boundary. No guy wires shall be used. However, if the minimum distance equal to the height of the tower away from any residential structure or residential zone boundary is less than the following, the greater shall apply. WTF height, excluding antenna array, shall not exceed:

(a) 100 feet, if the WTF is at least 200 feet up to 250 feet from any residential district;

(b) 125 feet, if the WTF is at least 250 feet, up to 540 feet from any residential district;

(c) 150 feet, if the WTF is 540 feet or more from any residential district.

(3) The fall zone shall be entirely contained within the boundaries of the property or leased area on which the tower is located. The fall zone radius shall equal the total height of the tower, measured from the base of the structure.

xvi. Height Limitations

In no case shall a proposed transmission tower exceed 200 feet in height within the city limits.

xvii. Towers Along Major Thoroughfares and Gateways

(A) To preserve and protect the city's major thoroughfares, WTFs must be set back from freeways, expressways, and major and minor arterials by a distance equal to three times the WTF height. The setback for these areas is determined by measuring from the centerline of the right-of-way of the thoroughfare with the following exceptions.

(B) Exception. All direct-to-home services, citizen's band radio, and all stealth facilities.

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(C) In the event there is a conflict between this Section and the setback requirements along TxDOT or Williamson County maintained rights-of-way, the greater distance requirement shall prevail. Prior approval is required from TxDOT or Williamson County before City approval of towers or network nodes along TxDOT or Williamson County maintained rights-of-way.

xviii. Towers Along Major Corridors

(A) WTFs are not allowed within a major corridor with the following exceptions.

(B) Exception. All direct-to-home services, citizen's band radio, and all stealth facilities.

xix. Separation Between Towers

(A) The city desires to protect its natural beauty and skyline by limiting the number of towers per square mile. Densities for towers are calculated using the following:

(1) For minor facilities, towers shall be separated by a minimum of the height of the tower multiplied by 50.

(2) For intermediate facilities, towers shall be separated by a minimum of the height of the tower multiplied by 45.

(3) For major facilities, towers shall be separated by a minimum of the height of the tower multiplied by 25.

(B) Exception
Stealth facilities.

xx. Additional Uses Permitted on Lot
WTFs may be located on lots containing another principal use and may occupy a leased parcel on a lot meeting the minimum lot size requirement of the district in which it is located. Towers and their associated equipment shall be separated from other structures on the lot by a minimum distance of 10 feet.

xxi. Shared Facilities and Co-Location Policy
FCC-licensed wireless communication providers are encouraged to construct and site their WTFs with a view towards sharing facilities with other

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utilities, to co-location with other existing WTFs and to accommodate the future co-location of other future WTFS, where technically, practically, and economically feasible. The city reserves the right to notify other registered wireless communication providers of new WTF applications to promote co-location. Per the process below applicants are required to show documentation of a genuine effort to achieve co-location.

xxii. Site Development Criteria for WTFs Review Process

The site development requirements for WTFs follow the normal standards for any other type of development according to city code and ordinances. However, additional standards apply to these sites as follows:

(A) Towers shall be enclosed by security fencing not less than six (6) feet in height and be equipped with an appropriate anti-climbing device.

(B) Special Aesthetic and Lighting Standards

(1) New transmission towers shall maintain a galvanized steel finish or be painted in accordance with any applicable standards of the Federal Aviation Administration (FAA).

(2) The design of the related buildings and equipment shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the facility to the natural setting and built environment.

(3) If an antenna is installed on a support structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusiveness as possible.

(4) WTFs shall not be artificially lighted with the exception of motion detectors as security lighting, except as required by the FAA or other applicable authority. If security lighting is required, the city shall review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding properties.

(C) Landscaping and Screening

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The following requirements shall govern the landscaping and screening for a transmission tower or any parabolic antenna larger than two (2) meters:

(1) Tower compounds shall be landscaped with a buffer of plant materials that effectively screens the base of the WTF site from view of public right-of-way. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the compound. A screening fence may be used in part to screen a WTF but must be in addition to the required landscaping. Any screening fence shall be a minimum of six feet in height and constructed of solid opaque materials, including wood, brick, or masonry.

(2) Certain parabolic dishes attached to the ground shall be screened from public right-of-way by a combination of siting at or behind the imaginary front line of the most major structure on site (largest in gross floor area} and landscaping a four (4) feet wide strip between the dish and right-of-way.

(3) Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. In some cases, where towers are sited on large, wooded parcels, natural growth around the site perimeter may be a sufficient buffer.

(4) It is the responsibility of the WTF owner to maintain any required landscaping.

(D) All proposed transmission towers shall provide a point of access from right-of-way which is in conformance with the driveway standards. No off-street parking is required.

(E) All transmission towers shall be built in accordance with the current FAA Airspace Obstruction Standards.

xxiii. Abandonment

Any WTF that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such a facility shall remove same within 60 days of receipt of notice from the city notifying owner of such abandonment. If such facility is not removed within said 60 days, the city may remove such facility at the property owner's expense. If there are two or

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more users of a single WTF, then this provision shall not become effective until all users cease operations on the tower.

xxiv. Nonconforming WTFs

See Section 14.05A.7.

C. Commercial Uses and Standards

1. Commercial Uses

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| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts*[1] | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| **Food and Beverage Services** | | | | | | | | | | | | | |
| Bar/Tavern | | | | | C | P | P | | | P | C | | 1 space per 200 SF |
| Brewery | | | | | C | P | P | P | | P | C | | 1 space per 200 SF |
| Brewpub or Wine Bar | | | | | C | P | P | | | P | C | | 1 space per 200 SF |
| Catering Establishment | | | C | | C | P | P | | | | | | 1 space per 750 SF |
| Distillery | | | | | C | P | P | | | P | C | | 1 space per 200 SF |
| Food Truck Park | | | C | C | C | P | P | | | | | Section 4.10C.2.f | 1 space per food truck site plus 1 space per 500 SF of outdoor seating |
| Liquor Store | | | | | C | | P | P | | | | | 1 space per 400 SF |
| Restaurant | C | C | C | C | P | P | C | | | P | C | | 1 space per 250 SF |
| Restaurant, Drive-Thru | | | | | C | P | C | | | | C | Section 4.10C.2.k | 1 space per 250 SF |
| **Entertainment and Recreation** | | | | | | | | | | | | | |
| Athletic Facility, Indoor or Outdoor | C | C | C | C | C | P | C | | P | C | C | | As determined by the Director |
| Commercial Recreation and Entertainment, Indoor | C | | | | C | P | P | | | P | | | 1 space per 400 SF for the first 50,000 SF plus 1 space per 1,500 SF over 50,000 SF |
| Commercial Recreation and Entertainment, Outdoor | C | | | | C | P | | | | | C | | 1 space per 500 SF of structural area plus 1 space per 4 seats |
| Driving Range | P | C | C | | C | C | | | P | | | | 1 space per 2 driving tees |
| Event Center | C | | | | C | P | P | | C | C | C | | 1 space per 6 occupants |
| Firing Range, Indoor | | | | | | C | P | P | | | | | 1 space per 500 SF |
| Firing Range, Outdoor | C | | | | | | C | C | | | | | As determined by the Director |
| Game Rooms | | | | | | C | C | P | | | | | 1 space per 500 SF |

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| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts*[1] | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| Outdoor Amphitheater, Private | C | | | | | C | | | | C | C | | 1 space per 6 fixed seats |
| Sexually Oriented Business | | | | | | | C | C | | | | Section 4.10C.2.n | 1 space per 500 SF |
| Theater | | | | | P | P | | | | P | | | 1 space per 5 seats |
| **Office and Professional Services** | | | | | | | | | | | | | |
| Financial Institution | | | | | P | P | C | | | P | P | | 1 space per 500 SF |
| Financial Institution, Alternative | | | | | C | P | C | | | | | | 1 space per 400 SF |
| Office | C | | | | P | P | P | P | | P | P | | 1 space per 500 SF |
| **Retail Sales and Services** | | | | | | | | | | | | | |
| Artist Studio or Gallery | C | | | | P | P | P | | | P | P | | 1 space per 750 SF |
| Auction Sales | | | | | | P | P | C | | | | | 1 space per 500 SF |
| Bed and Breakfast | C | C | C | | C | P | | | | C | C | Section 4.10C.2.c | 1 space per 2 bedrooms |
| Building Material and Landscaping Sales | | | | | | C | P | P | | | | | 1 space per 750 SF |
| Convenience Store | | | C | | C | P | P | P | | P | C | Section 4.10C.2.e | 1 space per 400 SF |
| Crematorium | | | | | | C | C | P | | | | | 1 space per 750 SF |
| Dry Cleaning | | | | | C | P | P | P | | | | | 1 space per 400 SF |
| Equipment Sale, Rental and Repair | | | | | | C | P | P | | | | | 1 space per 750 SF |
| Fitness Center | C | | | | P | P | P | | | C | C | | 1 space per 500 SF |
| Food Preparation and Processing | | | | | | C | P | P | | | | | 1 space per 750 SF |
| Funeral Home | P | | | | | P | P | P | | | | | 1 space per 250 SF |
| Greenhouse or Nursery | P | | | | P | P | P | P | P | | P | | 1 space per 750 SF of retail space |

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| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts*[1] | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| Hotel | | | | | C | P | P | | | P | P | Section 4.10C.2.h | 1 space per 2 rooms plus 1 space per 400 SF of commercial area |
| Kennel | C | | | | | | P | P | P | | | Section 4.10C.2.i | 1 space per 750 SF |
| Laundromat | P | | | | P | P | P | | | | | | 1 space per 500 SF |
| Personal Services | | | C | | C | P | P | | | P | P | | 1 space per 400 SF |
| Portable Building Sales | | | | | | C | P | P | | | | | 1 space per 7,500 SF |
| Print Shop | | | | | P | P | P | | | | | | 1 space per 600 SF |
| Recreational Vehicle Parks | C | | | C | | | | | | | | Section 4.10C.2.j | 2 spaces per RV site |
| Retail Sales | C | | C | | P | P | P | | | P | P | Section 4.10C.2.l | 1 space per 350 SF for buildings 20,000 SF or less<br>1 space per 500 SF for buildings over 20,000 SF |
| Self-Storage, Indoor | | | | | | C | P | P | | | | Section 4.10C.2.m | 1 space per 100 storage units |
| Self-Storage, Outdoor | | | | | | | P | P | | | | Section 4.10C.2.m | 1 space per 100 storage units |
| Short-Term Rental | C | C | C | | C | P | | | | | C | Section 4.10C.2.o | 1 space per 2 bedrooms |
| Vape Shop | | | | | C | C | P | P | | | | | 1 space per 500 SF |
| Veterinary Clinic | C | | | | C | P | P | | C | | C | | 1 space per 500 SF |
| **Automotive Sales and Services** | | | | | | | | | | | | | |
| Automotive Body Repair Shop | | | | | | P | P | P | | | | Section 4.10C.2.a | 2 spaces per service bay |
| Automotive Parts Sales, Indoor | | | | | C | C | P | P | | | | | 1 space per 500 SF |
| Automotive Parts Sales, Outdoor | | | | | | C | P | P | | | | | 1 space per 1,500 SF |
| Automotive Sales or Rental | | | | | | P | P | P | | | | Section 4.10C.2.b | 1 space per 750 SF indoor |

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| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts*[1] | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| | | | | | | | | | | | | | facility plus 1 space per 2,000 SF of outdoor lot area |
| Car Wash | | | | | C | C | P | P | | | | | 1 space per washing bay/facility |
| Fueling Station | | | | | | S | P | P | | | | Section 4.10C.2.g | 1 space per 600 SF |
| Parking Structure, Commercial | | | | | C | P | P | P | | P | P | | -- |
| Parking Surface Lot, Commercial | | | | | C | P | P | P | | P | P | | -- |
| Truck Terminal | | | | | | | P | P | | | | | As determined by the Director |
| Wrecker/Towing Services | | | | | | C | P | P | | | | | As determined by the Director |

*The Minimum Parking standards listed in this figure do not apply to uses located in the Downtown Districts.

1 The Downtown Districts' Corner Commercial and General Commercial building types are not use-specific. See Section 5.05D. Building Types List for applicable building types in the Downtown Zoning Districts.

2. Commercial Use-Specific Standards

   a. Automotive Body Repair Shop

      i. Automotive repair shall occur within a fully enclosed structure sufficient to prevent noise, glare, odors, heat, or other adverse effects from extending beyond the property line of the lot or parcel on which the use is permitted.

   b. Automotive Sales or Rental

      i. All automobile sales, displays, rentals or leasing are prohibited from operating outdoors along the SH-29 corridor.

      ii. This use shall include, but is not limited to, the sale, rental and leasing of cars, trucks, vans, motorcycles, watercraft, recreational vehicles, all-terrain vehicles, and all other similar vehicles not listed.

   c. Bed and Breakfast

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i. No more than eight (8) guestrooms per property shall be allowed. If more than one building is located on a property, no more than six (6) guestrooms shall be allowed in any one building.

ii. No food preparation, except beverages, shall be allowed within individual guestrooms. No stove, range, hot plate, toaster oven, or microwave shall be allowed in any guestroom; however, a small microwave is permitted in outbuilding guest rooms.

iii. Preparation and service of food shall conform to all applicable regulations of the State of Texas and Williamson County.

iv. The owner shall maintain a current guest register, including names, contact information, and dates of occupancy for all guests.

v. On-site parking, excluding driveways, shall not be located in the front yard and shall be screened from the view of adjacent residences by a solid screening fence or vegetative screen to a height of six (6) feet.

d. Building Material and Landscaping Sales

i. Outdoor storage is not permitted by right for Building Material and Landscaping Sales uses.

ii. See Section 4.10F.2.d. Outdoor Storage for the use-specific standards applicable to Outdoor Storage uses.

e. Convenience Store

i. A Convenience Store that includes fuel pumps shall meet the requirements established in Section 4.10C.2.g below.

f. Food Truck Park

i. Each mobile food vendor operating within a Food Truck Park shall comply with the requirements of Section 4.10G.2.e. Mobile or Outdoor Food Vendor, Temporary.

ii. A Food Truck Park shall not operate between the hours of 1:00 a.m. and 7:00 a.m.

iii. A Food Truck Park shall provide access to a restroom on or within 500 feet of the property lines of the tract on which the Food Truck Park is situated.

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iv. A Food Truck Park shall provide one (1) garbage receptacle, to hold a minimum of 13 gallons, per vendor located on the property for public use. This requirement is in addition to the receptacles required for each individual vendor.

v. All individual vendors within a Food Truck Park shall be placed or parked on improved surfaces.

vi. Electrical, water, and wastewater connections shall be provided for each vendor pad/proposed location.

vii. Adequate lighting, as determined by the Director and in accordance with Article 9. Lighting, to enable clear and unobstructed visibility of mobile food vendors and patrons, shall be provided at all entrances and exits of the Food Truck Park.

viii. Prior to issuance of a Conditional Use Permit or prior to construction or installation of improvements where permitted, a Food Truck Park permit application shall be submitted to the Planning and Development Department. A Food Truck Park permit shall contain at minimum:

(A) The name, address, phone number, and email address of a contact person who shall be available 24 hours per day, seven days per week for the purposes of responding to complaints regarding the operation of the Food Truck Park and taking remedial action to resolve any such complaints.

(B) A detailed site plan showing:

(1) The land area included within the site, the zoning classification of adjacent sites, and all public and private rights-of-way and easements bounding and intersecting the site;

(2) A legal description of the platted lots of the proposed site;

(3) The location of each proposed permanent structure on the site and pads/proposed locations for individual mobile food vendors, and identification of any proposed outdoor entertainment features;

(4) The dimensions and capacities of parking and loading areas;

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(5) All pedestrian areas, sidewalks, patios, and open areas for use by tenants and the public;

(6) The location, size, and height of all lighting and signs;

(7) The location and number of provided sitting and eating areas, including the number of fixed seats and tables; and

(8) The location, height, separation of buildings, including location of restrooms, and open space.

(C) Proposed hours of operation; and

(D) A shared use agreement or written permission from the property owner for use of restroom facilities within 500 feet of the Food Truck Park, where restrooms are not provided on-site

g. Fueling Station

i. No Fueling Station use shall be located within a 1,000-foot radius of another Fueling Station use.

ii. Any fuel pump island or other structure shall meet the zoning district's applicable minimum setbacks.

h. Hotel

i. Hotel guest rooms must be accessible only through interior corridors.

ii. Entrance through exterior doors of the hotel must be secured and accessible only to guests and employees.

iii. Hotel management must be on-site 24 hours each day.

i. Kennel

i. The kennel operation, including all structures, shall be located at least 100 feet from the property line of any residentially zoned property.

j. Recreational Vehicle Park

i. Site Plan Required

(A) A site plan application shall be submitted to the City.

(B) The location and arrangement of each recreational vehicle park and campground shall be approved by the Williamson County ESD #4 and meet the requirements of the International Fire Code as amended.

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ii. Site Design Requirements

(A) Roads

(1) Minimum widths of recreational vehicle park and campground roads designed to accommodate all types and sizes of camping units shall be thirteen (13) feet per traffic lane and eight (8) feet per parallel parking lane.

(2) Road curves designed for use by all types and sizes of camping units shall have a minimum internal radius of thirty (30) feet.

(3) Turnarounds shall be provided for all dead-end roads over one hundred (100) feet in length, and those designed for use by all types and sizes of camping units shall have a minimum internal radius of thirty (30) feet.

(B) Site Identification

(1) Each camping unit site shall be marked for identification. Such markers shall be easily readable from the recreational park street.

iii. Site Design Safety Requirements

(A) The site plan shall show and identify camping unit sites, each stand, major structures and facilities, and water supply for fire protection purposes in the recreational vehicle park or campground, to facilitate response by emergency services such as fire, police, and ambulance.

(B) More than one fire dept access road shall be provided when it is determined that access by a single road could be impaired by vehicle congestion, condition of terrain, climate conditions, or other factors that could limit access.

(C) Roads shall be designed and constructed to allow evacuation simultaneously with emergency response operations.

(D) When a bridge is required to be used as part of a fire dept access road, the bridge shall be designed, constructed, and maintained in accordance with applicable nationally recognized standards for structural capacity, safety, and fire apparatus access.

iv. Permanent Facilities Standards

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(A) Structures
Every structure in a recreational vehicle park shall be designed and constructed in accordance with adopted building codes.

(B) Swimming and Bathing Facilities
If provided, such facilities shall be designed in accordance with adopted building codes.

v. Recreational Vehicle Site Design

(A) Each recreational vehicle site shall have vehicular access.

(B) Parking spaces and pull-through spaces for recreational vehicles shall be a minimum width of twenty (20) feet.

(C) Where two adjacent parking spaces are provided for recreational vehicles, one parking space shall be permitted to be a minimum width of sixteen (16) feet.

(D) Each recreational park trailer site shall be installed using a method to accommodate the recreational park trailer setup and minimize the possible settling of the recreational park trailer in its setup mode.

(E) Recreational park trailer sites shall have a potable water supply connection, sewer inlet connection, and electrical power supply for each individual recreational park trailer site.

(F) When a potable water supply connection, sewer inlet connection, electrical power, TV connection, and phone connection supply or discharge outlet(s) is provided for an individual recreational vehicle site, such connection(s) shall be permitted to be grouped together in one assembly in accordance with the following standards:

(1) The water and electrical assemblies shall be located on the left rear half of the site (left side of the recreational vehicle) within six (6) feet of the site.

(2) The sewer assembly shall be located on the left rear half of the site (left side of the recreational vehicle) within four (4) feet of the site.

(3) The water, electrical, and sewer assemblies shall be listed specifically for the purpose of providing services to individual recreational vehicles.

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k. Restaurant, Drive-Thru

i. Speaker Box

(A) The speaker box of any drive-thru shall be located more than 200 feet from the nearest property line of a residentially zoned property.

(B) Speaker boxes and microphones shall be directed away from residentially zoned property.

(C) The following elements shall be completely screened from view at the adjoining property line of a residentially zoned property. Screening shall be provided by in accordance with the Medium-Level bufferyard requirements of Section 8.04E.1.e.iii. Specific Bufferyard Requirements:

(1) Queuing spaces

(2) Order boxes

(3) Order window

(4) Drive-through pick up windows

l. Retail Sales
See Section 7.04G. Big Box and Multi-Unit Retail Standards.

m. Self-Storage, Indoor and Outdoor
An indoor or outdoor self-storage establishment is subject to the following standards and limitations:

i. Self-storage facilities shall be limited to storage use only, except for an accessory leasing office, accessory retail sales, or a single living quarters for security purposes, and shall not be used for operating any other business.

ii. Self-storage facilities shall be secured so that access is limited to tenants (or owners) and fire, police, or emergency service officials.

iii. Self-storage facilities shall not be used for the storage of explosives, ammunition, wrecked or inoperable vehicles, hazardous, or flammable materials.

iv. Self-storage facilities shall be used solely for the purpose of the storage of goods and possessions and shall not be used for operation of a business, hobby, band rehearsal, or any activity not related to the storage of personal

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property of the owner or tenant of the unit. Such facilities shall not be used as a residence or for overnight accommodation, except as for security personnel, as noted above.

v. Indoor self-storage facilities shall operate completely within a building or structure.

vi. Indoor self-storage facilities shall be limited to climate-controlled facilities accessed solely from shared interior hallways

vii. Storage bay doors shall not face public right-of-way unless set back a minimum of 100 feet from the property line.

viii. Each individual outdoor storage unit shall be directly accessible from an apron consisting of an approved paved surface.

ix. Where gated, a minimum of 60 feet of driveway shall be provided between the public right-of-way and the front gate of the self-storage facility.

x. No outdoor self-storage shall be permitted within a required setback.

xi. No outdoor self-storage shall be allowed in required off-street parking areas. Areas intended for outdoor self-storage shall be paved and painted to distinguish them from required off-street parking areas.

xii. Outdoor self-storage shall be screened from any public right-of-way by a High Level Bufferyard in accordance with Section 8.04E.1.e. Bufferyards.

n. Sexually Oriented Business
See Chapter 5, Article 5.05 of the City's Code of Ordinances.

o. Short-Term Rental (STR)

i. Eligibility and Basic Standards

(A) A Short-Term Rental (STR) may occur within any dwelling unit where lodging is otherwise permitted by this Code.

(B) The applicant must demonstrate that the unit and property do not have any outstanding issues related to taxes, building, electrical, plumbing, fire, health, housing, police, planning, noise, or code enforcement provisions.

ii. Occupancy and Operational Standards

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(A) The maximum overnight occupancy of an STR may not exceed two (2) persons per bedroom plus two (2) additional persons.

(B) Recreational vehicles, temporary shelters, tents, or similar accommodations may not be used to increase occupancy of an STR.

(C) A local contact person capable of responding to complaints and emergencies must be designated and available by telephone at all times while the STR is occupied. The local contact person must respond to complaints within one hour and, when necessary, be physically present at the property within two (2) hours.

(D) The STR operator must provide occupants with written information regarding occupancy limits, parking regulations, noise regulations, trash collection procedures, emergency contact information, and applicable City regulations.

(E) All vehicles associated with an STR must be parked in legal parking spaces on the property or on public streets where parking is otherwise permitted. Parking within required landscape areas, sidewalks, or unapproved surfaces is prohibited.

(F) Noise generated from the property must comply with all applicable City regulations.

iii. STR Permit and Inspection

(A) All STR operators must obtain an STR permit from the City and pay required fees as established in the City's adopted Fee Schedule.

(B) Applicants must provide proof of ownership of the residence and proof of insurance.

(C) The City may perform an inspection of the STR to ensure compliance with the Property Maintenance Code, Fire Code, and other adopted City codes prior to occupancy by guests.

(D) Issuance of an STR permit is administrative. Approval must be granted upon demonstration of compliance with this section and all other applicable regulations.

iv. Renewals

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(A) STR permits must be renewed every three (3) years from the date of issuance. See the City's adopted Fee Schedule for associated fees.

(B) Prior to renewal, the City may perform an inspection of the STR to ensure compliance with the Property Maintenance Code, Fire Code, and other adopted City codes.

(C) The applicant must submit a report that indicates the following:

(1) The number of nights the unit was rented as an STR during the previous year;

(2) Proof of payment of Hotel/Motal Tax submitted to the City;

(3) Proof of current property insurance; and

(4) Proof of general commercial liability insurance, or equivalent coverage, of at least $500,000 per occurrence.

(D) If the applicant fails to meet one of these requirements, the City must provide 10 calendar days' notice to comply.

(E) Renewal approval is administrative unless grounds exist for suspension or revocation pursuant to Section v. below.

v. Suspension or Revocation

(A) The City may suspend or revoke an STR permit. A property whose permit has been revoked is not eligible for a new STR permit for one year.

(B) Suspension or revocation is at the discretion of the Director for reasons including, but not limited to, the following:

(1) The applicant provided false or misleading information during the application process;

(2) There has been a violation of any provision of this section;

(3) The applicant has failed to pay Hotel Occupancy Tax in a timely manner;

(4) The location has received three (3) or more complaints from neighboring property owners related to excessive noise, traffic, parking, trash, or similar nuisance conditions within a 24-month period;

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(5) The STR is being operated without a valid permit; or

(6) The property has failed two (2) consecutive inspections.

(C) Continued operation of an STR following suspension or revocation constitutes a violation of this UDC.

D. Industrial Uses and Standards

1. Industrial Uses

| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts* | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| Data Center | | | | | | | C | C | | | | Section 4.10D.2.a Section 4.10D.2.b | 1 space per 5,000 SF |
| Industrial Use, Heavy | | | | | | | | P | | | | Section 4.10D.2.a | As determined by the Director |
| Industrial Use, Light | | | | | | C | P | P | | | | Section 4.10D.2.a | As determined by the Director |
| Recycling Center | | | | | | C | C | C | | | | Section 4.10D.2.a | As determined by the Director |
| Recycling Plant | | | | | | | C | C | | | | Section 4.10D.2.a | As determined by the Director |
| Research, Testing and Development Lab | | | | | | C | P | P | | | | Section 4.10D.2.a | 1 space per 500 SF |
| Resource Extraction | C | | | | | | | C | | | | Section 4.10D.2.a | 1 space per 4 acres |
| Storage Yard | | | | | | C | C | C | | | | Section 4.10D.2.a | 1 space per 10,000 SF of outdoor storage area |
| Warehousing and Distribution | | | | | | | C | P | | | | Section 4.10D.2.a | 1 space per 500 SF of office space plus 1 space per 2,000 SF of warehouse |
| Waste Related Uses | | | | | | | | P | | | | Section 4.10D.2.a | 1 space per 2 acres |
| Wrecking, Scrap or Salvage Yard | | | | | | | C | C | | | | Section 4.10D.2.a Section 4.10D.2.d | As determined by the Director |
| *The Minimum Parking standards listed in this figure do not apply to uses located in the Downtown Districts. | | | | | | | | | | | | | |

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2. Industrial Use-Specific Standards

   a. Industrial Uses

      i. Pollutant Attenuation Plan Required
      Any applicant proposing an industrial use that is not completely enclosed within a building or buildings shall submit a Pollutant Attenuation Plan in accordance with Section 12.07. Pollutant Attenuation Plans prior to approval of a site development permit or building permit.

      ii. Industrial Building Design
      See Section 7.04H. Industrial Design Standards.

   b. Data Center

      i. No portion of a Data Center building or structure may be located within 500 feet of a property zoned for residential use.

      ii. The gross floor area of a Data Center may not exceed 25,000 square feet.

      iii. Data Centers must utilize a closed-loop cooling system. Cooling systems that use potable water as the primary heat-rejection method are prohibited.

   c. Waste Related Uses

      i. Waste related uses shall comply with all applicable Williamson County, State of Texas, and Federal regulations and permit requirements prior to approval.

   d. Wrecking, Scrap or Salvage Yard

      i. No hazardous waste or hazardous materials shall be accepted or deposited in any salvage yard, except as incidental to the salvage operation.

      ii. Salvage operations shall be conducted to remove hazardous waste and materials and dispose of them in accordance with state and federal requirements.

      iii. Any wrecking, scrap or salvage yard, whether a primary use or an accessory use, shall provide a screening wall constructed of permanent materials in accordance with Section 7.05. Non-Residential and Mixed Use Fence Standards. The wall shall be of uniform height in relation to the ground and shall screen junk from view from adjoining lots and public places

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iv. Stacking of junk above the height of the screening wall, where visible from an adjoining lot or public place, shall be prohibited.

E. Agricultural Uses and Standards

1. Agricultural Uses

| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts* | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| Agricultural Operation | P | P | P | P | P | P | P | P | P | P | P | Section 4.10E.2.a | -- |
| Farm Stand | P | | | | | | | | | P | P | | -- |
| Stable Commercial | P | | | | | | | | | | | | As determined by the Director |
| *The Minimum Parking standards listed in this figure do not apply to uses located in the Downtown Districts. | | | | | | | | | | | | | |

2. Agricultural Use-Specific Standards

a. Agricultural Operation

In accordance with the Texas Agricultural Code Sec. 251.0055, Agricultural Operations must not create imminent danger of any of the following impacts to people or property within the immediate vicinity:

i. Explosion;

ii. Flooding;

iii. An infestation of vermin or insects;

iv. Physical injury;

v. The spread of an identified contagious disease that is directly attributable to the agricultural operation;

vi. The removal of lateral or subjacent support;

vii. An identified source of contamination of water supplies;

viii. Radiation;

ix. Improper storage of toxic materials;

x. Crops planted or vegetation grown in a manner that will cause traffic hazards; or

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xi. Discharge of firearms or other weapons, subject to the restrictions in Section 229.002, Local Government Code.

F. Accessory Uses and Standards

1. Accessory Uses

| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts* | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| Accessory Dwelling Unit | P | P | P | | P | | | | | P[1] | P[1] | Section 4.10F.2.a Section 4.10F.2.b | 1 space per dwelling unit |
| Outdoor Display and Sales | | | | | C | P | P | P | P | P[1] | C[1] | Section 4.10F.2.a Section 4.10F.2.c | Refer to Principal Use |
| Outdoor Storage | | | | | C | C | P | P | P | C[1] | C[1] | Section 4.10F.2.a Section 4.10F.2.d | Refer to Principal Use |
| Parking Lot | P | P | P | P | P | P | P | P | P | P[1] | P[1] | Section 4.10F.2.a | -- |
| Short-Term Rental (Accessory) | P | P | P | P | P | P | | | | P | P | Section 4.10F.2.a Section 4.10F.2.e | |

*The Minimum Parking standards listed in this figure do not apply to uses located in the Downtown Districts.
1 See Section 5.05D.1. Accessory Building, if applicable as determined by the Director.

2. Accessory Use-Specific Standards

a. Accessory Uses

Any accessory use may be established only in conjunction with a principal use that is permitted by this UDC. The establishment of such accessory uses shall be consistent with one or more of the following:

i. The accessory use shall be subordinate to and support a primary use;

ii. The accessory use shall be subordinate in area, extent or purpose to the primary use:

iii. The accessory use shall contribute to the comfort, convenience or necessity of the primary use;

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iv. The accessory use shall be located within the same zoning district and on the same parcel as the primary use; and

v. Accessory uses located in residential districts shall not be used for commercial purposes other than authorized and legitimate Home Occupations.

b. Accessory Dwelling Unit

i. An accessory dwelling unit is subject to the following standards and limitations:

(A) For residential districts, the accessory dwelling unit must be

(1) Constructed as Architecturally and physically integrated with the primary structure, or

(2) Located to the rear of and separate from the main dwelling.

(B) The accessory dwelling unit shall be constructed upon issuance of a Building Permit, but shall not be constructed prior to the principal dwelling.

(C) The accessory dwelling unit shall not be sold separately.

(D) The accessory dwelling unit shall comply with the setback requirements for primary structures within the applicable zoning district.

(E) The accessory dwelling unit is not permitted without a primary use or structure on the parcel.

(F) The accessory dwelling unit shall contain a minimum of 400 square feet of living area and a maximum of 900 square feet of living area or 50 percent of the gross living area of the primary dwelling, whichever is greater.

(G) The maximum height of an accessory dwelling unit shall be the same as the parcel's zoning classification. However, in no case shall the height of the accessory dwelling unit exceed the height of the primary structure.

(H) No more than one accessory dwelling unit is allowed per residential lot.

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(I) Parking for an accessory dwelling unit shall not be less than one parking space.

(J) An accessory dwelling unit shall comply with all applicable city codes and regulations including but not limited to, those dealing with building, plumbing, electrical, fire safety, health and sanitation, and property maintenance.

c. Outdoor Display and Sales

i. Outdoor display and sales shall be limited to merchandise actively offered for sale and displayed for direct access or viewing by customers and shall not be used for general outdoor storage of inventory, materials, or equipment.

ii. Outdoor display shall be designated on an approved site plan.

iii. Outdoor display is limited to five percent of the total lot area or 20 percent of the primary building's gross floor area, whichever is more restrictive.

iv. Outdoor display shall be placed within 10 feet of the front façade of the primary building and shall not exceed four feet in height.

v. If items are placed on a sidewalk or other pedestrian area, a six-foot-wide pedestrian path must be maintained through or adjacent to the outdoor display area. The pedestrian path must be concrete or asphalt and may not be located within off-street parking areas, including parking spaces, fire lanes, easements, maneuvering aisles, customer pick-up lanes, or loading zones.

vi. Temporary storage of merchandise for display and sale during a sidewalk sale is permitted. A four-foot-wide clearance shall be provided along the public sidewalk, and a six-foot-wide clearance shall be provided on the sidewalk around the building.

d. Outdoor Storage

i. Outdoor storage includes the keeping of merchandise, inventory, materials, equipment, or supplies outside an enclosed building that are not maintained as an outdoor display and sales area.

ii. Outdoor storage shall be designated on an approved site plan.

iii. Outdoor Storage shall not be placed:

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(A) Within any required setbacks;

(B) Within parking spaces, fire lanes, easements, maneuvering aisles, or loading areas;

(C) On the roof of any structure;

(D) Above he required screening height; or

(E) In front of any primary building.

iv. Outdoor storage is limited to five percent of the total lot area or 20 percent of the primary building's gross floor area, whichever is more restrictive.

e. Short-Term Rental (Accessory)

G. Short-Term Rental uses are allowed as accessory uses. A Short-Term Rental (STR) permit is required for all STR uses. The standards for Short-Term Rentals in Section 4.10C.2.o apply.Temporary Uses and Standards

1. Temporary Uses

| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts* | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| Concrete Production, Temporary | P | P | P | P | P | P | P | P | P | P | P | Section 4.10G.2.b | -- |
| Construction Field Office | P | P | P | P | P | P | P | P | P | P | P | Section 4.10G.2.c | -- |
| Construction Staging, Off-Site | P | P | P | P | P | P | P | P | P | P | P | Section 4.10G.2.d | -- |
| Farmers Market | P | | | | C | P | P | P | P | P | C | | -- |
| Flea Market | P | | | | C | P | C | P | P | P | C | | -- |
| Mobile or Outdoor Food Vendor, Temporary | C | | | | C | P | P | P | C | P | C | Section 4.10G.2.e | -- |
| Parking Lot, Temporary | P | P | P | P | P | P | P | P | P | P | P | Section 4.10G.2.f | -- |
| Portable Classrooms | P | P | P | P | P | P | P | P | P | P | P | Section 4.10G.2.g | -- |
| Residential Sales Offices/Model Homes | P | P | P | P | P | P | | | | P | P | Section 4.10G.2.h | -- |
| Seasonal Product Sales | P | P | P | P | P | P | P | P | P | P | P | Section 4.10G.2.i | -- |

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| Use | Residential Districts | | | | Non-Residential and Mixed-Use Districts | | | | | Downtown Districts* | | Use-Specific Standards | Minimum Parking |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | RA | RSF | RM | MH | MN | MC | LI | GI | P | DC | DM | | |
| Storage Facility, Temporary | C | | | | C | P | P | P | P | P | | | -- |
| *The Minimum Parking standards listed in this figure do not apply to uses located in the Downtown Districts. | | | | | | | | | | | | | |

2. Temporary Use-Specific Standards

a. Temporary Uses

All temporary uses shall meet the following general requirements, unless otherwise specified in this UDC:

i. The temporary use shall not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.

ii. The temporary use shall comply with all applicable general and specific regulations of this Section, unless otherwise expressly stated.

iii. The temporary use shall meet the requirements and follow the procedures of Section 3.10.

iv. Permanent alterations to the site are prohibited.

v. The temporary use shall not violate any applicable conditions of approval for a principal use on the site.

vi. If the property is undeveloped, it shall contain sufficient land area to accommodate the temporary use, including required parking and traffic circulation associated with the temporary use, without disturbing sensitive or protected resources. At the conclusion of the temporary use or expiration of the permit, whichever occurs first, all disturbed areas shall be restored to the condition that existed before the temporary use commenced.

vii. If the property is developed, the temporary use shall be located in an area not actively used by an existing approved principal use, and shall not encroach upon or adversely affect existing buffers, open space, landscaping, traffic movements, pedestrian circulation, or parking availability.

b. Concrete Production, Temporary

i. A temporary facility for the production of concrete or concrete products may be permitted when directly associated with construction activity in the area,

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provided that that facility is located at least 1,000 feet from any existing residential development.

ii. Retail sales of concrete or concrete products from the temporary facility are prohibited.

iii. Hours of operation shall comply with adopted Building Code requirements and other applicable City regulations.

iv. Upon completion of the associated construction project, the temporary concrete production facility shall cease operation, and the site shall be restored to its pre-construction condition.

v. All buildings, structures, driveway access improvements, curb and gutter, debris, equipment, materials and concrete products associated with the temporary facility shall be removed. The disturbed area shall be sodded, seeded, or hydromulched with grass within 45 days after removal.

c. Construction Field Office

i. Temporary construction field offices, including trailers and modular offices, are permitted on or adjacent to any site where construction is being undertaken pursuant to a valid building permit.

ii. Temporary construction field offices may be occupied for office or security purposes or used for the storage of equipment and materials associated with construction on the site.

iii. Upon completion or abandonment of construction, or upon expiration of the building permit, whichever occurs first, the temporary construction field office shall be removed immediately at the owner's expense.

d. Construction Staging, Off-Site

Off-site construction staging is the temporary use of property outside the right-of-way for activities related to the construction of public improvements. Temporary facilities allowed in conjunction with an off-site construction staging area may include construction field offices, portable restroom facilities, vehicle or equipment storage, layout yards, storage of construction materials or products, and other similar uses as determined by the Building Official. Off-site construction staging facilities are subject to the following requirements:

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i. Off-site construction staging facilities may be approved for a period not to exceed 12 months. The applicant may request renewal before expiration of the approval if the conditions supporting the original approval continue to exist.

ii. Off-site construction staging facilities shall be located within 1,500 feet of the boundary of the associated construction project and shall not be located within 500 feet of existing residential development.

iii. The applicant shall demonstrate that measures will be provided to prevent dust from blowing onto adjacent properties and mud from being tracked onto public rights-of-way.

iv. Total impervious cover shall be limited to 50 percent of the site.

v. An undisturbed natural buffer of at least 15 feet shall be maintained along lot lines adjacent to other properties.

vi. Hours of operation shall comply with applicable City regulations governing construction hours, noise, and building activity.

vii. Any temporary parking, construction field office, or temporary manufacturing of concrete or concrete products associated with the off-site construction staging area shall comply with the applicable standards for such uses, as specified in this Section.

viii. Following completion of the associated project, the site shall be restored to its pre-construction condition. All buildings, structures, driveway access improvements, curb and gutter, debris, equipment materials, and products associated with the off-site construction staging area shall be removed, and all disturbed areas shall be sodded, seeded, or hydromulched with grass within 45 days after removal.

e. Mobile or Outdoor Food Vendor, Temporary

i. Mobile or Outdoor Food Vendors may be located on public property other than public street travel lanes.

ii. Mobile or Outdoor Food Vendors shall not operate in required parking spaces, driveways, or fire lanes.

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iii. Mobile or Outdoor Food Vendors may be located on private property with the written consent of the owner and an application including a site plan from the owner that identifies permitted locations.

iv. A waste receptacle is required for every Mobile or Outdoor Food Vendor and waste shall be removed daily.

v. Mobile or Outdoor Food Vendors are permitted Vehicle Signs in accordance with the regulations of Article 13. Sign Standards.

vi. A barrier shall be places between any vehicular areas and customer service areas. The barrier may be implied or physical and constructed with landscaping, gated fencing, changes in ground surface texture, material, or color, or other similar treatments.

vii. Prior to issuance of a Temporary Mobile or Outdoor Food Vendor permit, an application shall be submitted to the Planning and Development Department and contain any information required by staff to evaluate the impacts including but not limited to location, parking, and accessibility. Applications for Mobile or Outdoor Food Vendors shall include at minimum:

(A) A detailed site plan showing the location and dimensions of the Mobile or Outdoor Food Vendor area, required setbacks, required parking, areas for sitting/dining, barriers, and restroom locations;

(B) Written permission from the property owner to use the site, as applicable;

(C) A copy of all required health inspection permits;

(D) Proposed hours of operation; and

(E) A shared use agreement or written permission from the property owner for use of restroom facilities within 200 feet of the Mobile or Outdoor Food Vendor.

f. Parking Lot, Temporary

A temporary parking lot may be approved for a period not to exceed 12 months when parking demand exceeds the amount of parking provided at the time a facility originally opened due to business operations or unanticipated patronage. A temporary parking lot required as part of another Temporary Use Permit may be

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approved for the same period of time established for such temporary use. All temporary parking lots are subject to the following requirements:

i. Site Plan approval shall be obtained.

ii. The temporary parking lot shall be surfaced and maintained to provide a stable, all-weather parking surface. The applicant shall demonstrate that measures will be provided to prevent dust from blowing onto adjacent properties and mud or other materials from being tracked onto public rights-of-way.

iii. At the end of the permit approval period, the temporary parking lot shall comply with the following:

(A) The area shall no longer be used for the parking of vehicles, except as permitted below. All temporary surfacing material, driveway access, and curb and gutter shall be removed, and the disturbed area shall be sodded, seeded, or hydromulched with grass within 10 days of removal.

(B) A temporary parking lot approved to accommodate unanticipated patronage may be retained if it is brought into full compliance with all applicable standards of this Code.

g. Portable Classrooms

i. Portable classrooms are allowed as part of a site-built public or private school facility.

ii. A site-built school building and the required site improvements must be in place prior to placement of any portable classrooms.

iii. The total square footage of portable classrooms shall not be greater than 25 percent of the total square footage of the principal site-built school building.

iv. Portable classrooms shall be depicted on an approved Site Development Permit and may be added to an existing Site Development Permit as part of an amendment.

v. Required site parking shall be maintained for the entire school facility in accordance with the standards of this Article, including any increases needed to accommodate a portable classroom.

h. Residential Sales Offices/Model Homes

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i. Model homes and temporary residential sales offices shall be permitted as temporary uses incidental to a residential development. Such uses shall comply with the following standards:

(A) The temporary residential sales office shall be located within the boundaries of the subdivision or tract of land in which the residential lots, dwelling units, or development are to be sold or leased, and shall be located on property for which a recorded plat exists, and a valid building permit has been issued;

(B) A model home or temporary residential sales office shall not be used as a dwelling;

(C) Use of the temporary residential sales office for the sale or lease of residential lots, dwelling units, or projects located outside of the subdivision is prohibited; and

(D) Temporary residential sales offices shall be removed within 30 days after the sale or lease of the last residential lot or dwelling unit in the development, or within 30 days after 12 consecutive months with no construction or sales activity, whichever occurs first. This requirement shall not apply to model homes constructed as permanent dwelling units.

i. Seasonal Product Sales

i. Seasonal product sales may occupy required parking spaces serving the principal use of the property on a temporary basis, for a maximum of 30 days per display and a maximum of two displays per calendar year, provided that adequate parking remains available and the use does not adversely affect traffic circulation on adjacent streets or properties.

ii. Seasonal products shall not create a safety or visibility hazard or impede public vehicular or pedestrian circulation, either on-site or off-site.

iii. Seasonal product sales shall not extend into public right-of-way or onto adjacent property.

iv. All merchandise shall be displayed in a neat and orderly manner, and the display area shall be maintained in a clean and litter-free manner.

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# Article 5 Downtown Regulations

## Section 5.01 Generally

This Article provides development standards to promote a dense and active mixed-use environment sensitive to the historic development pattern of the City. To that end, this Article is based on the following principles:

A. Support the creation of a vibrant, interesting, resilient, and historically sensitive downtown area;
B. Encourage walkability and a pedestrian-friendly environment within the downtown area;
C. Design places that reflect Liberty Hill's local character and create a positive, welcoming image of the community; and
D. Ensure context-sensitive, pedestrian-scale development that is compatible with and complementary to adjacent neighborhoods and neighbors.

## Section 5.02 Applicability

A. The standards of this Article apply to development within the Downtown Zoning Districts – the Downtown Core and Downtown Mix Districts established in Section 4.02. Establishment of Zoning Districts.
B. This Article controls within the Downtown Zoning District, except where it explicitly references the standards of another Article. In the event of conflict between this Article and another article of the UDC, the stricter provision shall control.

## Section 5.03 Components of this Code and Development Process

A. Generally

1. This Article contains the district overviews in Section 5.04. Downtown Districts detailing the applicable development standards for each Downtown Zoning District.
2. Section 5.05. Building Types contains information on the building types and building features applicable to downtown development.
3. The emphasis of the Downtown Zoning Districts is on encouraging the development of traditional development patterns. As a result, this Article deemphasizes the use-based standards found in other zoning districts. Section 5.06. Uses and Use Standards details the uses that are not allowed within the Downtown Zoning Districts.
4. Section 5.07. Design Standards contains detailed standards applicable to all development in the Downtown Zoning Districts and connects this Article to the rest of the UDC.

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B. How to Use this Article

1. Development within the Downtown Zoning Districts shall follow the processes outlined in Article 3. Applications and Permits of this UDC.
2. To review what can be built within the Downtown Zoning Districts:
   a. Determine the zoning district.
   b. Reference approved building types and eligible required building features for the selected building type, lot standards, and design standards.
   c. Include downtown-specific information in the permit application.
3. This Article will refer to applicable sections from the rest of the UDC.

## Section 5.04 Downtown Districts

A. Downtown Core (DC)

| | |
|---|---|
| **Building Placement** | |
| Reserved for graphics | Front Setback (Min.): 0 feet<br>Front Setback (Max.): 10 feet<br>Side Setback (Min.) (secondary street): 0 feet<br>Side Setback (Min.) (interior): 0 feet, Fire separation standards apply<br>Rear Setback (Min.): 5 feet |
| **Parking Placement** | |
| Reserved for graphics | Primary Street Setback (Min.): 40 feet, or behind the principal building on the lot<br>Secondary Street Setback (Min.): 5 feet, or behind the front façade of the principal building on the lot<br>Side Setback (Min.): 0 feet<br>Rear Setback (Min.): 0 feet, or 15 feet from the alley centerline if an alley is present |
| **Building Massing** | |
| Reserved for graphics | Primary Street Façade Buildout (Min.): 85%<br>Secondary Street Façade Buildout (Min.): None<br>Building Height: 40 feet |
| **Coverage** | |
| Impervious Cover Percentage per Lot (max.) | 90 |
| **Permissible Building Types (See Section 5.05. Building Types for additional standards)** | |
| Single Family Attached | |
| Townhouse | |
| Multi-Family | |
| Live-Work Unit | |
| Mixed Use Building | |

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| |
|---|
| Corner Commercial |
| General Commercial |
| Civic |
| **Additional Requirements within the Zoning Regulations** |
| Section 5.05. Building Types<br>Section 5.06. Uses and Use Standards<br>Section 5.07. Design Standards<br>Section 5.08. Signs<br>Article 9. Lighting |

B. Downtown Mix (DM)

| | |
|---|---|
| **Building Placement** | |
| Reserved for graphics | Front Setback (Min.): 10 feet<br>Front Setback (Max.): 20 feet<br>Side Setback (Min.): 5 feet, unless on a corner lot where 10 feet<br>Rear Setback (Min.): 5 feet |
| Accessory Buildings | Alley or Rear Setback (Min.): 0 feet, or 15 feet from the alley centerline if an alley is present<br>Principal Building Setback (Min.): 5 feet |
| **Parking Placement** | |
| Reserved for graphics | Primary Street Setback (Min.): 50 feet, or behind the principal building on the lot<br>Secondary Street Setback (Min.): 5 feet<br>Side Setback (Min.): 3 feet<br>Rear Setback (Min.): 0 feet, or 15 feet from the alley centerline if an alley is present |
| **Building Massing** | |
| Reserved for graphics | Primary Street Façade Buildout (Min.): 60%<br>Secondary Street Façade Buildout (Min.): None<br>Building Height: 50 feet |
| **Coverage** | |
| Impervious Cover Percentage per Lot (max.) | 90 |
| **Permissible Building Types (See Section 5.05. Building Types for additional standards)** | |
| Accessory Building | |
| Single Family Detached | |
| Single Family Attached | |
| Townhouse | |
| Cottage Court | |
| Multi-Family | |
| Live-Work Unit | |
| Mixed Use Building | |
| Corner Commercial | |

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| |
|---|
| General Commercial |
| Civic |
| **Additional Requirements within the Zoning Regulations** |
| Section 5.05. Building Types |
| Section 5.06. Uses and Use Standards |
| Section 5.07. Design Standards |
| Section 5.08. Signs |
| Article 9. Lighting |

## Section 5.05 Building Types

A. Purpose

This Section sets forth the standards applicable to the development of each building type. These standards supplement the standards for each zoning district that the building types are allowed within. These standards are intended to ensure development reinforces the high-valued existing character and scale of Liberty Hill's downtown and surrounding neighborhoods.

B. Applicability

1. The requirements of this Section shall apply to all proposed development in the Downtown Zoning Districts of this Article, and shall be considered in combination with the standards for the applicable zones.

C. Building Types Overview

1. This Subsection provides an overview of the allowed building types. The names of the building types are not intended to limit uses within a building type. For example, a single family detached house may have nonresidential uses within it, such as a restaurant or office.
2. The lot size standards for each Downtown Zoning District are set in Section 5.07D. The lot size established in Section 5.07D by Zoning District allows a range of lot sizes adjusted to building type. If the lot is smaller than the allowed lot size, a different building type must be selected.
3. Each lot shall only have one building type, except as follows:
    a. Where allowed by the zoning district standards, one Accessory Building is also allowed.
        i. Accessory Buildings are not permitted in the DC District or on any property fronting on Main Street.

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4. Each building must include the building features and façade elements described in Section 5.05D. Building Types List below. Descriptions of the required façade elements are in the following tables. The building features are described in Section 5.05E. Building Features below.
5. Additions and accessory structures shall have a smaller footprint, a narrower width, and a depth not greater than the main building.
6. The following subsections provide an overview of building types and the detailed standards for each type.

D. Building Types List

1. Accessory Building

| **Accessory Building** | |
|---|---|
| Reserved for graphics | A small, self-contained structure located on the same lot as a larger primary structure. Accessory buildings may be physically separated from the primary structure. It may be used as a complete, independent living facility, with provisions for cooking, sanitation and sleeping or for another permitted use. |
| Building Mass | |
| Building Width (Max.) | Same as principal building |
| Building Depth (Max.) | ½ of principal building |
| Building Height (Max.) | 2 stories / 30 feet |
| Encroachments | Side yard encroachments are permitted subject to Fire separation standards |
| Building Style | |
| Required Façade Elements | Secondary Street façade – one window or door having a minimum area of 15 sq. ft. facing a side street |
| Permitted Building Features | Façades facing a street may have any building features permitted for the principal building<br>Accessory buildings must be similar in appearance and consistent with the principal building(s) |
| Fence | None |
| Special Requirements | |
| Accessory Buildings not connected to the principal building are not permitted in the DC District or on properties fronting on Main Street. | |

2. Single Family Detached

| **Single Family Detached** | |
|---|---|
| Reserved for graphics | A medium to large detached single-family structure typically located within a primarily single-family residential neighborhood. If located within a walkable neighborhood, this building type may vary in size within the neighborhood. Larger houses may be located in proportionally larger lots. |
| Building Mass | |
| Building Width (Max.) | 40 feet |
| Building Depth (Max.) | 50 feet |

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| | |
|---|---|
| Building Height (Max.) | 2 stories / 30 feet |
| Rear Yard (Min.) | 15 feet |
| Encroachments | Rear Yard Encroachment – as a percentage of the required Rear Yard area (Rear Yard (Min.) x lot width): 30 percent (Max.) |
| **Building Style** | |
| Required Façade Elements | Minimum Percent of Façade comprised of Doors and Windows: 20 percent (Primary Façade); 10 percent (Secondary Façade) |
| Required Building Features | Front Porch,<br>Stoop, or<br>Gallery |
| Fence | 6-foot privacy fence is allowed along the side and rear property lines, but shall not extend past the buildings' front façade into the front setback. The fence standards in Section 7.05. Non-Residential and Mixed Use Fence Standards apply. |
| **Special Requirements** | |
| None | |

3. Single Family Attached

| **Single Family Attached** | |
|---|---|
| Reserved for graphics | A collection (at least 2 and no more than 4) small to medium residential units with separate entrances that are located in one structure and located on one lot. This building type is appropriately scaled to fit within primarily single-family neighborhoods and is important for providing affordability and a broad choice of housing types that promote walkability. |
| **Building Mass** | |
| Building Width (Max.) | 45 feet |
| Building Depth (Max.) | 60 feet |
| Building Height (Max.) | 2 stories / 30 feet |
| Rear Yard (Min.) | 15 feet |
| Encroachments | Rear Yard Encroachment – as a percentage of the required Rear Yard area (Rear Yard (Min.) x lot width): 30 percent (Max.) |
| **Building Style** | |
| Required Façade Elements | Minimum Percent of Façade comprised of Doors and Windows: 20 percent (Primary Façade); 10 percent (Secondary Façade) |
| Required Building Features | Front Porch,<br>Stoop,<br>Gallery, or<br>Forecourt |
| Fence | 6-foot privacy fence is required to screen alley-loaded parking, as applicable. The fence standards in Section 7.05. Non-Residential and Mixed Use Fence Standards apply. |
| **Special Requirements** | |
| Each unit entrance shall have a paved path connected to the public sidewalk or right-of-way as applicable | |

4. Townhouse

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| Townhouse | |
|---|---|
| Reserved for graphics<br>A collection of narrow to medium sized attached buildings that consists of side-by-side units on individual lots with individual entries facing the street. This type is typically located within medium density neighborhoods or in a location that transitions from a primarily single-family neighborhood into a neighborhood main street. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types that promote walkability. This building type is also commonly called a rowhouse, townhome, or brownstone. | |
| Building Mass | |
| Building Width (Max.) | 30 feet |
| Building Depth (Max.) | 50 feet |
| Building Height (Max.) | 3 stories / 40 feet |
| Rear Yard (Min.) | 15 feet |
| Encroachments | Rear Yard Encroachment – as a percentage of the required Rear Yard area (Rear Yard (Min.) x lot width): 30 percent (Max.) |
| Building Style | |
| Required Façade Elements | Minimum Percent of Façade comprised of Doors and Windows: 20 percent (Primary Façade); 10 percent (Secondary Façade) |
| Required Building Features | Front Porch,<br>Stoop,<br>Gallery, or<br>Balcony |
| Fence | 6-foot wall required along the secondary street frontage behind the principal structure. Walls must be the same materials as exterior walls. The fence standards in Section 7.05. Non-Residential and Mixed Use Fence Standards apply. |
| Special Requirements | |
| End units shall meet the side yard setbacks established by zone.<br>The minimum number of joined townhouses is two (2) (equivalent to side by side duplex), the maximum is eight (8).<br>Roof top decks with associated stair/elevated access structures are permitted above the two-story limit.<br>Townhouses may be joined with Live-Work Units. | |

5. Cottage Court

| Cottage Court | |
|---|---|
| Reserved for graphics<br>A series of small, detached structures located on one lot or divided into individual lots, arranged to define a shared court that is typically perpendicular to the street. The shared court takes the place of a private open space and becomes an important community-enhancing element. This building type is appropriately scaled to fit within primarily single-family neighborhoods and is important for providing affordability and a broad choice of housing types that promote walkability. | |
| Building Mass | |
| Building Width (Max.) | 35 feet |
| Building Depth (Max.) | 25 feet |
| Building Height (Max.) | 2 stories / 30 feet |
| Encroachments | None |
| Building Style | |

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| | |
|---|---|
| Required Façade Elements | Minimum Percent of Façade comprised of Doors and Windows: 20 percent (Primary Façade); 10 percent (Secondary Façade) |
| Required Building Features | Front Porch,<br>Stoop, or<br>Gallery |
| Fence | 6-foot privacy fence is required to screen alley-loaded parking, as applicable. The fence standards in Section 7.05. Non-Residential and Mixed Use Fence Standards apply. |
| **Special Requirements** | |
| None | |

6. Multi-Family

| **Multi-Family** | |
|---|---|
| Reserved for graphics | A residential-only structure consisting of a number of dwelling units arranged side-by-side on one or more floors. Unit types may be either single-level (flats) or multi-floor (townhome-style). This building type may be arranged around a central courtyard open to the facing street. This type enables appropriately-scaled, well-designed higher densities and is important for providing affordability and a broad choice of housing and development types that promote walkability. |
| **Building Mass** | |
| Building Width (Max.) | 90 feet |
| Building Depth (Max.) | To rear alley setback |
| Building Height (Max.) | Downtown Core District: 3 stories / 40 feet<br>Downtown Mix District: 2 stories / 30 feet |
| Encroachments | None |
| **Building Style** | |
| Required Façade Elements | Minimum Percent of Façade comprised of Doors and Windows: 25 percent (Primary Façade); 15 percent (Secondary Façade) |
| Required Building Features | Front Porch,<br>Stoop,<br>Gallery,<br>Balcony, or<br>Forecourt |
| Fence | 6-foot wall required along the secondary street frontage to screen rear parking. Walls must be the same materials as exterior walls. The fence standards in Section 7.05. Non-Residential and Mixed Use Fence Standards apply. |
| **Special Requirements** | |
| None | |

7. Live-Work Unit

| **Live-Work Unit** | |
|---|---|
| Reserved for graphics | A small to medium sized attached structure that consists of a flexible space used for artisan, studio, service or retail uses, and a residential unit above and/or behind that is intended for operation by the occupant of the residential unit. A Live-Work unit may stand alone or be joined in a row with other Live-Work |

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|---|---|
| Units or Townhouses. This type is appropriate for providing affordable and flexible mixed use space for incubating neighborhood-serving retail and service uses, artists and other craftspeople. It is especially appropriate for incubating neighborhood serving commercial uses and allowing neighborhood main streets to expand as the market demands. | |
| **Building Mass** | |
| Building Width (Max.) | 30 feet |
| Building Depth (Max.) | 50 feet |
| Building Height (Max.) | 2 stories / 30 feet |
| Rear Yard (Min.) | 15 feet |
| Encroachments | Rear Yard Encroachment – as a percentage of the required Rear Yard area (Rear Yard (Min.) x lot width): 30 percent (Max.) |
| **Building Style** | |
| Required Façade Elements | Commercial Storefront: 30 percent<br>Minimum Percent of Façade comprised of Doors and Windows: 25 percent (Primary Façade); 15 percent (Secondary Façade) |
| Required Building Features | Front Porch,<br>Stoop, or<br>Gallery; and<br>Awning/Canopy,<br>Balcony, or<br>Storefront |
| Fence | 6-foot wall required along the secondary street frontage behind the principal structure. Walls must be the same materials as exterior walls. The fence standards in Section 7.05. Non-Residential and Mixed Use Fence Standards apply. |
| **Special Requirements** | |
| End units shall meet the side yard setbacks established by zone.<br>The minimum number of joined live-work units is two (2) (equivalent to side by side duplex), the maximum is eight (8).<br>Roof top decks with associated stair/elevated access structures are permitted above the two-story limit.<br>Live-Work Units may be joined with Townhouses. | |

8. Mixed Use Building

| **Mixed Use Building** | |
|---|---|
| Reserved for graphics | A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses. This type may accommodate any use on any floor and should be designed at a scale appropriate to the character of the surrounding area. Also called general mixed use, attached storefronts and perimeter shopfronts. |
| **Building Mass** | |
| Building Width (Max.) | 150 feet |
| Building Depth (Max.) | To rear alley setback |
| Building Height (Max.) | Downtown Core District: 4 stories / 40 feet<br>Downtown Mix District: 3 stories / 30 feet |
| Encroachments | None |
| **Building Style** | |

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|---|---|
| Required Façade Elements | Ground Floor Storefront: 50 percent (Min.) (required for non-residential use)<br>Minimum Percent of Façade comprised of Doors and Windows: 25 percent (Min.) (Primary Façade); 15 percent (Min.) (Secondary Façade) |
| Required Building Features | Forecourt or Stoop required for ground floor residential uses<br>Gallery, Awning/Canopy, or Storefront required for commercial uses |
| Fence | 6-foot wall required along the secondary street frontage to screen rear parking. Walls must be the same materials as exterior walls. The fence standards in Section 7.05. Non-Residential and Mixed Use Fence Standards apply. |
| **Special Requirements** | |
| A building on corner lot may have an angled entrance or wall at the building corner adjacent to the street intersection. The angled wall shall not to exceed 12 feet in width. | |

9. Corner Commercial

| **Corner Commercial** | |
|---|---|
| Reserved for graphics | A building type that is typically a neighborhood commercial building located at street intersection and accommodating a range of neighborhood-serving retail, restaurant, office or service uses. Also known as a corner store or a bodega building. |
| **Building Mass** | |
| Building Width (Max.) | 40 feet (on each frontage) |
| Building Depth (Max.) | To rear alley setback |
| Building Height (Max.) | 2 stories / 30 feet |
| Encroachments | None |
| **Building Style** | |
| Required Façade Elements | Minimum Percent of Façade comprised of Doors and Windows: 25 percent (Min.) (Primary Façade); 15 percent (Min.) (Secondary Façade) |
| Required Building Features | Gallery, or<br>Awning/Canopy; and<br>Storefront |
| Fence | 6-foot wall required along the secondary street frontage to screen rear parking. Walls must be the same materials as exterior walls. The fence standards in Section 7.05. Non-Residential and Mixed Use Fence Standards apply. |
| **Special Requirements** | |
| Building Entry: The primary building entry shall be located on the corner of the Primary and Secondary Streets. The corner shall be chamfered with a diagonal measurement between 7-12 feet.<br>Bodega Storefront: Window and door openings on primary and secondary facades are intended to have vertically proportioned openings extended to the ground floor elevation. | |

10. General Commercial

| **General Commercial** |
|---|

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| | |
|---|---|
| Reserved for graphics | A larger commercial building type that typically accommodates retail, restaurant, office or other commercial uses serving the surrounding community or region. |
| **Building Mass** | |
| Building Width (Max.) | 140 feet |
| Building Depth (Max.) | To rear alley setback |
| Building Height (Max.) | 1 story / 20 feet |
| Encroachments | None |
| **Building Style** | |
| Required Façade Elements | Minimum Percent of Façade comprised of Doors and Windows: 50 percent (Primary Façade); 15 percent (Secondary Façade) |
| Required Building Features | Gallery, or<br>Awning/Canopy; and<br>Storefront |
| Fence | 6-foot wall required along the secondary frontage to screen rear parking. Walls must be the same materials as exterior walls. The fence standards in Section 7.05. Non-Residential and Mixed Use Fence Standards apply. |
| **Special Requirements** | |
| Building Entry: The primary building entry may be located on the corner of the Primary and Secondary Streets. The corner may be chamfered with a diagonal measurement between 7-12 feet. | |

11. Civic

| **Civic** | |
|---|---|
| Reserved for graphics | A medium to large sized attached or detached building designed to stand apart from its surroundings due to the specialized nature of its public or quasi-public function for public assembly and activity. Examples include libraries, churches, courthouses, schools, centers of government, performing arts and museums that are often the most prominently located and architecturally significant structures in a community. |
| **Building Mass** | |
| Building Width (Max.) | 100 feet |
| Building Depth (Max.) | To rear alley setback |
| Building Height (Max.) | 50 feet |
| Encroachments | Side yard encroachments are permitted subject to Fire separation standards |
| **Building Style** | |
| Required Façade Elements | Minimum Percent of Façade comprised of Doors and Windows: 25 percent (Min.) (Primary Façade); 15 percent (Min.) (Secondary Façade) |
| Required Building Features | Forecourt,<br>Awning/Canopy, or<br>Gallery;<br>Or other building feature(s) as approved by the Director |
| Fence | 6-foot wall required along the secondary frontage to screen rear parking. Walls must be the same materials as exterior walls. The |

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|---|---|
| | fence standards in Section 7.05. Non-Residential and Mixed Use Fence Standards apply. |
| Special Requirements | |
| None | |

E. Building Features

1. Front Porch

Reserved for graphics

a. General
A front porch is a roofed outdoor area between the sidewalk or front lot line that provides a covered entry.

b. Setback
The minimum setback from the front lot line is two (2) feet.

c. Encroachment
A front porch may extend up to nine (9) feet into the minimum front setback.

d. Dimensions
Minimum front porch width is 50 percent of the façade.

e. Additional Requirements
A front porch must be roofed and may be screened but cannot be fully enclosed.

2. Stoop

Reserved for graphics

a. General
A stoop is a landing area outside an exterior door, typically with a railing or wall and an awning.

b. Setback
The minimum setback from the front lot line is two (2) feet.

c. Encroachment
A stoop may extend up to eight (8) feet into the front setback.

d. Dimensions

i. A stoop must be between four (4) and six (6) feet in depth and no more than six (6) feet in width.

ii. A stoop must be between six (6) inches and four (4) feet in height.

e. Additional Requirements
Steps up to a stoop may be located on any side of the stoop.

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3. Balcony

Reserved for graphics

a. General

A balcony is a patio extending out from the wall of a building's second-story (or higher).

b. Setback

A balcony may extend beyond the lot line by a maximum of two (2) feet, however no element of a balcony support structure shall encroach beyond the lot line.

c. Additional Requirements

i. A balcony shall not be placed on a building façade facing an existing single-family or duplex use in any zoning district.

ii. A balcony cannot encroach over any travel lane or on-street parking.

iii. Additional encroachment agreements may be required for encroachment over public ROW.

4. Forecourt

Reserved for graphics

a. General

A forecourt is an outdoor space incorporated into the street elevation of a building by setting back a part of the façade to create a courtyard.

b. Setback

A forecourt must be set back at least five (5) feet further than the rest of the building façade. A forecourt may extend further than the maximum setback otherwise allows.

c. Dimensions

i. A forecourt must extend at least one-third (⅓) of the width of the building, but not more than 30 feet.

ii. The depth of a forecourt may not be more than its width.

d. Additional Requirements

A forecourt meeting these standards counts toward the requirement for façade buildout along primary streets.

5. Gallery

Reserved for graphics

a. General

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A gallery is a structurally-supported area under a roof or awning that extends between a building's façade and the curb line. It incorporates the sidewalk/pedestrian space within the building design.

b. Setback
A gallery must be set back a minimum of two (2) feet from the curb line.

c. Encroachment
A gallery may extend up to nine (9) feet beyond the front lot line.

d. Dimensions

i. A gallery must have a minimum clearance of nine (9) feet under the roof or awning.

ii. A gallery must be between six (6) and eight (8) feet in depth.

e. Additional Requirements

i. A gallery cannot encroach over any travel lane or on-street parking.

ii. Additional encroachment license agreements may be required for encroachment over public ROW.

6. Awning/Canopy

Reserved for graphics

a. General
An awning or canopy is an unsupported projection from a building façade over doors or windows.

b. Setback
An awning or canopy must be set back a minimum of two (2) feet from the curb line.

c. Encroachment
An awning or canopy may extend up to six (6) feet beyond the front lot line.

d. Dimensions

i. An awning or canopy must have a minimum clearance of nine (9) feet under the roof or awning.

ii. An awning or canopy must be between four (4) and six (6) feet in depth.

e. Additional Requirements

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i. An awning or canopy cannot encroach over any travel lane or on-street parking.

ii. Additional encroachment agreements may be required for encroachment over public ROW.

7. Storefront

Reserved for graphics

a. General

A storefront is a building façade designed to provide a high level of fenestration for the display of merchandise and activation of the streetscape.

b. Additional Requirements

i. Ground floor transparency must be a minimum of 50 percent (doors and windows).

ii. Entrances to storefronts may be setback into the front building façade.

iii. Storefront windows must maintain a minimum 60 percent visible light transmittance.

## Section 5.06 Uses and Use Standards

A. Downtown Uses

1. The permitted and prohibited uses within the Downtown Core and Downtown Mix Districts are listed in Section 4.10. Use Tables.
2. The Use Tables in Section 4.10 regulate only the uses of the Downtown Zoning Districts. Applicable development standards are listed in this Article.

B. Use-Specific Standards

1. Residential Use-Specific Standards
   Residential uses within the Downtown Zoning Districts shall comply with the use-specific standards in Section 4.10A.2 Residential Use-Specific Standards.
2. Public and Civic Use-Specific Standards
   Public and civic uses within the Downtown Zoning Districts shall comply with the use-specific standards in Section 4.10B.2 Public and Civic Use-Specific Standards.
3. Commercial Use-Specific Standards
   Commercial uses within the Downtown Zoning Districts shall comply with the use-specific standards in Section 4.10C.2 Commercial Use-Specific Standards.
4. Industrial Use-Specific Standards

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Industrial uses within the Downtown Zoning Districts shall comply with the use-specific standards in Section 4.10D.2 Industrial Use-Specific Standards.

5. Agricultural Use-Specific Standards
   Agricultural uses within the Downtown Zoning Districts shall comply with the use-specific standards in Section 4.10E.2 Agricultural Use-Specific Standards.

6. Accessory and Temporary Use-Specific Standards
   Agricultural and temporary uses within the Downtown Zoning Districts shall comply with the use-specific standards in Section 4.10F.2 Accessory Uses and Standards.

## Section 5.07 Design Standards

A. Residential Design

1. Applicability
   This Section applies to the Cottage Court, Townhouse, Single-Family Detached, Single-Family Attached, and Live-Work Unit building types in the DC and DM districts.

2. Purpose
   This Section is intended to ensure that all buildings are compatible with the architectural character and design as described within the Comprehensive Plan and the Liberty Hill Downtown Master Plan.

3. Building Design and Orientation

   a. New residential development shall be designed and constructed in accordance with the applicable design standards for each Building Type in Section 5.05D. Building Types List.

      i. New development must incorporate the Required Façade Elements described in Section 5.05D. Building Types List.

      ii. New development must incorporate the Building Features described in Section 5.05D. Building Types List and detailed in Section 5.05E. Building Features.

   b. All buildings shall be finished on all four sides with the same materials, detailing, and features. The intent is not to limit materials but rather to ensure consistency in their use.

   c. Any building visible from a public right-of-way shall either face such right-of-way or shall have a façade facing such right-of-way consistent with the character of the front façade.

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4. Design Element Options

   New residential development shall:

   a. Use at least two (2) of the following design element options:

      i. Articulate the front wall to offset the floorplate every 15 feet along any front façade of the dwelling unit,

      ii. Place the garage/carport behind the rear building face,

      iii. Provide a covered front porch or portico along at least 50 percent of the front façade, with a minimum depth of eight (8) feet,

      iv. Provide window and door enhancements on all façades visible from a street, including but not limited to transoms, bay windows, raised muntins on windows, shutters, or other similar enhancements, and

      v. Use enhanced paving for all driveways, sidewalks and other paved surfaces, including but not limited to earth-tone colored concrete (stain integral; not applied afterward), stamped or patterned concrete, brick or paver units, exposed aggregate or improved permeable surface (excluding dirt, grass or gravel).

5. High Quality Design Incentive

   a. Purpose

      The purpose of this section is to encourage high-quality design supportive of the vision, goals, objectives and recommendations of the Comprehensive Plan and the Liberty Hill Downtown Master Plan. This section achieves this in part by establishing incentive systems in addition to the required design features by which an Applicant can achieve greater regulatory flexibility for development through provision of certain desirable design and performance characteristics.

   b. Voluntary Nature and Agreement

      It is hereby established that an Applicant utilizing the provisions of the incentive systems within section for regulatory flexibility does so voluntarily and in a binding and ongoing manner. The City may require execution of agreements to document use of these provisions, maintenance responsibilities, and recording in the public records of the County.

   c. Establishment of Scoring System and Associated Regulatory Incentives

      i. Level 1 High-Quality Design

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A cumulative score of 60 points, as described below, shall result in the following changes to development regulations applicable to the subject property:

(A) The granting of an additional 10 feet of maximum height,

(B) The granting of an additional 10 percent of impervious cover, subject to compliance with provisions other than the maximum impervious cover established in Section 5.04. Downtown Districts, and

(C) The granting of a 10 percent reduction in minimum lot size.

ii. Level 2 High-Quality Design
A cumulative score of 80 points, as described below, shall result in the following bonuses applicable to the subject property:

(A) The granting of an additional 20 feet of maximum height,

(B) The granting of an additional 20 percent of impervious cover, subject to compliance with provisions other than the maximum impervious cover established in Section 5.04. Downtown Districts, and

(C) The granting of a 25 percent reduction in minimum lot size.

iii. High-Quality Design Actions and Associated Scoring Values
The following characteristics are determined to constitute evidence of high-quality design. The presence of each characteristic shall have an associated scoring value for the purposes of establishing whether a project achieves Level 1 or Level 2 High-Quality Design.

iv. Use of Building Materials Reflective of the City's Geographic Context
A project may receive a maximum of 20 points for the use of building materials reflective of the City's geographic context, as follows:

(A) Use of Class 1 Building Materials and Class 2 Building Materials on 100 percent of the exterior façade: 15 points

(B) Use of Class 1 Building Materials on 100 percent of the exterior façade: 20 points

v. Maintaining and Enhancing the Natural Environment
A project may receive a maximum of 30 points for maintaining and enhancing the natural environment, as follows:

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(A) Altering the topography and elevation by no more than four (4) feet for at least 80 percent of the subject property: 10 points

(B) Preserving at least 35 percent of the subject property unaltered in its natural state: 10 points

(C) Certification of at least 50 percent of the subject property as a certified Texas Wildscape, Monarch Waystation or similar third-party designation approved by the Director as indicating consistency with City goals to encourage native and adaptive plants, discourage invasive and disease-prone plants, and support wildlife habitat: 10 points

vi. Promotion of Conservation and Low-Impact Development Best Practices
A project may receive a maximum of 30 points for development characteristics promoting conservation and low-impact development best practices, as follows:

(A) Incorporation of a rainwater harvesting system capable of capturing a one (1) inch rainfall event for 25 percent of the roof area, with a minimum of 1,000 gallons: 15 points

(B) Incorporation of Low Impact Development (LID) stormwater management practices in accordance with Section 12.08. Stormwater Management System Requirements and subject to the approval of the Director and City Engineer: 15 points

(C) Use of improved permeable surface for at least 50 percent of paved areas of driveways, parking and sidewalks (excluding the building footprint) with performance characteristics indicating at least 50 percent of water infiltrates through the surface and requiring minimal maintenance intervention, subject to Director and City Engineer approval: 15 points

vii. Enhanced Building and Site Design Characteristics
A project may receive a maximum of 30 points for certain building design characteristics, as follows:

(A) Use of corrugated or standing seam metal roof materials for the entire roof surface: 10 points

(B) Use of a vegetative “green” roof for at least 50 percent of the entire roof surface (this may also count toward credit for the roof materials listed

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in Subsection (A), above, if the project is seeking points for both): 20 points

(C) Use of enhanced permanent stormwater quality features to provide a performance level that removes 90 percent of total suspended solids for the entire project: 30 points.

(D) Incorporation of LID site design practices subject to the approval of the Director and City Engineer: 15 points

(E) Use of enhanced design in stormwater retention areas, providing a landscaping buffer at least 10 feet wide around the entire perimeter and including at least one four (4)-inch caliper tree per 20 feet of perimeter: 20 points.

B. Non-Residential and Mixed Use Design

1. Applicability
This Section applies to the Multi-Family, Mixed-Use, Civic, Corner Commercial, and General Commercial building types in the DC and DM districts.

2. Purpose
This Section is intended to ensure that all buildings are compatible with the architectural character and design as described within the Comprehensive Plan and the Liberty Hill Downtown Master Plan in terms of style, mass, material, height, roof design, and other exterior elements.

3. Building Design and Orientation

a. New non-residential and mixed use development shall be designed and constructed in accordance with the applicable design standards for each Building Type in Section 5.05D. Building Types List.

i. New development must incorporate the Required Façade Elements described in Section 5.05D. Building Types List.

ii. New development must incorporate the Building Features described in Section 5.05D. Building Types List and detailed in Section 5.05E. Building Features.

b. All buildings shall be finished on all four sides with the same materials, detailing, and features and with a higher level of finish on the front façades (as set forth in

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the requirements below). The intent is not to limit materials but rather to ensure consistency in their use.

c. Any building visible from a public right-of-way shall either face such right-of-way or shall have a façade facing such right-of-way consistent with the character of the front façade.

4. Design Element Options

a. The following is a list of design elements that, based upon the size of a building (see Subsection 5 below), must be incorporated into a building's design:

i. Canopies, awnings or porticos;

ii. Overhangs;

iii. Recesses or projections;

iv. Arcades;

v. Peaked roof forms;

vi. Arches;

vii. Outdoor patios;

viii. Display windows;

ix. Architectural details (e.g. tile work or moldings integrated into the building façade);

x. Integrated planters or wing walls that incorporate landscape and sitting areas;

xi. Offsets, reveals, or projecting ribs used to express architectural or structural bays

5. Minimum Use of Design Elements

A building's floor area shall determine the minimum number of required design elements implemented in its construction as set forth below:

a. A building square footage between 0 and 20,000 square feet shall have at least three (3) design elements listed in Subsection 4 above.

b. A building square footage between 20,001 and 50,000 square feet shall have at least five (5) design elements listed in Subsection 4 above, and shall be designed

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to appear as separate but attached buildings through the use of building material changes, wall plane/horizontal articulation, and roofline/vertical articulation.

c. A building square footage exceeding 50,000 square feet shall have at least seven (7) design elements listed in 1 above, and shall be designed to appear as separate but attached buildings through the use of building material changes, wall plane/horizontal articulation, and roofline/vertical articulation.

6. Front Façade Entry Requirements

a. A front façade shall be articulated and designed to present a distinctive entry presence, emphasizing the building's entry point along the façade.

b. Entry design shall consist of at least three of the following design elements at the primary entrance, so that the primary entrance is architecturally prominent and clearly visible from the abutting street and parking:

i. Architectural details such as arches, friezes, tile work, murals or moldings.

ii. Integral planters or wing walls that incorporate landscape or seating.

iii. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.

iv. Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers or turrets.

v. A repeating pattern of pilasters projecting from the façade wall by a minimum of eight (8) inches or architectural or decorative columns.

7. Pedestrian Shelter

Façades shall provide shelter integrated into the building form alongside at least 25 percent of all building frontages adjacent to or facing the principal street or adjacent parking with a maximum shelter height of 15 feet.

8. Building Articulation

a. Applicability

i. Façade depth and height articulation is required for all building walls facing a public street or a Residential Zoning District.

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ii. Building articulation is not required for buildings that meet the criteria for Level 1 or Level 2 High-Quality Design as described in Section 5.07B.12. High-Quality Design Incentive.

b. Exceptions
Building articulation is not required on a building that is:

i. Less than 25 feet in height;

ii. Set back at least 30 feet from the lot line; and

iii. Screened by an opaque screening wall.

c. Depth Articulation
Building walls greater than 60 feet in length shall have a depth articulation of at least three (3) feet for every 30 feet of building façade.

i. Depth articulation is not required for building walls less than 60 feet in length.

ii. The depth articulation requirement applies only below the roofline.

d. Height Articulation
Building walls shall not extend more than three times the building's average height without a change in vertical elevation of at least 20 percent of the building's average height.

i. The height articulation shall extend laterally for, or cumulatively equal, a distance equal to at least 50 percent of the building's average height.

ii. Pitched roofs do not require height articulation.

9. Roof Design Standards
All structures shall be constructed with a pitched roof, flat roof (pitch less than or equal to 2:12) with a parapet, true mansard roof, or any combination thereof.

a. All flat roof surfaces shall be screened from ground level views so that such roof surfaces are not visible.

b. Roofs of stairwells and elevator machine rooms and other similar spaces shall be exempt from roofing design standards so long as they are not visible from ground level. For the purpose of this paragraph, visible shall be defined as capable of being seen at a height of six (6) feet while standing at the highest grade on the property line.

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10. Windows

    a. Reflective glass shall not be permitted; glass shall not have solar reflectance that exceeds 20 percent.

    b. Glass shall have a character of transparency. Tinted glass may be used, however, the tinting shall not reduce the light transmission to less than 35 percent.

    c. Buildings shall provide glazing on a minimum of 35 percent of the ground floor front façade.

    d. Side elevations shall contain a minimum of 10 percent glazing of the ground floor side façade.

    e. Windows shall be individually defined with detail elements such as frames, sills and lintels, and be placed to visually define the building stories.

11. Common Amenity Area

    Multi-family development and any other development type where 13 or more dwelling units are located on a single lot or parcel, with each dwelling unit located in a structure with three (3) or more dwelling units within the Downtown Core and Downtown Mix Districts shall provide common amenity areas as provided in Section 6.06. Common Amenity Area.

12. High-Quality Design Incentive

    a. Purpose

       The purpose of this Section is to encourage high quality design supportive of the Comprehensive Plan vision, goals, objectives and recommendations by establishing a system by which an Applicant can achieve greater regulatory flexibility for development through provision of certain desirable design and performance characteristics.

    b. Voluntary Nature and Agreement

       It is hereby established that an Applicant utilizing the provisions of this Section for regulatory flexibility does so voluntarily and in a binding manner. The City may require execution of agreements to document use of these provisions and recording in the public records of the County.

    c. Establishment of Scoring System and Associated Regulatory Incentives

       i. Level 1 High-Quality Design

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A cumulative score of 60 points, as described below, shall result in the following changes to development regulations applicable to the subject property:

(A) The granting of an additional 10 feet of maximum height, and

(B) The granting of an additional 10 percent of impervious cover, subject to compliance with provisions other than the maximum impervious cover established in Section 5.04. Downtown Districts.

ii. Level 2 High-Quality Design
A cumulative score of 80 points, as described below, shall result in the following changes to development regulations applicable to the subject property:

(A) The granting of an additional 20 feet of maximum height, and

(B) The granting of an additional 20 percent of impervious cover, subject to compliance with provisions other than the maximum impervious cover established in Section 5.04. Downtown Districts.

d. High-Quality Design Actions and Associated Scoring Values
The following characteristics are determined to constitute evidence of high-quality design. The presence of each characteristic shall have an associated scoring value for the purposes of establishing whether a project achieves Level 1 or Level 2 High-Quality Design.

i. Use of Building Materials Reflective of the City's Geographic Context
A project may receive a maximum of 20 points for the use of building materials reflective of the City's geographic context, as follows:

(A) Use of context materials on 85 percent of the exterior façade: 15 points

(B) Use of context materials on 100 percent of the exterior façade: 20 points

ii. Maintaining and Enhancing the Natural Environment
A project may receive a maximum of 30 points for maintaining and enhancing the natural environment, as follows:

(A) Altering the topography and elevation by no more than four (4) feet for at least 80 percent of the subject property: 10 points

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(B) Preserving at least 35 percent of the subject property unaltered in its natural state: 10 points

(C) Certification of at least 50 percent of the subject property as a certified Texas Wildscape, Monarch Waystation or similar third-party designation approved by the Director of Planning as indicating consistency with City goals to encourage native and adaptive plants, discourage invasive and disease-prone plants, and support wildlife habitat: 10 points

iii. Promotion of Conservation and Low-Impact Development Best Practices.
A project may receive a maximum of 30 points for development characteristics promoting conservation and low-impact development best practices, as follows:

(A) Incorporation of a rainwater harvesting system capable of capturing a one (1) inch rainfall event for 25 percent of the roof area: 15 points

(B) Incorporation of LID stormwater management practices subject to the approval of the Director and City Engineer: 15 points

(C) Use of improved permeable surface for at least 50 percent of paved areas of driveways, parking and sidewalks (excluding the building footprint) with performance characteristics indicating at least 50 percent of water infiltrates through the surface and requiring minimal maintenance intervention, subject to Director and City Engineer approval: 15 points

iv. Enhanced Building and Site Design Characteristics.
A project may receive a maximum of 30 points for certain building design characteristics, as follows:

(A) Use of high-albedo roof materials to reduce heat island effects, defined as use of roof products for at least 75 percent of the entire roof surface that reflect at least 78 percent of sunlight (solar reflectivity index of 78) for roofs with a pitch less than or equal to 2:12 or 29 percent of sunlight (solar reflectivity index of 29) for roofs with a pitch greater than 2:12: 10 points.

(B) Use of a vegetative “green” roof to reduce heat island effects for at least 50 percent of the entire roof surface (this may also count toward credit

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for high-albedo roof materials if project is seeking points for both): 20 points.

(C) Placement of at least 50 percent of the parking to the side or rear of the main building: 10 points.

(D) Increasing the glazing requirement for each façade by an additional 20 percent: 10 points.

(E) Use of at least five (5) of the following element options on the front and side façade: 15 points for elements spanning 40 percent of the front and side façade, or 20 points for elements spanning 60 percent of the front and side façade.

(1) Canopies, awnings or porticos

(2) Overhangs

(3) Recesses or projections

(4) Arcades

(5) Peaked roof forms

(6) Arches

(7) Outdoor patios

(8) Display windows

(9) Architectural details (e.g., tile work or moldings integrated into the façade)

(10) Integrated planters or wing walls that incorporate landscape and sitting areas

(11) Offsets, reveals or projecting ribs used to express architectural or structural bays

(12) Use of classic tripartite building design (e.g., a building design with a distinct base, middle and top, similar to historic buildings found in small downtowns throughout Texas).

13. Alternative Compliance Option

The Director may approve the following elements not listed in this Section if they provide an equal or greater level of design and quality:

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a. Design Element Options
Alternatives to the design elements listed in Subsection 4 above.

i. Alternatives shall produce a similar or greater level of architectural design than the elements listed in this Section 5.07 above.

b. Building Articulation
Alternative articulation standards which differ from the requirement found in Subsection 8 above may be approved.

c. Glazing Alternatives
Walls that must be blank for security or other requirements shall be enhanced by the use of plant materials, artwork, canopies, special Lighting, or a combination of façade articulation and material changes.

C. Block Design

1. Generally
Blocks within the Downtown Core and Downtown Mix Districts are subject to the subdivision regulations of this UDC, as modified below.

2. Blocks
New blocks within the Downtown Core and Downtown Mix Districts must be between 200-400 feet in width and 400-800 feet in length.

3. Street Grid
Neighborhood design must be of a grid-like connected pattern. Cul-de-sacs are prohibited unless unavoidable due to topography or other natural features as determined by the Director.

4. Alley Access

a. Alley access is encouraged for all development within the Downtown Core and Downtown Mix Districts.

b. Blocks designed to include single-family detached, single-family attached, and townhouse uses must provide access to lots for those uses by an alley.

c. Front- and side-entry garages are prohibited, except for side-entry garages on corner lots.

5. Pedestrian Space in Blocks

a. Generally

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i. The City requires the inclusion of public pedestrian space within new subdivisions in the Downtown Core and Downtown Mix Districts, especially where public space can be created to enhance and connect with existing and proposed pedestrian and bicycle infrastructure and enhance the downtown area. For this purpose, the City has identified alternative public space amenities in Section 5.07C.5.b below, and development incentives available with approval of the Director in Section 5.07C.5.d for the inclusion of such space in proposed subdivisions.

ii. New subdivisions within the Downtown Core and Downtown Mix Districts must include one of the public space types identified in Section 5.07C.5.b below.

iii. Such public space must be owned and maintained by a property owners association or similar entity.

iv. No additional parking is required for the provided public space.

b. Types of Public Space

Reserved for graphics

i. Village Green

A village green is an open space lot in the center of a residential or mixed-use development designed for common access by the surrounding lots. A block with a village green must include at least one mid-block pass-through lot to provide access from sidewalks and other pedestrian ways. Village greens must be no less than 15 percent of the block's area in size.

ii. Trail Knuckle

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A trail knuckle is a designated public space adjacent to the City's trail and pedestrian way network. Trail knuckles must be designated on at least one side of a trail and be at least 25 feet in depth as measured from the edge of the trail. Trail knuckles must provide landscaping, benches/shelters, or other pedestrian amenities, and may extend along the length of the trail. The total area of a trail knuckle must be no less than 4,000 square feet.

iii. Corner Gathering

Reserved for graphics

A corner gathering is a designated public space lot at the intersection of two streets or of a street and a City trail or pedestrian way. In blocks with only residential or mixed-use areas, corner gatherings must be no

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smaller than the area of the block's largest residential or mixed-use lot and must be equal in depth to the adjacent lots. In blocks with no residential uses, corner gatherings must be no less than 15 percent of the block's area in size. Corner gatherings must provide paving, landscaping, shelter, seating, or other amenities to encourage use by the public.

iv. Market Plaza

A market plaza is a designated public space lot within a non-residential or mixed-use development. Market Plazas may be designed flexibly and should scale to the size of a development but must be at least 7,000 square feet in size. Market plazas should be placed to provide amenities to the community, like landscaping and seating, and should interact with stores, services, and the pedestrian network. Market plazas may include walkable areas with outdoor dining designed to be shared between nearby restaurants, gathering areas shielded from adjacent streets, common food halls with courtyards and outdoor space, or other flexible functions that provide shared community space between stores and parking.

c. Public Space Criteria

i. Designated public spaces must be privately owned and maintained independent lots with shared access easements.

ii. Access to designated public spaces must be aligned with or be extensions of the City's sidewalk, trail, or pedestrian way network.

iii. Designated public spaces are not counted toward the minimum parkland dedication requirements for a subdivision.

d. Incentives

The Director will review proposed designated public space(s) considering the criteria above. If the proposed designated public space(s) meet the criteria, the following incentives apply:

i. Structures on lots adjacent to designated public spaces are allowed a zero foot (0') minimum setback from the public space lot line.

ii. Designated public space lots have no maximum impervious cover if shade and landscaping are provided and their impervious cover is accounted for in drainage design.

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iii. Structures fronting onto a designated public space are allowed additional height not to exceed an additional story.

D. Lot Size and Coverage

1. Generally

a. Lots within the Downtown Core and Downtown Mix Districts are subject to the subdivision regulations of this UDC, as modified below.

i. The maximum impervious coverage for lots within the Downtown Core and Downtown Mix Districts is allowed subject to the development's conformity with the subdivision regulations' drainage criteria, in accordance with Section 12.02B.2.a.iv and Section 12.08. Stormwater Management System Requirements.

2. Downtown Core

| Downtown Core (DC) – Lot Size and Coverage | | |
|---|---|---|
| **Building Types** | **Lot Area (Min.)** | **Impervious Cover (Max.)** |
| Single-Family Attached | 2,500 SF | 90% |
| Townhouse | 1,500 SF | 90% |
| Multi-Family | 9,000 SF | 90% |
| Live-Work Unit | 1,500 SF | 90% |
| Mixed-Use | 15,000 SF | 90% |
| Corner Commercial | 4,000 SF | 90% |
| General Commercial | 14,000 SF | 90% |
| Civic | N/A | N/A |

3. Downtown Mix

| Downtown Mix (DM) – Lot Size and Coverage | | |
|---|---|---|
| **Building Types** | **Lot Area (Min.)** | **Impervious Cover (Max.)** |
| Accessory Building | Same as principal building type | |
| Single-Family Detached | 3,500 SF (min.) | 60% |
| Single-Family Attached | 3,250 SF (min.) | 70% |
| Townhouse | 2,000 SF (min.) | 75% |
| Cottage Court | *12,000 SF (min.) | 45% |
| Multi-Family | 14,000 SF (min.) | 65% |
| Live-Work Unit | 2,000 SF (min.) | 75% |
| Mixed-Use | 21,500 SF (min.) | 75% |

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| | | |
|---|---|---|
| Corner Commercial | 5,500 SF (min.) | 75% |
| General Commercial | 20,000 SF (min.) | 75% |
| Civic | N/A | N/A |
| Notes: *Cottage Court minimum lot area assumes a minimum court of six cottage units. Minimum lot area is calculated at 900 square feet per cottage unit. | | |

E. Parking, Loading and Site Access

1. Generally

a. Authority

The provisions of this section are adopted pursuant to Texas Local Government Code Chapter 211 and the City Charter.

b. Purpose

Off-street parking and loading requirements are established to ensure that all developments within Downtown Zoning Districts provide adequate and reasonable parking necessary to serve the development or use.

c. No Minimum Parking Required

The Minimum Parking standards listed in Section 4.10. Use Tables do not apply to development within the Downtown Districts. The standards of Article 10. Off-Street Parking, Circulation and Loading otherwise apply to development in the Downtown Districts as modified by this section.

d. Applicability

The parking, loading, and site access standards of this section apply in the following circumstances, in addition to any supplemental standards or requirements provided for in this UDC:

i. New Development

The parking, loading, and site access standards apply to any new building constructed and to any new land use that has been established within the Downtown Zoning Districts.

ii. Expansions and Alterations

The parking, loading, and site access standards of this section apply when an existing structure or use is expanded or enlarged. That standards apply only to the expanded or enlarged portion of the building or use, unless otherwise specified.

iii. Change in Use

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A change in use may be subject to the parking, loading, and site access standards of this section in accordance with Article 14.

e. Administrative Reduction
The applicant may provide the Director with a parking study in support of alternative parking considerations. The Director may approve alternative parking arrangements in accordance with Section 5.07E.3. Downtown Alternative Parking Plans below.

f. Timing of Installation
Any required parking spaces and drive aisles shall be completed, ready for use, and approved by the Director prior to the issuance of a Certificate of Occupancy.

2. Downtown Parking Space and Parking Lot Design

a. Parking Lot Location

i. Surface parking lots in Downtown Zoning Districts must be designed to minimize visual impacts from public streets through landscaping, building placement, or internalization of parking lots.

ii. Parking should be located to the side or rear of buildings in the Downtown where feasible.

b. Parking Space Dimensions

i. Parking spaces shall have minimum dimensions of nine (9) feet in width by 18 feet in length, unless otherwise specified in this Section. When located adjacent to a sidewalk, off-street or on-street head-in or angled parking shall include curb stops or other protective measures to prevent vehicles from encroaching into the pedestrian walkway.

ii. Parallel parking spaces shall be least eight and one-half (8 ½) feet in width and 22 feet in length.

iii. Accessible parking spaces shall comply with the design and location requirements of the American National Standards Institute (A117.1) and the Texas Department of Licensing and Regulation.

c. Aisle Widths
The minimum width for a two-way drive aisle with no parking on either side shall be 26 feet. One-way and two-way drive aisles adjoining off-street parking spaces shall comply with the following standards:

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*Figure 5-1 Downtown Minimum Aisle Width for Specified Parking*

| Parking Angle | Stall Width (ft) | Aisle Width | |
|---|---|---|---|
| | | One-Way | Two-Way |
| Parallel | 8.5 | 13 | 26 |
| 45° or less | 9 | 13 | 26 |
| 45° or less | 10 | 12 | 24 |
| 60° | 9 | 16 | 26 |
| 60° | 10 | 15 | 24 |
| 75° | 9 | 23 | 26 |
| 75° | 10 | 22 | 24 |
| 90° | 9 | Not Permitted | 26 |
| 90° | 10 | Not Permitted | 24 |

d. Markings

i. Each required off-street parking space and off-street parking area shall be identified by surface markings at least four (4) inches in width. Markings shall be visible at all times and arranged to provide for the orderly and safe loading, unloading, parking, and storage of vehicles.

ii. One-way and two-way access to required parking facilities shall be identified by directional arrows on the pavement.

e. Surfacing and Maintenance

i. All parking spaces, driveways, drive aisles, and driveway approaches shall be constructed and maintained in accordance with this UDC and the Engineering Design Manual.

(A) Exceptions to paved surface material requirements may be considered administratively by the Director and City Engineer to protect the critical root zone for Heritage Trees.

ii. All designated fire lanes shall be paved in accordance with applicable fire code requirements and the Engineering Design Manual.

iii. All off-street parking areas, drive aisles, internal roadways, and loading areas shall be maintained in accordance with the City's adopted International Property Maintenance Code and kept clear of dirt, debris, and refuse.

f. Access

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i. Required off-street parking spaces within Downtown Zoning Districts should be separated from public streets and be accessed from on-site driveways where feasible. Parking spaces with direct access from a public street may be approved where the Director determines that such access will not adversely affect pedestrian safety, surrounding properties, or the function of the public street.

ii. Light fixtures provided for any off-street parking area shall comply with Article 9. Lighting.

3. Downtown Alternative Parking Plans

a. Generally

An Alternative Parking Plan may be approved by the Director through an Administrative Exception in accordance with the Administrative Exception procedures of this UDC. The Director shall establish conditions necessary to ensure the adequacy of future parking when approving an alternative standard. Potential alternative parking plan approaches and specific regulations are described below.

i. Parking Study

(A) An applicant proposing to develop or expand a use based on this parking study option shall submit a parking study that provides justification for the number of off-street parking spaces proposed. A parking study shall include estimates of parking demand based on recommendations of the Institute of Transportation Engineers (ITE) or other acceptable estimates as approved by the Director and shall include other reliable data collected from uses or a combination of uses that are the same as or comparable with the proposed use. Comparability shall be determined by density, scale, bulk, area, type of activity, location, and access to transportation alternatives. The study shall document the source of data used to develop recommendations.

(B) Eligible Alternatives

A number of specific parking and access alternatives may be considered, including off-site, shared, or valet parking. The Director shall be authorized to consider and approve any alternative to providing off-street parking spaces on the site of the subject development if the applicant demonstrates to the satisfaction of the Director that the

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proposed plan shall result in a better situation with respect to surrounding neighborhoods, City-wide traffic circulation, or urban design than would strict compliance with otherwise applicable off-street parking standards.

(C) Review by Director
The Director shall review the parking study and any other traffic engineering and planning data relevant to the establishment of an appropriate off-street parking standard for the proposed use. After reviewing the parking study, the Director shall establish a minimum off-street parking standard for the proposed use.

ii. Off-Site Parking
Off-street parking spaces may be located on a separate lot from the lot on which the principal use is located if approved by the Director and if the off-site parking complies with all of the following standards.

(A) Ineligible Activities
Required parking spaces reserved for persons with disabilities shall not be located off-site.

(B) Location
No off-site parking space may be located more than 1,000 feet from the primary entrance of the use served unless shuttle bus service is provided to the remote parking area. Off-site parking spaces shall not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway, other traffic control, or shuttle bus service is provided to the remote parking area.

(C) Agreement for Off-Site Parking
If an off-site parking area is not under the same ownership as the principal use served, a written agreement shall be required. An attested copy of the agreement between the owners of record must be submitted to the Director for recordation on forms made available by the Director. Recordation of the agreement with the County Clerk must take place before issuance of the site development permit for any use to be served by the off-site parking area. An off-site parking agreement

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may be revoked only if all required off-street parking spaces will be provided in accordance with this Section.

iii. Shared Parking

The City encourages the efficient use of land and resources by allowing uses to share off-street parking facilities whenever feasible. Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved by the Director and if the shared parking complies with all of the following standards.

(A) Location

Shared parking spaces shall be located within 1,000 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided. The distance between the shared parking and the uses served shall be measured by the shortest accessible pedestrian route of travel to an accessible entrance. The applicant shall provide an exhibit demonstrating that the location of shared parking meets the requirements of this subsection.

(B) Agreement for Shared Parking

A shared parking plan shall be enforced through a written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be submitted to the Director for recordation on forms made available in the Administrative Procedures Manual. Recordation of the agreement with the County shall take place before issuance of a site plan approval for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with this section.

(C) Revocation of Permits

Failure to comply with the shared parking provisions of this Section shall constitute a violation of this UDC and shall be cause for revocation of a Certificate of Occupancy and/or Building Permit.

4. Downtown Vehicle Stacking

a. Minimum Number of Spaces

i. Off-street stacking space requirements within Downtown Zoning Districts shall be based on the listed use outlined in Figure 10-4 Minimum Stacking

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Spaces by Activity Type. Uses not listed in Figure 10-4 Minimum Stacking Spaces by Activity Type shall provide two (2) stacking spaces.

ii. Where the minimum number of stacking spaces is determined by the Director, the applicant shall provide exhibits and calculations supporting the proposed minimum number of stacking spaces based on the proposed use of the site. The Director may approve the submitted minimum or establish an alternate requirement.

iii. The Director may approve an alternate minimum stacking requirement for any of the minimums outlined in Figure 10-4 Minimum Stacking Spaces by Activity Type when the applicant submits exhibits and calculations supporting an alternate minimum.

b. Design and Layout

Required stacking spaces are subject to the following design and layout standards:

i. Size

Stacking spaces shall be a minimum of eight (8) feet by 20 feet in size, unless an alternative dimension is approved by the Director based on site constraints, circulation or pedestrian safety.

ii. Location

(A) Stacking spaces shall not interfere with fire lanes, parking spaces, parking aisles, loading areas, internal circulation, driveways, sidewalks, bicycle facilities, transit stops, or pedestrian crosswalks.

(B) Stacking spaces shall not occupy any portion of a public right-of-way, except where expressly approved by the City.

iii. Design

Stacking spaces shall be separated from other internal driveways by raised medians, pavement markings, curbing, bollards, or other traffic-control measures.

5. Downtown Off-Street Loading

a. Generally

i. All nonresidential and mixed-use developments exceeding 20,000 square feet in gross floor area within Downtown Zoning Districts shall provide off-

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street loading facilities separate from customer parking and pedestrian areas, unless an alternative loading plan is approved by the Director.

ii. The location, design, and layout of all required off-street loading spaces shall be shown on the site plan.

iii. Driveway placement must be such that loading and unloading activities do not hinder vehicle ingress or egress.

b. Location

Common or shared loading entrances, service courts, alleys, or loading areas are encouraged between adjacent buildings or developments where feasible or where under common ownership within Downtown Zoning Districts.

c. Space Size

i. Off-street loading spaces, excluding maneuvering areas, shall be at least 12 feet wide and 20 feet long. Where off-street loading will involve the use of semi-tractor trailer combinations or other vehicles in excess of 25 feet in length, the minimum loading space shall be 12 feet wide and 55 feet long, unless an alternative loading space dimension is approved by the Director.

ii. Such alternative loading space dimensions shall be based on the anticipated loading activity, delivery vehicle type, site constraints, and pedestrian safety.

d. Design

i. Loading facilities shall be screened in accordance with Section 8.04E.1.f.v. Screening of Loading Docks.

ii. The Director may approve alternative screening within Downtown Zoning Districts where site constraints, building design, pedestrian orientation, or visibility from public right-of-way warrant a modified approach.

6. Downtown Bicycle Requirements

a. Bicycle Parking Required

Bicycle parking facility requirements within Downtown Zoning Districts shall be based on the listed use outlined in Figure 5-2 Minimum Bicycle Parking Spaces within Downtown Zoning Districts that is most similar in function, operation, and demand to the proposed development, as determined by the Director.

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*Figure 5-2 Minimum Bicycle Parking Spaces within Downtown Zoning Districts*

| Use | Subcategory | Minimum Number of Bicycle Spaces | Maximum Number of Bicycle Spaces |
|---|---|---|---|
| Residential Uses | Residential with 4 or more units | 1 per 5 dwelling units | 30 |
| Public and Civic Uses | Civic and Cultural | 1 per 10 required vehicular spaces | 20 |
| | Parks and Recreation | 5, plus 5 per acre | 30 |
| | School | K-12: 1 per 50 employees and 1 per 25 students (grades 6-12)<br>Higher Education: 1 per 40 employees and 1 per 15 students | 60 |
| Commercial Uses | Retail | 1 per 10 required vehicular spaces | 10 |
| | Restaurant | 1 per 20 required vehicular spaces | 10 |
| | Lodging | 1 per 20 guest rooms | 10 |
| Mixed Use | | 1 per dwelling/lodging unit plus 1 per 10 required vehicular spaces | 20 |
| Industrial Uses | | 1 per 20 required vehicular spaces | 20 |
| Agricultural Uses | | 0 if fewer than 20 required vehicular spaces, otherwise as determined by the Director | 10 |

b. Minimum Requirements

i. Bicycle parking facilities shall consist of racks, lockers, or similar facilities anchored in concrete or anchored to a building or structure to prevent movement or theft and to withstand weather exposure.

ii. Each bicycle parking facility shall allow a bicycle frame and at least one wheel to be locked to the rack or facility by the user. Bicycle racks shall be a minimum of 36 inches in height unless an alternative design is approved by the Director.

iii. Bicycle parking facilities shall provide at least the minimum number of bicycle parking spaces required by Figure 5-2 Minimum Bicycle Parking Spaces within Downtown Zoning Districts.

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iv. The Director may modify the required number, location, or design of bicycle parking spaces where site constraints, access limitations, or lack of safe bicycle access make strict compliance impracticable.

c. Location Requirements

i. Bicycle parking shall be located on the ground floor of the building or facility associated with the use, unless site conditions, access limitations, or licensing restrictions prohibit ground-floor placement or an alternative location is approved by the Director.

ii. Bicycle parking shall be located where it is conveniently and safely accessible by bicycle and by foot and designed to minimize conflicts with motor vehicles and pedestrians.

iii. Bicycle parking shall be located within 50 feet of a primary building entrance, to the maximum extent practicable, in a well-lit location that is visible to users and the public and is not isolated or remote from building entrances, sidewalks, or vehicular parking facilities.

iv. Where a building or parking facility has multiple entrances, required bicycle parking spaces may be distributed among multiple entrances.

v. Bicycle parking spaces shall be accessible without requiring users to climb more than one step or travel up or down a slope exceeding 12 percent.

d. Vehicular Parking Substitution
Within Downtown Zoning Districts, including Downtown Core (DC) and Downtown Mix (DM), required vehicular parking may be reduced by one space for each four additional bicycle parking spaces provided, up to a maximum reduction of 10 percent.

F. Streets, Sidewalks and Streetscape

1. Generally

a. All streets, sidewalks and trails identified in this UDC, the City's Comprehensive Plan, Master Mobility Plan, Parks Master Plan, Downtown Master Plan, and any other relevant plan shall be constructed in accordance with this UDC.

b. Public sidewalks and trails do not count against the maximum impervious cover percentage required in this UDC.

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c. Applicable street types shall be determined by the zoning district in accordance with the Master Mobility Plan.

d. Where landscaping, sidewalks, outdoor lighting, or other improvements identified in the Comprehensive Plan or other approved plans are non-existent or require reconstruction within a Downtown Zoning District, the developer shall be responsible for the dedication and construction of such improvements.

e. If on-street parking is approved to satisfy off-street parking requirements, the developer shall be responsible for any necessary paving or intersection improvements.

f. The Director may approve a lesser right-of-way width or alternative street design where existing structures, trees, or other objects preclude expansion to the minimum required right-of-way. Alternative designs may include reduced lane widths, alternative on-street parking configurations, or other context-sensitive street design modifications.

g. Streetscape elements permitted under this Section shall be consistent with the Comprehensive Plan and other approved plans, and may include, but are not limited to, the following:

   i. Pedestrian facilities, including sidewalks and shared-use paths;

   ii. Planting areas, planters, landscaping, or other areas containing living plants;

   iii. Outdoor street furniture, such as patio chairs, benches, tables, seating, or similar furnishings;

   iv. Parklets, outdoor dining areas, or pedestrian activation areas; and

   v. Any other streetscape element that promotes safe, comfortable, or active pedestrian interaction with the street.

2. Downtown Traffic Impact Analysis

   a. The threshold requirement for a Traffic Impact Analysis for properties located in the Downtown Core or Downtown Mix Districts shall be a development that would result in a trip generation of 500 or greater average daily trips based upon the latest edition of the ITE Trip Generation Manual.

   b. See Section 11.06. Traffic Impact Analysis for additional details on the Traffic Impact Analysis process.

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3. Downtown Streets
   Streets within the Downtown Zoning Districts shall be laid out in accordance with the Master Mobility Plan.

4. Downtown Sidewalks

   a. Sidewalks shall be provided for all development within Downtown Zoning Districts in accordance with the Master Mobility Plan. On-site easements for sidewalks are required in cases where ditches or other obstructions prevent the construction of sidewalks within the right-of way.

   b. Sidewalks within Downtown Zoning Districts shall be constructed in accordance with the provisions of this UDC, the Engineering Design Manual, and in conformance with the requirements of the ADA/TAS.

   c. Pedestrian accessways shall be provided from the public sidewalk to the main entrance of each building or to a sidewalk leading to the main entrance.

   d. Sidewalks constructed as infill, retrofitted, or rehabilitation projects should follow the standards of this Section where practical to do so, but the Director may approve alternative designs where the existing conditions of the built and natural environment require alternative locations for sidewalks.

   e. A designated City fund, entitled “Sidewalk Fund”, shall hold any financial contributions paid in accordance with the provision of this UDC. Funds shall be held in a trust by the City to be used exclusively for the purpose of purchasing and/or equipping public streets for sidewalks, including those within Downtown Zoning Districts.

5. Downtown Public Trails

   a. Regional trails shown in the Master Mobility Plan shall be dedicated and constructed as a public improvement at the time of development in the general location and alignment shown in the Master Mobility Plan.

   b. If the trail is not located on public property, a minimum 20-foot-wide right-of-way or public access easement shall be dedicated in a location and form approved by the Director of Parks and Recreation.

   c. Trails shall be a minimum of 10 feet in width and shall be constructed in accordance with the standards shown in the Master Mobility Plan or as otherwise approved by the Director of Parks and Recreation.

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d. A trail constructed in accordance with City trail standards may be located within a right-of-way or public utility easement and may substitute for a required street sidewalk where the Master Mobility Plan designates a trail along the street and the Director of Parks and Recreation determines that the trail provides equivalent pedestrian access and connectivity.

6. Alternative Pedestrian Improvements

a. Administrative approval of alternative locations or design variation(s) for sidewalks, pedestrian access facilities, or hike and bike trails to a standard that deviates from the requirements of the Master Mobility Plan and this UDC may be requested from the Director through the process outlined in Section 3.16. Administrative Exception. If approved, ownership and maintenance of the sidewalk, pedestrian access facility, or trail shall be transferred to the property owner or homeowners' or property owners' association and recorded by separate instrument, along with a public access agreement.

b. If an alternative location or design is not approved, an Administrative Exception pursuant to Section 3.16. Administrative Exception may be requested for either fee-in-lieu of construction, delay of construction, or waiver. Justifications for the waiver include, but are not limited to, the location of the facility in relation to the existing or planned pedestrian network, the need for the facility, and/or topography/natural features. Prior to approval of the Final Plat, Site Development Plan, or other applicable approval stage, payment of any required fees shall be provided for deposit into the Sidewalk Fund at a cost not to exceed 125 percent of the estimated construction plan costs, as approved by the City Engineer. A request may be made to City Council for City participation in any pedestrian improvements required by this Section.

G. Landscaping and Tree Preservation
The regulations of Article 8. Tree Preservation and Landscaping applicable to Non-Residential and Mixed Use development apply to development within the Downtown Districts.

## Section 5.08 Signs

A. No signs shall be permitted or allowed in DC District unless they meet the following standards:

1. Types of signs allowed with a permit.

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a. Commercial wall sign.

i. Only one wall sign is permitted per business on each property, two wall signs may be permitted if a business:

(A) Is within a multiunit property;

(B) Takes up an entire building; and

(C) Is on a corner or has two public entrances into the building on different sides of the building in which it is located.

ii. The total area on any such sign shall not be larger than 30 percent of the area of the storefront for the leased or owned area.

iii. No wall sign shall extend above the roof of the building

iv. No wall sign shall project beyond the wall to which it is attached by more than four feet at the point of attachment.

v. A wall sign attached to a building on private property shall not extend over any public land except a sidewalk adjacent to the building.

vi. An address listed on a sign shall have lettering that is at least six (6) inches in height, but does not count toward the maximum sign area.

b. Commercial hanging sign.

i. The maximum area of a hanging sign shall not exceed eight square feet.

ii. The clearance from the ground to the bottom of any hanging sign must be at least seven feet.

iii. Only one hanging sign is permitted per property unless the property is a corner lot or has two public entrances/exits into the building on different sides of the building, in which case two hanging signs are permitted.

iv. An address listed on a sign shall have lettering that is at least six inches in height.

c. Temporary construction/development sign.

i. When a commercial lot is under construction, one sign per commercial development entrance, which shall not exceed 64 square feet in area or eight feet in overall height, may be placed at each entrance after applying and receiving a sign permit.

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ii. A sign under this Subsection shall be a temporary sign.

iii. A sign permitted under this subsection must be removed when 80 percent of the commercial property is constructed or when active construction has ceased for more than 12 months. If the sign is placed for more than 12 months, an annual renewal of the sign permit is required. The sign must be kept in good condition.

iv. The property owner or other responsible party shall be responsible for the maintenance, removal, and compliance requirements of such signs.

d. Awning signs as part of wall sign.

i. One-third of the area of an awning sign shall be counted toward the limit on the total area of wall signs on the wall to which the awning is attached.

ii. Only one awning sign is permitted per property, unless the property is a corner lot in which case two awning signs are permitted. Awnings without signage over doors and windows are allowed.

e. New business temporary signs.

i. For the purposes of this section, a temporary "new business" is defined as a non-residential enterprise that was not operated by any person or entity with a controlling interest in a non-residential enterprise located within 100 feet of the property within the previous 12 months. The new business is per nonresidential enterprise, not per lot.

ii. For projects subject to the City's building code, new businesses may place one new business temporary sign on their premises for a period not exceeding 60 days between the time of issuance of a building permit for construction or renovation and the time a certificate of occupancy is issued. This sign must be removed at time of issuance of certificate of occupancy. An additional new business temporary sign may be placed for up to 60 days after a certificate of occupancy is issued.

iii. For projects not subject to the City's building code, new businesses may place one new business temporary sign on their premises for a period not exceeding 60 days prior to the business opening to the public. An additional new business temporary sign may be placed for up to 60 days after the business opens to the public.

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iv. The maximum surface area for a new business temporary sign shall be 32 square feet. The new business temporary sign does not count towards total cumulative sign area limits nor the total amount of temporary signs on an annual basis.

v. The height of the new business temporary sign must not exceed six feet.

vi. The new business temporary sign must be located on the business premises and must not obstruct traffic visibility or pedestrian pathways and must follow all other City regulations.

f. Signs for Multi-Family Residential Uses.

i. Multi-family identification sign (wall or hanging) for multifamily uses with less than 12 units there shall be up to one sign no larger than 15 square feet in sign area identifying the building and placed flush on the wall near the office entrance, or as an alternative, one hanging sign containing no more than eight square feet in sign area may be erected. The address shall be in lettering at least six inches in height.

ii. Signs for multi-family uses shall follow the requirements of Section 13.02B.

iii. Individual lessees or owners of units within multifamily housing may also display any sign allowed in a residential district, without obtaining a permit, so long as:

(A) The sign(s) is allowed by the owner of multi-family housing, if the property is owned separately; and

(B) The sign(s) is displayed within the area owned or leased by the individual.

B. No signs shall be permitted or allowed in the DM District unless they meet the following standards:

1. Types of signs allowed with a permit.

a. Subdivision monument signs. A residential development may have one or more monument signs as described below. The monument sign shall be located at least eight feet from the right-of-way and may be indirectly lighted to the extent allowed by Article 9. The maximum size and number of signs that the owner or owners of the residential development may erect and maintain at the entrances to the development shall be controlled according to the following:

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i. A monument sign or signs may have a total area of no more than 24 square feet not to exceed six feet in height at each entrance onto an arterial. Signable area only includes the portion of the sign that includes copy or other design. The address on any sign shall have lettering for the address shall be at least six inches in size.

ii. Before a monument identification sign may be installed under this section, the sign permit application shall be reviewed by the City Building Department for completeness and compliance with state and City codes.

iii. A landscaped area of 24 square feet at the base of any monument identification sign shall be maintained in a neat, clean and healthy condition throughout the life of the permit;

(A) The applicant shall submit a plan showing the landscaping to the Planning and Development Department at the time of application. All landscaping under this section shall be compliant with the Article 8.

b. Temporary construction/development sign. When a subdivision has been released for construction, one temporary construction/development sign per subdivision entrance, which shall not exceed 48 square feet in area or eight feet in overall height, may be placed at each subdivision entrance after applying for and receiving a sign permit.

i. A sign under this section shall be a monument sign.

ii. A sign permitted under this subsection must be removed when the entire development is constructed or when active construction has ceased for more than 12 months. The sign must be kept in good condition.

iii. The property owner or other responsible party shall be responsible for the maintenance, removal, and compliance requirements of such signs.

iv. If a subdivision owner wishes to place other temporary signs within the subdivision, an application for a master sign plan is encouraged in lieu of submission of multiple requests for variances.

c. Signs for Multi-Family Residential Uses.

i. Multi-family identification sign (wall or hanging) for multifamily buildings with less than 13 units there shall be up to one sign no larger than 15 square feet in sign area identifying the building and placed flush on the wall near the

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office entrance, or as an alternative, one hanging sign containing no more than eight square feet in sign area may be erected. The address shall be in lettering at least six inches in height.

ii. Signs for multi-family buildings with more than 13 units uses shall follow the requirements of Section 13.02B.

2. Signs allowed without a permit.

a. Signs on individual lots.

i. General regulations for signs on individual lots.

(A) No sign may be placed on a residential lot without the consent of the property owner or a lessor who has been given authority to place a sign on the property by written agreement of the property owner.

(B) Other than those signs specifically authorized under this section, a sign under this section shall not be illuminated, electronic, digital, or contain moving elements.

(C) Unless otherwise specified in this section, permitted signs may be placed anywhere on the premises except in a required side yard within the street or utility right-of-way, or within any other form of public easement.

(D) Height: The following maximum heights shall apply to signs on individual lots in a residential district:

(1) Unless otherwise specified in this section, if ground-mounted, the top must not be over four feet above the ground; and

(2) If building mounted, the sign must be flush-mounted and must not project above the roofline.

(3) Each residential lot or unit shall display an address sign. The letters, numbers, and symbols that make up a residential address sign must be a minimum of six inches in height and shall not be larger than eight inches in height or which meet the fire code adopted by the city. Address signs must be visible from an adjacent right-of-way for the primary structure on each piece of property.

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(4) One additional temporary sign that may be up to nine square feet in size may be located on the owner's property at any time. A permit for this sign is not required. This section does not limit the content on the additional temporary sign.

ii. Flags.

(A) Flags are authorized to be placed on residential property without a permit, including two flags with noncommercial messages and one flagpole per premises shall be allowed on each lot.

(B) The higher flag shall be a maximum of 40 square feet in area. The second, lower flag, if any, shall be a maximum of 25 square feet in area.

(C) The flagpole must be a maximum of 25 feet in height or no higher than the highest point of the principal building's roof, whichever is lower.

(D) Flagpoles must meet the minimum yard setback requirements for a principal building. Flags may be illuminated in accordance with Article 9.

iii. Other signs. Signs, including a wall sign or monument sign (unless specifically designated otherwise by this Article), are allowed at any time on any property without a permit:

(A) A property owner may place a sign no larger than 8.5 inches by 11 inches in one window on the property at any time that has a noncommercial message.

(B) A property owner may place a sign of any type at any time that:

(1) Is four square feet in size; and

(2) Contains a noncommercial message.

(C) A person having a legal home occupation may display one additional sign on the face of the building or porch.

(1) The sign shall be attached directly to, and parallel to, the face of the building or porch.

(2) The sign shall not exceed four square feet in sign area,

(3) The sign shall not be illuminated in any way,

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(4) The sign shall not project more than six inches beyond the building or porch.

(5) No permit is required.

b. Signs for Multi-Family Residential Uses.

i. Individual lessees or owners of units within multifamily housing may display any sign allowed in a residential district, without obtaining a permit, so long as:

(A) The sign(s) is allowed by the owner of multi-family housing, if the property is owned separately; and

(B) The sign(s) is displayed within the area owned or leased by the individual.

C. Types of signs allowed in the DC and DM Districts without a permit.

1. Equipment signs. Words may be attached to machinery or equipment which is necessary or customary to the business, including but not limited to devices such as gasoline pumps, vending machines, ice machines, etc., if words so attached refer exclusively to products or services dispensed by the device, and project no more than one inch from the surface of the device.
2. Window signs. A business may have a total window sign area that shall not exceed 24 square feet for each business. A business at the intersection of two roadways with windows on each side of the building adjacent to the roadways, may have a total window sign area that shall not exceed 48 square feet. The total sign area of the window signs do not count towards the cumulative total sign area allowed. A single-unit property with a drive-through shall not exceed 48 square feet of total sign area.
3. Small commercial banner. A small commercial banner of 24 square feet may be displayed at any time so long as:
   a. The banner is kept in good condition;
   b. The banner is securely affixed to a building, wall, or fence;
   c. One per business or entity; and
   d. Is allowed in addition to other commercials signs or banners.
4. Noncommercial signs allowed without a permit.

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a. Each lot may have one noncommercial sign, including a pole sign, wall sign, or monument sign, that meets the requirements of this section:
    i. A noncommercial sign shall not have an area greater than 36 square feet.
    ii. A noncommercial sign shall not be more than six feet in height.
b. A noncommercial sign shall not be lighted or have any moving elements.
c. Noncommercial signs may be installed on private property only with the consent of a property owner and may not be installed in, on, or over any street or right-of-way.
d. Noncommercial signs under this section may not advertise the sale of goods or services.
e. Any sign allowed under this section for a commercial message may also contain noncommercial content.

5. Each lot may have up to a maximum of four flags with noncommercial messages on up to two flagpoles per premises. Each flag must be a maximum of 40 square feet in area. Flagpoles shall be a maximum of 25 feet in height but no higher than the highest point of the nearest principal building's roof on the premises. Flagpoles must meet the minimum yard setback requirements for a principal building or a minimum of ten feet, whichever is more restrictive. Each flagpole may only have two flags each. Flags may be illuminated in accordance with Article 9.
6. One daily display sign per business may be displayed on the sidewalk or adjacent to the sidewalk on private property immediately adjacent to the business at a location approved by the City Building Department if:
    a. The sign does not impede pedestrian traffic;
    b. The maximum height of the entire structure of a daily display sign is three feet;
    c. Sign is stored away from public view when the establishment served by the sign is closed for business.
7. No sign may be placed without the consent of the property owner or without a sign permit, when required.
8. The responsible party is responsible for compliance with this article.
9. Any sign under this section shall not advertise the sale of goods, services, or activities that are not available on the building or property on which the sign is attached or placed.

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# Article 6 Residential Development Standards

## Section 6.01 General

A. Authority

The provisions of this Article are adopted pursuant to Texas Local Government Code Chapters 211 and 212 and the City Charter.

B. Purpose and Intent

This Article establishes development standards for residential properties within the City limits of the City of Liberty Hill.

C. Applicability

1. All development within a Residential Zoning District (see Section 4.06A. Residential Districts) shall be subject to the provisions of this Chapter.
2. All residential development within a Non-Residential or Mixed Use Zoning District (see Section 4.06C. Non-Residential and Mixed-Use Zoning Districts) shall be subject to the provisions of Section 6.04. Accessory Structures, Garages and Carports and Section 6.06. Common Amenity Area in addition to the development standards of the zoning district in which it is located.
3. All non-residential development within a Residential Zoning District as defined in Section 4.06A shall be subject to the Building Design Standards set forth in Article 7. Non-Residential and Mixed Use Development Standards in addition to the development standards of the zoning district in which it is located.

## Section 6.02 Development Standards by District

A. General

1. All new development shall be located on a lot or tract meeting the standards of this UDC.
2. All new lots or tracts shall have a minimum lot width and street frontage along a public street or other acceptable point of access allowed by this UDC as follows:
    a. Within the City limits, the minimum lot width and street frontage shall be in accordance with the zoning district in which it is located.
    b. A Subdivision Waiver varying or waiving this requirement may be requested in accordance with Section 3.18 of this UDC.

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3. All development shall comply with the applicable standards contained in the International Fire Code, as adopted in the City of Liberty Hill Code of Ordinances, Article 6.02. When such standards conflict with any lot, dimensional, or design standards of this UDC, the International Fire Code standards shall apply.
4. Allowed Uses
    a. Uses allowed in each zoning district shall be:
        i. The residential uses identified in the Use Tables in Article 4. Zoning Districts and Uses of this UDC.
        ii. The non-residential uses identified in the Use Tables in Article 4. Zoning Districts and Uses of this UDC.
        iii. The accessory uses identified in Section 4.10F. Accessory Uses and Standards of this UDC that may be compatible with the primary uses.
5. Non-Residential and Accessory Design Standards
    a. Non-residential structures shall meet the lot and dimensional standards of the applicable district in addition to the requirements of Article 7.
    b. Residential accessory structures shall meet the requirements of Section 6.04.
    c. Residential accessory structures shall not exceed the height of the principal residential structure.
6. Other Requirements of this Article that Apply to all Residential Districts
    a. Dimensional Interpretations and Exceptions, Section 6.03.
    b. Accessory Structures, Garages and Carports, Section 6.04.

B. Residential, Rural & Agricultural (RA)

1. Lot and Dimensional Standards

| | **Development Type →** | **Single-Family Detached[5]** | | **Non-Residential[6]** | |
|---|---|---|---|---|---|
| | Garage/Parking Access → | Front | Alley | Front | Alley |
| **Building Configurations and Quantities** | | | | | |
| | Dwellings Per Structure (Max.) | 1 | 1 | N/A | N/A |
| | Connected Structures in a Row (Max.) | N/A | N/A | N/A | N/A |
| | Structures on Lot Containing Primary Residential Units (Max.) | 2 | 2 | N/A | N/A |
| **Lot Dimensions[2]** | | | | | |
| | Lot Size (Min.) | 40,000 sf | 40,000 sf | N/A | N/A |

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| | | | | | |
|---|---|---|---|---|---|
| A | Lot Width (Min.)[3] | 100’ | 100’ | 40’ | N/A |
| B | Lot Width (Corner/End Lot) (Min.) | 100’ | 100’ | 50’ | N/A |
| **Setbacks (Primary Building)** | | | | | |
| C | Front Setback (Primary Street) (Min.) | 40’ along Arterial streets<br>30’ along all other streets | 40’ along Arterial streets<br>30’ along all other streets | 20’ | N/A |
| D | Front Setback (Secondary Street) (Corner Lot) (Min.) | 40’ along Arterial streets<br>30’ along all other streets | 40’ along Arterial streets<br>30’ along all other streets | 20’ | N/A |
| | Front Setback (Street-Facing Garage) (Min.) | 40’ along Arterial streets<br>30’ along all other streets | 40’ along Arterial streets<br>30’ along all other streets | N/A | N/A |
| E | Side Setback (Min.)[4] | 10’ | 5’ | 0’ | N/A |
| | Side Setback (Shared Wall) (Min.)[1] | N/A | N/A | N/A | N/A |
| | Side Setback (Non-Shared/Active Wall) (Min.)[4] | N/A | N/A | N/A | N/A |
| F | Rear Setback (Min.)[4] | 10’ | 5’ | 0’ | N/A |
| **Setbacks (Accessory Building)** | | | | | |
| | From Primary Building (Min.) | 10’ | 10’ | 10’ | N/A |
| | From Any Other Accessory Building (Min.)[1] | 5’ | 5’ | 5’ | N/A |
| | Side Setback (Min.) | 5’ | 5’ | 5’ | N/A |
| | Rear Setback (Min.) | 5’ | 5’ | 5’ | N/A |
| **Build-to Lines** | | | | | |
| G | Build-to-Line (Max.) | N/A | N/A | N/A | N/A |
| | Primary Street Façade Buildout (Min. %) | N/A | N/A | N/A | N/A |
| | Secondary Street Façade Buildout (Min. %) | N/A | N/A | N/A | N/A |
| **Intensity, Height and Coverage** | | | | | |
| H | Building Height (Max.) | 35’ | 35’ | 35’ | N/A |
| | Impervious Cover Per Lot (Max.) | 20 | 20 | 20 | N/A |
| **Parking Placement and Access** | | | | | |
| | Parking Placement | Off-street parking spaces shall not be located in the front setback area along any street frontage.<br>Exceptions to the above will be made in the case of porte-cocheres and driveways located in the front setback area. | | | |
| **Notes** | | | | | |
| [1] Fire separation standards shall apply.<br>[2] Lot dimension minimums may be modified if rear access is provided, see Section 6.03A.1. Rear Access Provided.<br>[3] Lot width shall be sufficient to allow for the minimum driveway spacing required for the classification of street from which the lot is accessed.<br>[4] Increased setbacks may be required to promote compatibility adjacent to residential. | | | | | |

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[5] See Section 6.07 for additional design standards related to residential developments.

[6] See Section 7.04 and Section 7.05 for additional design standards related to non-residential and mixed-use developments.

**Additional Requirements**

Section 4.10. Use Tables
Section 6.03. Dimensional Interpretations, Exceptions and Alternative Standards
Section 6.04. Accessory Structures, Garages and Carports
Section 6.05. Residential Fence Standards
Section 6.07. Residential Development Quality Scoring System
Article 8. Tree Preservation and Landscaping
Article 9. Lighting
Article 10. Off-Street Parking, Circulation and Loading

**Graphics to be incorporated depicting lot and dimensional standards**

**(connected to corresponding letters)**

2. Non-Residential and Accessory Design Standards

   a. Accessory structures associated with a non-residential use allowed in Section 4.10E. Agricultural Uses and Standards may exceed the height of the principal structure provided the maximum building height of the district is not exceeded.

C. Residential, Single-Family (RSF)

1. Lot and Dimensional Standards

| | Development Type → | Single-Family, Detached[5] | | Duplex[5] | | Townhouse[5] | | Non-Residential[6] | |
|---|---|---|---|---|---|---|---|---|---|
| | Garage/Parking Access → | Front | Alley | Front | Alley | Front | Alley | Front | Alley |
| **Building Configurations and Quantities** | | | | | | | | | |
| | Dwellings Per Structure (Max.) | 1 | 1 | 2 | 2 | 1 | 1 | N/A | N/A |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Connected Structures in a Row (Max.) | N/A | N/A | N/A | N/A | 8 | 8 | N/A | N/A |
| | Structures on Lot Containing Primary Residential Units (Max.) | 2 | 2 | 1 | 1 | 1 | 1 | N/A | N/A |
| **Lot Dimensions[2]** | | | | | | | | | |
| | Lot Size (Min.) | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | N/A | N/A |
| A | Lot Width (Min.)[3] | 35’ | 30’ | 40’ | 35’ | 25’ | 20’ | 40’ | N/A |
| B | Lot Width (Corner/End Lot) (Min.) | 40’ | 35’ | 50’ | 45’ | 35’ | 30’ | 50’ | N/A |
| **Setbacks (Primary Building)** | | | | | | | | | |
| C | Front Setback (Primary Street) (Min.) | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 15’ | N/A |
| D | Front Setback (Secondary Street) (Corner Lot) (Min.) | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 15’ | N/A |
| | Front Setback (Street-Facing Garage) (Min.) | 15’ | N/A | 15’ | N/A | 15’ | N/A | N/A | N/A |
| E | Side Setback (Min.)[4] | 5’ | 5’ | N/A | N/A | N/A | N/A | 0’ | N/A |
| | Side Setback (Shared Wall) (Min.) | N/A | N/A | 0’ | 0’ | 0’ | 0’ | N/A | N/A |
| | Side Setback (Non-Shared/Active Wall) (Min.)[4] | N/A | N/A | 5’ | 5’ | 5’ | 5’ | N/A | N/A |
| F | Rear Setback (Min.)[4] | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 0’ | N/A |
| **Setbacks (Accessory Building)** | | | | | | | | | |
| | From Primary Building (Min.) | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | N/A |
| | From Any Other Accessory Building (Min.)[1] | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | N/A |
| | Side Setback (Min.) | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | N/A |
| | Rear Setback (Min.) | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | N/A |
| **Build-to Lines** | | | | | | | | | |
| G | Build-to-Line (Max.) | 15’ | 15’ | 15’ | 15’ | 15’ | 15’ | 20’ | N/A |
| | Primary Street Façade Buildout (Min. %) | 35% | 40% | 40% | 45% | 60% | 70% | 40% | N/A |
| | Secondary Street Façade Buildout (Min. %) | 20% | 25% | 25% | 30% | 40% | 50% | 25% | N/A |
| **Intensity, Height and Coverage** | | | | | | | | | |
| H | Building Height (Max.) | 35’ | 35’ | 35’ | 35’ | 35’ | 35’ | 35’ | N/A |
| | Impervious Cover Per Lot (Max.) | 40 | 40 | 40 | 40 | 40 | 40 | 40 | N/A |
| **Parking Placement and Access** | | | | | | | | | |
| | Parking Placement | Off-street parking spaces shall not be located in the front setback area along any street frontage. | | | | | | | |

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|---|---|---|
| | | Exceptions to the above will be made in the case of porte-cocheres and driveways located in the front setback area. |

**Notes**

[1] Fire separation standards shall apply.

[2] Lot dimension minimums may be modified if rear access is provided, see Section 6.03A.1. Rear Access Provided.

[3] Lot width shall be sufficient to allow for the minimum driveway spacing required for the classification of street from which the lot is accessed.

[4] Increased setbacks may be required to promote compatibility adjacent to residential.

[5] See Section 6.07 for additional design standards related to residential developments.

[6] See Section 7.04 and Section 7.05 for additional design standards related to non-residential and mixed-use developments.

**Additional Requirements**

Section 4.10. Use Tables
Section 6.03. Dimensional Interpretations, Exceptions and Alternative Standards
Section 6.04. Accessory Structures, Garages and Carports
Section 6.05. Residential Fence Standards
Section 6.07. Residential Development Quality Scoring System
Article 8. Tree Preservation and Landscaping
Article 9. Lighting
Article 10. Off-Street Parking, Circulation and Loading

**Graphics to be incorporated depicting lot and dimensional standards**

**(connected to corresponding letters)**

D. Residential, Mixed (RM)

1. Lot and Dimensional Standards

| | Development Type → | Single-Family, Detached[5] | | Duplex[5] | | Townhouse[5] | | Multi-Family (Small-Scale)[5] | | Non-Residential[6] | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Garage/Parking Access → | Front | Alley | Front | Alley | Front | Alley | Front | Alley | Front | Alley |
| **Building Configurations and Quantities** | | | | | | | | | | | |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Dwellings Per Structure (Max.) | 1 | 1 | 2 | 2 | 1 | 1 | 6 | 6 | N/A | N/A |
| | Connected Structures in a Row (Max.) | N/A | N/A | N/A | N/A | 8 | 8 | N/A | N/A | N/A | N/A |
| | Structures on Lot Containing Primary Residential Units (Max.) | 2 | 2 | 1 | 1 | 1 | 1 | 2 | 2 | N/A | N/A |
| **Lot Dimensions[2]** | | | | | | | | | | | |
| | Lot Size (Min.) | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | N/A | N/A |
| A | Lot Width (Min.)[3] | 35’ | 30’ | 40’ | 35’ | 25’ | 20’ | 100’ | 85’ | 40’ | N/A |
| B | Lot Width (Corner/End Lot) (Min.) | 40’ | 35’ | 50’ | 45’ | 35’ | 30’ | 110’ | 95’ | 50’ | N/A |
| **Setbacks (Primary Building)** | | | | | | | | | | | |
| C | Front Setback (Primary Street) (Min.) | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 20’ | 15’ | 15’ | N/A |
| D | Front Setback (Secondary Street) (Corner Lot) (Min.) | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 20’ | 15’ | 15’ | N/A |
| | Front Setback (Street-Facing Garage) (Min.) | 15’ | N/A | 15’ | N/A | 15’ | N/A | 30’ | N/A | N/A | N/A |
| E | Side Setback (Min.)[4] | 5’ | 5’ | N/A | N/A | N/A | N/A | N/A | N/A | 0’ | N/A |
| | Side Setback (Shared Wall) (Min.) | N/A | N/A | 0’ | 0’ | 0’ | 0’ | 0’ | 0’ | N/A | N/A |
| | Side Setback (Non-Shared/Active Wall) (Min.)[4] | N/A | N/A | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | N/A | N/A |
| F | Rear Setback (Min.)[4] | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 10’ | 10’ | 0’ | N/A |
| **Setbacks (Accessory Building)** | | | | | | | | | | | |
| | From Primary Building (Min.) | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | N/A |
| | From Any Other Accessory Building (Min.)[1] | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | N/A |
| | Side Setback (Min.) | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | N/A |
| | Rear Setback (Min.) | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | N/A |
| **Build-to Lines** | | | | | | | | | | | |
| G | Build-to-Line (Max.) | 15’ | 15’ | 15’ | 15’ | 15’ | 15’ | 30’ | 25’ | 20’ | N/A |
| | Primary Street Façade Buildout (Min. %) | 35% | 40% | 40% | 45% | 60% | 70% | 50% | 60% | 40% | N/A |
| | Secondary Street Façade Buildout (Min. %) | 20% | 25% | 25% | 30% | 40% | 50% | 35% | 40% | 25% | N/A |
| **Intensity, Height and Coverage** | | | | | | | | | | | |
| H | Building Height (Max.) | 45’ | 45’ | 45’ | 45’ | 45’ | 45’ | 45’ | 45’ | 45’ | N/A |

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| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Impervious Cover Per Lot (Max.) | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | N/A |
| **Parking Placement and Access** | | | | | | | | | | | |
| | Parking Placement | Off-street parking spaces shall not be located in the front setback area along any street frontage unless the frontage is along a collector or arterial street, in which case no more than one (1) parking aisle with two (2) head-in rows shall be permitted. | | | | | | | | | |
| **Notes** | | | | | | | | | | | |
| [1] Fire separation standards shall apply.<br>[2] Lot dimension minimums may be modified if rear access is provided, see Section 6.03A.1. Rear Access Provided.<br>[3] Lot width shall be sufficient to allow for the minimum driveway spacing required for the classification of street from which the lot is accessed.<br>[4] Increased setbacks may be required to promote compatibility adjacent to residential.<br>[5] See Section 6.07 for additional design standards related to residential developments.<br>[6] See Section 7.04 and Section 7.05 for additional design standards related to non-residential and mixed-use developments. | | | | | | | | | | | |
| **Additional Requirements** | | | | | | | | | | | |
| Section 4.10. Use Tables<br>Section 6.03. Dimensional Interpretations, Exceptions and Alternative Standards<br>Section 6.04. Accessory Structures, Garages and Carports<br>Section 6.05. Residential Fence Standards<br>Section 6.07. Residential Development Quality Scoring System<br>Article 8. Tree Preservation and Landscaping<br>Article 9. Lighting<br>Article 10. Off-Street Parking, Circulation and Loading | | | | | | | | | | | |

**Graphics to be incorporated depicting lot and dimensional standards**

**(connected to corresponding letters)**

E. Manufactured Housing (MH)

1. Lot and Dimensional Standards

| | Development Type | Manufactured Home Park | Manufactured Housing Subdivision (One Unit on One Platted Lot) |
|---|---|---|---|

| | Garage/Parking Access → | Front | Alley | Front | Alley |
|---|---|---|---|---|---|
| **Building Configuration and Quantities** | | | | | |
| | Dwellings Per Structure (Max.) | 1 | | 1 | |
| | Structures on Lot Containing Primary Residential Units (Max.) | N/A | | 1 | |
| | Primary Residential Units Per Manufactured Home Pad Sites (Max.) | 1 | | N/A | |
| **Park Site** | | | | | |
| | Lot Size (Min.) | 2.0 acres | | 5,500 sq ft | |
| A | Lot Width (Min.) | 100’ | | 30’ | |
| B | Lot Width (Corner/End Lot)(Min.) | 100’ | | 35’ | |
| **Individual Home Pad Site** | | | | | |
| | Pad Site Area (Min.) | 1,000 sf | | N/A | |
| | Lot Width (Min.) | 24’ | | N/A | |
| | Lot Width (Corner/End Lot)(Min.) | 35’ | | N/A | |
| **Home Setback from Perimeter Property Lines** | | | | | |
| C | Front Setback (Primary Street) (Min.) | 25’ | | 10’ | |
| D | Front Setback (Secondary Street) (Corner Lot) (Min.) | 25’ | | 10’ | |
| E | Side Setback (Min.)[1] | 25’ | | 5’ | |
| F | Rear Setback (Min.)[1] | 25’ | | 5’ | |
| **Home Setback from Individual Home Pad Sites** | | | | | |
| | Setback Between Manufactured Home and Abutting Streets | 15’ | | N/A | |
| | Separation Between Each Home | 20’ | | N/A | |
| | Side Setback (Min.)[1] | N/A | | N/A | |
| | Rear Setback (Min.)[1] | N/A | | N/A | |
| **Accessory Building Setbacks** | | | | | |
| | From Primary Building (Min.) | 10 | | N/A | |
| | From Any Other Accessory Building (Min.) (Side to Side) | 5’ | | N/A | |
| | From Any Other Accessory Building (Min.) (End to End) | 5’ | | N/A | |

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| | | | |
|---|---|---|---|
| | Rear Setback to Perimeter Property Lines (Min.) | 15’ | N/A |
| **Build-to Lines** | | | |
| G | Build-to-Line (Max.) | 25’ | 25’ |
| **Intensity, Height and Coverage** | | | |
| H | Building Height (Max.) | 35’ | 35’ |
| | Impervious Cover Per Lot (Max.) | 40 | 40 |
| **Parking Placement and Access** | | | |
| | Parking Placement | Off-street parking spaces shall not be located in the front setback area along any street frontage.<br>Exceptions to the above will be made in the case of porte-cocheres and driveways located in the front setback area. | |

| **Notes** |
|---|
| [1] Increased setbacks may be required to promote compatibility adjacent to residential. |

| **Additional Requirements** |
|---|
| Section 4.10. Use Tables |
| Section 6.03. Dimensional Interpretations, Exceptions and Alternative Standards |
| Section 6.04. Accessory Structures, Garages and Carports |
| Section 6.05. Residential Fence Standards |
| Section 6.07. Residential Development Quality Scoring System |
| Article 8. Tree Preservation and Landscaping |
| Article 9. Lighting |
| Article 10. Off-Street Parking, Circulation and Loading |

**Graphics to be incorporated depicting lot and dimensional standards**

**(connected to corresponding letters)**

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2. Additional District Standards

a. The design standards below apply to manufactured housing parks and manufactured home subdivisions, where permitted above. The other standards of this Article still apply.

b. Parking

i. Tenant Parking

(A) Each parking space shall be concrete in accordance with City standards and located to eliminate interference with access to parking areas provided for other manufactured/mobile homes and for public parking in the park.

ii. Visitor and Supplemental Parking
In addition to parking spaces required for each manufactured/mobile home unit there shall be supplemental parking provided for the manufactured/mobile home community in general:

(A) One visitor parking shall be provided for every three manufactured/mobile home spaces;

(B) One supplemental parking or vehicle storage space for the parking or storage of boats, campers and similar vehicles or equipment for every six (6) manufactured/mobile home spaces;

(C) Supplemental spaces may be located anywhere within the manufactured/mobile home community provided that no manufactured/mobile home space shall be situated further than 150 feet from a visitor space;

(D) Off-street parking design shall comply with applicable requirements in Section 10.03.

c. Access

i. Each manufactured/mobile home community shall have direct access from a public street or an internal street.

ii. Where an internal private street provides access, the same shall be built in accordance with the standards of the Engineering Design Manual and must be dedicated to the public as an emergency access or fire lane easement.

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(A) Each emergency access easement shall be designed in accordance with the width, turning area and radii standards established in the Engineering Design Manual.

iii. Dead-end streets are not allowed.

iv. Cul-de-sac streets shall not exceed 500 feet in length.

v. Fire lane easements shall be maintained by the manufactured/mobile home park.

d. Walkways

i. Designated concrete walkways that are a minimum of five (5) feet in width shall be provided on both sides of roadways, streets, and drive aisles, regardless of being public or privately owned.

e. Street Names and Signs

i. Within each manufactured/mobile home park, all streets shall be named, and manufactured/mobile homes numbered, in a logical and orderly fashion.

ii. Street signs shall be of a color and size contrasting with those on public streets and roadways so that there is no confusion regarding which are private and which are public streets.

(A) These signs and numbers shall be of standard size and placement to facilitate location by emergency vehicles.

f. Other Signs

i. Along all sections of emergency access easements, the owner or agent shall erect metal signs prohibiting parking.

g. Intersections

i. Internal streets and intersections shall be designed to conform to Section 11.03E, as applicable.

h. Street Lighting

i. Street lighting within the manufactured/mobile home park shall be provided, as required by Article 9. Lighting, and maintained by the owners of the manufactured/mobile home park.

i. Skirting

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i. Skirting or a curtain wall, unpierced except for required ventilation and access door, shall be installed and maintained so that it encloses the area under the structure.

ii. The skirting or foundation must be a continuous, complete, opaque, and rigid surface that lends permanency to the appearance of the unit and totally screens the crawl space under the unit.

iii. The foundation skirting or curtain wall shall be of brick or stucco only.

iv. Material used for the skirting shall be erected so as not to create a fire hazard and must be maintained in a good state of repair.

j. Usable Open Space Requirements

i. Each parcel of land within a manufactured housing park shall provide 280 square feet of usable open space per unit.

k. Open storage is prohibited in the MH District.

## Section 6.03 Dimensional Interpretations, Exceptions and Additional Standards

A. Lot Exceptions

1. Rear Access Provided

a. If rear access is provided to a lot by an alley or another method of access approved by the Director, the following lot size modifications apply:

i. The minimum lot area may be reduced by 15 percent, and

ii. The minimum lot width may be reduced by 10 feet.

2. Minimum Lot Size

No development approval may be issued for a lot that does not meet the minimum lot size requirements of this Article except as specified in the following cases:

a. Nonconforming lots may be used in accordance with the provisions set forth in Article 14. Nonconformities.

b. Utilities using land of an unoccupiable building less than 1,000 square feet of site area are exempt from the minimum lot size requirements.

c. The following types of lots, as defined in Article 15. Definitions, are exempt from the minimum lot size requirements in all Residential Zoning Districts:

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i. Open Space Lots;

ii. Landscape Lots;

iii. Drainage Lots;

iv. Median Lots; and

v. Access Lots.

3. Minimum Lot Width

a. The minimum lot width for lots fronting a cul-de-sac, bulb out, or knuckle turn may be reduced to a minimum of 30 feet at the front property line provided that the minimum required lot width is provided at the front setback line.

b. The following types of lots, as defined in Article 15. Definitions, are exempt from the minimum lot width requirements in all Residential Zoning Districts:

i. Open Space Lots;

ii. Landscape Lots;

iii. Drainage Lots;

iv. Median Lots; and

v. Access Lots.

B. Setbacks

1. General

a. No building, structure, parking or other development feature shall be located within a required setback or yard unless otherwise specified in this Section 6.03.

b. No part of a setback or other open space required in connection with any building, lot or use for the purpose of complying with this UDC shall be included for any other building, lot, or use as part of a setback or open space.

c. When determining the setbacks for corner lots, the front line shall be along the shortest street dimension of the lot. In instances where the lot is relatively square or otherwise unusually shaped, a request may be made to the Director for a determination of the front lot line.

d. When determining the setback for lots with more than one street frontage, other than corner lots, the Director shall determine the front lot line based on street

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classification, lot dimensions, building orientation, access, traffic flow, proximity of building to the street, and other best planning practices.

2. Setback Reductions and Exceptions

   a. Alleys

      i. When residential driveway access is taken from an alley, the garage setback to the alley may be reduced to 10 feet.

      ii. On lots where driveway access is only permitted via an alley, the minimum front setback may be reduced to 15 feet.

      iii. On lots with an approved private rear access easement, rear setbacks shall be measured from the nearest boundary of the easement.

   b. Porches in Certain Districts
   Within the RSF and RM Districts a porch may encroach into a front setback (or side setback, if on a corner lot) if the porch

      i. Is no less than six (6) feet in depth,

      ii. Extends into the setback no more than eight (8) feet,

      iii. Is structurally and architecturally integral with the house, and

      iv. Extends across no less than 40 percent of the front façade.

   c. Where the lot setbacks reduce the buildable width or depth of an existing lot to less than 35 feet, the Director is authorized to reduce the required setback to provide a minimum buildable width or depth of 35 feet.

   d. When an existing setback is reduced because of a conveyance to a federal, state or local government for a public purpose and the remaining setback is at least 50 percent of the required minimum setback for the district in which it is located, then that remaining setback will be deemed to satisfy the minimum setback requirements of this UDC.

   e. Adjacent lots with a building or other permanent structure built across the shared lot line on or before the adoption date of this UDC, shall be treated as a single lot, with the shared lot line not considered for measurement of all dimensional standards.

3. Front Setback Reduction for Enhanced Design

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a. A development approval may be issued for a single-family, two-family, zero-lot-line, or townhouse dwelling within the minimum front setback if the dwelling is alley-loaded and provides at least three (3) of the following features on the front façade:

   i. An area of living, native plants across the entire front façade of the home other than the front walk or stoop, and having sufficient to support mature plants consistent with the requirements of Section 8.04D. Residential Landscaping;

   ii. An open front porch extending across no less than 40 percent of the front façade of the house, at an average depth of at least eight (8) feet but no less than five (5) feet;

   iii. Utilization of kiln-fired brick, natural stone, cement fiber panel, or similar masonry material on 100 percent of the front façade, excluding windows, doors, awnings, and roof.

   iv. Utilization of traditional architectural elements, including at least two (2) of the following:

      (A) One or more dormers joined to and accessible from a finished room on the second story;

      (B) Half-timber facia trim on at least one forward-facing gable;

      (C) Multiple exposed rafters or rafter tails or eave brackets on at least one forward-facing gable, which may be decorative but must be designed to mimic a rafter or bracket that is load-supporting;

      (D) One or more boxed or open gables that are forward facing and are finished with siding that contrasts in shape, pattern, or material from the siding below the eave line;

      (E) A front door at least eight (8) feet in height or a double front door;

      (F) One or more transom or clerestory windows;

      (G) Decorative window trim on all primary windows, such as contrasting border, contrasting muntins, full-width shutters, arches, planter boxes, or similar features approved by the Director.

b. The minimum front setback that shall be provided on a lot under this subsection is five (5) feet.

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4. Features Allowed Within Required Setbacks

   The following features may be located within a required setback:

   a. Landscape features in accordance with Section 8.04D. Residential Landscaping and as defined in Article 15. Definitions.

   b. Driveways located:

      i. In a front setback;

      ii. In a side setback, if serving a side-loaded or detached rear garage or other parking area; or

      iii. In a rear setback, if accessed by a rear alley or public street.

   c. Sidewalks, fences, and walls meeting the requirements of Section 8.04D. Residential Landscaping and Section 11.04. Pedestrian and Bicycle Mobility.

   d. Uncovered patios provided that:

      i. The patio is located entirely within the side and/or rear yard, except that an uncovered patio may be located within a front yard if:

         (A) The surface area of the uncovered patio within the front yard does not exceed 10 percent of the total calculated area within the front setback;

         (B) The uncovered patio is set back at least 10 feet from all street property lines;

         (C) No built-in structures, such as grills or fire pits, are included in any portion of the uncovered patio within the front yard; and

         (D) The patio is screened from street view by a knee-wall or short seating bench not exceeding 30 inches in height and made of materials consistent with the architecture/materials of the home, a natural berm, a solid shrub wall, or a combination thereof; and

      ii. The patio is set back at least three (3) feet from side and rear property lines, except as otherwise provided for in this Section.

   e. Uncovered outdoor kitchens located entirely within the side and/or rear yard and setback at least three (3) feet from side and rear property lines.

   f. Pergolas provided that the pergola is:

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i. Located entirely within the side and/or rear yard, including structural supports and overhangs;

ii. Set back at least three (3) feet from side and rear property lines;

iii. Maintained with at least 50 percent open roof elements;

iv. Not enclosed with ground to roof walls other than that of the primary structure, except that a shading system with at least 50 percent transparency is permitted on up to two sides; and

v. No more than eight (8) feet in height.

g. Pools located entirely within the side and/or rear yard and set back at least five (5) feet from side and rear property lines.

h. Minor utilities
Mechanical equipment such as air conditioning units, pool pumps, and similar equipment, but such equipment is not allowed in the front setback and is allowed in the side and rear setbacks only if such equipment cannot be reasonably located behind the structure.

i. Sills, belt courses, cornices, buttresses, chimneys, flues, eaves and other architectural features provided that such features do not extend further than 18 inches into any required setback.

j. Stormwater ponds, pursuant to the setback limitations and design criteria in Section 12.08 of this UDC.

k. None of the features above (except plant material and public sidewalks) shall extend into a public easement without approval of a License to Encroach (see Section 3.25).

C. Building Height

1. Measurement

a. Building height refers to the vertical distance between the lowest finished grade at the edge of the building or the base flood elevation (where applicable), and:

i. The average height level between the eaves and ridge line of a gable, shed, hip, or gambrel roof;

ii. The highest point of a mansard roof; and

iii. The highest point of the coping of a flat roof.

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b. Roof parapets, as described in this Article, may exceed the height limitations of this UDC by no more than 10 feet.

2. Exceptions to Height Limits

Except as expressly stated in this UDC, the height limitations of the UDC do not apply to any of the following:

a. Electrical power transmission and distribution lines;

b. Chimneys, chimney flues, or radio/television receiving antennas, not to exceed 15 feet above the maximum building height;

c. A bulkhead, elevator, water tank or any other similar structure or necessary mechanical appurtenance extending above the roof of any building where such structure does not occupy more than 33 percent of the area of the roof.

D. Residential Design Standards

The design standards below apply to all dwellings where permitted according to the Zoning District standards in Section 6.02. Development Standards by District in addition to the other standards of this Article and UDC.

a. Duplex and Townhouse

The design standards below apply to duplex and townhouse development where permitted above.

Duplex dwellings and townhouses must be developed in accordance with the lot and dimensional standards of the respective zoning district and the following criteria:

i. Dwellings within a duplex shall be situated on the same legal lot;

ii. Townhouse development must contain variation through articulation of the front facade, using at least one of the following:

(A) A garage that is set back at least four (4) feet from the front facade;

(B) A covered, open-walled porch of at least six (6) feet in depth extends at least 50 percent of the width of the front facade;

(C) Other articulation of the front facade at least four (4) feet in depth that extends at least 50 percent of the width of the front facade;

(D) One or more bay windows;

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(E) One or more rainwater collection devices or methods, as approved by the Director;

(F) One or more open, box, or hipped gables;

(G) Two or more columns measuring at least the full plate height of the ground floor, unless situated upon a knee wall or architectural base or pedestal, and being fully boxed, turned, or utilizing a similar method. Columns shall measure at least three (3) inches in average width from the column center;

(H) Tree preservation, landscaping provided at time of construction, or some combination of each, is at least double the minimum requirements found in Section 8.04D. Residential Landscapingand Article 8. Tree Preservation and Landscaping;

(I) No more than one façade material is the same as a neighboring dwelling with regard to composition, color, finish, or pattern. Where a material is provided that is the same as a neighboring dwelling, it shall cover no more than 10 percent of the façade for the remaining differentiated materials to achieve credit. Materials that are exempt from this requirement include roofing materials, windows and window trim, doors, eaves and facia boards;

(J) One or more awnings;

(K) One or more arches spanning at least 25 percent of the façade width either individually or collectively, and having an offset of at least 5 percent of the arch width from both tangents;

(L) A covered, open-walled porch at least six (6) feet in depth extends a minimum of 33 percent of the width of the front facade; or

(M) Other articulation of the front facade at least four (4) feet in depth extends at least 33 percent of the width of the front façade.

(N) The Director may approve other methods as alternatives to those listed in this Section on a case-by-case basis if the Director determines that an alternative method will achieve a similar level of quality.

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iii. Individual duplexes or townhomes constructed on a single lot within a condominium development are subject to the setbacks established for the applicable district.

iv. Private Open Space

(A) For townhouse development, each townhouse dwelling unit shall be provided with a private yard or open space of not less than 150 square feet, which shall be immediately accessible and functional to the dwelling that it serves. Such open space may be at the front, rear or side of the dwelling unit and shall be in addition to the required setbacks or common recreation area requirements.

(B) As an alternative to Subsection (A) above, the Director may approve a plan or subdivision with equivalent private open space in a common area lot, provided the open space is platted with and accessible to all units in the same development that are not provided with a private yard or open space as described in Subsection (A) above.

b. Single-Family, Zero Lot Line

The design standards below apply to single-family, zero lot line development where permitted above.

Single-family, zero lot line uses must be developed in accordance with the lot and dimensional standards of the respective zoning district and the following criteria:

i. The zero-lot line must be located adjacent only to:

(A) A lot containing or planned for zero-lot line dwellings;

(B) A side street, provided no garage or carport on the adjacent lot takes access from that side street; or

(C) An interior lot line not otherwise restricted by this subsection.

ii. The eaves on the side of a house with zero side setback may project no more than 18 inches over the adjacent property line provided a perpetual easement or deed restriction for the eave projection is recorded for the lot where the projection occurs.

iii. No structure may extend into a public easement.

iv. Any rain gutters shall be positioned to drain only onto the lot of the house to which they are attached.

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v. A recorded easement or deed restriction shall be provided to allow for maintenance or repair when the eaves or side wall of the house are within four (4) feet of the adjacent property line. The easement or deed restriction on the adjacent property must provide at least five (5) feet of unobstructed space between the furthermost projection of the structure(s) and the edge of the easement.

vi. No windows or other openings on the side of the structure on or within three (3) feet of the lot line with no setback are allowed, except for windows that do not allow or restrict visibility of the adjacent lot, such as clerestory or translucent windows.

c. Cottage Court Alternative Design Standards

i. Purpose and Intent
The purpose and intent of this section is to establish standards for small-scale residential developments arranged around a shared courtyard. These standards are intended to:

(A) Encourage diverse housing options and compact development patterns that provide usable communal open space;

(B) Ensure compatibility with surrounding neighborhoods; and

(C) Provide clear access, fire safety and utility provisions for shared residential environments.

ii. General Requirements

(A) A cottage court development must:

(1) Be platted as a unified development including all lots, reserves, easements and access drives; and

(2) Provide a maximum depth of 150 feet from a public street to any portion of the site. Where dwellings are equipped with fire sprinklers, the maximum depth may be increased to 200 feet.

(B) All public utilities must be located within the public right-of-way. Private utility lines may extend from taps to individual lots.

(C) Common areas and courtyards must:

(1) Be designated as common space on the plat, as a separate lot;

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(2) Be owned and maintained by a homeowners association, property owners association, or by a similarly recorded agreement among all lot owners; and

(3) Be maintained in perpetuity as common areas and not be replatted for other uses.

(D) Design Requirements

(1) Courtyards must include a mix of pervious and impervious surfaces and may contain patios, seating, landscaping, lighting and pedestrian walkways.

(2) Courtyards shall not be parked or driven upon, except for emergency access.

(3) Fences adjacent to the main courtyard must not exceed 4 feet in height and must be at least 50% transparent. Chain link fences are prohibited.

(4) Each dwelling fronting the courtyard must provide pedestrian access to the shared space.

(E) Parking Standards

Parking must comply with Article 10 and Section 4.09A.1, except as modified below:

(1) Units under 1,000 square feet require 1.5 parking spaces per unit; and

(2) One additional guest parking space is required for every six dwelling units, or fraction thereof within a Cottage Court Development

(3) Parking may be consolidated in one or more locations to the side or rear of the site, as a separate lot or accomplished via shared access and maintenance easements.

(4) Parking shall not be located between a street or courtyard and the building fronting the subject street or courtyard and shall also be set back a minimum of 30 feet from such street or courtyard.

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(5) Parking shall be connected to each dwelling by a minimum 4-foot-wide accessible walkway, and placed in a shared pedestrian access easement as needed.

(F) Alley-Loaded Cottage Court Development

(1) The lot, setback and dimensional standards of the Base Zoning District apply unless modified herein.

(2) The courtyard must have a minimum width of 25 feet.

(3) The maximum block length between public streets is 300 feet unless alleys are constructed to meet fire access requirements.

(4) Alleys must provide a minimum 26-foot clear width or 20 feet with an additional 6 feet of clearance at fire hydrants. Hydrants must be spaced such that every dwelling is within 150 feet of a hydrant.

(5) All vehicular access must be provided from alleys meeting these standards.

(G) Access and Easements

(1) Recorded access easements must provide vehicular and pedestrian access for all lots within the development.

(2) Easements must specify responsibilities for maintenance, utilities, and access in perpetuity.

d. Standards for Housing Manufactured Off-Site

The design standards below apply to single-family and duplex housing built to the residential building code, but constructed or manufactured at an off-site location. This is commonly referred to as modular housing.

Such uses must be developed in accordance with the lot and dimensional standards of the respective zoning district and the following criteria:

i. The unit shall be the only habitable structure upon the lot on which it is placed.

ii. The unit shall have a label or documents certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974.

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iii. The wheels, axles, tongue, towing apparatus, and transporting lights shall be removed prior to final installation of the unit.

iv. The unit shall be placed on a permanent foundation consisting of masonry or concrete and constructed to the standards of the City's applicable building codes.

v. Crawl space shall be provided under each unit with access and ventilation as required by the City's adopted building code.

vi. The unit shall be located so that its longer dimension is parallel to the street on which the lot fronts.

vii. Steps to the ground level with handrails and a permanent landing at least four (4) feet by four (4) feet in size shall be provided at each outside doorway in compliance with the requirements of the City's adopted building code.

viii. All electrical service equipment shall be mounted on the structure in compliance with the conditions imposed by Exceptions No. 1 and No. 2 under Section 550-23(a) of the National Electric Code (NEC), latest edition, as adopted by the City.

ix. The exterior of a manufactured home cannot have a high-gloss finish. The exterior walls shall look like wood or masonry, regardless of the actual composition.

x. Manufactured Home Roofs and Height

(A) Manufactured home roofs shall be pitched with a minimum vertical rise of two and one-half (2 ½) feet for every 12 feet of horizontal run.

(1) Manufactured home roofs shall have eaves that project a minimum of 12 inches from the exterior wall.

(B) All accessory buildings shall be limited to one story in height.

e. Multi-Family

The design standards below apply to multi-family development where permitted above. The other standards of this Article still apply.

Multi-family uses must be developed in accordance with the lot and dimensional standards of the respective zoning district and the following criteria:

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i. All multi-family development shall also comply with the building design standards of Section 7.04. Building Design and the lighting design standards of Article 9. Lighting.

ii. A minimum building separation of 15 feet is required between all buildings on the site.

iii. Landscape bufferyards are required between the multi-family uses in the RM District and adjacent RA, RSF, MH, DC, and DM Districts. See Section 8.04E.1.e. Bufferyards for requirements.

iv. Common amenity areas are required for development in the MF-2 District in accordance with Section 6.06. Common Amenity Area.

v. No building façade/wall shall exceed 240 feet in length, except as provided below.
A façade or wall exceeding 240 feet in length may be permitted when:

(A) The building façade/wall does not face a public street right-of-way, Residential Zoning District, or public park; or

(B) The building incorporates a non-rectangular design, such as a C-, U-, T-, or L-shaped configuration, or another similar configuration approved by the Planning Director. In such cases, each projecting wing or façade must extended at least one-third the length of the primary façade.

vi. Parking shall not be permitted between the building and the right-of-way and shall be fully screened from the right-of-way.

vii. Where a parking garage is used for on-site parking, no more than 20% of the ground floor building façade may be used for parking garage façade.

viii. Stairwells between floors and corridors providing access to units shall be placed in the interior of the building and shall not be visible with the exception of the exit doors and may or may not be conditioned.

ix. A minimum of 75 percent of all units must provide balconies or patios containing at least 50 square feet in size and shall be a minimum of five (5) feet in depth.

x. Units with an exterior wall that faces a street with a classification of collector or arterial shall provide double-pane glass windows, sound-deadening

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material, or other measures that prevent sound levels from exceeding the ambient decibel level in units that do not face such a street.

E. Conflicts
Any plat or Planned Unit Development that has development standards (to include but not limited to impervious cover or setbacks), that are in conflict with the standards of this UDC, shall be subject to the development standards noted on the plat or in the Planned Unit Development documents and none other shall apply.

## Section 6.04 Accessory Structures, Garages and Carports

A. Accessory structures and buildings shall meet the dimensional standards of the base zoning district, except as specified in this Section.
B. Accessory structures shall only be located on lots with a principal structure, unless two adjacent lots have common ownership, in which case the structures may be located on different lots. In such instances, the accessory structure shall be located in the rear yard as determined by the lot with the principal structure on it.
C. Accessory structures measuring eight (8) feet or less in height are allowed in the setbacks in the rear yard up to three (3) feet from the property line, but may not extend into any public utility easement.
D. Accessory structures must meet all impervious cover requirements of this UDC.
E. Accessory dwelling units located in accessory structures in the Residential Zoning Districts are allowed subject to the limitations provided for in Section 4.10F. Accessory Uses and Standards.

## Section 6.05 Residential Fence Standards

A. Purpose
Standards governing fences are established to allow for privacy, access to light and air, the protection of property, assurance of safety and security, and an aesthetic appearance consistent with the quality of life standards of Liberty Hill. For the purposes of this section, fences shall include all barrier structures meant to provide security or block views of property, and include walls, fences, or similar structures.

B. Permit Required
A fence permit is required to erect any fence on property within the City limits unless otherwise specified below.

1. A permit is not required for agricultural uses.
2. A permit is not required for pet or livestock, garden, or similar fencing if such fence is located interior to a property that contains a perimeter fence.

3. A permit is not required for minimal alterations, such as replacements of pickets, panels, posts, or other materials as long the changes do not exceed one-third (⅓) of the facing of the fence. Such alterations shall comply with the original permit and/or the provisions of this UDC. Any vertical or linear additions shall require a new permit.

C. General Requirements

The following standards apply to all fences within all Residential Zoning Districts.

1. Structural Integrity

   All fences shall be constructed to perpetually maintain structural integrity against natural forces such as wind, rain, and temperature variations. Fences constructed of chain link, welded wire, picket or similar materials shall require a minimum of two (2) support rails spaced at least one-half (½) of the total height of the fence apart.

2. Maintenance

   Fences shall be kept in good repair and in a safe and attractive condition, consistent with the design established with the fence permit.

3. Fence Materials

   a. Allowed

      Allowed materials may be restricted in certain circumstances, per the provisions of this Section, and are allowed by right in all other instances.

      i. Stone, rock, brick, precast concrete fences, decorative wrought iron, welded wire or other similar materials of comparable aesthetic and durability may be utilized in any application.

      ii. The Director or Building Official may consider other durable rot/heat resistant alternative materials.

      iii. Materials such as barbed wire, razor wire and electric fencing are only allowed with the limitations specified in this Section.

      iv. Wood fences shall not be utilized when associated with a nonresidential use.

      v. Chain link fences in residential areas, except in the case of fencing around sports fields per Section 6.05D.5 below, may be maintained and replaced, if damaged, as long as the fence does not change location or increase in height.

   b. Prohibited

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i. New chain link fences are prohibited on residential properties, except in the case of fencing around sports fields per Section 6.05D.5 below.

ii. Products manufactured for other uses and not originally intended to be permanent fencing are prohibited. Some examples of prohibited material include but are not limited to: Plywood, paper, plastic, fiberglass panels, chicken wire, fabric, or sheet, roll or corrugated metals.

4. Height Measurement
Fence height shall be measured from ground level on the higher side of the fence or wall.

5. Finished Side of Fence
For all fences, the finished "face" side of the fence (opposite the structural supports) shall face all public streets and public parkland.

6. Intersection Sight Visibility Triangle
Fences located within the intersection sight visibility triangle, as described in Section 1.01A.1 of this UDC, shall not exceed three (3) feet in height and must maintain a minimum of 75 transparency, measured perpendicular to the fence. No more than 25 percent of the fence surface area may be opaque.

7. Messages and Signs
All messages or advertising on fences or walls shall be considered signage and are not allowed on fencing unless permitted in accordance with the sign provisions of Article 13. Sign Standards of this UDC.

8. Temporary Fences
Temporary fences are allowed without a fence permit, but only for a site with an active building permit, Stormwater Permit, or part of a roadway construction project. The temporary fence shall be removed at the expiration of such a Permit or the conclusion of construction, whichever occurs first. Temporary fences needed for any other purposes are permitted and shall receive a fence permit from the Building Official.

9. Electric Fences
Electric fences are prohibited, except on properties used for bona fide agricultural purposes, as determined by the Director, and in acoordance with the following requirements::

a. Electric fences shall not be permitted within 10 feet of any public rights-of-way or sidewalk.

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b. Electric fences shall be placed a minimum of two (2) feet from all private property lines.

c. A "Warning: Electric Fence in Operation" sign at least 12" x 12" in size shall be posted at intervals of not more than 50 feet apart and located not more than one foot away from the fence.

d. Unless otherwise specified in this Section, electric fences must be installed in conformance with the specifications set forth in the City's electrical code and the International Electroctechnical Commission Standard No. 60335-2-76. In addition, the electric fence controller must meet the requirements of Underwriters Laboratories Standard UL69, Electric-Fence Controller, and labeled as such.

i. The electric fence controller and emergency entry key safe for the electric fence must be located in a single accessible location for the entire fence.

ii. Applicable permits shall be submitted and approved before the electric fence may be installed.

10. Drainage and Utility Conflicts

a. All fencing that will cause a diversion of water runoff or otherwise prevent the natural flow of stormwater shall be prohibited, unless the fence materials and installation is designed in such a way to not cause the prevention or diversion of water runoff. The design and installation shall be reviewed and approved by the City Engineer.

b. Walls or other fencing made up of masonry or a similar product and containing a poured foundation that is proposed to be located adjacent to a public utility easement, buried or above-ground utility equipment that are shall be reviewed by the City Engineer prior to approval, and may require a License to Encroach pursuant to Section 3.25. License to Encroach.

11. Health and Safety

All fences and fencing locations shall comply with the requirements of the adopted building code, fire code, or any other health and safety provision adopted by the City. In the event that a building code or fire code requirement supersedes any provision in this Section or would make such provision unworkable, those codes shall govern.

D. Fence Location and Height Standards

Fences for residential uses are allowed in accordance with the following provisions.

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1. Front Yard Fences and Fences Abutting a Street in the Side and Rear Setbacks
    a. Fences located in a front yard are allowed with the following limitations:
        i. Fences shall be limited to four (4) feet in height.
        ii. Fences shall be at least 50 percent transparent, for example, a wrought iron fence or picket fence that has openings the width of the picket.
    b. Fences located in a street side setback or rear setback abutting a local or collector level street are allowed with the limitations of Section 6.05D.2 below, but shall be set back a minimum of 10 feet from the property line.
2. Fences in all other locations are allowed with the following limitations:
    a. Fences shall be limited to six (6) feet in height, but may be increased to a maximum of eight (8) feet in height in the following circumstances:
        i. If the adjacent use is non-residential, in which case only a fence on the property line abutting the non-residential use may be allowed the increase in height.
        ii. If the fence is located in the rear yard not adjacent to a street right-of-way and has the consent of both property owners.
        iii. If the fence is more than 50 percent transparent.
        iv. If the fence is in a location where the topography of the land dictates the need for additional height for privacy, at the discretion of the Director.
        v. If the fence is adjacent to a roadway where the right-of-way width is greater than 120 feet.
    b. Fences directly abutting public alleys shall be limited to five (5) feet in height.
3. Replacement of a Fence
   If seeking to replace an existing fence that would not comply with the setbacks, opacity and height of this UDC, the new fence may be constructed in the existing location with the same opacity and height, unless located in a right-of-way or in conflict with utilities or the required sight triangle.
4. Barbed wire fences are only allowed on lots larger than two (2) acres and in the RA District.
5. Fencing in and/or around sports fields, courts, and playgrounds are allowed only in rear yards and when set back from all property lines at a distance that is multiplied by

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one and one-half (1½) times the height of the sports fence. The fences shall be a maximum height of 15 feet. The fences may be of chain link as well as other allowed fence materials in residential districts.

6. For fences that would not meet the above circumstances, the Director may consider a request for an Administrative Exception, as described in Section 3.15.

E. Residential Boundary Walls

In order to provide a cohesive aesthetic appearance in a manner planned and constructed by the developer, all development in a Residential Zoning District that is bounded on any side by a collector street (excluding single-family development of no more than two lots in the Residential, Rural and Agricultural (RA) district), or an arterial street, as classified in Section 11.03D. Street Classification and Characteristics , shall provide a boundary wall or similar perimeter buffer along that roadway using the following criteria. Assumption of responsibility for the maintenance and integrity of the boundary wall or portions thereof shall fall to the homeowners' or property owners' association or, in the case there is not a homeowners' or property owners' association, the property owner on whose lot line the wall is situated.

1. An opaque masonry wall shall be constructed along the right-of-way line at least five feet in height, but no taller than six feet in height. No additional fencing may be added to the wall.
2. The required wall shall not be located within public right-of-way.
3. The required wall shall be located within a private easement that dictates the ownership and maintenance of the wall.
4. Articulation is required for boundary walls and shall be achieved either by:
    a. Masonry columns or similar column effect as approved by the Director, using different materials than the wall, spaced no more than 125 feet apart;
    b. Variations in depth achieved either through offsets of at least five (5) feet deep, plant material groupings, breaks in walls, or other variations as approved by the Director, occurring every 80 feet; or
    c. An alternative articulation design approved by the Director per Section 6.05E.5 below below that meets the intent of this section.
5. Exceptions to the preceding requirements may be considered by the Director in the following circumstances and approved if the Director determines that the intent of this section has been met. Exceptions shall be processed as an Administrative Exception, using the procedures described in Section 3.15.

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a. If the land adjacent to the applicable roadway is occupied by a park or open space, unusual topographic conditions, local street, residential front setback, or other similar space not occupied by a residence, the Director may consider a request for a combination of open space, berms, landscape features, plant material, and/or alternative screening wall material, another boundary wall location, or a release from the requirement.

b. If a developer chooses to prohibit fencing or offer a planned alternative that is codified on the plat, Construction Plans, and deeds and covenants, the Director may consider a request for a combination of open space, berms, landscape features, plant material, and/or alternative screening wall material, another boundary wall location, or a release from the requirement.

F. Alternative Fences

Through the Administrative Exception process detailed in Section 3.15 of this Code, the Director may consider alternatives to the provisions of this Section. Justifiable reasons to consider an alternative include, but are not limited to, the protection of trees, the location of existing structures on a site, location and materials of existing fences, unique topographical or other physical constraints. In addition, the Director is authorized to determine whether direct application of this Section would create an unsightly effect and could be better achieved with an alternative design. The Administrative Exception may be granted if the Director determines that the proposed alternative clearly meets or exceeds the quality of design that this Section seeks to promote and that the following assurances listed below are met.

The following may be proposed to the Director for an alternative:

1. Fence location, provided the alternative location does not affect health and safety standards and can be proven to be seamlessly integrated with the surrounding neighbors and design of the neighborhood.
2. Fence height, provided the alternative height is necessary to address a documented safety or security concern arising from the height standards of this Section.
3. An Administrative Exception is not required for any health and safety determination, hazardous material security, or any other exceptions explicitly stated in this section.

G. Fences Required by Particular Zoning Uses

This Section contains provisions for fencing materials, heights, and locations associated with particular uses that are allowed with limitations in certain zoning districts. See the standards applicable to specific uses in Section 4.10. Use Tables.

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## Section 6.06 Common Amenity Area

A. Applicability

The provisions of this Section apply to:

1. Attached multi-family development;
2. Townhouses and cottage courts built in accordance with standards in Section 6.03. Dimensional Interpretations, Exceptions and Alternative Standards;
3. Manufactured housing parks; and
4. Any development type where 13 or more dwelling units are located on a single lot or parcel, with each dwelling unit located in a structure with three (3) or more dwelling units.

B. Common Amenity Area Requirements

1. Common amenity area shall be provided by the developer. This amenity area is in addition to any required parkland dedication or private open space requirement, and shall be designed to accommodate the number of dwellings within the development.
2. The amenity area shall be privately constructed, maintained and operated by the developer, residents of the subdivision through an incorporated homeowners' or property owners' association, or the owner of the manufactured home lease community, and the person or entity responsible for ownership and maintenance. Operational responsibilities shall be noted on the plat and/or on a separate instrument recorded in the Official Records of the applicable County.
3. Common amenity area(s), accessible to all residents, shall be provided at the following rate:

*Figure 6-1 Required Common Amenity Areas*

| Number of Dwelling Units | Minimum Number of Amenities |
|---|---|
| 0-12 | 0 |
| 13-49 | 1 |
| 50-99 | 2 |
| 100-149 | 3 |
| 150-199 | 4 |
| 200 or more | 5 |

4. The required amenity area(s) shall be selected from those listed below. Director approval shall be required for any amenity types not listed. When more than one amenity is required, they shall differ from one another.

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a. Playground equipment with a covered shade structure: Manufacturer must certify that it meets all commercial recreational safety standards.

b. Covered picnic areas: Minimum of two tables and two cooking grills per 100 dwelling units.

c. Trails (walkways or bike trails): At least the distance of the perimeter of the property.

d. Dog park: Minimum size of 2,500 square feet with 25-foot minimum depth, fenced, and containing a pet drinking fountain.

e. Private fitness facility.

f. Business center.

g. Sport courts (e.g., tennis, racquetball, basketball or volleyball court).

h. Clubhouse: Must include a kitchen and a social room for resident use.

i. Theater or similar media room.

j. Swimming pool.

k. Splash pad.

l. After school center for children.

m. Community garden or orchard with irrigation: Minimum 800 square feet.

5. All equipment and other improvements must be of commercial quality and approved by the Director of Parks and Recreation.
6. Amenities shall be located in such a manner that no primary egress door of a unit is more than five (5) times further from an amenity than the primary egress door of the unit closest to the same amenity. In no case shall the primary egress door of any unit be further than 750 feet from an amenity. Multistory buildings or multi-family buildings with internal corridors may use the primary egress door of the entire building when measuring distance under this requirement.
7. At least 50 percent of the common amenity area must be located outside of the 100-year floodplain.
8. Where possible, amenities should provide connections to nearby public amenities including, but not limited to, plazas, public parks, community centers, public libraries, trails, or similar community amenities as determined by the Director.
9. An offsite amenity may count towards one of the required amenity areas if:

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a. The development is a horizontal or vertical mixed use development;

b. At least 3 public amenities are required;

c. A public amenity is located within a quarter mile of the lot; and

d. Enhanced pedestrian facilities of 10 feet or more in width are provided to connect pedestrians to the amenity.

10. If the overall development is to occur in phases, the common amenities may be constructed at the corresponding time to the development phase.

    a. The Director shall approve the phasing plan of the common amenities. Each phase of the development shall construct the required amenities before the building permits shall be approved.

## Section 6.07 Residential Development Quality Scoring System

A. General

1. Purpose
   The Residential Development Quality Scoring System is established to encourage high quality design supportive of the Comprehensive Plan vision, goals, objectives, and recommendations by establishing a system by which an applicant can achieve greater flexibility for development through provision of certain desirable design and performance characteristics.

2. Voluntary Nature and Agreement
   It is hereby established that an Applicant utilizing the provisions of this Section for regulatory flexibility does so voluntarily and in a binding manner. The City may require execution of agreements to document use of these provisions, ongoing maintenance responsibilities, and recording in the public records of the County.

3. Applicability
   This Section applies to new construction in the Residential Zoning Districts, RA, RSF, RM, and MH.

B. Points-Based Development Quality System

1. Residential Design

    a. Applicability

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This Subsection B applies only to single family detached, single family attached (including zero lot line), cottage court, and townhouse dwellings in the Residential Zoning Districts.

b. Establishment of Scoring System and Associated Regulatory Incentives

i. Level 1 High-Quality Design
A cumulative score of 60 points, as described below, shall result in the following changes to development regulations applicable to the subject property:

(A) The granting of an additional 10 feet of maximum height,

(B) The granting of an additional 10 percent of impervious cover subject to compliance with provisions other than the maximum impervious cover established in Section 6.02. Development Standards by District, and

(C) The granting of a 10 percent reduction in minimum lot size and a 10 percent increase in maximum dwelling units per acre where stated.

ii. Level 2 High-Quality Design
A cumulative score of 80 points, as described below, shall result in the following bonuses applicable to the subject property:

(A) The granting of an additional 20 feet of maximum height,

(B) The granting of an additional 20 percent of impervious cover subject to compliance with provisions other than the maximum impervious cover established in Section 6.02. Development Standards by District, and

(C) The granting of a 25 percent reduction in minimum lot size and a 25 percent increase in maximum dwelling units per acre.

c. High-Quality Design Actions and Associated Scoring Values
The following characteristics are determined to constitute evidence of high-quality design. The presence of each characteristic shall have an associated scoring value for the purposes of establishing whether a project achieves Level 1 or Level 2 High-Quality Design.

i. Use of Building Materials Reflective of the City's Geographic Context
A project may receive a maximum of 20 points for the use of building materials reflective of the City's geographic context, as follows:

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(A) Use of Class 1 Building Materials and Class 2 Building Materials on 100 percent of the exterior façade: 15 points.

(B) Use of Class 1 Building Materials on 100 percent of the exterior façade: 20 points.

ii. Maintaining and Enhancing the Natural Environment
A project may receive a maximum of 30 points for maintaining and enhancing the natural environment, as follows:

(A) Altering the topography and elevation by no more than four (4) feet for at least 80 percent of the subject property: 10 points.

(B) Preserving at least 35 percent of the subject property unaltered in its natural state: 10 points.

(C) Certification of at least 50 percent of the subject property as a certified Texas Wildscape, Monarch Waystation or similar third-party designation approved by the Director as indicating consistency with City goals to encourage native and adaptive plants, discourage invasive and disease-prone plants, and support wildlife habitat: 10 points.

iii. Promotion of Conservation and Low-Impact Development Best Practices
A project may receive a maximum of 30 points for development characteristics promoting conservation and low-impact development best practices, as follows:

(A) Incorporation of a rainwater harvesting system capable of capturing a one (1) inch rainfall event for 25 percent of the roof area, with a minimum of 1,000 gallons: 15 points.

(B) Incorporation of LID stormwater management practices consistent with Section 12.08. Stormwater Management System Requirements, subject to the approval of the Director and City Engineer: 15 points.

(C) Use of improved permeable surface for at least 50 percent of paved areas of driveways, parking and sidewalks (excluding the building footprint) with performance characteristics indicating at least 50 percent of water infiltrates through the surface and requiring minimal maintenance intervention, subject to Director and City Engineer approval: 15 points.

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iv. Enhanced Building and Site Design Characteristics

A project may receive a maximum of 30 points for certain building design characteristics, as follows:

(A) Use of corrugated or standing-seam metal roof materials for the entire roof surface: 10 points.

(B) Use of a vegetative "green" roof for at least 50 percent of the entire roof surface (this may also count toward credit for the roof materials listed in Subsection (A), above, if project is seeking points for both): 20 points.

(C) Use of enhanced permanent stormwater quality features to provide a performance level that removes 90 percent of total suspended solids for the entire project: 30 points.

(D) Use of enhanced design in stormwater retention areas, providing a landscaping buffer at least 10 feet wide around the entire perimeter and including at least one 4-inch caliper tree per 20 feet of perimeter: 20 points.

(E) Use of enhanced paving for all driveways, sidewalks and other paved surfaces, including but not limited to earth-tone colored concrete (stain integral; not applied afterward), stamped or patterned concrete, brick or paver units, exposed aggregate or improved permeable surface (excluding dirt, grass or gravel): 10 points.

(F) Use of at least two (2) of the following element options: 10 points.

(1) Front wall articulation to offset the floorplate every 15 feet along any front façade of the dwelling unit.

(2) Placing the garage behind the rear building face.

(3) A covered front porch or portico along at least 50 percent of the front façade, with a minimum depth of eight (8) feet.

(4) The use of window and door enhancements on all façades visible from the street, including but not limited to transoms, bay windows, raised muntins on windows, shutters, or other similar enhancements.

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# Article 7 Non-Residential and Mixed Use Development Standards

## Section 7.01 General

A. Authority
The provisions of this Article are adopted pursuant to Texas Local Government Code Chapters 211 and 212 and the City Charter.

B. Purpose and Intent
This Article establishes development standards for Non-Residential and Mixed Use properties within the City limits of the City of Liberty Hill.

C. Applicability

1. All development within a Non-Residential or Mixed Use Zoning District (see Section 4.06C. Non-Residential and Mixed-Use Zoning Districts) shall be subject to the provisions of this Article.
2. All residential development within a Non-Residential or Mixed Use Zoning District shall be subject to the provisions of Section 6.04. Accessory Structures, Garages and Carports and Section 6.06. Common Amenity Area in addition to the development standards of the zoning district in which it is located.

D. Mixed Use Districts
The Mixed Use Neighborhood (MN) and Mixed Use Community and Corridor (MC) Districts established in Section 4.02. Establishment of Zoning Districts are intended for a combination of residential and non-residential development to promote dense and active mixed use urban environments. As established in the district guidelines, a project zoned or proposed to be zoned MN or MC may be completely residential and contain varying housing types and densities in a well-planned setting. Guidelines and development standards for these districts are as written in this Article.

## Section 7.02 Development Standards by District

A. General

1. All new development shall be located on a lot or tract meeting the standards of this UDC.
2. All new lots or tracts shall have a minimum lot width and street frontage along a public street or other acceptable point of access allowed by this UDC as follows:



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a. Within the City limits, the minimum lot width and street frontage shall be in accordance with the zoning district in which it is located.

b. A Subdivision Waiver varying or waiving this requirement may be requested in accordance with Section 3.18 of this UDC.

3. All development shall comply with the applicable standards contained in the International Fire Code, as adopted in the City of Liberty Hill Code of Ordinances, Article 6.02. When such standards conflict with any lot, dimensional, and design standards of this UDC, the International Fire Code standards shall apply.

4. Allowed Uses

a. Uses allowed in each zoning district shall be:

i. The residential uses identified in the Use Tables in Article 4. Zoning Districts and Uses of this UDC.

ii. The non-residential uses identified in the Use Tables in Article 4. Zoning Districts and Uses of this UDC.

iii. The accessory uses identified in Section 4.10F. Accessory Uses and Standards of this UDC that may be compatible with the primary uses.

5. Non-Residential and Accessory Design Standards

a. Non-residential structures shall meet the lot and dimensional standards of the applicable district in addition to the requirements of Article 7.

b. Residential accessory structures built within a Non-Residential or Mixed Use District shall meet the requirements of Section 6.04.

B. Mixed Use Neighborhood (MN)

1. Lot and Dimensional Standards

| | Development Type → | Single-Family, Detached[5] | Duplex[5] | Townhouse[5] | | Multi-Family (Small-Scale)[5] | | Vertical Mixed-Use[6] | Non-Residential[6] | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Garage/Parking Access → | Front | Alley | Front | Alley | Front | Alley | Front | Alley | Front | Alley | Front | Alley |
| **Building Configurations and Quantities** | | | | | | | | | | | | | |
| | Dwellings Per Structure (Max.) | 1 | 1 | 2 | 2 | 1 | 1 | 6 | 6 | N/A | N/A | N/A | N/A |

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| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Connected Structures in a Row (Max.) | N/A | N/A | N/A | N/A | 8 | 8 | N/A | N/A | N/A | N/A | N/A | N/A |
| | Structures on Lot Containing Primary Residential Units (Max.) | 2 | 2 | 1 | 1 | 1 | 1 | 2 | 2 | N/A | N/A | N/A | N/A |
| **Lot Dimensions[2]** | | | | | | | | | | | | | |
| | Lot Size (Min.) | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | N/A | N/A | N/A | N/A |
| A | Lot Width (Min.)[3] | 35’ | 30’ | 40’ | 35’ | 25’ | 20’ | 100’ | 85’ | N/A | N/A | 40’ | 40’ |
| B | Lot Width (Corner/End Lot) (Min.) | 40’ | 35’ | 50’ | 45’ | 35’ | 30’ | 110’ | 95’ | N/A | N/A | 50’ | 50’ |
| **Setbacks (Primary Building)** | | | | | | | | | | | | | |
| C | Front Setback (Primary Street) (Min.) | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 20’ | 15’ | 15’ | 15’ | 15’ | 15’ |
| D | Front Setback (Secondary Street) (Corner Lot) (Min.) | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 20’ | 15’ | 15’ | 15’ | 15’ | 15’ |
| | Front Setback (Street-Facing Garage) (Min.) | 15’ | N/A | 15’ | N/A | 15’ | N/A | 30’ | N/A | N/A | N/A | N/A | N/A |
| E | Side Setback (Min.)[4] | 5’ | 5’ | N/A | N/A | N/A | N/A | N/A | N/A | 0’ | 0’ | 0’ | 0’ |
| | Side Setback (Shared Wall) (Min.) | N/A | N/A | 0’ | 0’ | 0’ | 0’ | 0’ | 0’ | 0’ | 0’ | N/A | N/A |
| | Side Setback (Non-Shared/Active Wall) (Min.)[4] | N/A | N/A | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 0’ | 0’ | N/A | N/A |
| F | Rear Setback (Min.)[4] | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 10’ | 10’ | 0’ | 0’ | 0’ | 0’ |
| **Setbacks (Accessory Building)** | | | | | | | | | | | | | |
| | From Primary Building (Min.) | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ |
| | From Any Other Accessory Building (Min.)[1] | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ |
| | Side Setback (Min.) | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ |
| | Rear Setback (Min.) | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ |
| **Build-to Lines** | | | | | | | | | | | | | |
| G | Build-to-Line (Max.) | 15’ | 15’ | 15’ | 15’ | 15’ | 15’ | 30’ | 25’ | 20’ | 20’ | 20’ | 20’ |
| | Primary Street Façade Buildout (Min. %) | 35% | 40% | 40% | 45% | 60% | 70% | 50% | 60% | 60% | 70% | 40% | 50% |

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| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Secondary Street Façade Buildout (Min. %) | 20% | 25% | 25% | 30% | 40% | 50% | 35% | 40% | 40% | 50% | 25% | 35% |
| **Intensity, Height and Coverage** | | | | | | | | | | | | | |
| H | Building Height (Max.) | 40’ | 40’ | 40’ | 40’ | 40’ | 40’ | 40’ | 40’ | 40’ | 40’ | 40’ | 40’ |
| | Impervious Cover Per Lot (Max.) | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 |
| **Parking Placement and Access** | | | | | | | | | | | | | |
| | Parking Placement | Off-street parking spaces shall not be located in the front setback area along any street frontage unless the frontage is along a collector or arterial street, in which case no more than one (1) parking aisle with two (2) head-in rows shall be permitted. Property located within the 29 Corridor Overlay District may use the parking standards located in Section 4.08F. Parking. | | | | | | | | | | | |

**Notes**

[1] Fire separation standards shall apply.

[2] Lot dimension minimums may be modified if rear access is provided, see Section 6.03A.1. Rear Access Provided.

[3] Lot width shall be sufficient to allow for the minimum driveway spacing required for the classification of street from which the lot is accessed.

[4] Increased setbacks may be required to promote compatibility adjacent to residential.

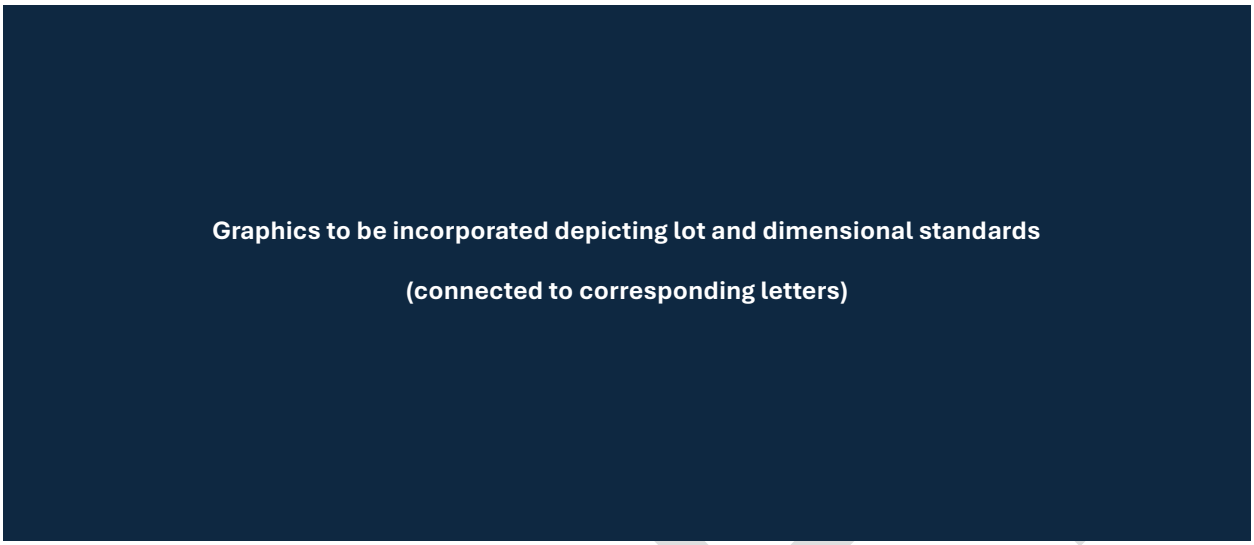
[5] See Section 6.07 for additional design standards related to residential developments.

[6] See Section 7.04 and Section 7.05 for additional design standards related to non-residential and mixed-use developments.

**Additional Requirements**

Section 4.10. Use Tables
Section 7.03. Dimensional Interpretations, Exceptions and Alternative Standards
Section 7.04. Building Design
Section 7.05. Non-Residential and Mixed Use Fence Standards
Section 7.06. Non-Residential and Mixed Use Development Quality Scoring System
Article 8. Tree Preservation and Landscaping
Article 9. Lighting
Article 10. Off-Street Parking, Circulation and Loading

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C. Mixed Use Community and Corridor (MC)

1. Lot and Dimensional Standards

| | Development Type → | Townhouse[5] | | Multi-Family (Small-Scale)[5] | | Multi-Family (Large-Scale)[5] | | Vertical Mixed-Use[6] | | Non-Residential[6] | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Garage/Parking Access → | Front | Alley | Front | Alley | Front | Alley | Front | Alley | Front | Alley |
| **Building Configurations and Quantities** | | | | | | | | | | | |
| | Dwellings Per Structure (Max.) | 1 | 1 | 6 | 6 | N/A | N/A | N/A | N/A | N/A | N/A |
| | Connected Structures in a Row (Max.) | 8 | 8 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Structures on Lot Containing Primary Residential Units (Max.) | 1 | 1 | 2 | 2 | N/A | N/A | N/A | N/A | N/A | N/A |
| **Lot Dimensions[2]** | | | | | | | | | | | |
| | Lot Size (Min.) | 2,000 sf | 2,000 sf | 2,000 sf | 2,000 sf | 20,000 sf | 20,000 sf | N/A | N/A | N/A | N/A |
| A | Lot Width (Min.)[3] | 25’ | 20’ | 100’ | 85’ | 150’ | 125’ | N/A | N/A | 40’ | 40’ |
| B | Lot Width (Corner/End Lot) (Min.) | 35’ | 30’ | 110’ | 95’ | 160’ | 135’ | N/A | N/A | 50’ | 50’ |
| **Setbacks (Primary Building)** | | | | | | | | | | | |
| C | Front Setback (Primary Street) (Min.) | 10’ | 10’ | 20’ | 15’ | 15’ | 15’ | 15’ | 15’ | 20’ | 20’ |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| D | Front Setback (Secondary Street) (Corner Lot) (Min.) | 10’ | 10’ | 20’ | 15’ | 15’ | 15’ | 15’ | 15’ | 20’ | 20’ |
| | Front Setback (Street-Facing Garage) (Min.) | 15’ | N/A | 30’ | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| E | Side Setback (Min.)[4] | N/A | N/A | N/A | N/A | N/A | N/A | 0’ | 0’ | 0’ | 0’ |
| | Side Setback (Shared Wall) (Min.) | 0’ | 0’ | 0’ | 0’ | 0’ | 0’ | 0’ | 0’ | N/A | N/A |
| | Side Setback (Non-Shared/Active Wall) (Min.)[4] | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 0’ | 0’ | N/A | N/A |
| F | Rear Setback (Min.)[4] | 5’ | 5’ | 10’ | 10’ | 10’ | 10’ | 0’ | 0’ | 0’ | 0’ |
| **Setbacks (Accessory Building)** | | | | | | | | | | | |
| | From Primary Building (Min.) | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ | 10’ |
| | From Any Other Accessory Building (Min.)[1] | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ |
| | Side Setback (Min.) | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ |
| | Rear Setback (Min.) | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ | 5’ |
| **Build-to Lines** | | | | | | | | | | | |
| G | Build-to-Line (Max.) | 15’ | 15’ | 30’ | 25’ | 25’ | 25’ | 20’ | 20’ | 25’ | 25’ |
| | Primary Street Façade Buildout (Min. %) | 60% | 70% | 50% | 60% | 50% | 60% | 60% | 70% | 40% | 50% |
| | Secondary Street Façade Buildout (Min. %) | 40% | 50% | 35% | 40% | 40% | 50% | 40% | 50% | 25% | 35% |
| **Intensity, Height and Coverage** | | | | | | | | | | | |
| H | Building Height (Max.) | 55’ | 55’ | 55’ | 55’ | 55’ | 55’ | 55’ | 55’ | 55’ | 55’ |
| | Impervious Cover Per Lot (Max.) | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 |
| **Parking Placement and Access** | | | | | | | | | | | |
| | Parking Placement | Off-street parking spaces shall not be located in the front setback area along any street frontage unless the frontage is along a collector or arterial street, in which case no more than one (1) parking aisle with two (2) head-in rows shall be permitted. Property located within the 29 Corridor Overlay District may use the parking standards located in Section 4.08F. Parking. | | | | | | | | | |
| **Notes** | | | | | | | | | | | |
| [1] Fire separation standards shall apply. | | | | | | | | | | | |
| [2] Lot dimension minimums may be modified if rear access is provided, see Section 6.03A.1. Rear Access Provided. | | | | | | | | | | | |
| [3] Lot width shall be sufficient to allow for the minimum driveway spacing required for the classification of street from which the lot is accessed. | | | | | | | | | | | |
| [4] Increased setbacks may be required to promote compatibility adjacent to residential. | | | | | | | | | | | |
| [5] See Section 6.07 for additional design standards related to residential developments. | | | | | | | | | | | |
| [6] See Section 7.04 and Section 7.05 for additional design standards related to non-residential and mixed-use developments. | | | | | | | | | | | |
| **Additional Requirements** | | | | | | | | | | | |

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Section 4.10. Use Tables
Section 7.03. Dimensional Interpretations, Exceptions and Alternative Standards
Section 7.04. Building Design
Section 7.05. Non-Residential and Mixed Use Fence Standards
Section 7.06. Non-Residential and Mixed Use Development Quality Scoring System
Article 8. Tree Preservation and Landscaping
Article 9. Lighting
Article 10. Off-Street Parking, Circulation and Loading

**Graphics to be incorporated depicting lot and dimensional standards**

**(connected to corresponding letters)**

## D. Light Industrial (LI)

### 1. Lot and Dimensional Standards

| | | |
|---|---|---|
| **Building Configurations and Quantities** | | |
| | Dwellings Per Structure (Max.) | N/A |
| | Connected Structures in a Row (Max.) | N/A |
| | Structures on Lot Containing Primary Residential Units (Max.) | N/A |
| **Lot Dimensions** | | |
| | Lot Size (Min.) | 6,000 sf |
| A | Lot Width (Min.)[2] | N/A |
| B | Lot Width (Corner/End Lot) (Min.) | N/A |
| **Setbacks (Primary Building)** | | |
| C | Front Setback (Primary Street) (Min.) | 25’ |
| D | Front Setback (Secondary Street) (Corner Lot) (Min.) | 25’ |

| | | |
|---|---|---|
| | Front Setback (Street-Facing Garage) (Min.) | N/A |
| E | Side Setback (Min.)[3] | 5’ |
| | Side Setback (Shared Wall) (Min.) | N/A |
| | Side Setback (Non-Shared/Active Wall) (Min.) | N/A |
| F | Rear Setback (Min.)[3] | 10’ |
| **Setbacks (Accessory Building)** | | |
| | From Primary Building (Min.) | 10’ |
| | From Any Other Accessory Building (Min.) | 5’ |
| | Side Setback (Min.) | 5’ |
| | Rear Setback (Min.) | 5’ |
| **Build-to Lines** | | |
| G | Build-to-Line (Max.) | N/A |
| | Primary Street Façade Buildout (Min. %) | N/A |
| | Secondary Street Façade Buildout (Min. %) | N/A |
| **Intensity, Height and Coverage** | | |
| H | Building Height (Max.) | 50’ |
| | Impervious Cover Per Lot (Max.) | 85 |
| **Parking Placement and Access** | | |
| | Parking Placement | N/A. Property located within the 29 Corridor Overlay District may use the parking standards located in Section 4.08F. Parking. |

**Notes**

[1] Fire separation standards shall apply.

[2] Lot width shall be sufficient to allow for minimum driveway spacing required for the classification of street from which the lot is accessed.

[3] Increased setbacks may be required to promote compatibility adjacent to residential areas.

**Additional Requirements**

Section 4.10. Use Tables
Section 7.03. Dimensional Interpretations, Exceptions and Alternative Standards
Section 7.04. Building Design
Section 7.05. Non-Residential and Mixed Use Fence Standards
Section 7.06. Non-Residential and Mixed Use Development Quality Scoring System
Article 8. Tree Preservation and Landscaping
Article 9. Lighting
Article 10. Off-Street Parking, Circulation and Loading

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**Graphics to be incorporated depicting lot and dimensional standards**

**(connected to corresponding letters)**

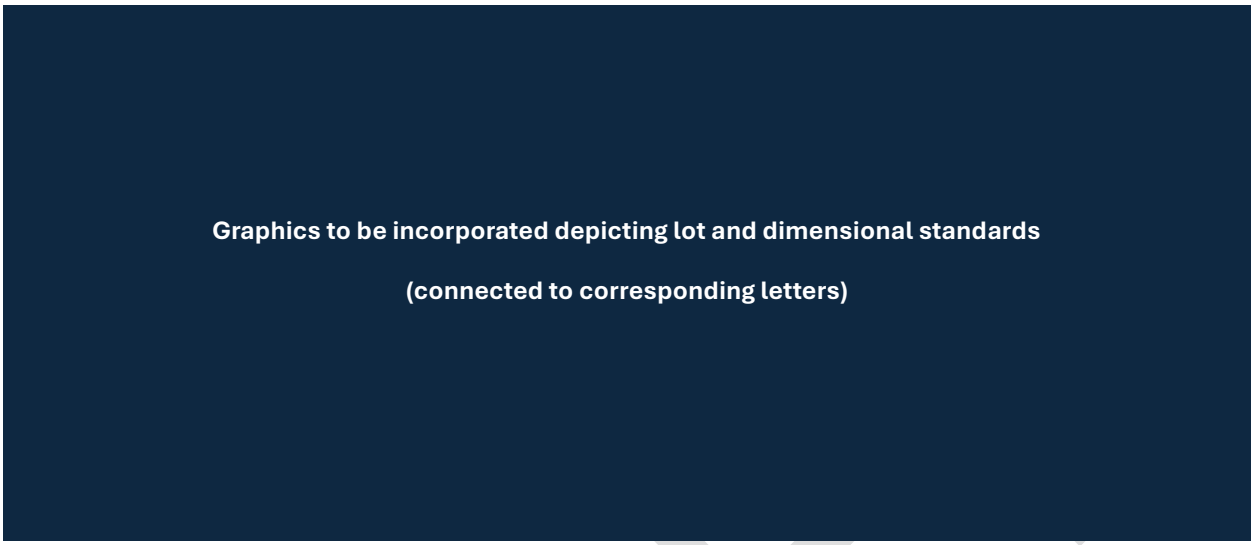
## E. General Industrial (GI)

### 1. Lot and Dimensional Standards

| | | |
|---|---|---|
| **Building Configurations and Quantities** | | |
| | Dwellings Per Structure (Max.) | N/A |
| | Connected Structures in a Row (Max.) | N/A |
| | Structures on Lot Containing Primary Residential Units (Max.) | N/A |
| **Lot Dimensions** | | |
| | Lot Size (Min.) | 10,000 sf |
| A | Lot Width (Min.)[2] | N/A |
| B | Lot Width (Corner/End Lot) (Min.) | N/A |
| **Setbacks (Primary Building)** | | |
| C | Front Setback (Primary Street) (Min.) | 25’ |
| D | Front Setback (Secondary Street) (Corner Lot) (Min.) | 25’ |
| | Front Setback (Street-Facing Garage) (Min.) | N/A |
| E | Side Setback (Min.)[3] | 10’ |
| | Side Setback (Shared Wall) (Min.) | N/A |
| | Side Setback (Non-Shared/Active Wall) (Min.) | N/A |
| F | Rear Setback (Min.)[3] | 10’ |
| **Setbacks (Accessory Building)** | | |

| | | |
|---|---|---|
| | From Primary Building (Min.) | 10’ |
| | From Any Other Accessory Building (Min.) | 5’ |
| | Side Setback (Min.) | 5’ |
| | Rear Setback (Min.) | 5’ |
| **Build-to Lines** | | |
| G | Build-to-Line (Max.) | N/A |
| | Primary Street Façade Buildout (Min. %) | N/A |
| | Secondary Street Façade Buildout (Min. %) | N/A |
| **Intensity, Height and Coverage** | | |
| H | Building Height (Max.) | 60’ |
| | Impervious Cover Per Lot (Max.) | 85 |
| **Parking Placement and Access** | | |
| | Parking Placement | N/A. Property located within the 29 Corridor Overlay District may use the parking standards located in Section 4.08F. Parking. |
| | Notes | |
| [1] Fire separation standards shall apply.<br>[2] Lot width shall be sufficient to allow for minimum driveway spacing required for the classification of street from which the lot is accessed.<br>[3] Increased setbacks may be required to promote compatibility adjacent to residential areas. | | |
| | Additional Requirements | |
| Section 4.10. Use Tables<br>Section 7.03. Dimensional Interpretations, Exceptions and Alternative Standards<br>Section 7.04. Building Design<br>Section 7.05. Non-Residential and Mixed Use Fence Standards<br>Section 7.06. Non-Residential and Mixed Use Development Quality Scoring System<br>Article 8. Tree Preservation and Landscaping<br>Article 9. Lighting<br>Article 10. Off-Street Parking, Circulation and Loading | | |

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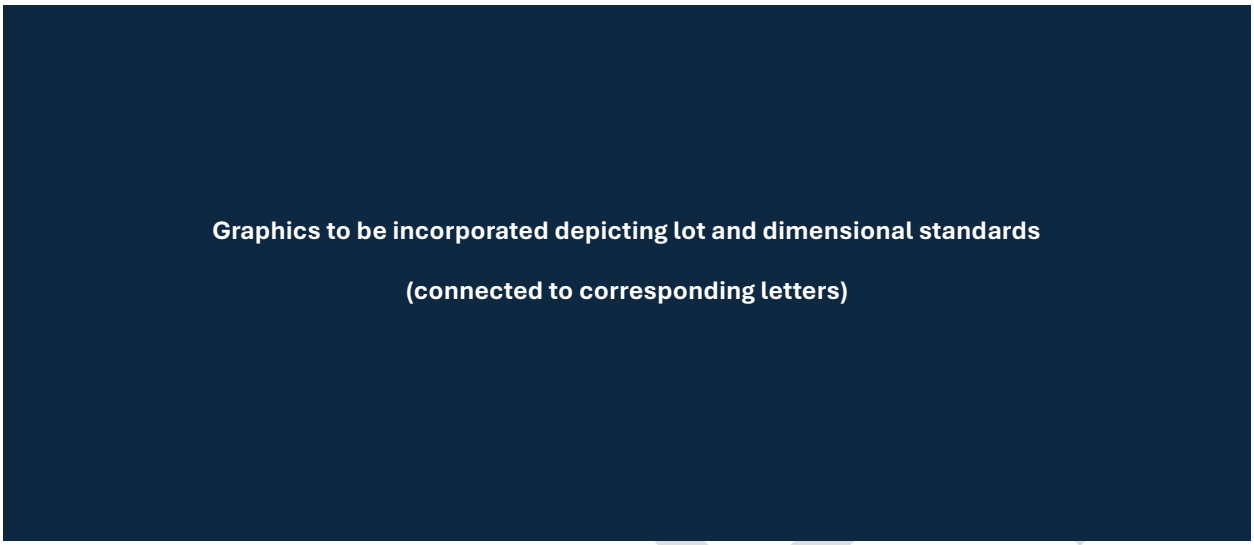

F. Public/Institutional (P)

1. Lot and Dimensional Standards

| | | |
|---|---|---|
| **Building Configurations and Quantities** | | |
| | Dwellings Per Structure (Max.) | N/A |
| | Connected Structures in a Row (Max.) | N/A |
| | Structures on Lot Containing Primary Residential Units (Max.) | N/A |
| **Lot Dimensions** | | |
| | Lot Size (Min.) | N/A |
| A | Lot Width (Min.)[2] | N/A |
| B | Lot Width (Corner/End Lot) (Min.) | N/A |
| **Setbacks (Primary Building)** | | |
| C | Front Setback (Primary Street) (Min.) | 20’ |
| D | Front Setback (Secondary Street) (Corner Lot) (Min.) | 15’ |
| | Front Setback (Street-Facing Garage) (Min.) | N/A |
| E | Side Setback (Min.)[3] | 5’ |
| | Side Setback (Shared Wall) (Min.) | N/A |
| | Side Setback (Non-Shared/Active Wall) (Min.) | N/A |
| F | Rear Setback (Min.)[3] | 5’ |
| **Setbacks (Accessory Building)** | | |

| | | |
|---|---|---|
| | From Primary Building (Min.) | 10’ |
| | From Any Other Accessory Building (Min.) | 5’ |
| | Side Setback (Min.) | 5’ |
| | Rear Setback (Min.) | 5’ |
| **Build-to Lines** | | |
| G | Build-to-Line (Max.) | N/A |
| | Primary Street Façade Buildout (Min. %) | N/A |
| | Secondary Street Façade Buildout (Min. %) | N/A |
| **Intensity, Height and Coverage** | | |
| H | Building Height (Max.) | 60’ |
| | Impervious Cover Per Lot (Max.) | 80 |
| **Parking Placement and Access** | | |
| | Parking Placement | N/A. Property located within the 29 Corridor Overlay District may use the parking standards located in Section 4.08F. Parking. |
| | Notes | |
| [1] Fire separation standards shall apply.<br>[2] Lot width shall be sufficient to allow for minimum driveway spacing required for the classification of street from which the lot is accessed.<br>[3] Increased setbacks may be required to promote compatibility adjacent to residential areas. | | |
| | Additional Requirements | |
| Section 4.10. Use Tables<br>Section 7.03. Dimensional Interpretations, Exceptions and Alternative Standards<br>Section 7.04. Building Design<br>Section 7.05. Non-Residential and Mixed Use Fence Standards<br>Section 7.06. Non-Residential and Mixed Use Development Quality Scoring System<br>Article 8. Tree Preservation and Landscaping<br>Article 9. Lighting<br>Article 10. Off-Street Parking, Circulation and Loading | | |

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G. Planned Unit Development (PUD)
See Section 4.07. Planned Unit Development District.

## Section 7.03 Dimensional Interpretations, Exceptions and Alternative Standards

A. Minimum Lot Size and Width Exceptions
No building permit or development approval shall be issued for a lot that does not meet the minimum lot size and width requirements of this UDC except in the following cases:

1. Nonconforming lots shall be used in accordance with the provisions set forth in Article 14. Nonconformities.
2. Utilities using land or an unoccupiable building covering less than 1,000 square feet of site area shall be exempt from minimum lot size standards.
3. The following types of lots, as defined in Article 15. Definitions, are exempt from the minimum lot size and width standards of this chapter:
    a. Open Space Lots;
    b. Landscape Lots;
    c. Drainage Lots;
    d. Median Lots; and
    e. Access Lots.

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B. Setbacks Generally

1. No building, structure, parking or other development feature shall be located within a required setback or yard unless otherwise specified in this Section.
2. When determining the setback for lots with more than one street frontage, other than corner lots, the Director shall determine the front lot line based on street classification, lot dimensions, building orientation, access, traffic flow, proximity of building to the street, and other best planning practices.
3. Any setback to a public street shall be considered a street setback and meet the required front setback for lot lines adjacent to the street. The Director may reduce the street setback to be consistent with the side setback of the district on a case-by-case basis based on lot configuration, building orientation, access, proximity of buildings to the street on lots on the same block and on either side of the street, and existing character of the district.

C. Setback Reductions and Exceptions

1. Front Setback, Build-to-Option

   a. For properties in the MN and MC Districts, the front setback may be reduced to zero feet from the right-of-way line or any applicable public easement, if at least 50 percent of the street-facing building wall of the principal structure is built within five (5) feet of the right-of-way line or applicable public easement or landscape buffer on the primary street.

   b. Notwithstanding the foregoing provision in Subsection a above, parking shall be set back at least 10 feet from the right-of-way line and shall not be located in a public easement or landscape buffer.

2. Side Setback, MN District
   Development in the MN District may have a zero side setback if access to the rear of the building is provided on the site or by a dedicated public alley.

3. Features Allowed Within Required Setbacks

   a. The following features may be located within a required setback:

      i. Landscape features (as defined in Article 15. Definitions).

      ii. Fences and walls.

      iii. Driveways.

      iv. Sidewalks.

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v. Minor Utilities.

vi. Mechanical equipment such as air conditioning units, pool pumps and similar equipment, but such equipment is not allowed in the front setback and is allowed in the side and rear setbacks only if such equipment cannot be reasonably located behind the structure.

vii. Sills, belt courses, cornices, buttresses, chimneys, flues, eaves and other architectural features that extend less than 18 inches into the setback.

viii. Parking may be located within a side or rear setback if:

(A) Such parking is located no closer than five (5) feet from the lot line; and

(B) The lot complies with the applicable bufferyard requirements in Section 8.04E.1.e. Bufferyards of this UDC.

ix. Waste containers, recycling containers and compactors screened in accordance with Section 8.04E.1.f. Screening when adjacent to same-zoned commercial sites with cross-access, and not abutting a residential use or zoning district.

x. Stormwater ponds, pursuant to the setback limitations and design criteria in Section 12.08. Stormwater Management System Requirements of this UDC.

b. None of the features above (except plant material and public sidewalks) shall extend into a public easement without approval of a License to Encroach (see Section 3.25).

c. Adjacent lots with a building or other permanent structure built across the shared lot line on or before the adoption date of this UDC, shall be treated as a single lot, with the shared lot line not considered for measurement of all dimensional standards.

D. Building Height

Reserved for graphics

1. Measurement

Building height refers to the vertical distance between the lowest finished grade at the edge of the building or the base flood elevation, where applicable, and:

a. The average height level between the eaves and ridge line of a gable, shed, hip, or gambrel roof;

b. The highest point of a mansard roof; or

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c. The highest point of the coping of a flat roof.

2. Exceptions to Height Limits
Except as otherwise expressly stated in this UDC, building height limitation shall not apply to any of the following:

a. Electrical power transmission and distribution lines;

b. Chimneys, chimney flues, or radio/television receiving antennas not to exceed 15 feet above the maximum building height;

c. Bulkhead, elevator, water tank or any other similar structure extending above the roof of any building where such structure does not occupy more than 33 percent of the area of the roof; and

d. Roof parapets, as described in this Article, may exceed the height limitations of this UDC by no more than 10 feet.

E. Height Limitation for Residential Adjacency

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1. No Non-Residential or Mixed Use structure shall be built within 25 feet of the property line of a single-family residential use.
2. Structures set back at least 25 feet from the property line may be up to 35 feet in height.
3. Structures may increase in height from 25 feet to their maximum allowable height at a rate of three (3) feet in height for every additional foot of setback starting from the required 25-foot residential adjacency setback line. Building facades may be stepped.

F. Residential Design Standards

1. Duplex and Townhouse
See Section 6.03D.a. Duplex and Townhouse.

2. Cottage Court Alternative Design Standards
See Section 6.03D.c. Cottage Court Alternative Design Standards.

3. Multi-Family
Multi-family development in the Non-Residential Zoning Districts is subject to the design standards of this Article 7. Non-Residential and Mixed Use Development Standards.

4. Single-Family Detached
Single-family detached development is subject to the design standards of Article 6. Residential Development Standards.

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5. Single-Family, Zero Lot Line
   See Section 6.03D.b. Single-Family, Zero Lot Line.

G. Conflicts
   Any platted property that has development standards (to include but not limited to impervious cover or setbacks) noted on the plat that are in conflict with the standards of this UDC, shall be subject to those development standards noted on the plat and none other shall apply.

## Section 7.04 Building Design

A. General
   In order to ensure a high quality, safe and sustainable built environment throughout the community, building design standards apply to all new buildings and expansions to existing buildings subject to this Article, except as specifically stated herein.

B. Structures Exempt from Building Design Standards

1. New buildings of less than 250 square feet and 15 feet in height are exempt from all requirements of this Section 7.04. Building Design.
2. Temporary buildings used for Temporary Uses, as identified in Section 4.10F. Accessory Uses and Standards, are exempt from the requirements of this Section 7.04. Building Design.
3. New buildings and expansions to existing buildings located in an Industrial (LI or GI) District shall comply with Section 7.04H. Industrial Design Standards, except that all requirements of Section 7.04. Building Design shall be applicable when those buildings are adjacent to a public park, Residential Zoning District, or an arterial or larger roadway as identified in the City's adopted Master Mobility Plan.
4. Where building expansions are less than 20 percent of the original structure's square footage, an applicant may request an Administrative Exception to those requirements of this Section 7.04. Building Design that are not met by the original structure, using the process established in Section 7.04F. Alternative Building Design and Section 3.15.

C. Building Elements

1. Color
   Side and rear walls shall be finished in a similar color as the front of the building. For sites with multiple buildings, outparcels/pad sites, secondary or accessory buildings, see Section 7.04E.2. Multiple Buildings.

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2. Roof Styles

   The following types of roof styles are prohibited:

   a. Mansard roofs and canopies without a minimum vertical distance of eight (8) feet and at an angle not less than 25 degrees and not greater than 70 degrees;

   b. Roofs less than or equal to a two-to-twelve (2:12) pitch unless full parapet coverage is utilized; and

   c. Back-lit awnings used as a mansard or canopy roof.

3. Roof Treatments

   a. Parapets shall be used on all flat roofs and meet the following minimum requirements:

      i. Parapets shall extend a minimum of two (2) feet above the roof line;

      ii. Parapets shall conceal all rooftop equipment located on a flat roof from the view of adjacent properties and rights-of-way;

      iii. Parapets shall adhere to the vertical and horizontal requirements for the relevant building wall as described in Section 7.04C.2. Roof Styles above;

      iv. Parapets shall require cornice detailing; and

      v. Parapets shall consist of similar materials and colors as the building walls.

   b. Where overhanging eaves are used, overhangs shall be no less than two (2) feet beyond the supporting walls.

   c. All roof-mounted mechanical equipment shall be screened from view on four sides in accordance Section 8.04E.1.f. Screening.

   d. Roof-mounted photovoltaic solar panels are not considered roof-mounted mechanical equipment for the purposes of this section, but any form of electrical conveyance equipment (e.g., inverters, electric panel) shall be screened.

   e. Roof lighting shall comply with the standards of Article 9. Lighting.

4. Entryways and Entrance Treatments

   a. Single-use or multi-tenant buildings over 60,000 square feet in size shall provide clearly defined, highly visible customer entrances that include an outdoor patio area that is a minimum of 200 square feet in area and incorporates the following:

      i. Shaded or otherwise covered entrances;

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ii. Benches or other seating components;

iii. Decorative landscape planters or wing walls that incorporate landscaped areas; and

iv. Structural or vegetative shading.

b. An internal pedestrian route must be provided from the perimeter public sidewalk to the primary public entrance.

i. Such routes must be:

(A) At least six (6) feet wide;

(B) ADA accessible; and

(C) Separated from vehicular areas by raised curbs and similar features except where necessary to cross drive aisles.

ii. Where pedestrian routes cross drive aisles, pedestrian routes must be distinguished from driving surfaces by textured pavement or painted pavement and lighting.

D. Building Articulation and Architectural Features

1. Purpose
To promote human-scaled design and reduce the appearance of large, uninterrupted wall surfaces, buildings must incorporate façade articulation and architectural features.

2. Applicability

a. Façade depth and height articulation is required for all building walls facing a public street or a Residential Zoning District.

b. Building articulation is not required for buildings that meet the criteria for Level 2 High-Quality Design as described in Section 7.06B. Points-Based Development Quality System.

3. Exceptions
Building articulation is not required in the following circumstances:

a. The building is less than 25 feet in height;

b. The building is set back at least 30 feet from the street-adjacent lot line(s); and

c. The building is screened by an opaque screening wall.

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4. Depth Articulation
   Building walls greater than 60 feet in length shall have a depth articulation of at least three (3) feet for every 30 feet of building façade.
   a. Depth articulation is not required for building walls less than 60 feet in length.
   b. The depth articulation requirement applies only below the roofline.
5. Height Articulation
   Building walls shall not extend more than three times the building's average height without a change in vertical elevation of at least 20 percent of the building's average height.
   a. The height articulation shall extend laterally for, or cumulatively equal, a distance equal to at least 50 percent of the building's average height.
   b. Pitched roofs do not require height articulation.
6. Architectural Features
   In addition to the horizontal and vertical articulation requirements, all building walls shall incorporate at least three of the architectural features listed in Subsection a and Subsection b below. Building walls greater than 100 feet in length or buildings greater than 30 feet in height shall incorporate an additional two items from Subsection b below.
   a. Awnings, canopies, arcades, alcoves, windows, projections, ornamental cornices, pillar posts, decorative light features, variation in building wall materials, integrated planters or water features, or other similar building element features as approved by the Director.
   b. Offsets, covered porches, stepped-back heights, porticos, varied wall surfaces, or other similar building elements as approved by the Director.

E. Architectural Compatibility

1. Building Walls
   All building walls facing a public street, public park, or adjacent Residential Zoning District shall be designed with consistent architectural style, detail, and trim features as required by the provisions of this Section 7.04. Building Design. The building materials, color, window and entrance door details, and other similar architectural elements on these walls shall continue onto and be compatible with the architectural elements on the adjoining walls for the length of the adjoining walls.

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2. Multiple Buildings

   Sites with multiple buildings, outparcels/pad sites, secondary, and accessory buildings shall be designed to employ architectural elements that are integrated with and common to those used on the primary structure of the site. Architectural elements shall be deemed compatible if consistent in, but not limited to: building materials, color, roof style and pitch, and architectural design and detail. For structures on outparcels/pad sites, all exterior walls shall meet the highest level of treatment outlined in Section 7.04E.1. Building Walls above and the preceding sections.

F. Alternative Building Design

   To provide flexibility in the attainment of harmonious building design, an applicant may request an Alternative Building Design using the Administrative Exception process detailed in Section 3.15. of this UDC. An Alternative Building Design may be proposed to the provisions for the Building Articulation and Architectural Features, Building Elements, and Architectural Compatibility Sections of this chapter. The Director shall consider the following criteria and standards in determining whether to grant an Administrative Exception for an Alternative Building Design:

   1. Whether, if the Administrative Exception is granted:
      a. The design would meet the intent, if not the letter, of the design standards set forth in this Section;
      b. The design would produce an aesthetically pleasing building(s) that is comparable to buildings meeting the minimum design standards of this Section 7.04. Building Design;
   2. Alternative materials such as wood, metal, and glass if they are incorporated into an overall architectural design in an appropriate manner;
   3. The locations of building walls in relation to an interior public street or an exterior public street in regards to a commercial, mixed use, or industrial development;
   4. If building walls are significantly screened from view by other buildings on site, natural features, or fencing; and
   5. A variety of building elements or design techniques, additional screening or landscaping or other site design features are used.

G. Big Box and Multi-Unit Retail Standards

   1. Purpose

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These standards are provided for the purpose of integrating high-quality design elements in large commercial uses and reducing the visual impact of long walls, large parking areas, and other characteristics common to the use and function of such buildings.

2. Applicability
   The standards of this section apply to:

   a. All individual commercial uses over 30,000 square feet; and

   b. All attached commercial uses with two (2) or more units within the MC District.

3. Requirements
   In addition to the design standards of this Article, uses of this type must meet the following standards:

   a. Must be developed as part of a coordinated commercial or horizontal mixed use center, rather than as a standalone building. As part of the site development permit, proposed uses of this type must:

      i. Provide a range of storefront sizes, varying the scale and setback of facades to relieve the appearance of a long, uniform plane.

      ii. Orient primary facades toward adjacent roadways, pedestrian walkways, plazas, or shared gathering spaces rather than exclusively toward parking areas.

      iii. Establish a cohesive site design through consistent architecture, lighting, signage, and other streetscape elements.

      iv. Integrate shared access, cross-access, and internal circulation standards that allow the site to function as part of a connected corridor rather than an isolated development.

      v. Provide opportunities for pedestrian connections to storefronts and neighboring developments.

   b. Individual commercial uses over 30,000 square feet must:

      i. Incorporate smaller retail, restaurant, or service spaces that complement the anchor tenant and create a more diverse commercial environment.

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ii. Avoid blank wall segments exceeding forty (40) feet in length through the use of windows, architectural offsets, changes in material, awnings, canopies, or similar architectural features.

iii. Incorporate canopies, awnings, recesses, increased glazing, or similar architectural features to emphasize primary public entrances.

iv. Locate parking to the side or rear, with enhanced landscape, streetscape, and pedestrian design standards applied where front parking is necessary.

v. Create public open spaces and pedestrian amenities that support activity beyond the big-box development.

H. Industrial Design Standards

1. Purpose
These standards are provided for the purpose of integrating large industrial buildings with their developed surrounding and natural environment and reducing the visual impact of long, concrete walls, truck bays, outside storage, bulky building profiles, and other characteristics common to the use and function of such buildings.

2. Applicability

a. All new buildings or additions permitted within the LI and GI Districts that are not otherwise exempted by this Section shall comply with this Section.

b. Buildings or walls of buildings in the LI and GI Districts that comply with stricter standards in Section 7.04. Building Design shall be exempt from the requirements of Section 7.04H.4. Building Elements below.

3. Required Elements
Buildings within the LI and GI Districts shall be constructed with the following on any facade visible from a right-of-way or property not zoned LI or GI:

a. Multiple horizontal and vertical changes in surface texture, color, or pattern of architectural joints or seams;

b. Decorative reveals along all joints between concrete tilt-wall panels;

c. Windows or glazing comprising at least seven (7) percent of the gross area of the façade; and

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d. Truck bays, loading areas, and outdoor storage areas must be located to the side or rear of the building and screened from view of from any right-of-way or property not zoned LI or GI by an opaque screen.

4. Building Elements

a. In addition to the required elements in Subsection 3 above and site elements in Subsection 5 below, buildings in the LI and GI Districts shall be constructed with at least three (3) of the following on any facade visible from a right-of-way or property not zoned LI or GI:

i. Exterior surface painted in a neutral color;

ii. Wall articulation meeting the minimum standards of Section 7.04D. Building Articulation and Architectural Features;

iii. Architectural features meeting the minimum standards of Section 7.04D.6. Architectural Features;

iv. Windows or glazing comprising at least 20 percent of the gross area of the façade;

v. Change in surface finish material comprising at least 20 percent of the gross area of the façade;

vi. Decorative cornices extending a minimum of three (3) feet from the vertical surface of the façade; or

vii. Decorative recessed lighting extending the full height or at least 30 percent of the length of a façade.

5. Site Elements

a. In addition to the required elements in Subsection 3 and the Building Elements in Subsection 4 above, buildings in the LI and GI Districts shall be constructed with at least two (2) of the following site elements between any facade visible from a right-of-way or property not zoned LI or GI:

i. Enhanced landscaping consisting of a continuous planting area of trees and shrubs reaching an average mature height of at least 10 feet and planted in close proximity to the façade of the building so that the façade surface is not visible behind the landscaping from any parking area or sidewalk;

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ii. Continuous berms extending an average height of five (5) feet between the façade and the street;

iii. A decorative water feature measuring at least half the width of the façade that maintains a constant water surface and incorporates a fountain, aeration, or other similar active feature and which may also function as a stormwater management facility;

iv. Landscaping for the site and parking areas that is at least double the requirements of those in Section 8.04E.1.f.ii. Parking Lot Screening;

v. A continuous decorative wall or fencing between four (4') and six (6') feet in height that is not a screening device required under Section 8.04E.1.f.ii. Parking Lot Screening; or

vi. The entire façade is set back a distance that is at least double the required building setback.

## Section 7.05 Non-Residential and Mixed Use Fence Standards

A. Purpose

Standards governing fences are established to allow for privacy, access to light and air, the protection of property, assurance of safety and security, and an aesthetic appearance consistent with the quality of life standards of Liberty Hill. For the purposes of this section, fences shall include all barrier structures meant to provide security or block views of property, and include walls, fences, or similar structures.

B. Permit Required

A fence permit is required to erect any fence on property within the City limits unless otherwise specified below.

1. A permit is not required for agricultural uses.
2. A permit is not required for pet or livestock, garden, or similar fencing if such fence is located interior to a property that contains a perimeter fence.
3. A permit is not required for minimal alterations, such as replacements of pickets, panels, posts, or other materials as long the changes do not exceed one-third (⅓) of the facing of the fence. Such alterations shall be in compliance with the original permit and/or the provisions of this Code. Any vertical or linear additions shall require a new permit.

C. General Requirements

The following apply to all fences within the Non-Residential and Mixed Use Districts.

1. Structural Integrity
   All fences shall be constructed to perpetually maintain structural integrity against natural forces such as wind, rain, and temperature variations. Fences constructed of chain link, welded wire, picket or similar materials shall require a minimum of two (2) support rails spaced at least one-half of the total height of the fence apart.

2. Maintenance
   Fences shall be kept in good repair and in a safe and attractive condition, consistent with the design established with the fence permit.

3. Fence Materials

   a. Allowed
      Wood, stone, rock, brick, precast concrete fences, decorative wrought iron, welded wire or other similar materials of comparable aesthetic and durability. The Director or Building Official may consider other durable rot/heat resistant alternatives. Allowed materials may be restricted in certain circumstances, per the provisions of this Section, and are allowed by right in all other instances. Materials such as barbed wire, razor wire and electric fencing are only allowed with the limitations specified in this Section.

   b. Prohibited
      Products manufactured for other uses and not originally intended to be permanent fencing are prohibited. Some examples of prohibited material include but are not limited to: Plywood, paper, plastic, fiberglass panels, chicken wire, fabric, or sheet, roll or corrugated metals.

4. Height Measurement
   Fence height shall be measured from ground level on the higher side of the fence or wall.

5. Finished Side of Fence
   For all fences, the finished "face" side of the fence (opposite the structural supports) shall face all public streets and public parkland.

6. Sight Triangle
   In accordance with the "sight triangle" requirements in Section 6.05C.6. Intersection Sight Visibility Triangle of this UDC, no fence or wall more than 25 percent solid or more than three (3) feet tall shall be located within 25 feet of the right-of-way at the intersection of two streets or within eight (8) feet of the intersection of a street and an alley.

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7. Messages and Signs
   All messages or advertising on fences or walls shall be considered signage and are not allowed on fencing unless permitted in accordance with the sign provisions of Article 13. Sign Standards of this UDC.

8. Temporary Fences
   Temporary fences are allowed without a fence permit, but only for a site with an active building permit, Stormwater Permit, or part of a roadway construction project. The temporary fence shall be removed at the expiration of such a Permit or the conclusion of construction, whichever occurs first. Temporary fences needed for any other purposes are permitted and shall receive a fence permit from the Building Official.

9. Electric Fences
   Electric fences are allowed without a fence permit, subject to the following:

   a. Electric fences shall not be permitted within 10 feet of any public rights-of-way or sidewalk.

   b. Electric fences shall be placed a minimum of two (2) feet from all private property lines.

   c. A "Warning: Electric Fence in Operation" sign at least 12" x 12" in size shall be posted at intervals of not more than 50 feet apart and located not more than one foot away from the fence.

   d. Unless otherwise specified in this Section, electric fences must be installed in conformance with the specifications set forth in the City's electrical code and the International Electroctechnical Commission Standard No. 60335-2-76. In addition, the electric fence controller must meet the requirements of Underwriters Laboratories Standard UL69, Electric-Fence Controller, and labeled as such.

   e. The electric fence controller and emergency entry key safe for the electric fence must be located in a single accessible location for the entire fence.

10. Drainage and Utility Conflicts
    All fencing that will cause a diversion of water runoff or otherwise prevent the natural flow of stormwater shall require review by the City Engineer prior to approval. Walls or other fencing proposed to be located near a public utility easement or buried or above-ground utility equipment that are made up of masonry or a similar product and containing a poured foundation shall require review by the City Engineer prior to

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approval, and may require a License to Encroach pursuant to Section 3.25. License to Encroach.

11. Health and Safety
    All fences and fencing locations shall comply with the requirements of the adopted building code, fire code, or any other health and safety provision adopted by the City. In the event that a building code or fire code requirement supersedes any provision in this section or would make such provision unworkable, those codes shall govern.

D. Multi-Family Fences
Fences for multi-family and mixed use dwellings are allowed in accordance with the following provisions. The following shall not preclude compliance with any required screening or bufferyard provisions of this UDC:

1. Wrought iron or similar material is allowed within the front and side setbacks abutting a local or collector level street at a maximum height of six (6) feet. No other fence materials are allowed in such setbacks.
2. Wood fencing is allowed on property lines abutting private property, but not allowed in any street setback.
3. Residential boundary wall requirements in Section 6.05E. Residential Boundary Walls shall be met.

E. Non-Residential and Mixed Use Fences
Fences for non-residential and mixed uses are allowed in accordance with the following limitations. Non-residential and mixed use fences shall be constructed of materials that are architecturally compatible with the principal structure.

1. Fences located within a front or side setback abutting a local or collector level street are allowed with the following limitations:
    a. Fences shall be limited to four (4) feet in height.
    b. Fences shall be at least 50 percent transparent. For example, a wrought iron fence or a picket fence with openings the width of the picket.
    c. Chain link fences are prohibited within these locations.
2. Fences located in a required setback adjacent to a public right-of-way shall not be located in a public or landscape easement.
3. Fences located along a lot line shall not exceed eight (8) feet in height, unless otherwise specified in this UDC.

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4. The finished side of all fences built to comply with any provision of this UDC shall face outward toward each adjoining property.
5. Fences in and/or around sports fields, courts, and playgrounds are allowed when set back from all property lines at a distance that is twice the height of the sports fence. The fences shall be a maximum height of 15 feet. The fences may be of chain link as well as other allowed fence materials in residential districts.
6. .
7. Exceptions

    a. Fences for industrial uses may be located in any street setback, but no closer than 10 feet from the right-of-way line. Such fences may not exceed six (6) feet in height.

    b. Fences for industrial and utility uses may use barbed wire above any conventional six-foot fence as long as the total height does not exceed eight (8) feet. Arms carrying barbed wire must extend inward or straight up. Such fences shall be located a minimum of 20 feet from a public right-of-way.

    c. Fences using razor ribbon or razor tape are allowed only in conjunction with a jail or other public detention or correctional facility. Such fences shall be located a minimum of 40 feet from the public right-of-way.

    d. Fences using materials required by another governmental entity for a stated safety or security purpose may be allowed using appropriate height, materials and locations determined by the Director.

F. Alternative Fences

Through the Administrative Exception process detailed in Section 3.15 of this UDC, the Director may consider alternatives to the provisions of this Section except where superseded by processes and restrictions of other areas of the UDC. Justifiable reasons to consider an alternative include, but are not limited to, the protection of trees, the location of existing structures on a site, location and materials of existing fences, unique topographical or other physical constraints. In addition, the Director is authorized to determine whether direct application of this Section would create an unsightly effect and could be better achieved with an alternative design. The Administrative Exception may be granted if the Director determines that the proposed alternative clearly meets or exceeds the quality of design that this Section seeks to promote and that the following assurances listed below are met.

The following may be proposed to the Director for an alternative:

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1. Fence location, as long as the alternative location does not affect health and safety standards and can be proven to be seamlessly integrated with the surrounding neighbors and design of the neighborhood.
2. Fence height, as long as evident safety concern arises from the height standards provided for in this Section.
3. An Administrative Exception is not required for any health and safety determination, hazardous material security, or any other exceptions explicitly stated in this section.

G. Fences Required by Particular Zoning Uses

This Section contains provisions for fencing materials, heights, and locations associated with particular uses that are allowed with limitations in certain zoning districts. See the standards applicable to specific uses in Section 4.10. Use Tables.

## Section 7.06 Non-Residential and Mixed Use Development Quality Scoring System

A. General

1. Purpose

The Non-Residential and Mixed Use Development Quality Scoring System is established to encourage high quality design supportive of the Comprehensive Plan vision, goals, objectives, and recommendations by establishing a system by which an applicant can achieve greater flexibility for development through provision of certain desirable design and performance characteristics.

2. Voluntary Nature and Agreement

a. It is hereby established that an Applicant utilizing the provisions of this Section for regulatory flexibility does so voluntarily and in a binding manner. The City may require execution of agreements to document use of these provisions, ongoing maintenance responsibilities, and recording in the public records of the County.

b. A developer seeking incentives under the provisions of this Section must clearly identify the following in the Site Development Permit application materials submitted to the Director for review:

i. The building and/or site design elements included in the proposed design;

ii. The proposed incentive(s) to be used, with identification of where such incentives are applied to or in the proposed development; and

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iii. The changes or alterations to the development standards represented by use of the incentives (e.g., identification of the maximum height of a building permitted under the base district standards where an incentive-based increase is proposed).

3. Applicability
   This Section applies to new construction in the Non-Residential and Mixed Use Zoning Districts, MN, MC, LI, GI, and P.

B. Points-Based Development Quality System

1. Purpose
   In order to encourage quality development beyond minimum standards, thus providing a high quality, safe and sustainable built environment throughout the community, the following Non-Residential and Mixed Use Development Quality Scoring System incentives are available to all new buildings and expansions to existing buildings subject to this Article, except as specifically stated herein.

2. Calculation and Cumulative Impact

   a. The incentive bonus options provided in this Section shall be calculated based on the by right measures allowable in the applicable district per this Article 7. Non-Residential and Mixed Use Development Standards.

   b. Incentive bonuses may be applied cumulatively to a development.

3. Limitations

   a. The incentive bonus options provided in this Section shall not allow a structure to be built in a manner that is prohibited by Section 7.03E. Height Limitation for Residential Adjacency.

C. Non-Residential and Mixed Use High-Quality Design Elements

1. Structured Parking Incentive
   A development that provides structured parking for a minimum of 60 percent of the required off-street parking may request two (2) of the following incentives to be applied at the Site Development Plan phase:

   a. Reduce the required minimum parking ratio by 40 percent.

   b. Increase the maximum height by 10 feet in the MN District and 20 feet in the MC, LI, and GI Districts.

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c. Increase the maximum impervious cover by 10 percent, subject to compliance with provisions other than the maximum impervious cover established in Section 7.02. Development Standards by District.

2. Design-Based Incentives

a. Level One Enhancement Incentive
A development that provides one (1) additional High-Quality Design feature from each of subsections c. Amenities and Building Design High-Quality Design Eligible Features, d. Site-Based High-Quality Design Eligible Features, and e. Sustainability-Based High-Quality Design Eligible Features, may request one (1) of the following incentives to be applied at the Site Development Plan phase:

i. Reduce required off-street parking by 10 percent.

ii. Increase the maximum height by 10 feet.

iii. Increase the maximum impervious cover by 10 percentage points, subject to compliance with provisions other than the maximum impervious cover established in Section 7.02. Development Standards by District.

b. Level Two Enhancement Incentive
A development that provides two (2) additional High-Quality Design feature from each of subsections c. Amenities and Building Design High-Quality Design Eligible Features, d. Site-Based High-Quality Design Eligible Features, and e. Sustainability-Based High-Quality Design Eligible Features, may request one (1) of the following incentives to be applied at the Site Development Plan phase:

i. Reduce required off-street parking by 20 percent.

ii. Increase the maximum height by 20 feet.

iii. Increase the maximum impervious cover by 20 percentage points, subject to compliance with provisions other than the maximum impervious cover established in Section 7.02. Development Standards by District.

iv. Exempt the development from the building articulation standards of Section 7.04D. Building Articulation and Architectural Features.

c. Amenities and Building Design High-Quality Design Eligible Features

i. 75 percent masonry on all facades of all buildings visible from a public or private street, and interior driveways that function as a private street, driveway, or fire lane and provide direct access to individual units.

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ii. Awnings or canopies on at least 50 percent of windows. Windows recessed into patios and balconies may count towards this option.

iii. Use of Mansory Alternatives on no more than 20 percent of any facades; provided that all buildings visible from a public or private street, including interior driveways, have a consistent appearance and use of such materials.

iv. Corner treatments on all buildings consisting of at least one (1) change in slope (for hipped or gabled roof) or non-horizontal element (for flat roof) per corner, a horizontal cornice projection of at least eight (8) inches, bracketed eaves, or similar treatment. The corner treatment must extend at least 10 percent of the length of building elevation.

v. Corner or wraparound balconies on each floor of each building.

vi. At least 75 percent of windows include decorative features such as multi-pane or mullioned glass, arched forms, painted or treated cedar or cementitious fiber shutters, brick soldier course, or similar.

vii. Use of standing seam metal roof or terra cotta tile material on hipped or gabled roof.

viii. Use of a muted, earth-toned color palette for all building materials.

ix. Roof overhangs, cornice projections, or eaves, a minimum of 2 feet, on all roof lines.

x. Additional wall insets or projections above the minimum required.

xi. Arcade or colonnade, minimum 8 feet in height and spanning at least 50 percent of the length of a street-facing façade.

xii. Arched forms (prominent or repeating)

xiii. Outdoor patios at least 250 square feet and exclusive of sidewalks.

xiv. Artistic architectural details such as friezes, tile work, murals, 3D brick patterns, or moldings.

xv. Integrated planters or knee walls with landscape and sitting areas.

xvi. Offsets, reveals, pilasters, projecting ribs, or other 3D features incorporating or suggesting architectural or structural members.

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xvii. Other contrasting detailing such as banding along 50 percent or more of the building exterior or mottled brick on 50 percent or more of the masonry surface.

xviii. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, non-directional or indirect light strips, or decorative pedestal lights in conformance with Article 9. Lighting.

xix. Prominent three-dimensional building features, such as belfries, clock towers, domes, spires, steeples, or other tower elements extending at least 20 percent higher than the average of the abutting roof line up to 10 feet over the maximum building height.

xx. Curved, concave, or convex wall, roof or corner forms on one or more facades or building corners.

d. Site-Based High-Quality Design Eligible Features

i. In the MC, LI, and GI districts, placement of at least 50 percent of the parking area on the same lot to the side or rear of all buildings or have no more than one double-loaded row of parking between the building and the street.

ii. Arranging parking so that at least 50 percent of street frontage that does not abut a building face (i.e., a portion of the building with no parking between it and the public or private right-of-way line) abuts open space.

iii. Useable Open Space. Designating 10 percent or more of the site or total development as shared access usable open space with at least one street frontage, and with a minimum dimension of 50 feet and containing items such as seating, playgrounds, water features, seasonal plantings in decorative planters, decorative bollards, textured paving, living wall, mural, decorative lighting, trash receptacles, USB charging stations, available public water for people and for pets, electrical hook-ups to allow programming, or a comparable amenity proposed by the developer. Useable Open Space shall not include any paving designed to convey motor vehicles, parking lot tree islands, the building footprint, areas containing above-ground utilities, required landscaping, gated or private open space not accessible to the general public.

iv. Complementing or "mirroring" a feature of an adjacent development through framing, connected open space, landscaping patterns, street design,

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pavement, sidewalks, building layout, or other substantial feature beyond the minimum City requirements.

v. Providing patios for outdoor dining equivalent to 5 percent of the site or 30 percent of planned restaurant dining area.

vi. Providing a parking reclamation plan in coordination with the Director to convert future unneeded parking into value-add space such as buildings or parks. At a minimum, the plan must address circulation, pedestrian connections, utilities, and drainage.

vii. Providing extra-wide sidewalks (15 feet or more) along the front facade of each building.

viii. Arranging Useable Open Space so that no boundary of the open space faces an off-street parking area.

ix. Providing public art equivalent to one (1) percent or more of overall project cost.

x. Utilizing decorative pavement for 25 percent or more of hardscape, including stamped concrete or pavers. Applied patterns are not acceptable except for use as public art.

xi. Providing at least one entryway feature such as a monument or archway that is not used for advertising any tenants, but which may display the name of the development or the City.

xii. Providing a landmark feature such as a roundabout, strazza (a curbless street section that can be closed to vehicle traffic and utilizes a free mixture of vehicles and pedestrians through pavement design and traffic calming), clock tower, fountain or aerated pond, or promenade.

xiii. Designating a feature building on a view axis framed by additional buildings or trees (must provide at least 20 percent vertical building articulation to complete framing effect).

xiv. Locating all drive-thru lanes and windows behind or to the sides of all buildings and not between the public or private right-of-way and the front of the building or an open space.

xv. Increasing the provision of shrubs by at least 25 percent over minimum requirements, including native plantings and flowers with seasonal color and

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locate within beds or permanent metal or clay-fired planters either: within 20 feet of the front building facade; or clustered in gardens accessible to the public.

xvi. Using one or more decorative bridges, which may include bridge culverts, that are integrated with a water feature which may be a detention/retention pond. The bridge should conform to and be a coordinated element of an established design motif used throughout the development's common areas by employing natural stone or brick veneer, wrought iron railings, downward-directed lighting, and decorative insets. The development should be laid out such that decorative bridges can be seen from multiple viewing angles and are designed for convenient pedestrian access.

e. Sustainability-Based High-Quality Design Eligible Features

i. Altering the topography and elevation of the site by no more than four (4) feet across 80 percent of the site.

ii. Designing the development to achieve at least one net zero certification following construction from the following: carbon emissions, energy-use, water-use, or waste. Provide third-party certification that the design qualifies to receive certification.

iii. Preserving at least 35 percent of the site in its natural, unaltered, state.

iv. Providing at least four (4) square feet of residential space for each one (1) square foot of retail within the development.

v. Use of at least 50 percent of the site according to Texas Parks and Wildlife Management Recommendations for Native Insect Pollinators in Texas, as a certified Texas Wildscape, Monarch Waystation, or similar third-party designation approved by the Director as indicating consistency with City environmental conservation goals.

vi. Provide additional large trees every 30 to 50 feet along south and west facing building facades.

vii. Providing an on-site alternative energy system producing at least 25 percent of the average energy consumed by the development.

viii. Incorporating a rainwater harvesting system capable of capturing a one (1) inch rainfall event for 25 percent of the roof area.

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ix. Including stormwater or grey water reclamation for on-site reuse equivalent to 100 percent of design irrigation volume.

x. Protecting at least one (1) Heritage Tree or two (2) Protected Trees within a Useable Open Space or entryway feature.

xi. Incorporating stormwater management practices that disperse drainage and minimize the velocity of concentrated water flows through the use of check dams or landscaping, and direct sheet flow to areas of vegetation throughout the site, subject to approval by Director and City Engineer.

xii. Using at least two (2) permanent natural filtration methods to treat and filter runoff: multi-layered plantings, planter boxes, bioswales, bioretention ponds, tree box filters and constructed wetlands.

xiii. Using high-albedo materials to reduce heat island effect, defined as use of roof products that reflect at least 78 percent of sunlight (solar reflectivity index of at least 78) on roofs with a pitch of less than or equal to 2:12 or 29 percent of sunlight (solar reflectivity index of at least 29) on a roof pitch greater than 2:12.

xiv. Providing dry wells or infiltration trenches to capture rooftop and driveway runoff for all buildings and parking areas.

xv. Providing rainwater harvesting systems with an automatic irrigation system for captured water to water on-site landscaping per TCEQ requirements.

xvi. Preserving all 100-year floodplain (based on best available data) in a natural condition.

xvii. Using a vegetative green roof to reduce heat island effects for at least 50 percent of the entire roof surface.

xviii. Reclaiming a site that was at least 50 percent paved as an existing parking lot for building or open space construction.

xix. Creating a landscaping plan that makes use of native, drought-tolerant plants that do not require in-ground irrigation. In lieu of sod or turf, drought-resistant plantings may be combined with coordinated Hardscapes sealed by a landscape architect for the purpose of fulfilling this option.

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# Article 8 Tree Preservation and Landscaping

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# Article 9 Lighting

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# Article 10 Off-Street Parking, Circulation and Loading

## Section 10.01 General

A. Authority

The provisions of this chapter are adopted pursuant to Texas Local Government Code Chapter 211 and the City Charter.

B. Purpose

Off-street parking, circulation, and loading requirements are established to ensure that all developments within the City provide adequate and reasonable parking necessary to serve the development or use. For driveway design and construction standards, see Section 11.05.

C. Applicability

The off-street parking and loading standards of this Section apply in the following circumstances, in addition to any supplemental standards or requirements provided for this UDC:

1. New Development

   The off-street parking and loading standards apply to any new building constructed and to any new land use that has been established.

2. Expansions and Alterations

   The off-street parking and loading standards of this Section apply when an existing structure or use is expanded or enlarged. Additional off-street parking and loading spaces will be required to serve the entire building or use. The number of off-street parking and loading spaces provided for the entire use (pre-existing + expansion) shall be equal to at least 100 percent of the minimum requirement established in the off-street parking requirements table of this Section.

3. Change in Use

   The off-street parking and loading standards may be required for compliance if a use changes, as provided in Article 14. Nonconformities of this UDC.

D. Administrative Modification

At the request of the applicant, the Director may grant a reduction of the requirements by up to 10 percent.

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E. Timing of Installation
Required parking spaces and drives will be ready for use and approved by the Director prior to issuance of a Certificate of Occupancy.

F. Rules for Computing Requirements
The following rules apply when computing off-street parking and loading requirements:

1. Multiple Uses
Lots containing more than one (1) use must provide parking and loading in an amount equal to the total of the requirements for all uses.

2. Fractions
When measurements of the number of required spaces result in a fractional number, any fraction of one-half (½) or less will be rounded down to the next lower whole number and any fraction of more than one-half (½) will be rounded up to the next higher whole number.

3. Area Measurements
Unless otherwise expressly stated, all square-footage-based parking and loading standards shall be computed on the basis of gross floor area, which for purposes of computing off-street parking requirements, shall mean the gross floor area of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings and shall include the following areas:

a. The area of each floor of the structure.

b. All attic space used for active commercial space.

4. Occupancy-Based Standards
For the purposes of computing parking requirements based on employees, students, residents, or occupants, calculations shall be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable, and whichever results in the greater number of spaces.

## Section 10.02 Parking Requirements

A. Minimum Requirements
Existing parking and loading spaces may not be reduced below the requirements established in this Section without approval of an Alternative Parking Plan (see Section 10.04. Alternative Parking Plans) by the Director. Any change in use that increases applicable off-street parking or loading requirements shall use the requirements in Article

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14. Nonconformities shall be reviewed on a case-by-case basis to determine if improvements are needed.

B. Parking Exceeding Minimum Requirements

1. Maximum Requirements

a. For development that requires 20 spaces or less, new development shall not provide more than 50 percent more than the minimum number of off-street vehicular parking spaces required by Section 10.02C. Off-Street Parking Requirements based on the proposed use(s).

b. For development that requires between 20 and 200 spaces, new development shall not provide more than 10 percent more than the minimum number of off-street vehicular parking spaces required by Section 10.02C. Off-Street Parking Requirements based on the proposed use(s).

c. For development that requires more than 200 spaces, new development shall not provide more than 75 percent more than the minimum number of off-street vehicular parking spaces required by Section 10.02C. Off-Street Parking Requirements based on the proposed use(s).

2. Each parking space in excess of the required parking shall be calculated as one and one-half (1 ½) stalls for purposes of the required shade trees per Section 8.04E.1.d.iii. Shade Trees.

C. Off-Street Parking Requirements

1. The off-street parking requirements for each land use category are listed in the Use Tables in Article 4. Zoning Districts and Uses:

a. Residential Uses, Section 4.10A. Residential Uses and Standards.

b. Public and Civic Uses, Section 4.10B. Public and Civic Uses and Standards.

c. Commercial Uses, Section 4.10C. Commercial Uses and Standards.

d. Industrial Uses, Section 4.10D. Industrial Uses and Standards.

e. Agricultural Uses, Section 4.10E. Agricultural Uses and Standards.

f. Accessory and Temporary Uses, Section 4.10F. Accessory Uses and Standards.

2. All off-street parking shall be provided on paved driveways or other improved surfaces. Improved surfaces may include, but are not limited to, pavers and geogrid, as approved by the City Engineer.

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D. Design-Based Parking Reductions

See Section 7.06. Non-Residential and Mixed Use Development Quality Scoring System for off-street parking reductions available to Non-Residential and Mixed Use developments which incorporate high-quality design features.

## Section 10.03 Parking Space and Parking Lot Design

A. Location of Required Parking

Except as expressly stated in this UDC, or in an approved Alternative Parking Plan (see Section 10.04. Alternative Parking Plans), all required off-street parking spaces must be located on the same lot as the principal use.

B. Residential Parking Criteria

1. Driveways for Dwellings

    a. All residential development types must provide off-street parking in accordance with Section 4.10A. Residential Uses and Standards.

    b. Each single-family detached dwelling unit must provide a driveway serving a garage or carport that includes a sheltered, enclosed garage or carport area with a minimum clear interior dimension of at least 20 feet by 20 feet, and is capable of accommodating two (2) vehicles side-by-side.

        i. Cottage court development is exempt from this requirement.

2. Tandem parking is permitted for residential uses when located in front of a garage that is attached to a dwelling unit. Tandem spaces may only be assigned to the dwelling unit to which the garage is attached.
3. Driveway Maintenance

Improved driveways and improved surfaces shall be maintained in good and safe condition, free of holes, cracks, spoiling, or other failures that may affect the use, drainage, or longevity of the material. This shall not prohibit the use of approved surfaces specifically designed to include an alternative component, for example, grass or sand between paving stones.

4. Street Yard Coverage

    a. For non-corner residential lots, no combination of improved driveways and improved surfaces shall cover more than 50 percent of the street yard, as defined in Article 15. Definitions. For corner residential lots, no combination of improved

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driveways and/or improved surfaces shall cover more than 25 percent of the street yard.

b. The regulations of this Subsection shall not prohibit the construction of the minimum required driveway.

5. Unimproved Driveways, Unimproved Parking Areas, and Nonconformity

a. Unimproved driveways and unimproved parking areas located in a street yard or a side yard shall be considered nonconforming uses. Such unimproved driveways and unimproved parking areas shall not be extended, expanded, or changed except to an improved driveway or an improved parking surface.

b. If the building or structure that is served by the unimproved driveway is damaged or destroyed to an extent greater than 50 percent of its fair market value in accordance with Article 14. Nonconformities, the unimproved drvieway shall no longer be permitted and all off-street parking shall be required to be on an improved driveway.

c. If the building or structure that is served by the unimproved driveway expanded by 25 percent or more in square footage in accordance with Article 14. Nonconformities, the unimproved drvieway shall no longer be permitted and all off-street parking shall be required to be on an improved driveway.

C. Parking Space and Parking Lot Design

1. Parking Lot Location

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a. Parking along major entrance drives is discouraged.

b. Large surface parking lots must be designed to minimize visual impacts from public streets through landscaping, building placement, or internalization of parking lots.

c. Parking should be located to the side or rear of buildings where feasible.

2. Parking Space Dimensions

a. Parking spaces shall have minimum dimensions of nine (9) feet in width by 18 feet in length, unless otherwise indicated within this Section. When located adjacent to a sidewalk, off-street or on-street head-in or angled parking shall require curb stops so as not to impede the pedestrian walkway.

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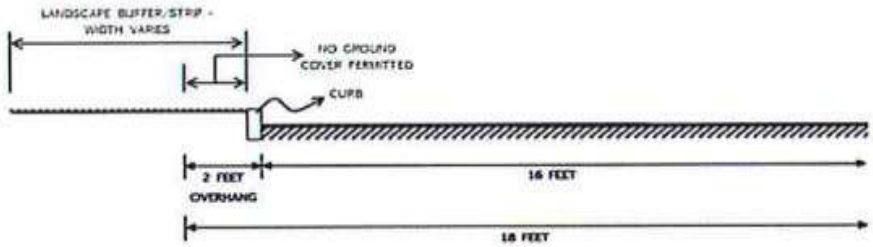
b. Parallel parking spaces shall not be less than eight and one-half (8 ½) feet in width and 25 feet in length.

c. Parking spaces designated as Handicapped spaces shall comply with the design and location requirements of the American National Standards Institute (A117.1) and the Texas Department of Licensing and Regulation.

d. Parking spaces internal to the site may be reduced to 16 feet in length with a two-foot overhang onto grass or another flat surface for a total of 18 feet. This reduction shall not apply to a bufferyard, screening area, or sidewalk.

*Figure 10-1 Parking Overhang Diagram*

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3. Aisle Widths

The minimum two-way drive aisle width shall be 26 feet when there is no parking on either side of the drive aisle. One-way and two-way drive aisle widths adjoining off-street parking spaces must comply with the following standards:

*Figure 10-2 Minimum Aisle Width for Specified Parking*

| Parking Angle | Stall Width (ft) | Aisle Width | |
|---|---|---|---|
| | | One-Way | Two-Way |
| Parallel | 8.5 | 13 | 26 |
| 45° or less | 9 | 13 | 26 |
| 45° or less | 10 | 12 | 24 |
| 60° | 9 | 16 | 26 |
| 60° | 10 | 15 | 24 |
| 75° | 9 | 23 | 26 |
| 75° | 10 | 22 | 24 |
| 90° | 9 | Not Permitted | 20 |
| 90° | 10 | Not Permitted | 20 |

4. Markings

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a. Each required off-street parking space and off-street parking area shall be identified by surface markings at least four (4) inches in width. Markings shall be visible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking, and storage of vehicles.

b. One-way and two-way access to required parking facilities shall be identified by directional arrows on the pavement.

5. Surfacing and Maintenance

a. All parking, driveways, drive aisles, and driveway approaches shall be constructed and maintained in accordance with the standards of this UDC and the Engineering Design Manual.

i. Alternative parking surfaces such as geogrid are encouraged with the approval of the City Engineer and in accordance with the standards of the Engineering Design Manual.

ii. Exceptions to the paved surface material requirements may be considered administratively by the Director and the City Engineer in order to protect the CRZ for Heritage Trees.

b. All designated fire lanes shall be paved according to the typical street cross sections for local street design in the Engineering Design Manual.

c. All off-street parking areas, drive aisles, internal roadways, and loading areas shall be maintained in accordance with the City's adopted International Property Maintenance Code and kept clear of dirt, debris, and refuse at all times.

d. In the RA District, residential driveways may be constructed of a non-paved surface material if outside of the right-of-way.

6. Access

a. All driveways and access to parking areas must be designed in accordance with the standards of Section 11.05. Driveway Standards and the standards of the Engineering Design Manual.

b. Required off-street parking spaces shall not be directly accessible from public streets, but must be separated from streets and accessed from on-site driveways. Off-street parking spaces shall be accessible without backing into or otherwise reentering a public right-of-way.

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i. In unique circumstances on local streets, the Director may consider, through an Alternative Parking Plan, parking spaces with direct access from the street if there is determined to be little or no negative impact on surrounding properties or the function of the public street.

c. Site plans for retail developments greater than a cumulative 50,000 gross square feet shall designate a primary vehicle circulation route entering and exiting the development.

d. Landscape median islands or end islands, as described in Section 10.03D. Landscaping, Sub-Lots, and Pedestrianways, shall be immediately adjacent to the primary vehicle circulation route for the entire length of the route (excluding pedestrian access and the face of primary buildings).

e. Light fixtures provided for any off-street parking area shall be in conformance with Article 9. Lighting.

7. Planting Areas and Pedestrian Areas
Wheel stops are required when parking spaces are located adjacent to planting areas. Bollards are required when parking spaces are located adjacent to pedestrian walkways that are at the same grade.

D. Landscaping, Sub-Lots, and Pedestrianways

1. Parking lots with more than 50 parking spaces shall be visually and functionally segmented into smaller sub-lots by landscaped areas. Each sub-lot shall contain a maximum of 50 parking spaces. An additional 50 parking spaces are allowed per sub-lot if the landscaped area exceeds the minimum established in this UDC by at least 20 percent.
2. For every parking sub-lot, a landscaped median/divider at least 15 feet wide shall be installed to break up the sub-lots. These medians shall contain pedestrian accessways consisting of a five-foot-wide sidewalk to offer safe, marked routes between parking spaces and building entries.
3. Each parking sub-lot must be separated from the primary vehicle circulation route and from adjacent roads by a landscaped area at least 10 feet in width and meeting the requirements of Section 8.04E.1.c. Street Yard Landscaping.

E. Pedestrian Circulation

1. All Non-Residential and Mixed Use Development

a. Parking Areas with 49 or Fewer Spaces

An internal pedestrian accessway, at least six (6) feet in width and ADA accessible, must be provided from the perimeter sidewalk to the primary public entrance of each use, or to a common plaza or sidewalk connecting the entrance of each use. Internal pedestrian walkways must be distinguished from driving surfaces by textured, painted, and/or raised surface.

b. Parking Areas with 50 or More Spaces
An internal pedestrian accessway, at least eight (8) feet in width and ADA accessible, must be provided from the perimeter sidewalk to the primary public entrance of each use, or to a common plaza or sidewalk connecting the entrance of each use. Internal pedestrian walkways must be distinguished from driving surfaces by being raised behind a curb or protected by bollards, except where crossing drive aisles.

## Section 10.04 Alternative Parking Plans

A. Alternative Parking Plans Generally
An Alternative Parking Plan, processed through an Administrative Exception in accordance with Section 3.16. Administrative Exception of this UDC, may be considered by the Director for alternatives to the parking, stacking, or loading standards of this Section. An alternative plan also may be approved by the Director for specific developments or uses that are deemed to require a different amount of parking than the standards shown in Section 10.02C. Off-Street Parking Requirements. The Director shall establish conditions necessary to ensure the adequacy of future on-site parking when approving an alternate standard. Potential alternative parking plan approaches and specific regulations are described below.

1. Parking Study Option
Parking studies may be required for specific uses that have characteristics that reduce the accuracy of standard requirements. Additionally, as an alternative, applicants for uses that appear in Section 10.02C. Off-Street Parking Requirements may choose to conduct a parking study to determine appropriate parking requirements. Many uses have widely varying parking demand characteristics, making it impossible to specify a single off-street parking standard. This option is intended to allow development to meet vehicle parking and transportation access needs by means other than providing parking spaces onsite in accordance with the ratios established above.

a. Parking Study

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Anyone proposing to develop or expand a use based on this parking study option must submit a parking study that provides justification for the number of off-street parking spaces proposed. A parking study must include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE) or other acceptable estimates as approved by the Director, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, location, and access to transportation alternatives. The study must document the source of data used to develop recommendations.

b. Eligible Alternatives
A number of specific parking and access alternatives may be considered, including off-site, shared, or valet parking. The Director shall be authorized to consider and approve any alternative to providing off-street parking spaces on the site of the subject development if the applicant demonstrates to the satisfaction of the Director that the proposed plan shall result in a better situation with respect to surrounding neighborhoods, City-wide traffic circulation, or urban design than would strict compliance with otherwise applicable off-street parking standards.

c. Review by Director
The Director shall review the parking study and any other traffic engineering and planning data relevant to the establishment of an appropriate off-street parking standard for the proposed use. After reviewing the parking study, the Director shall establish a minimum off-street parking standard for the proposed use.

2. Off-Site Parking
Off-street parking spaces may be located on a separate lot from the lot on which the principal use is located if approved by the Director and if the off-site parking complies with all of the following standards.

a. Ineligible Activities
Off-site parking may not be used to satisfy the off-street parking standards for residential uses (except for guest parking), restaurants (except in the Downtown Core and Downtown Mix Districts), convenience stores, or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities shall not be located off-site.

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b. Location

No off-site parking space may be located more than 600 feet from the primary entrance of the use served unless shuttle bus service is provided to the remote parking area. Off-site parking spaces may not be separated from the use that it serves by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided or other traffic control or shuttle bus service is provided to the remote parking area.

c. Zoning Classification

Off-site parking areas serving uses located in Non-Residential and Mixed Use Zoning Districts must be located in Non-Residential and Mixed Use Zoning Districts. Off-site parking areas serving uses located in Residential Zoning Districts may be located in Residential or Non-Residential and Mixed Use Zoning Districts.

d. Agreement for Off-Site Parking

In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement will be required. An attested copy of the agreement between the owners of record must be submitted to the Director for recordation on forms made available by the Director. Recordation of the agreement with the County Clerk must take place before issuance of the site development permit for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with this Section.

3. Shared Parking

It is the City's stated intention to encourage efficient use of land and resources by allowing users to share off-street parking facilities whenever feasible. Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved by the Director and if the shared parking complies with all of the following standards.

a. Location

Shared parking spaces must be located within 600 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided. The distance between the shared parking and the served uses shall be measured by the shortest accessible pedestrian route of travel to an accessible entrance. The applicant shall provide an exhibit demonstrating that the location of shared parking meets the requirements.

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b. Zoning Classification

Shared parking areas serving uses located in Non-Residential and Mixed Use Zoning Districts must be located in Non-Residential and Mixed Use Zoning Districts. Shared parking areas serving uses located in Residential Zoning Districts may be located in Residential or Non-Residential and Mixed Use Zoning Districts. Shared parking areas shall require the same or a more intensive zoning classification than that required for the most intensive of the uses served by the shared parking area.

c. Shared Parking Study

Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared parking analysis to the Director that clearly demonstrates the feasibility of shared parking. The study must be provided in a form established by the Director and made available to the public. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

i. Shared Parking Calculation

(A) A shared parking calculation, using the format provided in Figure 10-3 Example of Shared Parking Calculations below, shall be required to determine the minimum number of spaces.

(B) The minimum parking required shall be the highest adjusted total parking for any time period.

(C) The percentage of parking used during each time period shall be provided by the applicant and subject to approval by the Director.

(D) Accessible spaces required by ADA/TAS shall be calculated by individual use and not be shared.

(E) Figure 10-3 Example of Shared Parking Calculations provides an example of shared parking calculations. This example includes shared parking for two uses – Example Use 1 with a minimum parking requirement of 100 spaces, and Example Use 2 with a minimum parking requirement of 220 spaces. In this example, the minimum parking requirement would be 225 spaces.

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*Figure 10-3 Example of Shared Parking Calculations*

| Time Period | Example Use 1 | | | Example Use 2 | | | Adjusted Total Parking Required |
|---|---|---|---|---|---|---|---|
| | Required Spaces | % of Parking Used During Each Time Period | Adjusted Parking Requirement | Required Spaces | % of Parking Used During Each Time Period | Adjusted Parking Requirement | |
| Mon-Fri (6am to 6pm) | 100 | 100% | 100 | 220 | 25% | 55 | 155 |
| Sun-Thurs (6pm to 2am) | 100 | 20% | 20 | 220 | 50% | 110 | 130 |
| Sat-Sun (6am to 6pm) | 100 | 10% | 10 | 220 | 50% | 110 | 120 |
| Fri-Sat (6pm to 2am) | 100 | 5% | 5 | 220 | 100% | 220 | 225 |
| Everyday (2am to 6am) | 100 | 5% | 5 | 220 | 10% | 22 | 27 |

d. Agreement for Shared Parking
A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the Director for recordation on forms made available in the Administrative Procedures Manual. Recordation of the agreement with the County must take place before issuance of a site plan approval for any use to be served by the off-site parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with this section.

e. Revocation of Permits
Failure to comply with the shared parking provisions of this section shall constitute a violation of this UDC and shall specifically be cause for revocation of a Certificate of Occupancy and/or Building Permit.

## Section 10.05 Vehicle Stacking Areas

A. Minimum Number of Spaces

1. Off-street stacking spaces shall be provided as indicated in the following table. Off-street stacking spaces shall be in addition to any required parking and loading spaces.

*Figure 10-4 Minimum Stacking Spaces by Activity Type*

| Activity Type | Stacking Spaces | Measured From |
|---|---|---|
| Automated Teller Machine | 3 | Machine |
| Automotive Repair | 1 | Entrance to stall |

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| | | |
|---|---|---|
| Car Wash, Automated | 4 | Entrance to wash bay |
| Car Wash, Self-Service | 3 | Entrance to wash bay |
| Convenience Store | 2 | Pick-up window |
| Passenger Drop-Off/Pick-Up | 2 | Drop-off space |
| Dry Cleaning | 3 | Pick-up window |
| Financial Institution | 4 | Teller window/kiosk |
| Fueling Station Pump | 2 | Pump island |
| Access Gate | 4 | Key code box |
| Online Order Pickup Facility | 6 | Pick-up window |
| Pharmacy Pick-Up | 3 | Pharmacy window |
| Restaurant, Drive-Thru | 6* | Order box |
| | 4* | Order box to pick-up window |
| School / Day Care / Child Care | 3, plus 1 per 10,000 sf over 20,000 sf | Drop-off space |
| Other | Determined by the Director | |
| *The Director may require additional spaces where, at the Director's discretion, additional spaces are required for specific users or expected traffic. | | |

2. Where the minimum number of stacking spaces is determined by the Director, the applicant shall provide exhibits and calculations for the proposed minimum number of stacking spaces required based on the proposed use of the site. The Director may approve the submitted minimum requested or provide an alternate requirement.
3. The Director may approve an alternate minimum stacking requirement for any of the minimums in Figure 10-4 Minimum Stacking Spaces by Activity Type when the applicant submits exhibits and calculations to support an alternate minimum.
4. The Director may require additional stacking spaces when it is determined that a use may result in vehicles blocking or extending into the public right-of-way.

B. Design and Layout

Required stacking spaces are subject to the following design and layout standards:

1. Size

   Stacking spaces must be a minimum of eight (8) feet by 24 feet in size.

2. Location

   a. Stacking spaces shall not interfere with fire lanes, parking spaces, parking aisles, loading areas, internal circulation, driveways, or pedestrian crosswalks.

   b. Stacking spaces may not occupy any portion of a public right-of-way.

3. Design

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a. Stacking spaces must be separated from other internal driveways by raised medians if deemed necessary by the Director for traffic movement and safety. Turnaround space shall be provided between the key code box and gate for any gate-restricted entrance to safely allow a vehicle to exit the entrance queue.

b. Escape Lane Required

   i. If required in Figure 10-5 Escape Lanes Required by Activity Type, an escape lane of at least eight (8) feet in width must be provided to allow vehicles to get out of the stacking lane as necessary.

*Figure 10-5 Escape Lanes Required by Activity Type*

| Activity Type | Escape Lane | Additional Details |
|---|---|---|
| Automated Teller Machine | X | Machine |
| Automotive Repair | X | Entrance to stall |
| Car Wash, Automated | X | Entrance to wash bay |
| Car Wash, Self-Service | X | Entrance to wash bay |
| Convenience Store | X | Pick-up window |
| Passenger Drop-Off/Pick-Up | ✓ | One (1) escape lane required |
| Dry Cleaning | X | Pick-up window |
| Financial Institution | ✓ | One (1) escape lane required |
| Fueling Station Pump | X | Pump island |
| Access Gate | X | Key code box |
| Online Order Pickup Facility | ✓ | An escape lane must be provided parallel to the stacking spaces, beginning at the start of the stacking spaces and continuing to the pick-up window. Such escape lane must provide unobstructed access around the online order pick-up facility. |
| Pharmacy Pick-Up | ✓ | One (1) escape lane required |
| Restaurant, Drive-Thru | ✓ | An escape lane must be provided parallel to the stacking spaces, beginning at the start of the stacking spaces and continuing to the pick-up window. Such escape lane must provide unobstructed access around the drive-thru facility. |
| School / Day Care / Child Care | ✓ | One (1) escape lane required |
| Other | Determined by the Director | |

## Section 10.06 Off-Street Loading

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A. General

All non-residential and mixed uses exceeding 20,000 square feet in area must provide off-street loading facilities separate from customer parking and pedestrian areas. The location, design, and layout of all required off-street loading spaces must be shown on the site plan.

B. No Use of Public Right-of-Way

1. At no time shall people or goods be loaded or unloaded from the right-of-way of a collector or arterial street. No part of any vehicle shall be allowed to extend into the right-of-way of a collector or arterial street while being loaded or unloaded.
2. Driveway placement must be such that loading and unloading activities do not hinder vehicle ingress or egress.

C. Location

Common or shared loading entrances or service courts are encouraged between adjacent buildings or developments where feasible or where under common ownership.

D. Minimum Spaces

The required number of off-street loading spaces is determined by gross floor area. Outdoor storage, sales, or display areas must be added to gross floor area if these areas contain materials that are received or distributed by trucks. If a development has more than two (2) uses, the off-street loading space requirement is the highest number of spaces required by any one use. Required loading spaces follow the standards provided in Figure 10-6 Minimum Required Loading Spaces.

*Figure 10-6 Minimum Required Loading Spaces*

| Floor Area Square Footage | Public and Civic | Commercial Uses | Industrial Uses |
|---|---|---|---|
| 0-10,000 | 0 | 0 | 0 |
| 10,001-20,000 | 0 | 0 | 1 |
| 20,001-50,000 | 1 | 1 | 2 |
| 50,001-100,000 | 2 | 2 | 3 |
| 100,000 + | 4 + 1 for each additional 100,000 sf | 4 + 1 for each additional 75,000 sf | 4 + 1 for each additional 50,000 sf |

E. Space Size

Off-street loading spaces, excluding maneuvering areas, shall be at least 12 feet wide and 20 feet long unless off-street loading will involve the use of semi-tractor trailer combinations or other vehicles in excess of 25 feet in length, in which case the minimum size of a space shall be at least 12 feet by 55 feet.

F. Design

1. Loading facilities must be screened in accordance with Section 8.04E.1.f.v. Screening of Loading Docks.
2. Day care centers and other child care facilities must provide an on-site loading and unloading area separated or protected from required parking areas and located as close to the main building entrance as practicable. The loading and unloading area must operate with one-way vehicular movement.

## Section 10.07 Bicycles

A. Purpose

The purpose of this Section is to provide sufficient safe and convenient bicycle parking, encourage bicycling as a form of transportation, and reduce traffic congestion, air pollution, wear and tear on roads, and use of fossil fuels, while fostering healthy physical activity.

B. Bicycle Parking Required

Bicycle parking facilities must be provided as detailed in the following table.

*Figure 10-7 Minimum Bicycle Parking Spaces by Use Type*

| Use | Subcategory | Minimum Number of Bicycle Spaces |
|---|---|---|
| Residential Uses | Residential with 4 or more units | 1 per 10 dwelling units |
| Public and Civic Uses | Civic and Cultural | 1 per 10 required vehicular spaces |
| | Parks and Recreation | 5, plus 5 per acre |
| | School | K-12: 1 per 50 employees and 1 per 25 students<br>Higher Education: 1 per 40 employees and 1 per 15 students |
| Commercial Uses | Retail | 1 per 25 required vehicular spaces |
| | Restaurant | 1 per 20 required vehicular spaces |
| | Lodging | 1 per 20 guest rooms |
| Mixed Use | | 1 per dwelling/lodging unit plus 1 per 10 required vehicular spaces |
| Industrial Uses | | 1 per 20 required vehicular spaces |
| Agricultural Uses | | N/A |

C. Minimum Requirements

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1. Bicycle parking facilities shall consist of racks or lockers anchored in concrete or anchored to a building or structure to prevent movement or theft and withstand severe weather and exposure.
2. Each bicycle parking facility shall, at minimum, consist of a bike rack with a height of 36 inches and provide a user the ability to lock one wheel and the frame to the rack, with the user providing the lock and chain.
3. Each space designated for bicycle parking shall be designed to accommodate at least the minimum number of bicycles identified by Figure 10-7 Minimum Bicycle Parking Spaces by Use Type.
4. No bicycle parking is required when the Director determines there is no safe route for bicycle access to a site.
5. In no case shall the minimum number of required bicycle parking spaces exceed 10 percent of the minimum number of required vehicle parking spaces. Applicants may opt to provide more than the minimum number of bicycle parking spaces if desired.

D. Location Requirements

1. All required bicycle parking spaces and facilities shall be placed according to the following criteria:
    a. On the ground floor of the building or facility associated with the use, unless site factors, access, or licensing restrictions prohibit locating bicycle parking on the ground floor;
    b. In a location that is conveniently and safely accessed by bicycle and by foot and in a way that minimizes conflicts with motor vehicles and pedestrians;
    c. Within 50 feet of the primary building entrance in a well-lit location that maximizes visibility to users and the public, and is not isolated or remote from building entrances, sidewalks, and vehicular parking facilities.
    d. If a parking facility has multiple entrances, the required bicycle parking spaces may be spread out among the multiple entrances.
2. Bicycle parking spaces shall be accessible without climbing more than one step or going up or down a slope in excess of 12 percent.

E. Vehicular Parking Substitution

1. In the Downtown Core, Downtown Mix, and Mixed Residential Zoning Districts, up to 10 percent of the required vehicle parking spaces required by this Article may be

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substituted with additional bicycle parking facilities. Such facilities must be provided at a rate of 1:1 to replace each vehicular parking space.

## Section 10.08 Pedestrian and Bicycle Mobility

A. General

All sidewalks and trails identified in this UDC, the City's Comprehensive Plan, Master Mobility Plan, Parks Master Plan, Downtown Master Plan, and any other relevant plan shall be constructed in accordance with this UDC. Public sidewalks and trails do not count against the maximum impervious cover percentage required in this UDC.

1. Public Sidewalks

   a. Sidewalks shall be provided where required by this section. On-site easements for sidewalks are required in cases where ditches or other obstructions prevent the construction of sidewalks within the right-of way.

   b. Sidewalks shall be constructed in accordance with Section 5.07F. Streets, Sidewalks and Streetscape, the Engineering Design Manual, and in conformance with the requirements of the ADA/TAS.

   c. Construction of public sidewalks on single family detached and single family attached lots may be deferred to the time of the building permit and built to the standards and specifications applicable at the time of the permit. Sidewalks located in common areas, parks, and along collector level streets shall be constructed at the time of street improvements.

   d. Pedestrian accessways shall be provided from the public sidewalk to the main entrance of each building or to a sidewalk leading to the main entrance.

   e. Sidewalks constructed as infill, retrofitted, or rehabilitation projects shall follow the standards of this Section where practical to do so, but consideration shall be given to the existing conditions of the built and natural environment when locating such sidewalks.

2. Public Trails

   Regional Trails depicted on the Master Mobility Plan shall be dedicated and constructed at the time of development as a public improvement in the general locations and alignments depicted therein.

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a. If the trail is not located on public property, a minimum of 20 feet of right-of-way or public access easement, shall be dedicated as approved by the Director of Parks and Recreation.

b. The trail shall be a minimum of 10 feet in width, constructed to the standards depicted in the Master Mobility Plan or otherwise approved by the Director of Parks and Recreation.

c. A trail constructed to the City's trail standards may be constructed within the right-of-way or public utility easement as a substitute for a street sidewalk if the Master Mobility Plan designates a trail along the street.

3. Sidewalk Fund
A designated City fund, entitled "Sidewalk Fund," shall hold any financial contributions paid in accordance with the provisions in this UDC. Funds shall be held in trust by the City to be used exclusively for the purpose of purchasing and/or equipping public streets for sidewalks.

4. Alternative Pedestrian Improvements

a. Administrative approval of alternative locations or design variation(s) for sidewalks, pedestrian access facilities, or hike and bike trails to a standard that deviates from the requirements of the Master Mobility Plan and this UDC may be requested from the Director through the process outlined in Section 3.16. Administrative Exception. If approved, ownership and maintenance of the sidewalk, pedestrian access facility, or trail shall be transferred to the property owner or homeowners' or property owners' association and recorded by separate instrument, along with a public access agreement.

b. If an alternative location or design is not approved, an Administrative Exception pursuant to Section 3.16. Administrative Exception may be requested for either fee-in-lieu of construction, delay of construction, or waiver. Justifications for the waiver include, but are not limited to, the location of the facility in relation to the existing or planned pedestrian network, the need for the facility, and/or topography/natural features. Prior to approval of the Final Plat, Site Development Plan, or other applicable approval stage, payment of any required fees shall be provided for deposit into the Sidewalk Fund at a cost not to exceed 125 percent of the estimated construction plan costs, as approved by the City Engineer. A request may be made to City Council for City participation in any pedestrian improvements required by this Section.

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# Article 11 Subdivision Layout and Street Design

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# Article 12 Infrastructure, Environment and Public Improvements

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# Article 13 Sign Standards

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# Article 14 Nonconformities

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# Article 15 Definitions

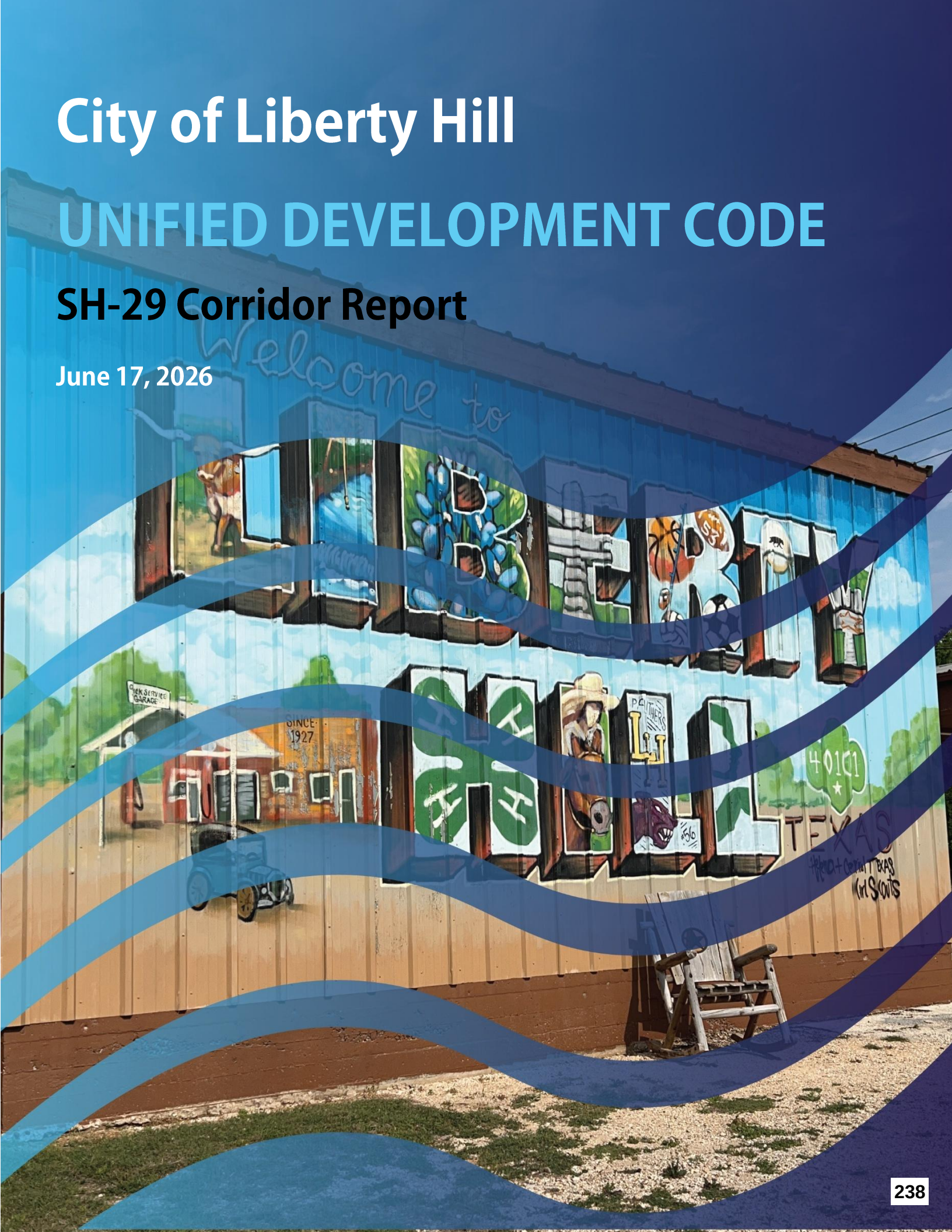
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# City of Liberty Hill

# UNIFIED DEVELOPMENT CODE

## SH-29 Corridor Report

June 17, 2026



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# Introduction and Overview

## Project Overview

This SH-29 Corridor Report is a supplement to the ongoing Unified Development Code (UDC) rewrite project by the City of Liberty Hill and Freese and Nichols, Inc. (FNI). To date, FNI has completed a Code Diagnostic Report analyzing the City's current UDC and continues to draft the new UDC. The SH-29 Corridor Report refines the Comprehensive Plan's recommendations for development along State Highway 29 (SH-29) by integrating recommendations from FNI's Diagnostic Report and stakeholder feedback received during the UDC rewrite process.

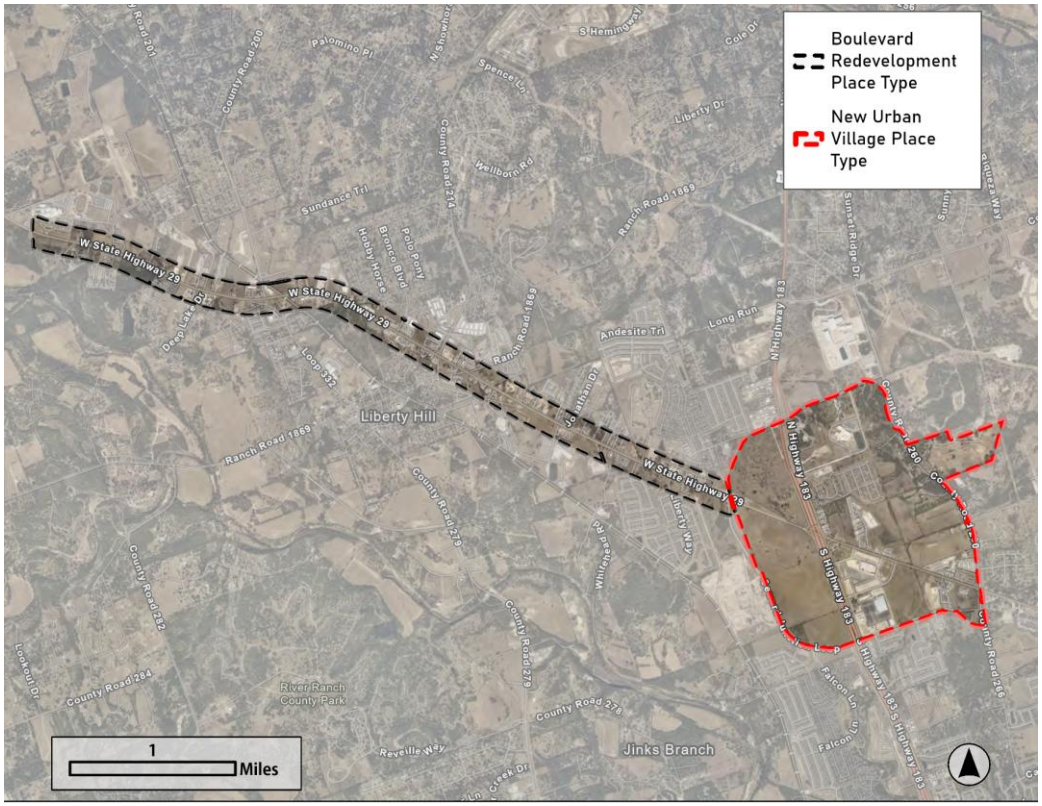
**Key Diagnostic Report Objectives**

Create Mixed-Use Standards and Strengthen Connectivity on the SH-29 Corridor

Strengthen Tree/Landscaping and Water Conservation Regulations

Update Commercial Development Standards

A key consideration in this Report's preparation is fine-tuning the approaches to projects along SH-29 to represent the City's vision in a way that produces high-quality development while ensuring feasibility for landowners, fiscally sustainability for the City, and achievement of the sense of place directed by the LHTX2040 Comprehensive Plan. Thus, the Report proposes updates for inclusion in the ongoing UDC project that align with feedback received from a variety of internal and external stakeholders and corridor-specific engagements.



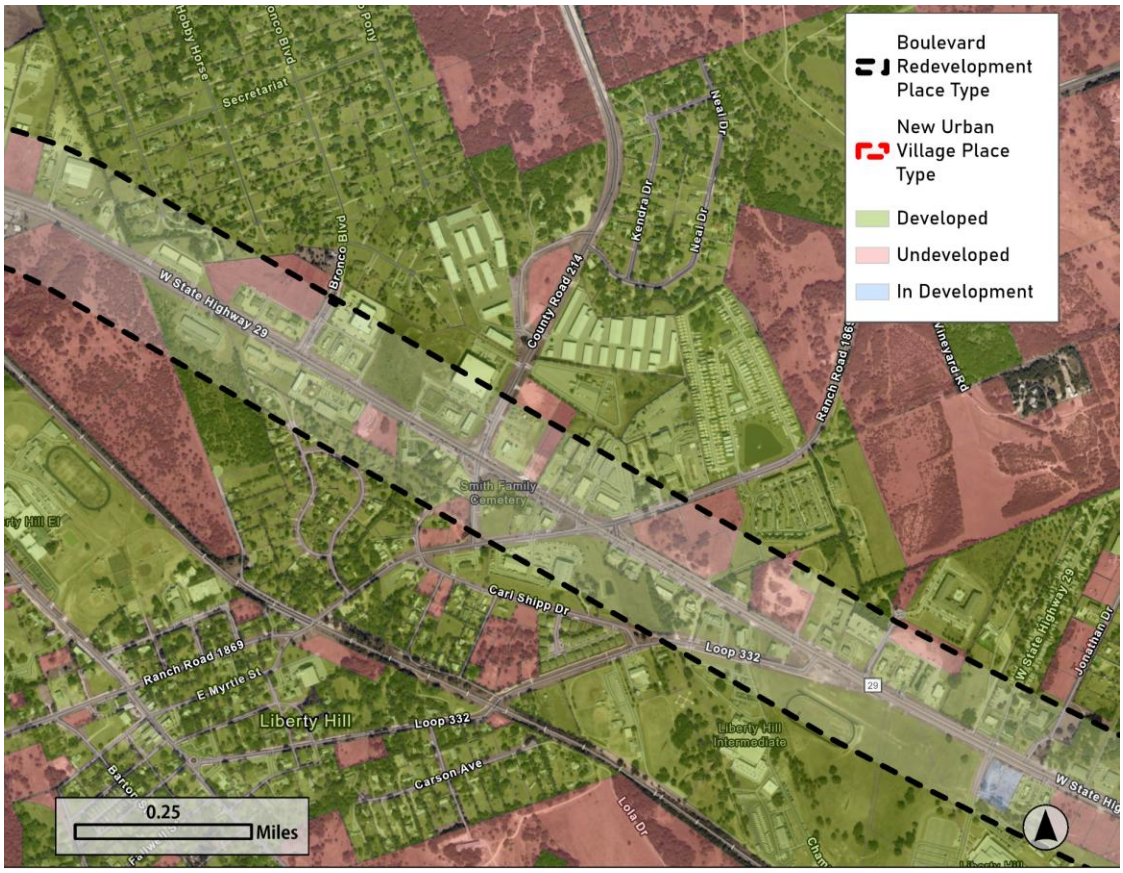

*SH-29 Corridor Place Types*

UDC stakeholder engagement revealed potential alternative desires regarding the LHTX2040 Comprehensive Plan's vision for the future of the SH-29 Corridor. Generally, the Boulevard Redevelopment and New Urban Village Place Types intended to guide development along the corridor are seen as needing further refinement, adjustment and confirmation for future opportunities and the City's desired direction. Concerns with the two place types include:

- Mismatch between market forces and identified preferred development types;
- Complex project financing and developer specializations to achieve some preferred development types;
- Limited City control of the TxDOT-owned SH-29 roadway, with an unclear timeline for future improvements and their respective timing;
- Established uses and retrofitting cost, feasibility, and complexity;
- Limitations on pedestrian-oriented and zero-lot line development adjacent to a highway; and
- Community and business owner concerns about parking location and design standards.

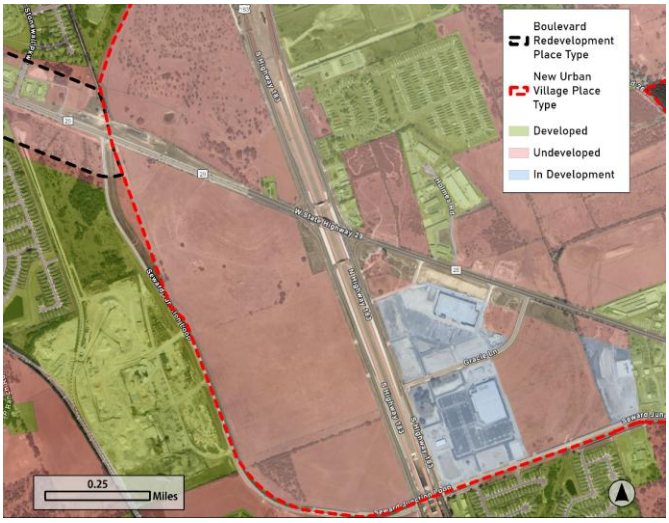
This Report has been prepared based on the LHTX2040 Comprehensive Plan (2023) and a review of the SH-29 corridor's current state, further supplemented by public and stakeholder engagement. The Introduction and Overview section establishes the background, purpose, and existing conditions of the corridor. The Community Engagement section summarizes the engagement activities undertaken for this Report and presents key themes from public and stakeholder input. The Case Studies section examines relevant regional examples to inform potential approaches along SH-29. Lastly, the Corridor Strategic Framework section identifies strategies for advancing the corridor vision and informing updates to the UDC.

## Corridor Overview and Existing Conditions




*Central SH-29 Corridor Development Status Map*

An approximately 8-mile stretch of SH-29 runs east-west through the City of Liberty Hill. The SH-29 corridor is zoned primarily General Commercial (C3), with some Public/Community/Facility (P) and High-Density Residential (SF3) zoned properties. The highway is the primary road connecting the City with US-183 to the east and US-281 to the west and serves as a center for businesses and services within the City.

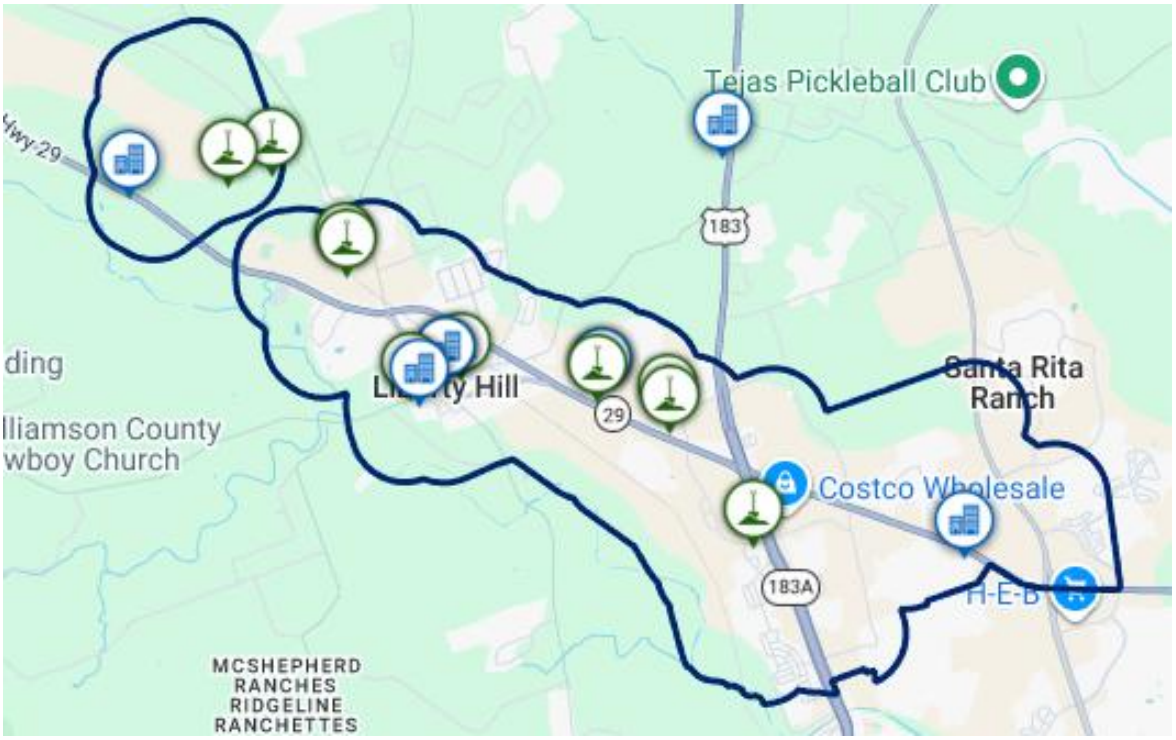



*Eastern SH-29 Corridor Development Status Map*

Since adoption of the LHTX2040 Comprehensive Plan in 2023, the City has seen significant development activity along the corridor indicating Liberty Hill's potential emergence as a regional center drawing from a large market area, with most recent development occurring near the intersection of SH-29 and US-183. The multinational retail chain Costco opened a 152,000 square foot location in March 2026, just

south of SH-29. Additional small-scale retail will surround the site along Gracie Lane and Seward Junction Loop. Liberty Hill Crossing, an 806,000 square foot retail development, is also underway. Construction began in January 2025, with an anticipated completion in June 2026, and the project will include a 148,000 square foot Target as its anchor tenant. Additional medium-scale retail facilities are also planned as part of the development as in-line commercial and pad sites. This significant retail investment has also contributed to residential development, including a 320-unit, 12.5-acre multifamily housing development announced as part of the 82-acre Planned Unit Development (PUD) that includes Costco and Liberty Hill Crossing.

The SH-29 corridor and its development are the first impression that visitors and travelers see, in addition to residents returning from destinations outside of Liberty Hill. During the Diagnostic Report phase of the project, public and private stakeholders reported that the SH-29 corridor's appearance and development standards should be updated, and that additional guidance was needed to help translate the LHTX2040 Comprehensive Plan's vision into practical development with alternative development approaches or options that support coordinated growth, walkability, mixed-use activity, and long-term fiscal outcomes.




*Currently Marketed Sites and Businesses. Source: Liberty Hill EDC.*

As outlined in the Diagnostic Report, development along SH-29 has largely taken the form of conventional, auto-oriented strip retail and commercial uses. Within the past few years, the corridor has also seen several quick-service restaurant chains locate along SH-29, including Dutch Bros Coffee, Pizza Hut, McDonald's, Wendy's and Starbucks. This development pattern tends not to produce the net revenue performance per acre necessary for the City's long-term financial sustainability, and lacks alignment with the City's long-term vision for the corridor as more walkable, connected, and supportive of resilient growth patterns.

In addition to the current development along SH-29, the Liberty Hill EDC hosts data on current sites and properties offered for sale. Within the immediate area of SH-29, there are eight properties listed for further development. Though SH-29 has seen a large amount of growth, vacant sites remain. Ensuring these vacant opportunities develop in a way consistent with the Comprehensive Plan's goals is a key goal of this Report's recommendations, along with creating pathways for existing sites to incrementally move toward this vision in a way that is economically viable for both property owners and the City.

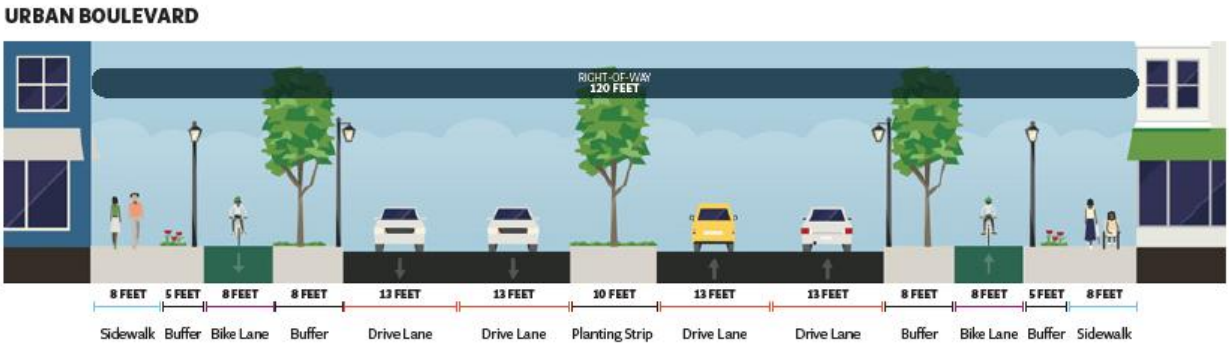
## LHTX 2040 Comprehensive Plan

The City adopted the LHTX2040 Comprehensive Plan (Plan) in 2023. The Plan identifies residents' experience travelling along SH-29 as a critical concern during the planning process. It uses *Place Types* as Future Land Use categories, assigning building forms, intensity and design criteria to different areas alongside traditional considerations such as density. Two primary Place Types are assigned to property along the SH-29 Corridor: the *Boulevard Redevelopment* place type, which applies to the central stretch of SH-29, and the *New Urban Village* place type, which applies to the eastern end of the City near the SH-29 and US-183 intersection. The Plan summarizes the community's feedback as a desire to avoid making Liberty Hill feel like every other town with highway frontage.



*New Urban Village Place Type - Highway Adjacent Development. Source: LHTX 2040 Comprehensive Plan*

For the *Boulevard Redevelopment* place type, the Plan highlights connectivity, multimodal transportation options, and roadway improvements as key ways to improve the SH-29 corridor. It's top recommendations include drawing buildings closer to the roadway with strong presence against enhanced sidewalks, placing parking behind buildings, improving cross-access between properties, and creating new public roads.




*Urban Boulevard Cross Section. Source: LHTX 2040 Comprehensive Plan*

For the *New Urban Village* place type, the Plan recommends decentralizing automobiles, reducing the visibility of parking, creating small blocks, and applying a more formal building pattern for commercial development.




*New Urban Village Sample Imagery. Source: LHTX 2040 Comprehensive Plan*

Stakeholders during the Diagnostic Report process expressed a mix of support and opposition to the comprehensive plan's vision for the SH-29 Corridor. While the Plan recommends pedestrian-oriented design, small blocks, high connectivity, and enhanced streetscapes, stakeholders raised concerns about Texas Department of Transportation (TxDOT) control of SH-29 that may impact the viability of roadway design alternatives advocated by the Plan, the effect of strict standards on new and existing development, and many parts of the corridor requiring extensive retrofitting since they are already built-out. FNI's Diagnostic Report recommended "revising specific standards to improve aesthetics and functionality" along the corridor, seeking to fine-tune code updates to support retrofitting proportionally to the degree of improvements sought by businesses.

# Community Engagement

Great planning involves the public and community stakeholders from the beginning of the process, building on local ideas and values while creating a sense of ownership in the final plan. This includes returning to the public and stakeholders to seek clarification from prior participation and resulting recommendations to ensure a city is on the correct path. Plans with strong public participation result in strategies that are tailored to, and owned by, the community.

The Liberty Hill SH-29 Corridor Report is informed by a variety of public engagement methods, including in-person engagement opportunities such as stakeholder interviews, tabling events, and a community open house, as well as online opportunities such as the community survey, interactive map, and comment form. City staff also played a vital role in promoting the planning process through the City's website and social media accounts and leading community conversations.

## In-Person Engagement

### 1. Stakeholder Interviews



As part of the study process, the consultant team and City staff conducted stakeholder meetings with members of the local development community on April 9th and June 16th. Participants represented a range of perspectives within the development process, including developers, homeowners, landowners, contractors and builders. The purpose of the meetings was to engage in an open and candid discussion about the SH-29 Corridor in Liberty Hill and to better understand existing visions, barriers, and opportunities within the study area.

#### Key Themes

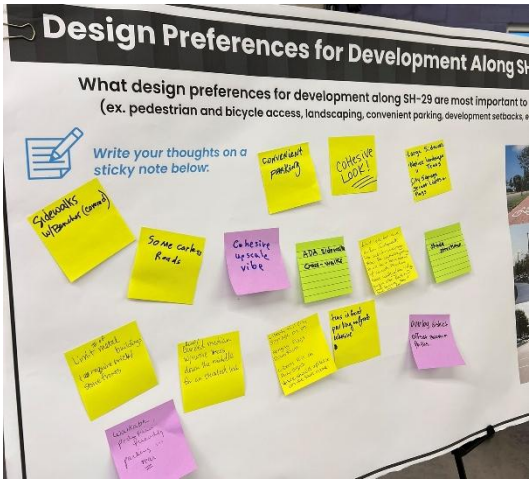
- Future utility availability, particularly water and wastewater infrastructure, remains one of the primary factors shaping the timing and location of development along the corridor.
- Commercial growth will generally follow residential development, making it important for corridor planning to reflect where growth is already occurring and where it is likely to continue.
- Much of SH-29 has already developed in a conventional corridor pattern, meaning opportunities to improve connectivity will depend on coordinated access, cross-access and site planning as properties develop or redevelop over time.
- Horizontal mixed-use and corridor-oriented retail formats are viewed as having clearer paths to market acceptance, project financing, successful pro formas, experienced specialized development teams and technical building code compliance for SH-29 than vertical mixed-use development.

- Visibility, access and a clear presence on the corridor remain important considerations for businesses, with shallow setbacks and strip-center formats continuing to be viewed as the most viable development patterns along SH-29.
- Many acknowledged the desired vision as aspirational and expressed interest in doing such projects, but that project viability was as critical barrier. Several suggestions were made for alternative approaches that may move towards that vision in terms of quality and financial performance in ways supported by near-term market interest.

## 2. Community Open House



The consultant team and City Staff facilitated an open house on April 9th, 2026, from 5 - 8pm at Liberty Hill Middle School to engage the community on how future development along the corridor should be guided. Attendees were asked to provide feedback on boards posted throughout the room. Approximately 50 community members attended open house and left comments on the boards.



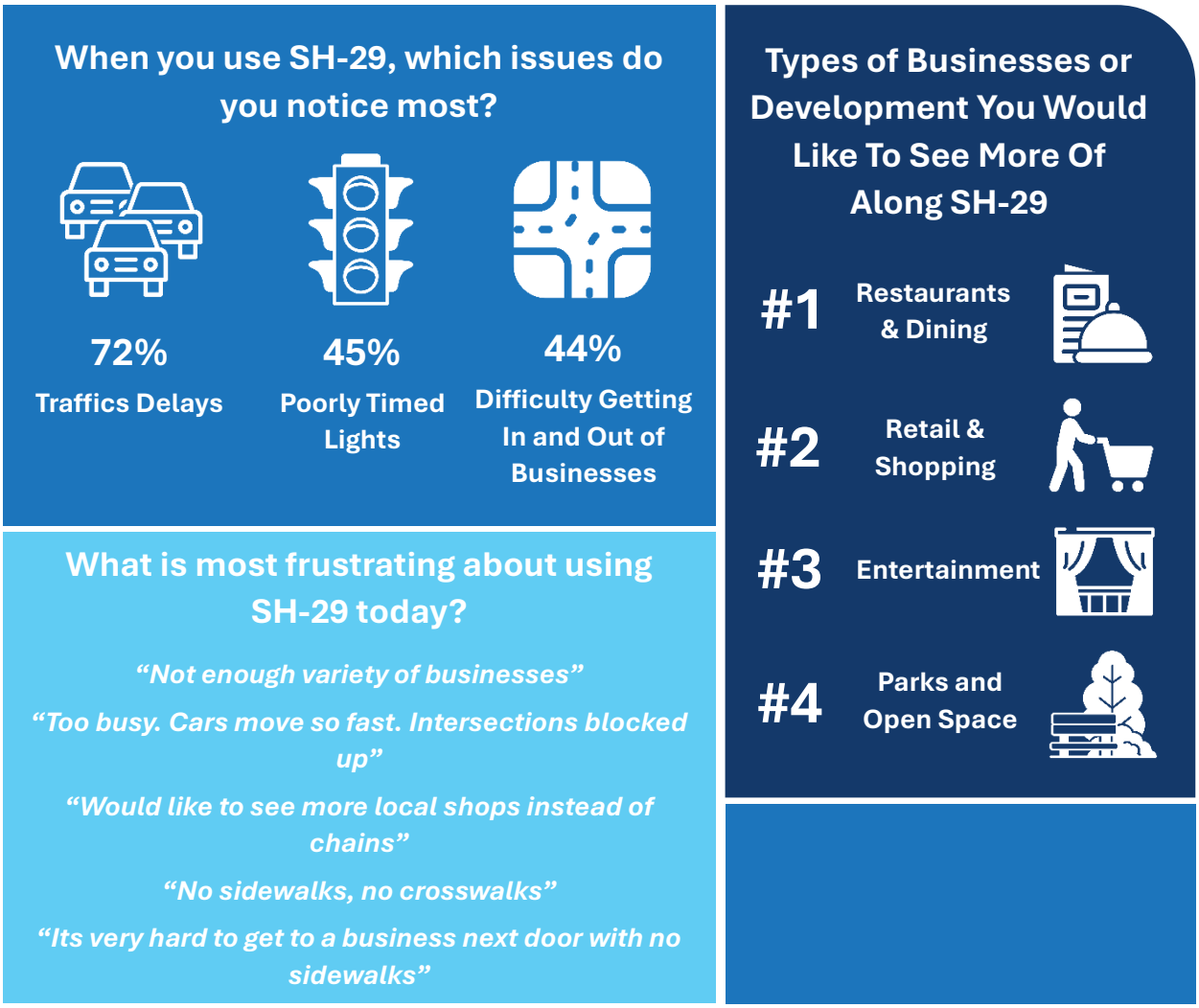

### Key Themes

- More cohesive aesthetics along SH-29 are needed, including consistent architecture, landscaping and signage so that future development does not feel fragmented.
- Growth along the corridor should maintain Liberty Hill's small-town character and quality of life while remaining mindful of utility infrastructure constraints. Much of this character was described as supporting small local retailers, restaurants and businesses, and integrating development techniques that preserve appearances.
- Pedestrian infrastructure including sidewalks, crossings and ADA accessibility are important gaps in the corridor today and key opportunities for future development.
- More retail, restaurants, and entertainment options are desired along SH-29, particularly opportunities that support local small businesses.
- Landscaping, tree buffers, shared access, and coordinated parking are important tools for creating a more attractive, cohesive, and appealing corridor environment.

## Online Engagement

The consultant team and City staff hosted several online engagement opportunities on the project website to gather feedback from local residents who could not attend the in-person engagement opportunities. These online opportunities included a community survey; a form asking participants, "What Makes a Place Memorable"; an interactive map asking participants to share "What Places Do You Love in Liberty Hill "; and a general comment form.

The community survey opened March 30, 2026 and continues through June 2026. The survey has received responses from more than 200 participants to date. The survey included 16 questions covering topics such as general development, signs, outdoor lighting, Downtown Liberty Hill, and SH-29. Of these questions, five were directly related to SH-29. The following graphic includes some of the primary takeaways from the survey.



## Key Themes

The in-person and online engagement opportunities were conducted to identify key vision outcomes that reflect the community's desires, recommendations, and guidance. Public feedback revealed that the community's priorities for the SH-29 corridor include:

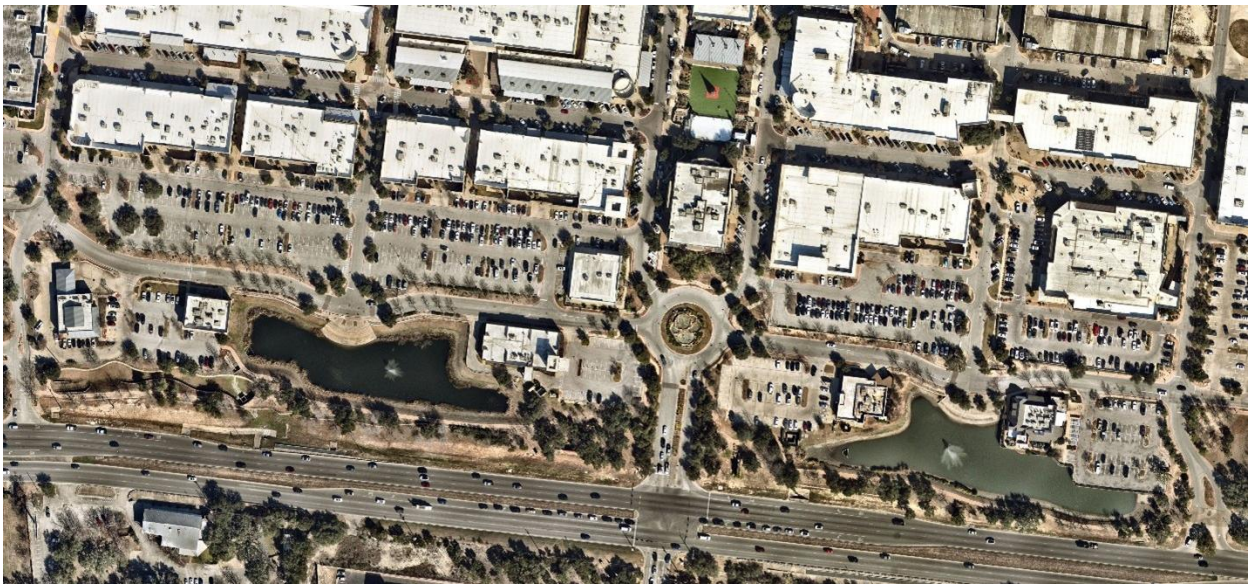
1. Improving traffic flow and access management;
2. Expanding pedestrian infrastructure, including sidewalks, crosswalks, ADA access and safer crossings;
3. Encouraging a more cohesive and attractive corridor character through landscaping, tree buffers and cohesive design standards;
4. Supporting more restaurants, retail, entertainment, parks and locally owned businesses; and
5. Ensuring that future development remains practical, market-responsive and aligned with Liberty Hill's small-town character.

# Case Studies

To envision what the SH-29 corridor could become, it is useful to look at the transformation context of other successful areas. These should be areas that not only have the right mix of buildings, uses, and activities, but whose success can also be physically and financially replicable along SH-29.

SH-29, a TxDOT roadway, benefits from its location through the center of Liberty Hill and its proximity to US-183, a major transportation corridor in the Austin metro area. The case studies outlined below include developments with similar conditions, including frontage along TxDOT roadways with multiple travel lanes and high vehicular speeds.

## SH-71 at Hill Country Galleria – Bee Cave, TX





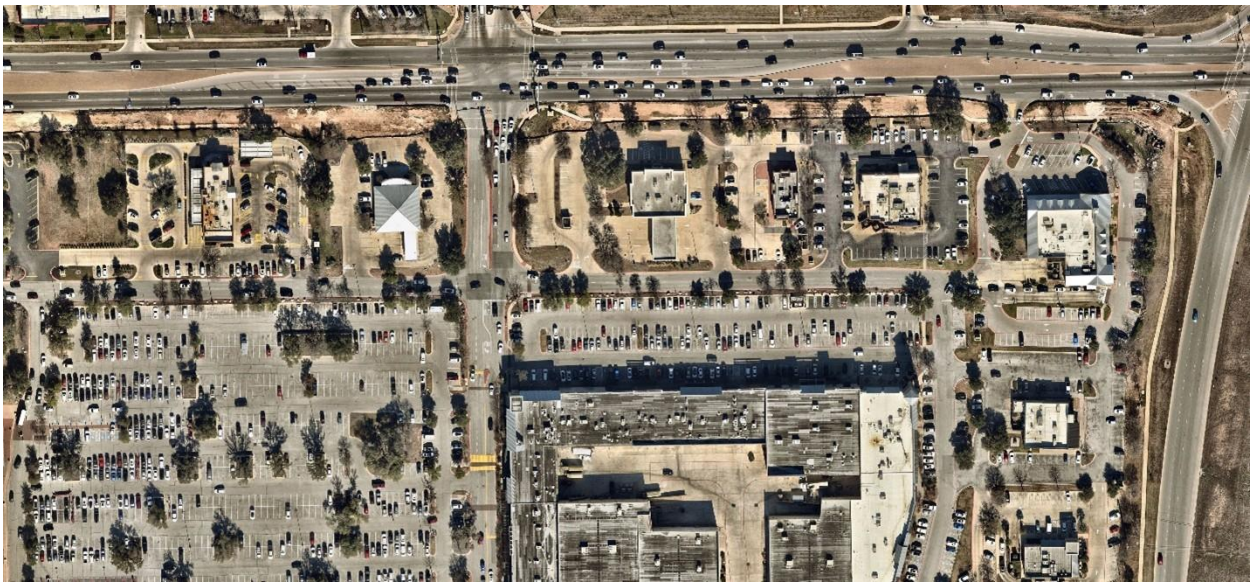




Hill Country Galleria, a 152-acre mixed-use development in Bee Cave, TX, opened in 2007. The development includes a mix of apartments, shopping, dining, and entertainment, with anchor retailers including Whole Foods, Cinemark and Barnes & Noble.

Hill Country Galleria's relationship to SH-71 is shaped by limited access, internal circulation, and landscaped buffering. Access from SH-71 is concentrated at a central driveway that leads to a roundabout within the site. Additional landscaping and water retention features help create a visual and physical buffer between the development and the roadway. The primary retail areas do not face the highway but instead face inward toward each other with a layout designed to draw people into the site. The development uses a significant setback, preserved tree cover and integrated stormwater features to create a buffered edge along SH-71. However, the frontage itself includes limited pedestrian infrastructure, making the development less walkable along the roadway edge and instead focusing on internal connections. Public spaces are integrated, with most vertical mixed use comprised of office-over-retail with urban-scale multifamily and townhomes adjacent. As a result, the site functions more as an internally oriented mixed-use center, with buildings organized around internal spaces rather than the corridor.

## SH-29 at Wolf Rach – Georgetown, TX





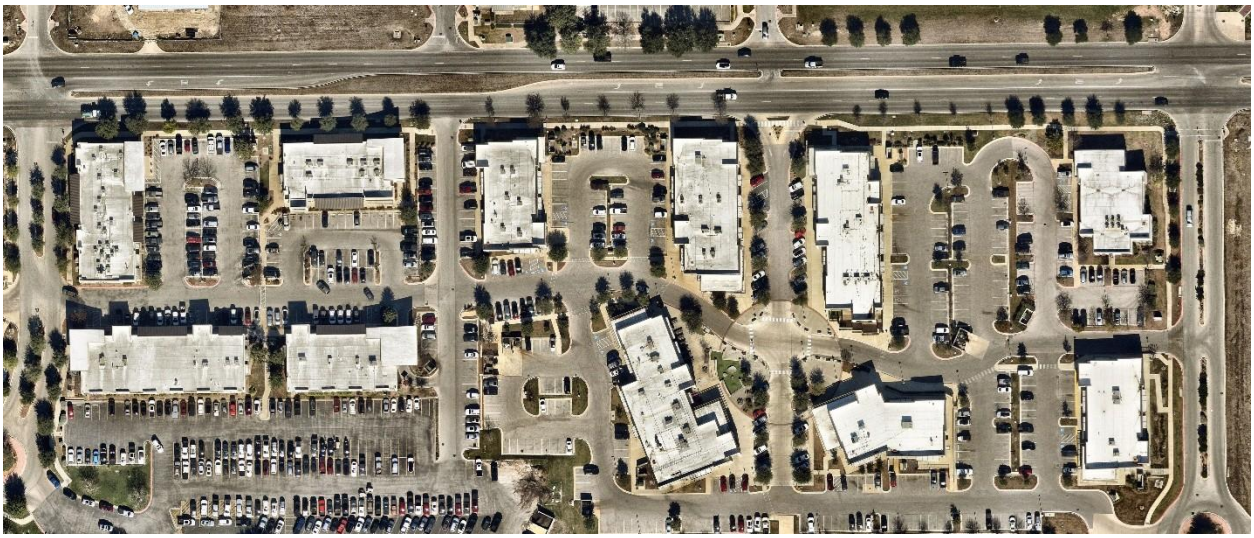




Wolf Ranch, a 52-acre retail development in Georgetown, TX, opened in 2005. The development includes a mix of shopping and dining with Target and Kohls as anchor retailers.

Wolf Ranch is located along SH-29 and uses landscaping, pedestrian paths, and smaller-scale commercial frontage to create a softer, more welcoming presence along the roadway. The front of the development includes substantial tree cover and landscaped areas that provide a visual buffer from SH-29. Smaller retail and restaurant uses line portions of the frontage, creating a more active and varied development pattern. Pedestrian paths connect storefronts, parking areas and nearby businesses, while sharing parking and cross-access between properties allow visitors to move between destinations without using separate driveways or returning to SH-29. While the parking lot focuses on vehicle storage, it is laid out with utilities placed in ways to support future redevelopment.

## Kohlers Crossing at The Park at Plum Creek – Kyle, TX









The Park at Plum Creek, a 25,700 square foot retail development in Kyle, TX, fully opened in 2022. The development includes an assortment of office space, retail and restaurants. There is no anchor retail for this development.

The Park at Plum Creek is located along Kohlers Crossing with buildings pulled close to the roadway. The development includes pedestrian amenities along Kohlers Crossing with pedestrian paths and shade trees along the front of the development. The commercial buildings are oriented away from Kohlers Crossing with the side of the properties fronting the roadway. Parking is shared between properties, and an increased concentration of restaurant uses face an internal intersection with outdoor seating and activity space for the restaurants use. The Park at Plum Creek is unique in its approach to site design, with buildings oriented toward internal streets and shared spaces rather than the corridor.

# Corridor Strategic Framework

## Purpose

The purpose of the corridor strategic framework is to guide public development decisions along the SH-29 corridor utilizing the City of Liberty Hill's UDC and ECM. The guiding principles and strategies are derived from the analysis of existing conditions, successful regional case studies and recommendations from the diagnostic assessment and LHTX 2040 Comprehensive Plan. Additionally, the in-person and online community engagement throughout the report drafting process serves as one of the key foundations for this report's guiding principles and strategies.

## Guiding Principles



### Support Safe Multi-Modal Access

- Improve comfort and safety for pedestrians, bicyclists, drivers and those with disabilities along the corridor.
- Strengthen connections between businesses, parking areas, nearby neighborhoods, sidewalks, trails and additional public spaces.
- Recognize existing SH-29 high-speed environment while creating safer internal circulation within new developments. Seek to draw people in.



### Preserve and Integrate Natural Character

- Reflect Liberty Hill's natural identity through native landscaping, street trees, open space and natural buffers.
- Use landscaping and tree preservation to soften the visual impact of highway-oriented development as well as provide a natural buffer.
- Incorporate natural features into site design to improve corridor appearance, comfort and sense of place.



### Coordinate Quality Development

- Promote development that functions as part of a connected corridor rather than a series of isolated sites.
- Improve the visual quality and performance of buildings, parking areas, signs, lighting, and street frontages.
- Support consistent, high-quality design while allowing flexibility for different site constraints or business owner needs.



### Support a Market-Responsive Mix of Uses

- Expand access to daily needs within Liberty Hill including restaurants, retail, personal services and entertainment uses.
- Support development patterns in alignment with market conditions, including well-connected and amenity-rich horizontal mixed use and commercial town centers.
- Encourage a broader range of local destinations while maintaining compatibility with surrounding areas and corridor character.

# Recommendations

## Support Safe Multi-Modal Access

### Community Feedback

- The SH-29 corridor is lacking proper access and internal circulation between businesses.
- There is limited sidewalk and crosswalk access for pedestrians.

### Developer Feedback

- Coordination between development sites will be essential for future corridor development success.
- Pedestrian infrastructure along the corridor and into adjacent areas is limited.
- Liberty Hill relies on automobiles for access.

### Strategies

- Driveway spacing, shared-access, cross-access and access management standards that support a boulevard configuration for SH-29.
- Block size and connectivity requirements that promote internal circulation, including use of enhanced private internal drives to accomplish effect of shortened blocks for connectivity and access.
- Parking lot design standards that limit large, uninterrupted parking fields through landscaping, pedestrian connections, and lot layout.
- Pedestrian-friendly driveway and sidewalk crossing designs.

### UDC Alignment

**Article 10** (Off-Street Parking, Circulation and Loading)

- 10.03 – Parking Space and Parking Lot Design

**Article 11** (Subdivision Layout and Street Design)

- 11.02 – Subdivision Lots and Blocks
- 11.03 - Streets, Access, and Driveways
- 11.04 - Pedestrian and Bicycle Mobility
- 11.05 - Driveway Standards



*Shared Access Drive*



*Pedestrian-Friendly Enhanced Crosswalk Design*



## Preserve and Integrate Natural Character

### Community Feedback

- The highest rated case study developments were those which integrated extensive landscaping and trees along the street frontage.
- Preference for open space opportunities along the SH-29 corridor and integrated within future development.
- Improve corridor appearance though increased landscaping.

### Developer Feedback

- Support for high-quality, responsible development that preserves the area's natural character.

### Strategies

- Require native, drought-tolerant landscaping in new developments.
- Incentivize increased open space, tree preservation and landscaping in new commercial and mixed-use developments beyond minimum requirements.
- Incorporate deeper landscaping and natural buffers to along SH-29, with increased internal landscaping requirements where frontage buffer depths cannot be achieved.
- Apply/incentivize Low Impact Development (LID) principles on-site.
- Establish minimum tree and shrub size standards.

### UDC Alignment

**Article 7** (Non-Residential and Mixed-Use Development Standards)

- 7.06 - Landscaping and Fencing

**Article 8** (Tree Preservation)

- 8.01 – Tree Preservation and Landsacaping in Subdivision Design

**Article 12** (Infrastructure, Environment and Public Improvements)

- 12.07 – Impervious Cover
- 12.09 – Stormwater Management System Requirements
- 12.10 – Open Space Subdivisions



*Increased Driveway Landscape Buffering*



*Low Impact Development Feature: Permeable Pavement*



## Coordinate Quality Development

### Community Feedback

- Too much traffic congestion along the corridor.
- No cross-access between developments.
- Development does not appear cohesive in design.
- Too many access drives along SH-29 leading to traffic safety concerns.

### Developer Feedback

- Look towards ways to reward exceeding minimum standards.
- Focus on preventing undesirable, haphazard growth patterns along SH-29.
- Market alignment is essential.

### Strategies

- Encourage rear or side parking through parking standards and lot development incentives. Front parking, when present, should have higher design standards and quality pedestrian integration.
- Establish minimum landscape and streetscape standards for front parking areas.
- Add limitation and updated design standards for drive-through uses.
- Address modern drive-through formats (multi-lane; drive-through focused businesses).
- Require public spaces integrated into new commercial and mixed-use development.

### UDC Alignment

**Article 4** (Zoning Districts and Uses)

- 4.10 – Use-Specific Standards

**Article 7** (Non-Residential and Mixed-Use Development Standards)

- 7.02 – Development Standards by District
- 7.04 – Development Quality Scoring System
- 7.06 – Landscaping and Fencing

**Article 10** (Off-Street Parking, Circulation and Loading)

- 10.03 – Parking Space and Parking Lot Design
- 10.05 – Vehicle Stacking Areas



*Mixed-Use Open Space*



*Front Parking with Increased Design Standards*



*Modern Drive-Through*



*Multi-Lane Drive-Through*



*Side Parking*

## Support a Market-Responsive Mix of Uses

### Community Feedback

- Preference for increased restaurant, retail and entertainment-based uses along the corridor.
- Desire for more local business owners.

### Developer Feedback

- Recognition that horizontal mixed-use, thoughtfully connected, is more aligned with market-conditions.
- Preference for practical, market-driven development along SH-29.
- Acknowledgement of lender and financing constraints in shaping development outcomes.

### Strategies

- Incorporate horizontal mixed-use into the zoning strategy, with a focus on achieving the cohesiveness and mixed-use benefits targeted by vertical mixed-use. Consider regulatory incentives for vertical mixed use.
- Consider a points-based system for landscaping, site design and building design to allow flexibility and reward higher-quality development that exceeds minimum.
- Expand cluster development standards to preserve tree canopy and reduce landscaping maintenance.
- Consider new commercial use types.
- Tailor development standards and process to better support small businesses, including regulatory standard flexibility for small spaces conducive to startups.
- Develop a corridor overlay district to coordinate land use, site design, access, landscaping and building design standards along SH-29.

### UDC Alignment

**Article 3** (Applications and Permits)

**Article 4** (Zoning Districts and Uses)

- 4.08 – Zoning Uses
- 4.09 – Use Tables
- 4.10 - Use-Specific Standards

**Article 7** (Non-Residential and Mixed-Use Development Standards)

- 7.04 – Development Quality Scoring System

**Article 8** (Tree Preservation)

- 8.01 – Tree Preservation and Landscaping in Subdivision Design









# Partnerships and Implementation Tools

To implement the recommendations identified for the SH-29 corridor, a range of strategies may be needed through the Liberty Hill UDC rewrite, future policy actions, and additional partnership or incentive tools. As the recommendations are advanced, these implementation tools, design considerations, and potential partnerships should be considered in coordination with developers, property owners, the development community at large, and local and regional partners, including Williamson County, the Texas Department of Transportation, the Liberty Hill Economic Development Corporation, the Liberty Hill Chamber of Commerce, and the Capital Area Metropolitan Planning Organization.

## Site Planning and Design Considerations

### Corridor Access Management

As highlighted during previous public engagement events, access management remains one of the primary challenges and significant influencing factors in determining the long-term functionality of the SH-29 corridor. As the region continues to develop and existing sites redevelop, coordination between adjacent properties will continue to grow in importance in improving traffic flow, reducing vehicular and pedestrian conflicts, and supporting a more connected corridor. The UDC rewrite should consider and outline driveway spacing and clustering standards to reduce the frequency of access points. Shared access and cross-access between adjacent properties should be encouraged to enable internal circulation outside of SH-29, reducing congestion, and conflict points with pedestrians.

In addition to access management, site circulation should be considered to support safe and efficient movement between adjacent developments. Increased focus should be given to driveway throat lengths, which should provide adequate space for vehicles entering a site before encountering parking areas or internal intersections. The UDC rewrite should also address modernizing SH-29 corridor drive-through standards, including vehicle queuing and multi-lane drive-through configurations to minimize traffic impacts on the corridor or adjacent properties. These standards should be further refined and implemented through the SH-29 Corridor Overlay District proposed below.

### Integrate Targeted SH-29 Bufferyards

The SH-29 corridor is considered a gateway into the Liberty Hill community and is what visitors and residents first experience when entering the City. As previously noted in this corridor report, public feedback consistently emphasized cohesive aesthetics, enhanced landscaping, natural buffers, and the preservation of Liberty Hill's natural character. As such, the corridor needs specific, targeted bufferyard standards. The following standards represent one potential approach for implementing bufferyards along the SH-29 corridor within the UDC rewrite.

| SH-29 Bufferyard Standards | |
|---|---|
| Bufferyard Depth | 25 feet |
| Minimum Plantings | 2 Shade Trees / per 1,000 sq.ft.<br>1 Ornamental or Understory Tree / per 1,000 sq.ft.<br>5 Shrubs (5-Gallon) / per 1,000 sq.ft. |

| SH-29 Bufferyard Standards |
|---|
| Notes<br>1. All tree and plant species planted within the bufferyard shall be native and non-invasive species.<br>2. Trees preserved within the required bufferyard shall count toward the minimum planting requirements.<br>3. Plantings shall be arranged in a layered pattern to soften views of parking areas, drive aisles, and non-residential buildings from SH-29. |

The bufferyard standards as outlined above are intended to establish a consistent landscape edge along the corridor that supports the desired character for SH-29. By emphasizing native plant materials, shade trees, and layered landscaping, these standards will help soften views of parking, drive aisles, and non-residential development along the SH-29 corridor, while also implementing the recommendations of this corridor report for enhanced landscaping, tree preservation, and natural buffering.

## Big-Box Developments Along SH-29

To align with the recommendations of this corridor report, big-box developments, defined as retail developments greater than 50,000 square feet in floor area, should be developed as part of a coordinated commercial or horizontal mixed-use center, rather than the traditional development pattern of a standalone building surrounded by large surface parking lots. Development of these sites should consider the following design principles:



*Creekside Town Center, New Braunfels, Texas. Source: Google Earth.*

- Orient buildings and store fronts around internal streets or gathering areas rather than large surface parking lots.
- Use high-quality architectural design, building materials and façade articulation to reduce the visual scale of big-box developments.
- Establish a cohesive site design through consistent architecture, lighting, signage, and other streetscape elements.
- Incorporate smaller retail, restaurant or service spaces that complement the anchor tenant and create a more diverse commercial environment.
- Provide deeper landscape buffers along SH-29 to enhance the corridor's appearance and soften the visual impact of big-box developments.
- Locate parking to the side or rear, with enhanced landscape, streetscape, and pedestrian design standards applied where front parking is necessary. Large parking areas should be divided by landscape or pedestrian pathways.
- Create public open spaces and pedestrian amenities that support activity beyond the big-box development.
- Integrate shared access, cross-access and internal circulation standards that allow the site to function as part of a connected corridor rather than an isolated development.

## Strip-Center Developments Along SH-29

To align with the recommendations of this corridor report, strip-center retail projects should be designed as coordinated commercial centers that better support corridor connectivity and

pedestrian activity. Development of these projects should consider the following design principles:

- Include a mix of storefront sizes, including smaller storefronts that lower barriers to entry for local business owners.
- Orient storefronts toward pedestrian walkways, plazas or shared gathering spaces rather than exclusively toward parking areas.
- Integrate shared access and cross-access connections with adjacent properties to increase connectivity along the corridor.
- Provide opportunities for pedestrian connections to storefronts, neighboring developments, and future corridor destinations.
- Encourage parking to the side or rear, with enhanced landscape, streetscape, and pedestrian design standards applied where front parking is necessary.
- Provide enhanced landscaping and buffering along SH-29 to contribute to a more attractive and cohesive corridor environment.

## Policy and Regulatory Recommendations

### Rebrand *Boulevard Redevelopment* Place Type

Since adoption of the LHTX 2040 Comprehensive Plan in 2023, the areas of Liberty Hill designated as Boulevard Redevelopment have seen significant development activity. This development has enabled the City to better understand the range of development types possible within the place type. Furthermore, much of the area is experiencing new investment rather than *redevelopment*, and the term may unintentionally imply the replacement of existing businesses or development, while *boulevard* (a highly specific design outcome requiring extensive coordination of both TXDOT and private development retrofitting) may not accurately represent the corridor's evolving character. As a result, the City should consider rebranding the Boulevard Redevelopment place type to better reflect the corridor's evolving role and desired character.

Many of the core principles of the place type remain relevant, including connectivity, access management, enhanced landscaping, multimodal mobility, coordinated site design, and high-quality development. However, an updated place type should recognize a broader range of development patterns and better implement the recommendations from this corridor report.

### Incorporate an SH-29 Corridor Overlay District

To address and implement the recommendations as outlined in this corridor report, a separate SH-29 Corridor Overlay should be integrated into the Liberty Hill UDC. The overlay would provide a coordinated regulatory framework for the corridor by aligning land use, access management, connectivity, site design, landscaping, parking, open space, and building design standards. It would also allow the City to permit uses that support the corridor’s goals while prohibiting or limiting uses that may be less compatible with its desired character, such as auto service uses, gas stations, and smoke or vape shops. This approach would enable the City to apply specific standards to the corridor that support high-quality development, preservation of the area's natural character, improved multimodal circulation, and continued investment towards the recommendations and vision for the SH-29 corridor.

## Economic Development and Incentive Programs

### Aesthetic Incentives

The City should consider establishing incentives such as waived fees, expedited approval, or flexibility on development requirements in exchange for exterior improvements that exceed minimum requirements for parking, landscaping, and other site design elements along the SH-29 corridor. Examples may include allowing a parking reduction when parking is located to the rear or side of a building or allowing an incentive when landscaping is provided beyond the minimum requirement. Likewise, the first portion of a lease space (300 s.f.) could be exempted from calculation of minimum parking which would help encourage creation of smaller lease spaces supportive of new small businesses.

### Cross-Access Improvement Program

To implement the cross-access goals of this corridor report along SH-29, the City should consider providing assistance for cross-access improvements between existing developments. Such assistance could include facilitating easement acquisition, cost-sharing for access improvements, technical assistance, or other tools that improve connectivity and internal circulation along SH-29.

### Façade Improvement Program

The City should consider establishing a façade improvement program, such a program provides funds to assist businesses with repairs, touch-ups, and changes to commercial building facades. The program encourages property and business owners to proactively renovate the facade of their business and improve the overall aesthetic of retail areas. Under this program, the City could match private investment up to a certain dollar amount along the SH-29 corridor.

### Retail Landscaping and Site Improvement Program

A retail landscaping and site improvement program should be considered by the City. Landscaping has the potential to significantly impact the overall appearance of the SH-29 corridor. Many existing retail and commercial centers within the corridor have minimal landscaping, and local businesses may not have the funding to make exterior improvements. Therefore, offering a landscaping and site improvement incentive may entice business owners to perform minor improvements to their property.

### Retail Rehabilitation Program

To encourage redevelopment of existing retail centers along the corridor, the City should consider offering low-interest loans, matching funds, or even grants in exchange for significant rehabilitation through a retail rehabilitation program. Significant rehabilitation would include improvements where both the exterior and interior of an existing structure are improved and modernized. These incentives should be targeted toward substantial rehabilitation projects where public investment can help facilitate desired corridor improvements. This could also take the form of lease guarantees from the EDC to support project financing to help bridge project financing during rehabilitation.

# AGENDA ITEM 4.A

**Approval of the City Council Regular Meeting minutes from September 9, 2026.**

**City Council Regular Meeting Minutes**

**Wednesday – September 9, 2026 – 5:01 p.m.**
**City Council Chamber/Municipal Court Building**
**2801 Ranch Road 1869 Liberty Hill, Texas 78642**

Presiding: Mayor Crystal Mancilla

Attending: Mayor Pro Tem Diane Williams, Council Members, Tim Hennessy, Jacquetta Thayer, Lacy Scott, Michael Helbing *(arrived at 6:00 p.m.),* and Elisabeth Brown *(arrived at 6:00 p.m.).*

Also attending were City Manager Thomas Hunter, Deputy City Manager Brandon Pritchett, Executive Director of Management Services Abby Morrison, City Attorney Laura Mueller, and City Secretary Beatrice Canseco.

**CALL TO ORDER**

Mayor Mancilla called the meeting to order at 5:01 p.m.

**PUBLIC HEARING**

**2A)** Conduct a public hearing regarding the proposed adoption of an ad valorem tax rate of $0.494268 per $100 valuation for Tax Year 2026.
***(J. Armstrong, Finance Director)***

Mr. Armstrong presented the proposed ad valorem tax rate.

Mayor Mancilla opened the public hearing at 5:03 p.m. No one spoke. Mayor Mancilla closed the public hearing at 5:03 p.m.

**RECESS**

Mayor Mancilla recessed the meeting at 5:04 p.m.

**RECONVENE**

Mayor Mancilla reconvened the meeting at 6:00 p.m.

Council Members Elisabeth Brown and Michael Helbing joined the meeting. All members were present.

Officer Joiner delivered the invocation. Mayor Mancilla led the Pledge of Allegiance and the Texas Pledge.

**PRESENTATIONS**

**3A)** Presentation of a Proclamation for National Preparedness Month and StormReady® Recognition. ***(Mayor Mancilla)***

Emergency Manager Cassandra Edwards provided an overview of National Preparedness Month activities and the City's StormReady® designation. Mayor Mancilla presented the proclamation and recognition.

**PUBLIC COMMENTS**

The following individuals addressed the Council regarding the City's use of Flock Safety license plate recognition cameras under Item 6A:

Marc Vandament
Seann Pridmore
Devin Vyner
Omar Kaif
Kate Bunch
Maureen Saval
Taylor Nelson
Charles Indriago
Brett Marler
James Dedolph
Lisa Foto
Justin Early
Mathias Earley

**CONSENT AGENDA**

Item 5D was removed from the Consent Agenda for separate consideration.

**5A)** Approval of the City Council Workshop Meeting minutes from August 12, 2026.

**5B)** Approval of the City Council Regular Meeting minutes from August 12, 2026.

**5C)** Approval of the City Council Regular Meeting minutes from August 26, 2026.

DRAFT

**5E)** Approval of an Interlocal Agreement with Williamson County in the amount of $36,966 for updating the City's Atlas 14 map, and authorize the City Manager to execute the agreement.

**5F)** Acceptance of a Special Warranty Deed from 6600 CR 277 Investments, LLC conveying approximately 53.836 acres to the City of Liberty Hill for City parkland purposes, and authorize the City Manager to execute any documents necessary for acceptance and recording of the deed.

**5G)** Approval of an updated agreement with Judge Kevin Madison establishing compensation and a two-year term beginning October 1, 2026, and reappointment of Judge Madison as Municipal Court Judge for the City of Liberty Hill Municipal Court of Record.

**5H)** Approval of Resolution No. 2026-R-018, authorizing the creation of an employee benefit trust.

**5I)** Approval of the proposal from Absolute Demolition for the demolition of structures located at 202 Myrtle in the amount of $39,347.

*Motion made by Mayor Pro Tem Williams to approve the Consent Agenda with the exception of item 5D.*

*Seconded by Council Member Brown.*

*Motion carried unanimously (7-0).*

**5D)** Approval of a contract with Consolidated Water for wholesale water services, and authorize the City Manager to execute the agreement.
***(B. Pritchett, Deputy City Manager)***

Mr. Pritchett provided an overview of the agreement and was available to answer questions.

*Motion made by Mayor Pro Tem Williams approving the contract with Consolidated Water for wholesale water services and authorizing the City Manager to execute the agreement.*

*Seconded by Council Member Scott.*

*Motion carried unanimously (7-0).*

**REGULAR AGENDA**

**6A)** Discussion and consideration of possible action regarding the City's use of Flock Safety license plate recognition cameras.
***(T. Hunter, City Manager)***

Council discussed the City's use of Flock Safety license plate recognition cameras and considered the public comments received.



DRAFT

*Motion made by Mayor Pro Tem Williams terminating the Flock Safety agreement, ensuring the agreement is not renewed in October, directing the immediate removal of all cameras under the City's jurisdiction, and ensuring the City does not use technology for mass surveillance in the future.*

*Seconded by Council Member Hennessy.*

*Motion carried unanimously (7-0).*

**6B)** Discussion and consideration of possible action on a Professional Services Agreement with Lochner, An Egis Company, in the amount of $842,075.93 for professional engineering services associated with the AC Waterline Replacement (Downtown Water Line Upgrades), and authorize the City Manager to execute the agreement.
***(E. Hoeft, City Engineer)***

Ms. Hoeft presented the proposed agreement and project scope.

*Motion made by Council Member Brown, approving the Professional Services Agreement with Lochner, An Egis Company, in the amount of $842,075.93 and authorizing the City Manager to execute the agreement.*

*Seconded by Council Member Hennessy.*

*Motion carried unanimously (7-0).*

**6C)** Discussion and consideration of possible action on a Professional Services Agreement with STV, Inc. in the amount of $1,116,153.00 for Owner Representative and Construction Management and Inspection services associated with the Advanced Water Purification Facility project, and authorize the City Manager to execute the agreement.
***(R. Claridy-Miga, Planning and Development Services Director | E. Hoeft, City Engineer)***

Ms. Claridy-Miga and Ms. Hoeft presented the proposed agreement and project scope.

*Motion made by Council Member Brown approving the Professional Services Agreement with STV, Inc. in the amount of $1,116,153.00 and authorizing the City Manager to execute the agreement.*

*Seconded by Council Member Helbing.*

*Motion carried unanimously (7-0).*

**6D)** Discussion and consideration of possible action on a Professional Services Agreement with Pape-Dawson Engineers in the amount of $5,904,143.00 for Owner Representative and Construction Management and Inspection services associated with the North Fork Wastewater Treatment Plant project, and authorize the City Manager to execute the agreement.

***(R. Claridy-Miga, Planning and Development Services Director | E. Hoeft, City Engineer)***

Ms. Claridy-Miga and Ms. Hoeft presented the proposed agreement and project scope.

*Motion made by Council Member Hennessy approving the Professional Services Agreement with Pape-Dawson Engineers in the amount of $5,904,143.00 and authorizing the City Manager to execute the agreement.*

*Seconded by Council Member Brown.*

*Motion carried unanimously (7-0).*

**6E)** Discussion and consideration of possible action on Ordinance No. 2026-O-021 conditionally approving the Jeff's Auto Body Site Plan and Utility Service Request for approximately 2.1 acres generally located at the eastern corner of Bevers Road and State Highway 29, addressed as 100 Bevers Road, and authorizing City-provided water service.
***(R. Claridy-Miga, Planning and Development Services Director)***

Ms. Claridy-Miga presented the site plan and utility service request. The applicant's representative provided additional information regarding the proposed development and on-site fire protection.

Mayor Mancilla read the ordinance caption:
AN ORDINANCE OF THE CITY OF LIBERTY HILL, TEXAS, CONDITIONALLY APPROVING A SITE PLAN AND UTILITY EVALUATION FOR 2024-38-SDP JEFF'S AUTO REPAIR; CONDITIONALLY APPROVING THE ISSUANCE OF A SITE DEVELOPMENT PERMIT FOR THE PROJECT IN ACCORDANCE WITH SECTION 6.04(E) OF THE CITY OF LIBERTY HILL UNIFIED DEVELOPMENT CODE; PROVIDING FOR FINDINGS OF FACT, REPEALER AND SEVERABILITY CLAUSES; NOTICE OF MEETING AND PROVIDING FOR AN EFFECTIVE DATE.

*Motion made by Mayor Pro Tem Williams approving Ordinance No. 2026-O-021 as presented.*

*Seconded by Council Member Helbing.*

*Motion carried unanimously (7-0).*

**6F)** Public hearing, discussion, and consideration of possible action on Ordinance No. 2026-O-022 adopting the City of Liberty Hill budget for the fiscal year beginning October 1, 2026, and ending September 30, 2027; appropriating funds in accordance with the adopted budget; repealing ordinances or parts of ordinances in conflict; and providing an effective date.
***(J. Armstrong, Finance Director)***

Mr. Armstrong presented the proposed Fiscal Year 2026-2027 budget.

Mayor Mancilla opened the public hearing at 7:40 p.m. No one spoke. Mayor Mancilla closed the public hearing at 7:40 p.m.

Mayor Mancilla read the ordinance caption:
AN ORDINANCE OF THE CITY OF LIBERTY HILL, TEXAS, MAKING APPROPRIATIONS FOR THE SUPPORT OF CITY SERVICES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2026, AND ENDING SEPTEMBER 30, 2027 APPROPRIATING MONEY TO A SINKING FUND TO PAY PRINCIPAL AND INTEREST ON THE CITY'S INDEBTEDNESS; AND ENACTING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2026 - 2027; FUNDING MUNICIPAL PURPOSES; AUTHORIZING EXPENDITURES; PROVIDING FOR FINDINGS OF FACT; ENACTMENT; FILING OF BUDGET; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

*Motion made by Council Member Brown, approving Ordinance No. 2026-O-022 and adopting the Fiscal Year 2026-2027 budget as presented.*

*Seconded by Council Member Hennessy.*

*The following votes were recorded:*

*Mayor Mancilla — Aye*
*Mayor Pro Tem Williams — Aye*
*Council Member Brown — Aye*
*Council Member Helbing — Aye*
*Council Member Hennessy — Aye*
*Council Member Scott — Aye*
*Council Member Thayer — Aye*

*Motion carried unanimously (7-0).*

**6G)** Discussion and consideration of possible action on Ordinance No. 2026-O-023 levying ad valorem taxes for the use and support of the municipal government of the City of Liberty Hill for Fiscal Year 2026-2027; apportioning the levy for specific purposes; establishing when taxes become due and delinquent; and providing an effective date.
***(J. Armstrong, Finance Director)***

Mr. Armstrong presented the proposed ad valorem tax rate.

Mayor Mancilla read the ordinance caption:
AN ORDINANCE OF THE CITY OF LIBERTY HILL, TEXAS, ADOPTING AN AD VALOREM TAX RATE AND LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT FOR THE CITY OF LIBERTY HILL, TEXAS, AS MAY BE NECESSARY TO PROMOTE THE GENERAL HEALTH, SAFETY AND WELFARE FOR THE 2026 - 2027 FISCAL YEAR, PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

DRAFT

*Motion made by Council Member Brown that the property tax rate be increased by the adoption of a tax rate of $0.494268 per $100 valuation, which is effectively a 16.6 percent increase in the tax rate, composed of an operations and maintenance rate of $0.329235 per $100 valuation and an interest and sinking rate of $0.165033 per $100 valuation, and levying ad valorem property taxes within the City of Liberty Hill for Tax Year 2026.*

*Seconded by Council Member Helbing.*

*The following votes were recorded:*

*Mayor Mancilla — Aye*
*Mayor Pro Tem Williams — Aye*
*Council Member Brown — Aye*
*Council Member Helbing — Aye*
*Council Member Hennessy — Aye*
*Council Member Scott — Aye*
*Council Member Thayer — Aye*

*Motion carried unanimously (7-0).*

*Motion made by Mayor Pro Tem Williams, approving an interest and sinking rate of $0.165033 per $100 valuation and levying ad valorem property taxes within the City of Liberty Hill for Tax Year 2026.*

*Seconded by Council Member Brown.*

*The following votes were recorded:*

*Mayor Mancilla — Aye*
*Mayor Pro Tem Williams — Aye*
*Council Member Brown — Aye*
*Council Member Helbing — Aye*
*Council Member Hennessy — Aye*
*Council Member Scott — Aye*
*Council Member Thayer — Aye*

*Motion carried unanimously (7-0).*

**6H)** Discussion and consideration of possible action on adjustments to the 2026 City Council Regular Meeting schedule due to City holidays.

*Motion made by Council Member Thayer, approving the adjustments to the 2026 City Council Regular Meeting schedule by rescheduling the November 11 meeting to November 9, rescheduling the November 25 meeting to November 23, and rescheduling the December 23 meeting to December 21.*

DRAFT

*Seconded by Council Member Helbing.*

*Motion carried unanimously (7-0).*

**CONVENE TO EXECUTIVE SESSION**

At 8:00 p.m., Mayor Mancilla announced that the City Council would convene into Executive Session to discuss the following items:

**7A)** Pursuant to Texas Government Code Section 551.071, to seek the advice of legal counsel regarding pending and potential litigation.

**7B)** Pursuant to Texas Government Code Section 551.072, to deliberate the purchase, exchange, lease, or value of real property related to Project Chance.

**RECONVENE TO REGULAR SESSION**

Mayor Mancilla reconvened the meeting into Regular Session at 8:14 p.m.

No action was taken.

**ADJOURNMENT**

With no further business, and without objection, Mayor Mancilla adjourned the meeting at 8:15 p.m.

_____
Crystal Mancilla, Mayor

_____
Beatrice Canseco, City Secretary

DRAFT

# AGENDA ITEM 4.B

**Approval of a resolution adopting the updated Community Impact Grant Program Policies and Guidelines.**

**City Council Meeting Date:** September 23, 2026

**Requested By:** Katie Amsler, Director of Community Engagement & Communications

**Requested Agenda Placement:** Consent Agenda

**Agenda Item Type:** Resolution

# AGENDA ITEM COVER SHEET

## ITEM / TITLE:

Updated Community Grant Policy

## AGENDA ITEM WORDING:

Approval of a resolution adopting the updated Community Impact Grant Program Policies and Guidelines.

## EXECUTIVE / BACKGROUND SUMMARY:

The updated Community Impact Grant Program policy establishes the framework for awarding City funds to nonprofit organizations whose programs, services, events, or initiatives provide meaningful assistance and measurable benefits to Liberty Hill residents. The policy outlines applicant eligibility, funding provisions, evaluation criteria, application and review procedures, funding agreements, reporting requirements, ineligible uses of funds, conflicts of interest, and general program requirements. It also establishes a 100-point staff evaluation matrix based on Community Impact, Liberty Hill Reach, Organizational Capacity & Financial Stewardship, Measurable Outcomes, Project Readiness & Feasibility, and Need for Funding.

## FISCAL NOTES / FINANCIAL IMPACT:

No immediate fiscal impact from adoption of the policy. Funding for the Community Impact Grant Program is subject to annual budget approval by City Council, and individual awards are subject to available funding and Council approval.

## CITY ATTORNEY REVIEW (IF APPLICABLE):

approved

## RESPONSIBLE STAFF / FOLLOW-UP:

Community Engagement & Communications staff will administer the program in accordance with the adopted policy and established application procedures.

---

## ATTACHMENTS:

Resolution; Updated Community Impact Grant Program Policies and Guidelines

RESOLUTION NO. 2026-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY HILL, TEXAS, ADOPTING THE COMMUNITY IMPACT GRANT PROGRAM POLICIES AND GUIDELINES; PROVIDING FOR AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Liberty Hill values partnerships with local nonprofit organizations that address community needs and enhance the overall quality of life for residents; and

WHEREAS, the City Council desires to establish a clear and structured program to support eligible tax-exempt and nonprofit organizations whose programs, services, events, or initiatives provide direct and measurable benefits to the Liberty Hill community; and

WHEREAS, City staff has prepared the City of Liberty Hill Community Impact Grant Program Policies and Guidelines, to govern eligibility, funding allocations, application procedures, evaluation criteria, and reporting requirements; and

WHEREAS, the City Council finds that adopting these policies serves a valid public purpose and supports strategic priorities for the City.

NOW, THEREFORE, be it resolved by the City Council of the City of Liberty Hill, Texas:

1. The City Council hereby officially approves and adopts the City of Liberty Hill Community Impact Grant Program Policies and Guidelines, as set forth in Exhibit "A" attached hereto and incorporated herein for all purposes.
2. City staff is hereby authorized to establish necessary administrative procedures, application documents, review workflows, and reporting tools to carry out the program in accordance with the adopted policies.
3. If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.
4. It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.
5. This Resolution shall take effect immediately upon its passage and approval.

PASSED AND APPROVED this, the _____ day of _____, 2026, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the City Council of Liberty Hill, Texas.

**CITY OF LIBERTY HILL, TEXAS**

_____

Crystal Mancilla, Mayor

**ATTEST:**

_____

Beatrice Canseco, City Secretary

Exhibit “A”

CITY OF LIBERTY HILL
COMMUNITY IMPACT GRANT PROGRAM

# POLICIES AND GUIDELINES

## I. PURPOSE

The City of Liberty Hill values partnerships with nonprofit organizations that help address community needs and improve the quality of life for residents. The purpose of the Community Impact Grant Program is to support nonprofit organizations whose programs, services, events, or initiatives provide meaningful assistance and measurable benefits to Liberty Hill residents.

Funding may be awarded to organizations whose work aligns with community needs, public benefit objectives, strategic priorities, or other goals identified by the City Council.

## II. ELIGIBILITY

Eligible applicants must:

A. Be recognized as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code or another nonprofit designation approved by the City.

B. Demonstrate a direct and meaningful benefit to Liberty Hill residents.

C. Demonstrate the organizational capacity to successfully implement the proposed program, service, event, or initiative.

D. Comply with all application requirements established by the City.

E. Organizations are not required to be physically located within the City of Liberty Hill; however, applicants must demonstrate how awarded funds will directly benefit Liberty Hill residents.

## III. FUNDING

A. Funding for the Community Impact Grant Program is subject to annual budget approval by the City Council.

B. Funding awards are made solely at the discretion of the City Council and are subject to available funding.

C. The City Council may award all, some, or none of the funding requested by an applicant.

D. Receipt of funding in one year does not create an expectation of future funding.

E. Organizations are encouraged to maintain diverse funding sources and not rely solely on City funding.

## IV. EVALUATION CRITERIA

Applications may be evaluated using criteria including, but not limited to:

- Community Impact
- Liberty Hill Reach
- Organizational Capacity & Financial Stewardship
- Measurable Outcomes
- Project Readiness & Feasibility
- Need for Funding

The City Council retains sole discretion in evaluating applications and determining funding awards.

## V. APPLICATION AND REVIEW PROCESS

A. The City shall establish and publish application procedures, deadlines, required documentation, evaluation criteria, and other program requirements as needed.

B. Applicants may be requested to provide additional information, participate in interviews, attend workshops, or make presentations during the review process.

C. City staff may review applications and provide recommendations to the City Council.

D. The City Council retains sole authority to approve, deny, modify, or condition funding requests and award amounts.

## VI. FUNDING AGREEMENT

Organizations receiving funding shall enter into a funding agreement in a form approved by the City.

## VII. REPORTING REQUIREMENTS

Organizations receiving funding shall provide reports as required by the funding agreement or program guidelines established by the City.

Reports shall contain information required by the City and may include, but are not limited to:

- Summary of how funds were used
- Number of Liberty Hill residents served
- Outcomes achieved
- Financial summary showing award amount and expenditures

## VIII. INELIGIBLE USES OF FUNDS

- Grant funds shall not be used for:
- Political campaigns, lobbying activities, or political advocacy
- Religious worship services, sectarian instruction, or activities intended primarily to advance a particular faith or religious doctrine
- Retirement of debt, loans, or financial obligations incurred prior to the grant award
- Capital campaigns or fundraising campaigns
- Endowments, reserve funds, or investment accounts
- Fundraising events or activities intended primarily to raise money for the applicant organization
- Any purpose prohibited by federal, state, or local law

## IX. CONFLICTS OF INTEREST

Applicants shall disclose any actual or potential conflicts of interest involving board members, officers, employees, contractors, or other affiliated individuals that may affect the administration or use of grant funds.

The City Council reserves the right to consider such disclosures when evaluating funding requests.

## X. GENERAL PROVISIONS

A. Funding awards are contingent upon compliance with all program requirements and execution of a funding agreement.

B. Funds must be used for the purpose approved by the City Council.

C. The City reserves the right to request repayment of funds that are not used for approved purposes or are otherwise expended in violation of the funding agreement.

D. The City Council reserves the right to amend, suspend, or discontinue the Community Impact Grant Program at any time.

CITY OF LIBERTY HILL
COMMUNITY IMPACT GRANT PROGRAM

# POLICIES AND GUIDELINES

## I. PURPOSE

The City of Liberty Hill values partnerships with nonprofit organizations that help address community needs and improve the quality of life for residents. The purpose of the Community Impact Grant Program is to support nonprofit organizations whose programs, services, events, or initiatives provide meaningful assistance and measurable benefits to Liberty Hill residents.

Funding may be awarded to organizations whose work aligns with community needs, public benefit objectives, strategic priorities, or other goals identified by the City Council. Funding for these programs, services, events, or initiatives will only be authorized if they offer a public municipal purpose for the City of Liberty Hill.

## II. ELIGIBILITY

Eligible applicants must:

A. Be recognized as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code or another nonprofit designation approved by the City Manager.

B. Demonstrate a direct and meaningful benefit to Liberty Hill residents.

C. Demonstrate the organizational capacity to successfully implement the proposed program, service, event, or initiative.

D. Comply with all application requirements established by the City.

E. Organizations are not required to be physically located within the City of Liberty Hill; however, applicants must demonstrate how awarded funds will directly benefit Liberty Hill residents.

F. Is determined to promote a municipal public purpose of the City of Liberty Hill.

## III. FUNDING

A. Funding for the Community Impact Grant Program is subject to annual budget approval by the City Council.

B. Funding awards are made solely at the discretion of the City Council and are subject to available funding.

C. The City Council may award all, some, or none of the funding requested by an applicant.

D. Receipt of funding in one year does not create an expectation of future funding.

E. Organizations are encouraged to maintain diverse funding sources and not rely solely on City funding.

## IV. EVALUATION CRITERIA

Applications may be evaluated using criteria including, but not limited to:

- Community Impact
- Liberty Hill Reach
- Organizational Capacity & Financial Stewardship
- Measurable Outcomes
- Project Readiness & Feasibility
- Need for Funding

The City Council retains sole discretion in evaluating applications and determining funding awards.

## V. APPLICATION AND REVIEW PROCESS

A. The City shall establish and publish application procedures, deadlines, required documentation, evaluation criteria, and other program requirements as needed.

B. Applicants may be requested to provide additional information, participate in interviews, attend workshops, or make presentations during the review process.

C. City staff may review applications and provide recommendations to the City Council.

D. The City Council retains sole authority to approve, deny, modify, or condition funding requests and award amounts.

## VI. FUNDING AGREEMENT

Organizations receiving funding shall enter into a funding agreement in a form approved by the City.

## VII. REPORTING REQUIREMENTS

Organizations receiving funding shall provide reports as required by the funding agreement or program guidelines established by the City.

Reports shall contain information required by the City and may include, but are not limited to:

- Summary of how funds were used
- Number of Liberty Hill residents served
- Outcomes achieved
- Financial summary showing award amount and expenditures

## VIII. INELIGIBLE USES OF FUNDS

- Grant funds shall not be used for:
    - Political campaigns, lobbying activities, or political advocacy
    - Religious worship services, sectarian instruction, or activities intended primarily to advance a particular faith or religious doctrine
    - Retirement of debt, loans, or financial obligations incurred prior to the grant award
    - Capital campaigns or fundraising campaigns
    - Endowments, reserve funds, or investment accounts
    - Fundraising events or activities intended primarily to raise money for the applicant organization
    - Any purpose prohibited by federal, state, or local law

## IX. CONFLICTS OF INTEREST

Applicants shall disclose any actual or potential conflicts of interest involving board members, officers, employees, contractors, or other affiliated individuals that may affect the administration or use of grant funds.

The City Council reserves the right to consider such disclosures when evaluating funding requests.

## X. GENERAL PROVISIONS

A. Funding awards are contingent upon compliance with all program requirements and execution of a funding agreement.

B. Funds must be used for the purpose approved by the City Council.

C. The City reserves the right to request repayment of funds that are not used for approved purposes or are otherwise expended in violation of the funding agreement.

D. The City Council reserves the right to amend, suspend, or discontinue the Community Impact Grant Program at any time.

COMMUNITY IMPACT GRANT PROGRAM

# STAFF EVALUATION MATRIX

| Category | Points |
|---|---|
| Community Impact | 25 |
| Liberty Hill Reach | 20 |
| Organizational Capacity & Financial Stewardship | 20 |
| Measurable Outcomes | 15 |

| | |
|---|---|
| Project Readiness & Feasibility | 10 |
| Need for Funding | 10 |
| **Total** | **100** |

## COMMUNITY IMPACT (25 POINTS)

**Purpose:** Evaluates the extent to which the proposed program, service, event, or initiative benefits Liberty Hill residents and addresses a demonstrated community need.

22–25: Substantial and clearly defined community benefit
16–21: Meaningful community benefit
8–15: Benefit exists but impact is limited or unclear
0–7: Limited community benefit demonstrated

## LIBERTY HILL REACH (20 POINTS)

**Purpose**: Evaluates the number of Liberty Hill residents expected to benefit from the proposed project.

17–20: Broad reach among Liberty Hill residents
13–16: Moderate reach
6–12: Limited reach
0–5: Minimal reach

Consider the number of residents served, the nature and intensity of services provided, and whether the project serves a meaningful segment of the community.

## ORG. CAPACITY & FINANCIAL STEWARDSHIP (20 POINTS)

**Purpose:** Evaluates the organization's ability to implement the project and responsibly manage public funds.

16–20: Strong capacity and stability
11–15: Adequate capacity
6–10: Limited capacity concerns
0–5: Significant concerns

## MEASURABLE OUTCOMES (15 POINTS)

**Purpose:** Evaluates whether outcomes are specific and measurable.

13–15: Clear measurable outcomes
9–12: Generally measurable
4–8: Vague outcomes
0–3: Outcomes not clearly identified

## PROJECT READINESS & FEASIBILITY (10 POINTS)

**Purpose:** Evaluates whether the project is realistic and ready to implement.

8–10: Ready to implement
5–7: Generally feasible
2–4: Significant questions
0–1: Lacks readiness

## NEED FOR FUNDING (10 POINTS)

**Purpose:** Evaluates whether City funding is necessary for successful implementation of the proposed project, not the organization's overall financial condition.

8–10: Clear need and funding gap
5–7: Reasonable need demonstrated
2–4: Partial need demonstrated
0–1: Need not clearly established

# AGENDA ITEM 4.C

**Approval of a resolution adopting the City of Liberty Hill Investment Policy and Strategy in accordance with Chapter 2256 of the Texas Government Code, also known as the Public Funds Investment Act.**

**City Council Meeting Date:** September 23, 2026

**Requested By:** Josh Armstrong, Finance Director

**Requested Agenda Placement:** Consent Agenda

**Agenda Item Type:** Resolution

# AGENDA ITEM COVER SHEET

## ITEM / TITLE:

Investment Policy Review

## AGENDA ITEM WORDING:

Approval of a resolution adopting the City of Liberty Hill Investment Policy and Strategy in accordance with Chapter 2256 of the Texas Government Code, also known as the Public Funds Investment Act.

## EXECUTIVE / BACKGROUND SUMMARY:

As required by Chapter 2256, Texas Government Code, the investment policy must be adopted by the City Council on an annual basis. This also includes approving a list of broker/dealers, which we are allowed to use to conduct business transactions. The policy addresses objectives, strategy, delegation, prudence, authorized investments, reporting, collateral, and safekeeping. The primary objective of the policy is safety, liquidity, yield, and public trust. Finally, the policy is in compliance with Chapter 2256, Texas Government Code.

There are no significant changes made to this policy.

## FISCAL NOTES / FINANCIAL IMPACT:

There is no significant financial impact. With this policy and the approved list of broker/dealers the City is afforded the opportunity to earn more interest on funds currently being held at the local depository and government pools.

## CITY ATTORNEY REVIEW (IF APPLICABLE):

N/A

**RESPONSIBLE STAFF / FOLLOW-UP:**

N/A

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**ATTACHMENTS:**

Investment Policy Resolution

Investment Policy 2025-R-058 Redline

Investment Policy 2026-R-019 Clean

**CITY OF LIBERTY HILL**

**RESOLUTION 2026-R-019**

**A RESOLUTION OF THE CITY OF LIBERTY HILL, TEXAS, STATING THAT IT HAS REVIEWED THE INVESTMENT POLICY AND STRATEGY OF THE CITY.**

**WHEREAS**, the Public Funds Investment Act (Texas Government Code, Chapter 2256) governs local government investment; and

**WHEREAS**, the Public Fund Investment Act (Section 2256.005a) requires the City Council to adopt an investment policy and investment strategies by rule, order, ordinance or resolution governing the investment of funds under its control; and

**WHEREAS**, the Public Funds Investment Act (Section 2256.025) requires the City Council to adopt a list of authorized broker/dealers; and

**WHEREAS**, the Public Fund Investment Act (Section 2256.005e), requires the resolution approving the policy and strategy to record any changes made thereto; and

**WHEREAS**, the City has chosen to make certain changes material to the Policy to include the following;

Amended the titles of the Investment Officers of the City.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Liberty Hill, Texas, that:**

**Section 1:** The City of Liberty Hill, having complied with the requirements of the Public Funds Investment Act, hereby adopts the Investment Policy and Strategy, as amended, attached hereto as Exhibit A.

**Section 2:** The City Council hereby appoints the Finance Director, and Accounting Supervisor as Investment Officers of the City.

**RESOLVED** this 23rd day of September 2026

**CITY OF LIBERTY HILL, TEXAS**

_____

Crystal Mancilla, Mayor

**ATTEST:**

_____
Beatrice Canseco, City Secretary

**APPROVED AS TO FORM:**

_____
Laura Mueller, City Attorney

LIBERTY HILL

SMALL TOWN • BIG HEART

# Investment Policy and Strategy

Adopted with Resolution #202~~65~~-R-01~~958~~
September 2~~34~~, 202~~65~~

# CITY OF LIBERTY HILL, TEXAS
# INVESTMENT POLICY AND STRATEGY

## PREFACE

It is the policy of the City of LIBERTY HILL (the "City") that after allowing for the anticipated cash flow requirements of the City and giving due consideration to the safety and risks of investments, all available funds shall be invested in conformance with these legal and administrative guidelines to obtain a market rate of return.

Effective cash management is recognized as essential to good fiscal management. An active cash management and investment policy will be pursued to take advantage of investment interest as a viable and material source of revenue for City funds. The City's portfolio shall be designed and managed in a manner responsive to the public trust and shall be invested in conformance with State and Federal Regulations, applicable Bond Resolution requirements, and adopted Investment Policy and Strategy. The City will invest public funds in a manner which will provide the maximum security and a market rate of return while meeting the daily cash flow demands of the City.

The City is required under the Public Funds Investment Act (Chapter 2256 of the Texas Government Code) to adopt a formal written Investment Policy and Strategy for the investment of public funds. These policies serve to satisfy the statutory requirement (specifically the Public Funds Investment Act, Chapter 2256 of the Texas Government Code [the Act]) to define, adopt and review its investment policy.

# INVESTMENT POLICY AND STRATEGY

1. **PURPOSE.** The purpose of this Investment Policy and Strategy (the "Policy") is to set forth specific investment policy and strategy guidelines for the City in order to achieve the goals of safety, liquidity, achieving a market rate of return, and maintaining public trust for all investment activities. The City Council of the City shall review the Policy at least annually, and the City Council shall annually approve the Policy revisions, if any, by resolution.

2. **INVESTMENT STRATEGY.** The City maintains a comprehensive and proactive cash management program that is designed to monitor and control all City funds to ensure maximum utilization and yield a market rate of return. The basic and underlying strategy of this program is that all the City's funds are earning interest. It is the responsibility and obligation of the City to maintain a flexible approach and be prepared to modify the investment strategy as market conditions dictate. The investment strategy described is predicated on conditions as now exist and are subject to change. The investment strategy emphasizes low credit risk, diversification, and the management of maturities. The strategy also considers the expertise and time constraints of the investment officers. The allowable investment instruments as defined in Section 6 of this Policy reflect the avoidance of credit risk. Diversification refers to dividing investments among a variety of securities offering independent returns. This strategy uses local government investment pools to provide a cash equivalent investment option. The management of maturities refers to structuring the maturity dates of the direct investments so that, while funds are initially invested for a longer period of time, some investments mature as cash needs require.

2.1. **The primary investment strategy and objectives** of the City as specified in this Policy (See Section 4.) are listed below, in their order of importance:

- Safety and preservation of principal;
- Maintenance of sufficient liquidity to meet operating needs;
- Achieve a market rate of return on the investment portfolio; and
- Seek at all times to maintain public trust by adhering to the above stated objectives.

2.2. **The list of investments authorized** by this Policy intentionally excludes some investments allowed by state law. The restrictions limit possible credit risk and provide the maximum measure of safety. Within the investment objectives, the investment strategy is to utilize authorized investments for maximum advantage to the City. To increase the interest earnings for funds identified as being available for investment over longer periods of time, based upon a cash requirement projection, the City will consider the following strategies:

2.2.1. **Strategy No. 1.** Utilizing cash equivalent investment opportunities through the use of local government investment pools and money market mutual funds as authorized by the City Council. An investment pool is an entity created to invest public funds jointly on behalf of its participants and whose investment objectives in order of priority match those objectives of the City. Funds are generally available from investment pools on a same-day basis, meaning the pools have a high degree of liquidity. Because of the size and expertise of their staff, investment pools are able to prudently invest in a variety of the investment types allowed by State law. In this manner, investment pools achieve liquidity and diversification. The strategy of the City calls for the use of investment pools as a primary source of liquidity and supplemental source of diversification. Funds that may be needed on a short-term basis but that are in excess of the amount maintained at the depository bank are available for deposit in investment pools.

2.2.2. **Strategy No. 2.** Building a ladder of Policy authorized investments with staggered maturities for all or part of the longer-term investable funds. The benefits of this ladder approach include the following:

- It is straight-forward and easily understood;
- It represents a prudent diversification method;
- All investments remain within the approved maturity horizon;
- It will normally allow the City to capture a reasonable portion of the yield curve; and,
- It provides predictable cash flow with scheduled maturities and reinvestment opportunities.

2.2.3. **Strategy No. 3.** Pursuant to the Act (Texas Government Code 2256.003), the City may, at its discretion, contract with an investment management firm registered under the Investment Advisors Act of 1940 (15 U.S.C. Section 80b-1 et seq.) and with the State Securities Board to provide for investment and non-discretionary management of its public funds or other funds under its control.

An appointed Investment Advisor shall act solely in an advisory and administrative capacity, within the guidelines of this Policy. At no time shall the advisor take possession of investments or funds or otherwise be granted discretionary authority to transact business on behalf of the City. Any contract awarded by the City Council for investment advisory services may not exceed two years.

Duties of the Investment Advisor contracted by the City shall abide by the Prudent Expert Rule, whereby investment advice shall, at all times, be given with the judgment and care, under circumstances then prevailing, which persons paid for their special prudence, discretion and intelligence in such matters exercise in the management of their client's affairs, not for speculation by the client or production of fee income by the advisor or broker, but for investment by the client with emphasis on the probable safety of the capital while considering the probable income to be derived.

2.2.4. **Strategy No. 4.** The City will maintain portfolio(s) which utilize four specific investment strategy considerations designed to address the unique characteristics of the fund group(s) represented in the portfolio(s):

2.2.4.1. Investment strategies for operating funds and pooled funds containing operating funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio that will experience minimal volatility during economic cycles through diversification by security type, maturity date and issuer. All security types, as authorized by this Policy, are considered suitable investments for the operating and pooled funds. The maximum maturity for these funds shall not exceed three (3) years from the settlement date of the investment.

2.2.4.2. Investment strategies for debt service funds shall have as the primary objective the assurance of cash equivalent balances adequate to cover the debt service obligation on the required payment date(s). These funds have predictable payment schedules. Therefore, investment maturities shall not exceed the anticipated cash flow requirements.

2.2.4.3. Investment strategies for debt service reserve funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund. Managing the Debt Service Reserve Fund’s portfolio maturities to not exceed the call provisions of the bond issue will reduce the investment’s market risk if the City’s bonds are called and the reserve fund liquidated. No investment maturity shall exceed the final maturity of the bond issue.

2.2.4.4. Investment strategies for special projects and capital projects funds will have as their primary objective to ensure that anticipated cash flows are matched with adequate investment liquidity. Market conditions and arbitrage regulations will influence the investment of capital project funds. When market conditions allow, achieving a positive spread to applicable arbitrage yield is the desired objective, although at no time shall the anticipated expenditure schedule be exceeded in an attempt to increase yield.

2.2.5 **Strategy No. 5 - Hold until Maturity**. The strategy of the City is to maintain sufficient liquidity in its portfolio so that it does not need to sell or redeem an investment prior to maturity. Should it become necessary to sell or redeem prior to maturity, where the sale proceeds are less than the current book value, the prior written consent of the City Manager must be obtained. Investments may be sold or redeemed prior to maturity by the Investment Officer at or above their book value at any time.

2.2.6. **Strategy No. 6 - Pooling of Deposits and Investments.** All demand deposits of the City will be concentrated with a primary depository. This procedure will maximize the City's ability to pool cash for investment purposes and provide more manageable banking relationships. In addition to the primary depository,

other depositories may be eligible to provide selective banking services and bid on City investments.

2.2.7. **Strategy No. 7 – Primary Depository Bank Relationships.** This Policy shall further seek to maintain good primary depository bank relationships while minimizing the cost of banking services. The City will seek to maintain a primary depository contract which will be managed to a level that minimizes the cost of the banking relationship to the City, while allowing the City to earn an appropriate return on idle demand deposits.

2.2.8. **Strategy No. 8 - Single Pooled Fund Group.** A single strategy is specified, in accordance with the single pooled fund group as defined in this Policy. However, earnings from investments will be allocated on a pro-rata cash basis to the individual funds and used in a manner that will best service the interests of the City.

2.2.9. **Strategy No. 9 - Maximizing Investible Cash Balances.** Procedures shall be established and implemented in order to maximize investible cash by decreasing the time between the actual collection and the deposit of receipts, and by the controlling of disbursements.

3. **SCOPE.** The Policy shall govern the investment of all financial assets considered to be part of the City and includes the following funds or fund types: General Fund, Utility Fund, Debt Service Fund, Capital Projects Fund, Special Revenue Funds, and any other funds which have been contractually delegated to the City for management purposes. The City may add or delete funds as may be required by law, or for proper accounting procedures. This Policy does not include funds governed by approved trust agreements, or assets administered for the benefit of the City by outside agencies under retirement or deferred compensation programs. Additionally, bond funds (including debt service and reserve funds) are governed by bond ordinances and are subject to the provisions of the Internal Revenue Code and applicable Federal regulations governing the investment of bond proceeds.

4. **INVESTMENT OBJECTIVES.** Funds of the City shall be invested in accordance with all applicable Texas statutes, this Policy and any other approved, written administrative procedures. The four objectives of the City's investment activities shall be as follows (in the order of priority):

4.1. **Safety of Principal.** Safety of principal invested is the foremost objective in the investment decisions of the City. Each investment transaction shall seek to ensure the preservation of capital in the overall portfolio. The risk of loss shall be controlled by investing only in authorized investments as defined in this Policy, by qualifying the financial institutions with which the City will transact, and by portfolio diversification. Safety is defined as the undiminished return of the principal on the City's investments. All

investment officers shall understand the suitability of investment to the financial requirements of the City.

4.2. **Liquidity.** The investment portfolio shall be managed to maintain liquidity to ensure that funds will be available to meet the City's cash flow requirements and by investing in securities with active secondary markets. Investments shall be structured in such a manner as will provide the liquidity necessary to pay obligations as they become due. A portion of the portfolio also may be placed in financial institution deposits, money market mutual funds or local government investment pools which offer same-day liquidity for short-term funds. An investment may be redeemed or liquidated prior to its stated maturity to meet unanticipated cash requirements, or to adjust the City's portfolio otherwise favorably, in accordance with Section 2.2.5 above.

4.3. **Market Rate-of-Return (Yield).** The City's investment portfolio shall be designed to optimize a market rate-of-return on investments consistent with risk constraints and cash flow requirements of the portfolio. The investment portfolio shall be managed in a manner which seeks to attain a market rate of return throughout budgetary and economic cycles. The City will not attempt to consistently attain an unrealistic above market rate-of-return, as this objective will subject the overall portfolio to greater risk. Therefore, the City's rate of return objective is secondary to those of safety and liquidity. Rate of return (yield) is defined as the rate of annual income return on an investment, expressed as a percentage.

4.4. **Public Trust.** All participants in the City's investment program shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction which might involve a conflict of interest or otherwise impair public confidence in the City's ability to govern effectively. All officials of the City having either a direct or indirect role in the process of investing idle funds shall act responsibly as custodians of the public trust.

5. **INVESTMENT RESPONSIBILITY.** As provided in this Policy, the daily operation and management of the City's investments are the responsibility of the following persons.

5.1. **Delegation of Authority.** The City Finance Director and Controller~~Accounting Supervisor~~ will serve as "Investment Officers" and are authorized to deposit, withdraw, invest, transfer, or manage in any other manner the funds of the City. Day-to-day management responsibility for the investment program is hereby delegated to the City Finance Director, who shall establish written procedures for the operation of the investment program, consistent with this Policy. Such procedures shall include explicit delegation of authority to persons responsible for investment activities. All persons involved in investment activities will be referred to in this Policy as "Investment Officials." No persons may engage in an investment transaction except as provided under the terms of this Policy and the procedures established by the City Finance Director. The City Finance Director shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate Investment Officials. The

system of controls shall be designed to provide reasonable assurance that ensures the assets of the City are protected from loss, theft, or misuse. The concept of reasonable assurance recognizes that:

(1) the cost of a control should not exceed the benefits likely to be derived; and,
(2) the valuation of costs and benefits requires estimates and judgments by management.

The City Finance Director shall be designated as the primary Investment Officer for the City and shall be responsible for investment decisions and activities under the direction of the City Manager. Commitment of financial and staffing resources in order to achieve the City's investment objectives through active portfolio management shall be the responsibility of the City Council.

5.2. **Prudence.** The standard of prudence to be applied by each Investment Officer shall be the "prudent person" rule, which states, "investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the following:

5.2.1. The investment of all funds over which the Investment Officer had responsibility rather than a consideration as to the prudence of a single investment; and

5.2.2. Whether the investment decision was consistent with the written Policy and procedures of the City.

5.3. **Due Diligence.** An Investment Officer acting in accordance with written policies and procedures and exercising due diligence, shall not be held personally responsible for a specific investment's credit risk or market price changes, provided that these deviations are reported in a timely manner and that appropriate action is taken to control adverse developments. All Investment Officials involved in investment transactions will be bonded.

5.4. **Ethical Standards and Conflicts of Interest.** All City Investment Officials having a direct or indirect role in the investment of City funds shall function as custodians of the public trust avoiding any transaction which might involve a conflict of interest, the appearance of a conflict of interest, or any activity which might otherwise discourage public confidence. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. An Investment Officer who has a personal business relationship with the depository bank or with any entity seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An Investment Officer who is related

within the second degree of affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the City Council.

5.5. **Training.** Each Investment Officer shall attend at least one ten-hour training session relating to the Officer's responsibility under the Act within twelve (12) months after assuming duties and attend an investment training session not less than once every two years (aligned with the City's fiscal year), receiving an additional eight (8) hours of PFIA training.

6. **AUTHORIZED INVESTMENTS.** As stated previously, safety of principal is the primary objective in investing public funds and can be accomplished by limiting two types of risk-credit risk and interest rate risk. Credit risk is the risk associated with the failure of an investment's issuer or backer. Interest rate risk is the risk that the value of a portfolio will decline due to an increase in the general level of interest rates. In order to provide for safety of principal as the City's primary objective, only certain investments are authorized as acceptable investments for the City. The following list of authorized investments for the City intentionally excludes some investments authorized by law. These restrictions are placed to limit possible risk and provide the maximum measure of safety to City funds.

6.1. **Authorized and Acceptable Investments.** The authorized list of investment instruments is as follows:

6.1.1. Obligations of the United States or its agencies and instrumentalities, excluding mortgage-backed securities with a maximum maturity of five (5) years.

6.1.2. Direct obligations of the State of Texas, or its agencies and instrumentalities rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent and a maximum maturity of three (3) years;

6.1.2.1. obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent and a maximum maturity of three (3) years;

6.1.3. Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States, excluding mortgage-related securities.

6.1.4. Financial Institution Deposits. Deposits with a depository institution,

including demand deposits and certificates of deposit with a maximum maturity of three (3) years, which has its main office or a branch office in this state and is:

- guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor; or
- secured in compliance with **Section 10 Safekeeping and Collateralization** of this Policy.

Or, deposits placed through a broker or financial institution that has its main office or a branch office in Texas that arranges for deposit of the funds in one or more federally insured depository institutions, wherever located, for an account of the City, and in compliance with the requirements of the Act. Any such deposits are also subject to the aforementioned guarantee, safekeeping, and collateralization requirements.

6.1.5. Eligible Local Government Investment Pools. Public funds investment pools which invest in instruments and follow practices allowed by the current law as defined in Section 2256.016 of the Texas Government Code, provided that:

- the investment pool has been authorized by the City Council;
- the pool shall have furnished the Investment Officer an offering circular containing the information required by Section 2256.016(b) of the Texas Government Code;
- the pool shall furnish the Investment Officer investment transaction confirmations with respect to all investments made with it;
- the pool shall furnish to the Investment Officer monthly reports containing the information required under Section 2256.016(c) of the Texas Government Code;
- the pool is continuously rated no lower than “A” or an equivalent rating by at least one nationally recognized rating service;
- the pool marks its portfolio to market daily;
- the pool’s investment objectives shall be to maintain a stable net asset value of one dollar ($1.00); and
- the pool’s investment philosophy and strategy are consistent with this Policy.

6.1.6. Repurchase Agreements, Reverse Repurchase Agreements, Bankers’ Acceptances, and Commercial Paper. These investments are authorized for the City to the extent that they are contained in the portfolios of approved public funds investment pools in which the City invests. Only fully collateralized direct repurchase agreements with the City’s Bank Depository are authorized City investments. All City repurchase agreement transactions shall be governed by a signed master repurchase agreement. Repurchase agreements must also be secured in accordance with State law as described in Section 10.

6.1.7. Regulated No-Load Money Market Mutual Funds. These investments are authorized, under the following conditions:

- the money market mutual fund is registered with and regulated by the Securities and Exchange Commission;
- the fund provides the City with a prospectus and other information required by the Securities Exchange Act of 1934 or the Investment Company Act of 1940;
- the fund has a dollar-weighted average portfolio maturity in compliance with Securities and Exchange Commission regulation;
- the investment objectives include the maintenance of a stable net asset value of one dollar ($1.00) per share; and
- the fund is continuously rated no lower than "A" or an equivalent rating by at least one nationally recognized rating service.

The City may not invest funds under its control in an amount that exceeds 10% of the total assets of any individual money market mutual fund.

6.2. **Investment Instruments NOT Authorized.** The investment officer shall not knowingly permit City funds to be invested with any of the following investment instruments that are strictly prohibited:

6.2.1. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.

6.2.2. An obligation whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.

6.2.3. Collateralized mortgage obligations that have a stated final maturity date of greater than ten years.

6.2.4. Collateralized mortgage obligations, the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

6.2.5. Any investment prohibited by Chapter 2270 of the Texas Government Code, as amended.

6.2.6. Any other restricted instruments or limitations that involve outright speculation.

6.2.7. The practice of “leveraging” whereby funds are borrowed for the sole purpose of investing shall not be practiced.

6.2.8. The City shall take all prudent measures to liquidate an investment that is downgraded to less than the required minimum designated rating.

6.2.9. The City is not required to liquidate an investment that was authorized at the time of purchase.

7. **DIVERSIFICATION.** Diversification of investment instruments shall be utilized to avoid incurring unreasonable risks resulting from over-concentration of investments in a specific maturity, a specific issue, or a specific class of investments, where appropriate. Diversification of the portfolio considers diversification by maturity dates and diversification by investment instrument, as appropriate.

7.1. **Diversification by Maturities.** The longer the maturity of investments, the greater their price volatility. Therefore, it is the City's policy to concentrate its investment portfolio in shorter-term investments in order to limit principal risks caused by change in interest rates. The City will attempt to match its investments with anticipated cash flow requirements. However, the above-described financial institution deposits or repurchase agreements may be collateralized using longer date instruments. The City shall diversify the use of investment instruments to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions, or maturities, where appropriate. Maturity scheduling shall be managed by the Investment Officers so that maturities of investments shall be timed to coincide with projected cash flow needs.

**8. AUTHORIZED FINANCIAL INSTITUTIONS AND BROKER/DEALERS.** Financial institutions (federally insured banks) with or through whom the City invests shall be state or national banks that have their main office or a branch office in this state. No public deposit shall be made except in a qualified public depository as established by State laws. Broker/dealers authorized to provide investment services to the City may include only those authorized by the City Council. All banking services will be governed by a depository contract acceptable to the City. In addition, the City Finance Director shall maintain a list of authorized security brokers/dealers, and investment pools that are authorized by the City Council.

8.1. All Broker/Dealers with whom the City does business must supply the following as appropriate: (1) audited financial statements; (2) proof of Financial Industry Regulatory Authority (FINRA) certification; (3) proof of state registration; and (4) other information as requested by the City.

8.2. **Review of Bidders Financial Conditions**. A periodic review of the financial condition and registration of qualified investment providers will be conducted by the City Finance Director, as necessary. The review may include, but is not limited to, review of rating agency reports, review of call reports, and analyses of management, profitability, capitalization, and asset quality. Financial institutions and brokers/dealers desiring to conduct business with the City shall be required to provide any financial data requested.

8.3. **Monitoring Investments**. The Investment Officer(s) of the City is responsible for monitoring the investments made by a financial institution and/or broker/dealer to determine that they are in compliance with the provisions of the Policy.

8.4. **Investment Policy Certification**. All investment providers and advisors shall provide the City a certification of having read the City's Policy, signed by a qualified representative of the organization, and acknowledging that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the City and the organization.

9. **DELIVERY VERSUS PAYMENT.** It is the policy of the City that all security transactions entered into with the City shall be conducted on a "**DELIVERY VERSUS PAYMENT"** (DVP) basis through the Federal Reserve System or other system. By doing this, City funds are not released until the City has received, through the City's safekeeping agent, the securities purchased. The City's funds shall only be released after the safekeeping bank has received the purchased security and it has been placed in the safekeeping account of the City.

## 10. SAFEKEEPING AND COLLATERALIZATION

10.1. **Safekeeping.** All securities owned by the City shall be held by its safekeeping agent. Original safekeeping receipts shall be obtained and held by the City. The City shall contract with a bank or banks for the safekeeping of securities owned by the City as part of its investment portfolio.

10.2. **Collateralization.** Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require full insurance or collateralization of all City funds on deposit with a depository bank. The market value of the investments securing the deposit of funds shall be at least equal to but not less than 102% of the amount of the deposits of funds reduced to the extent that the deposits are insured by the Federal Deposit Insurance Corporation (FDIC). Securities pledged as collateral shall be held in the City's segregated account at the Federal Reserve Bank or by an independent third party with whom the City has a current custodial agreement. The agreement is to specify the acceptable investment securities as collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. The custodial agreement must clearly state that the custodian is instructed to release collateral securities to the City in the event the City has determined that the depository bank has failed to pay on any withdrawal request or has determined that the funds of the City are in jeopardy for whatever reason, including involuntary closure or change of ownership. A clearly marked evidence of ownership, e.g., pledge or collateral receipt, must be supplied to the City and retained by the City. Any collateral with a maturity over five (5) years must be approved by an Investment Officer before the transaction is initiated. Release of

collateral or substitution of securities must be approved in writing by an Investment Officer.

10.2.1. The City may accept collateral as authorized by the Public Funds Collateral Act (Chapter 2257 of the Texas Government Code).

All collateral shall be subject to inspection and audit by the City or the City's independent auditors.

10.2.2. Financial institutions with which the City maintains deposits shall require the custodian to provide monthly, and as requested by an Investment Officer, a listing of the collateral pledged to the City, marked to current market prices. The listing shall include total pledged securities itemized by name, type, description, par value, current market value, maturity date, and Moody's or Standard & Poor's rating, if applicable. The City and the financial institution shall jointly assume the responsibility for ensuring that the collateral is sufficient.

10.2.3. **Collateralized Deposits**. Consistent with the requirements of State law, the City requires all bank deposits to be federally insured or collateralized with eligible securities. Financial institutions serving as City depositories will be required to sign a "Depository Agreement" with the City. The collateralized deposit portion of the Agreement shall define the City's rights to the collateral in the event of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- the Agreement must be in writing;
- the Agreement must be executed by the Depository and the City contemporaneously with the acquisition of the asset;
- the Agreement must be approved by the Board of Directors of the Loan Committee of the Depository and a copy of the meeting minutes must be delivered to the City; and
- the Agreement must be part of the Depository's "official record" continuously since its execution.

10.2.4. **Primary Depository**. Not less than every five years, a primary depository shall be selected through the City's banking services procurement process, which shall include a formal request for application and consistent with State law. In selecting a primary depository, the service cost and credit worthiness of institutions shall be considered, and the City Finance Director shall conduct a comprehensive review of prospective depository's credit characteristics and financial history.

11. **INTERNAL CONTROL.** The Investment Officer shall establish a system of written internal controls. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation, or imprudent actions. The City, in conjunction with its

annual financial audit, shall perform a compliance audit of internal and management controls, and adherence to the City's established investment policy.

12. **PERFORMANCE.** A market rate of return is a general term referring to the approximate interest rate that could be earned by an investor in a specific maturity range at any given point in time. For example, an investor seeking to earn "a market rate of return" while maintaining an investment portfolio with an average maturity of 90 days would hope to earn approximately the same as a three-month agency discount note. If the investor earns a rate much higher than this, it might signal an inappropriate level of risk.

To enhance performance, it is the policy of the City to create a competitive environment for all individual purchases and sales, financial institution deposits, money market mutual funds, and local government investment pools.

13. **REPORTING.** The City Finance Director shall submit a quarterly investment report, signed by all the Investment Officers, which summarizes current market conditions, economic developments, and anticipated investment conditions. The report shall summarize investment strategies employed in the most recent quarter and describe the portfolio in terms of investment securities, maturities, and risk characteristics, and shall explain the interest income for the quarter.

13.1. **Annual Report.** Within ninety (90) days of the end of the fiscal year, the City Finance Director shall present an annual report on the investment program and investment activity. This report may be presented as a component of the fourth quarter report to the City Manager and City Council. The reports prepared by the City Finance Director shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the City Council by that auditor.

13.2. **Methods.** The quarterly investment report shall include a succinct management summary that provides a clear picture of the status of the current investment portfolio and transactions made over the past quarter. This management summary will be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to this Policy. The report will be provided to the City Council. The report will include the following:

13.2.1. A listing of individual investments held at the end of the reporting period. This list will include the name of the fund or pooled group fund for which each individual investment was acquired;

13.2.2. Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of investments for the period. Market values shall be obtained from financial institutions or portfolio

reporting services independent from the broker/dealer from which the security was purchased;

13.2.3 . Additions and changes to the market value during the period;

13.2.4. Fully accrued interest for the reporting period;

13.2.5. Average weighted yield to maturity of portfolio on entity investments as compared to applicable benchmarks;

13.2.6. Listing of investments by maturity date;

13.2.7. The percentage of the total portfolio which each type of investment represents;

13.2.8. Verification of current credit rating for all investments that have a required minimum credit rating; and

13.2.9. Statement of compliance of the City's investment portfolio with State Law and the Policy approved by the City Council.

14. **INVESTMENT POLICY ADOPTION AND AMENDMENT.** The City's Investment Policy and Strategy shall be adopted and amended by resolution of the City Council only. The City's written policies and procedures for investments are subject to review and approval not less than annually to stay current with changing laws, regulations and needs of the City.

## ADDENDUM A

### CITY OF LIBERTY HILL, TEXAS
### LIST OF AUTHORIZED BROKER/DEALERS

Cabrera Capital Markets

FHN Financial Capital Markets

Hilltop Securities Inc

Multi-Bank Securities, Inc.

Rice Securities, LLC

SAMCO Capital Markets

Southwest|DuncanWilliams

Stifel

TCBI Securities, Inc.

LIBERTY HILL

SMALL TOWN • BIG HEART

# Investment Policy and Strategy

Adopted with Resolution #2026-R-019
September 23, 2026

# CITY OF LIBERTY HILL, TEXAS
# INVESTMENT POLICY AND STRATEGY

## PREFACE

It is the policy of the City of LIBERTY HILL (the "City") that after allowing for the anticipated cash flow requirements of the City and giving due consideration to the safety and risks of investments, all available funds shall be invested in conformance with these legal and administrative guidelines to obtain a market rate of return.

Effective cash management is recognized as essential to good fiscal management. An active cash management and investment policy will be pursued to take advantage of investment interest as a viable and material source of revenue for City funds. The City's portfolio shall be designed and managed in a manner responsive to the public trust and shall be invested in conformance with State and Federal Regulations, applicable Bond Resolution requirements, and adopted Investment Policy and Strategy. The City will invest public funds in a manner which will provide the maximum security and a market rate of return while meeting the daily cash flow demands of the City.

The City is required under the Public Funds Investment Act (Chapter 2256 of the Texas Government Code) to adopt a formal written Investment Policy and Strategy for the investment of public funds. These policies serve to satisfy the statutory requirement (specifically the Public Funds Investment Act, Chapter 2256 of the Texas Government Code [the Act]) to define, adopt and review its investment policy.

# INVESTMENT POLICY AND STRATEGY

1. **PURPOSE.** The purpose of this Investment Policy and Strategy (the "Policy") is to set forth specific investment policy and strategy guidelines for the City in order to achieve the goals of safety, liquidity, achieving a market rate of return, and maintaining public trust for all investment activities. The City Council of the City shall review the Policy at least annually, and the City Council shall annually approve the Policy revisions, if any, by resolution.

2. **INVESTMENT STRATEGY.** The City maintains a comprehensive and proactive cash management program that is designed to monitor and control all City funds to ensure maximum utilization and yield a market rate of return. The basic and underlying strategy of this program is that all the City's funds are earning interest. It is the responsibility and obligation of the City to maintain a flexible approach and be prepared to modify the investment strategy as market conditions dictate. The investment strategy described is predicated on conditions as now exist and are subject to change. The investment strategy emphasizes low credit risk, diversification, and the management of maturities. The strategy also considers the expertise and time constraints of the investment officers. The allowable investment instruments as defined in Section 6 of this Policy reflect the avoidance of credit risk. Diversification refers to dividing investments among a variety of securities offering independent returns. This strategy uses local government investment pools to provide a cash equivalent investment option. The management of maturities refers to structuring the maturity dates of the direct investments so that, while funds are initially invested for a longer period of time, some investments mature as cash needs require.

2.1. **The primary investment strategy and objectives** of the City as specified in this Policy (See Section 4.) are listed below, in their order of importance:

- Safety and preservation of principal;
- Maintenance of sufficient liquidity to meet operating needs;
- Achieve a market rate of return on the investment portfolio; and
- Seek at all times to maintain public trust by adhering to the above stated objectives.

2.2. **The list of investments authorized** by this Policy intentionally excludes some investments allowed by state law. The restrictions limit possible credit risk and provide the maximum measure of safety. Within the investment objectives, the investment strategy is to utilize authorized investments for maximum advantage to the City. To increase the interest earnings for funds identified as being available for investment over longer periods of time, based upon a cash requirement projection, the City will consider the following strategies:

2.2.1. **Strategy No. 1.** Utilizing cash equivalent investment opportunities through the use of local government investment pools and money market mutual funds as authorized by the City Council. An investment pool is an entity created to invest public funds jointly on behalf of its participants and whose investment objectives in order of priority match those objectives of the City. Funds are generally available from investment pools on a same-day basis, meaning the pools have a high degree of liquidity. Because of the size and expertise of their staff, investment pools are able to prudently invest in a variety of the investment types allowed by State law. In this manner, investment pools achieve liquidity and diversification. The strategy of the City calls for the use of investment pools as a primary source of liquidity and supplemental source of diversification. Funds that may be needed on a short-term basis but that are in excess of the amount maintained at the depository bank are available for deposit in investment pools.

2.2.2. **Strategy No. 2.** Building a ladder of Policy authorized investments with staggered maturities for all or part of the longer-term investable funds. The benefits of this ladder approach include the following:

- It is straight-forward and easily understood;
- It represents a prudent diversification method;
- All investments remain within the approved maturity horizon;
- It will normally allow the City to capture a reasonable portion of the yield curve; and,
- It provides predictable cash flow with scheduled maturities and reinvestment opportunities.

2.2.3. **Strategy No. 3.** Pursuant to the Act (Texas Government Code 2256.003), the City may, at its discretion, contract with an investment management firm registered under the Investment Advisors Act of 1940 (15 U.S.C. Section 80b-1 et seq.) and with the State Securities Board to provide for investment and non-discretionary management of its public funds or other funds under its control.

An appointed Investment Advisor shall act solely in an advisory and administrative capacity, within the guidelines of this Policy. At no time shall the advisor take possession of investments or funds or otherwise be granted discretionary authority to transact business on behalf of the City. Any contract awarded by the City Council for investment advisory services may not exceed two years.

Duties of the Investment Advisor contracted by the City shall abide by the Prudent Expert Rule, whereby investment advice shall, at all times, be given with the judgment and care, under circumstances then prevailing, which persons paid for their special prudence, discretion and intelligence in such matters exercise in the management of their client's affairs, not for speculation by the client or production of fee income by the advisor or broker, but for investment by the client with emphasis on the probable safety of the capital while considering the probable income to be derived.

2.2.4. **Strategy No. 4.** The City will maintain portfolio(s) which utilize four specific investment strategy considerations designed to address the unique characteristics of the fund group(s) represented in the portfolio(s):

2.2.4.1. Investment strategies for operating funds and pooled funds containing operating funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio that will experience minimal volatility during economic cycles through diversification by security type, maturity date and issuer. All security types, as authorized by this Policy, are considered suitable investments for the operating and pooled funds. The maximum maturity for these funds shall not exceed three (3) years from the settlement date of the investment.

2.2.4.2. Investment strategies for debt service funds shall have as the primary objective the assurance of cash equivalent balances adequate to cover the debt service obligation on the required payment date(s). These funds have predictable payment schedules. Therefore, investment maturities shall not exceed the anticipated cash flow requirements.

2.2.4.3. Investment strategies for debt service reserve funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund. Managing the Debt Service Reserve Fund’s portfolio maturities to not exceed the call provisions of the bond issue will reduce the investment’s market risk if the City’s bonds are called and the reserve fund liquidated. No investment maturity shall exceed the final maturity of the bond issue.

2.2.4.4. Investment strategies for special projects and capital projects funds will have as their primary objective to ensure that anticipated cash flows are matched with adequate investment liquidity. Market conditions and arbitrage regulations will influence the investment of capital project funds. When market conditions allow, achieving a positive spread to applicable arbitrage yield is the desired objective, although at no time shall the anticipated expenditure schedule be exceeded in an attempt to increase yield.

2.2.5 **Strategy No. 5 - Hold until Maturity**. The strategy of the City is to maintain sufficient liquidity in its portfolio so that it does not need to sell or redeem an investment prior to maturity. Should it become necessary to sell or redeem prior to maturity, where the sale proceeds are less than the current book value, the prior written consent of the City Manager must be obtained. Investments may be sold or redeemed prior to maturity by the Investment Officer at or above their book value at any time.

2.2.6. **Strategy No. 6 - Pooling of Deposits and Investments.** All demand deposits of the City will be concentrated with a primary depository. This procedure will maximize the City's ability to pool cash for investment purposes and provide more manageable banking relationships. In addition to the primary depository,

other depositories may be eligible to provide selective banking services and bid on City investments.

2.2.7. **Strategy No. 7 – Primary Depository Bank Relationships.** This Policy shall further seek to maintain good primary depository bank relationships while minimizing the cost of banking services. The City will seek to maintain a primary depository contract which will be managed to a level that minimizes the cost of the banking relationship to the City, while allowing the City to earn an appropriate return on idle demand deposits.

2.2.8. **Strategy No. 8 - Single Pooled Fund Group.** A single strategy is specified, in accordance with the single pooled fund group as defined in this Policy. However, earnings from investments will be allocated on a pro-rata cash basis to the individual funds and used in a manner that will best service the interests of the City.

2.2.9. **Strategy No. 9 - Maximizing Investible Cash Balances.** Procedures shall be established and implemented in order to maximize investible cash by decreasing the time between the actual collection and the deposit of receipts, and by the controlling of disbursements.

3. **SCOPE.** The Policy shall govern the investment of all financial assets considered to be part of the City and includes the following funds or fund types: General Fund, Utility Fund, Debt Service Fund, Capital Projects Fund, Special Revenue Funds, and any other funds which have been contractually delegated to the City for management purposes. The City may add or delete funds as may be required by law, or for proper accounting procedures. This Policy does not include funds governed by approved trust agreements, or assets administered for the benefit of the City by outside agencies under retirement or deferred compensation programs. Additionally, bond funds (including debt service and reserve funds) are governed by bond ordinances and are subject to the provisions of the Internal Revenue Code and applicable Federal regulations governing the investment of bond proceeds.

4. **INVESTMENT OBJECTIVES.** Funds of the City shall be invested in accordance with all applicable Texas statutes, this Policy and any other approved, written administrative procedures. The four objectives of the City's investment activities shall be as follows (in the order of priority):

4.1. **Safety of Principal.** Safety of principal invested is the foremost objective in the investment decisions of the City. Each investment transaction shall seek to ensure the preservation of capital in the overall portfolio. The risk of loss shall be controlled by investing only in authorized investments as defined in this Policy, by qualifying the financial institutions with which the City will transact, and by portfolio diversification. Safety is defined as the undiminished return of the principal on the City's investments. All

investment officers shall understand the suitability of investment to the financial requirements of the City.

4.2. **Liquidity.** The investment portfolio shall be managed to maintain liquidity to ensure that funds will be available to meet the City's cash flow requirements and by investing in securities with active secondary markets. Investments shall be structured in such a manner as will provide the liquidity necessary to pay obligations as they become due. A portion of the portfolio also may be placed in financial institution deposits, money market mutual funds or local government investment pools which offer same-day liquidity for short-term funds. An investment may be redeemed or liquidated prior to its stated maturity to meet unanticipated cash requirements, or to adjust the City's portfolio otherwise favorably, in accordance with Section 2.2.5 above.

4.3. **Market Rate-of-Return (Yield).** The City's investment portfolio shall be designed to optimize a market rate-of-return on investments consistent with risk constraints and cash flow requirements of the portfolio. The investment portfolio shall be managed in a manner which seeks to attain a market rate of return throughout budgetary and economic cycles. The City will not attempt to consistently attain an unrealistic above market rate-of-return, as this objective will subject the overall portfolio to greater risk. Therefore, the City's rate of return objective is secondary to those of safety and liquidity. Rate of return (yield) is defined as the rate of annual income return on an investment, expressed as a percentage.

4.4. **Public Trust.** All participants in the City's investment program shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction which might involve a conflict of interest or otherwise impair public confidence in the City's ability to govern effectively. All officials of the City having either a direct or indirect role in the process of investing idle funds shall act responsibly as custodians of the public trust.

5. **INVESTMENT RESPONSIBILITY.** As provided in this Policy, the daily operation and management of the City's investments are the responsibility of the following persons.

5.1. **Delegation of Authority.** The City Finance Director and Controller will serve as "Investment Officers" and are authorized to deposit, withdraw, invest, transfer, or manage in any other manner the funds of the City. Day-to-day management responsibility for the investment program is hereby delegated to the City Finance Director, who shall establish written procedures for the operation of the investment program, consistent with this Policy. Such procedures shall include explicit delegation of authority to persons responsible for investment activities. All persons involved in investment activities will be referred to in this Policy as "Investment Officials." No persons may engage in an investment transaction except as provided under the terms of this Policy and the procedures established by the City Finance Director. The City Finance Director shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate Investment Officials. The system of

controls shall be designed to provide reasonable assurance that ensures the assets of the City are protected from loss, theft, or misuse. The concept of reasonable assurance recognizes that:

(1) the cost of a control should not exceed the benefits likely to be derived; and,
(2) the valuation of costs and benefits requires estimates and judgments by management.

The City Finance Director shall be designated as the primary Investment Officer for the City and shall be responsible for investment decisions and activities under the direction of the City Manager. Commitment of financial and staffing resources in order to achieve the City's investment objectives through active portfolio management shall be the responsibility of the City Council.

5.2. **Prudence.** The standard of prudence to be applied by each Investment Officer shall be the "prudent person" rule, which states, "investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the following:

5.2.1. The investment of all funds over which the Investment Officer had responsibility rather than a consideration as to the prudence of a single investment; and

5.2.2. Whether the investment decision was consistent with the written Policy and procedures of the City.

5.3. **Due Diligence.** An Investment Officer acting in accordance with written policies and procedures and exercising due diligence, shall not be held personally responsible for a specific investment's credit risk or market price changes, provided that these deviations are reported in a timely manner and that appropriate action is taken to control adverse developments. All Investment Officials involved in investment transactions will be bonded.

5.4. **Ethical Standards and Conflicts of Interest.** All City Investment Officials having a direct or indirect role in the investment of City funds shall function as custodians of the public trust avoiding any transaction which might involve a conflict of interest, the appearance of a conflict of interest, or any activity which might otherwise discourage public confidence. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. An Investment Officer who has a personal business relationship with the depository bank or with any entity seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An Investment Officer who is related

within the second degree of affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the City Council.

5.5. **Training.** Each Investment Officer shall attend at least one ten-hour training session relating to the Officer's responsibility under the Act within twelve (12) months after assuming duties and attend an investment training session not less than once every two years (aligned with the City's fiscal year), receiving an additional eight (8) hours of PFIA training.

6. **AUTHORIZED INVESTMENTS.** As stated previously, safety of principal is the primary objective in investing public funds and can be accomplished by limiting two types of risk-credit risk and interest rate risk. Credit risk is the risk associated with the failure of an investment's issuer or backer. Interest rate risk is the risk that the value of a portfolio will decline due to an increase in the general level of interest rates. In order to provide for safety of principal as the City's primary objective, only certain investments are authorized as acceptable investments for the City. The following list of authorized investments for the City intentionally excludes some investments authorized by law. These restrictions are placed to limit possible risk and provide the maximum measure of safety to City funds.

6.1. **Authorized and Acceptable Investments.** The authorized list of investment instruments is as follows:

6.1.1. Obligations of the United States or its agencies and instrumentalities, excluding mortgage-backed securities with a maximum maturity of five (5) years.

6.1.2. Direct obligations of the State of Texas, or its agencies and instrumentalities rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent and a maximum maturity of three (3) years;

6.1.2.1. obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent and a maximum maturity of three (3) years;

6.1.3. Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States, excluding mortgage-related securities.

6.1.4. Financial Institution Deposits. Deposits with a depository institution,

including demand deposits and certificates of deposit with a maximum maturity of three (3) years, which has its main office or a branch office in this state and is:

- guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor; or
- secured in compliance with **Section 10 Safekeeping and Collateralization** of this Policy.

Or, deposits placed through a broker or financial institution that has its main office or a branch office in Texas that arranges for deposit of the funds in one or more federally insured depository institutions, wherever located, for an account of the City, and in compliance with the requirements of the Act. Any such deposits are also subject to the aforementioned guarantee, safekeeping, and collateralization requirements.

6.1.5. Eligible Local Government Investment Pools. Public funds investment pools which invest in instruments and follow practices allowed by the current law as defined in Section 2256.016 of the Texas Government Code, provided that:

- the investment pool has been authorized by the City Council;
- the pool shall have furnished the Investment Officer an offering circular containing the information required by Section 2256.016(b) of the Texas Government Code;
- the pool shall furnish the Investment Officer investment transaction confirmations with respect to all investments made with it;
- the pool shall furnish to the Investment Officer monthly reports containing the information required under Section 2256.016(c) of the Texas Government Code;
- the pool is continuously rated no lower than “A” or an equivalent rating by at least one nationally recognized rating service;
- the pool marks its portfolio to market daily;
- the pool’s investment objectives shall be to maintain a stable net asset value of one dollar ($1.00); and
- the pool’s investment philosophy and strategy are consistent with this Policy.

6.1.6. Repurchase Agreements, Reverse Repurchase Agreements, Bankers’ Acceptances, and Commercial Paper. These investments are authorized for the City to the extent that they are contained in the portfolios of approved public funds investment pools in which the City invests. Only fully collateralized direct repurchase agreements with the City’s Bank Depository are authorized City investments. All City repurchase agreement transactions shall be governed by a signed master repurchase agreement. Repurchase agreements must also be secured in accordance with State law as described in Section 10.

6.1.7. Regulated No-Load Money Market Mutual Funds. These investments are authorized, under the following conditions:

- the money market mutual fund is registered with and regulated by the Securities and Exchange Commission;
- the fund provides the City with a prospectus and other information required by the Securities Exchange Act of 1934 or the Investment Company Act of 1940;
- the fund has a dollar-weighted average portfolio maturity in compliance with Securities and Exchange Commission regulation;
- the investment objectives include the maintenance of a stable net asset value of one dollar ($1.00) per share; and
- the fund is continuously rated no lower than "A" or an equivalent rating by at least one nationally recognized rating service.

The City may not invest funds under its control in an amount that exceeds 10% of the total assets of any individual money market mutual fund.

6.2. **Investment Instruments NOT Authorized.** The investment officer shall not knowingly permit City funds to be invested with any of the following investment instruments that are strictly prohibited:

6.2.1. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.

6.2.2. An obligation whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.

6.2.3. Collateralized mortgage obligations that have a stated final maturity date of greater than ten years.

6.2.4. Collateralized mortgage obligations, the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

6.2.5. Any investment prohibited by Chapter 2270 of the Texas Government Code, as amended.

6.2.6. Any other restricted instruments or limitations that involve outright speculation.

6.2.7. The practice of “leveraging” whereby funds are borrowed for the sole purpose of investing shall not be practiced.

6.2.8. The City shall take all prudent measures to liquidate an investment that is downgraded to less than the required minimum designated rating.

6.2.9. The City is not required to liquidate an investment that was authorized at the time of purchase.

7. **DIVERSIFICATION.** Diversification of investment instruments shall be utilized to avoid incurring unreasonable risks resulting from over-concentration of investments in a specific maturity, a specific issue, or a specific class of investments, where appropriate. Diversification of the portfolio considers diversification by maturity dates and diversification by investment instrument, as appropriate.

7.1. **Diversification by Maturities.** The longer the maturity of investments, the greater their price volatility. Therefore, it is the City's policy to concentrate its investment portfolio in shorter-term investments in order to limit principal risks caused by change in interest rates. The City will attempt to match its investments with anticipated cash flow requirements. However, the above-described financial institution deposits or repurchase agreements may be collateralized using longer date instruments. The City shall diversify the use of investment instruments to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions, or maturities, where appropriate. Maturity scheduling shall be managed by the Investment Officers so that maturities of investments shall be timed to coincide with projected cash flow needs.

**8. AUTHORIZED FINANCIAL INSTITUTIONS AND BROKER/DEALERS.** Financial institutions (federally insured banks) with or through whom the City invests shall be state or national banks that have their main office or a branch office in this state. No public deposit shall be made except in a qualified public depository as established by State laws. Broker/dealers authorized to provide investment services to the City may include only those authorized by the City Council. All banking services will be governed by a depository contract acceptable to the City. In addition, the City Finance Director shall maintain a list of authorized security brokers/dealers, and investment pools that are authorized by the City Council.

8.1. All Broker/Dealers with whom the City does business must supply the following as appropriate: (1) audited financial statements; (2) proof of Financial Industry Regulatory Authority (FINRA) certification; (3) proof of state registration; and (4) other information as requested by the City.

8.2. **Review of Bidders Financial Conditions**. A periodic review of the financial condition and registration of qualified investment providers will be conducted by the City Finance Director, as necessary. The review may include, but is not limited to, review of rating agency reports, review of call reports, and analyses of management, profitability, capitalization, and asset quality. Financial institutions and brokers/dealers desiring to conduct business with the City shall be required to provide any financial data requested.

8.3. **Monitoring Investments**. The Investment Officer(s) of the City is responsible for monitoring the investments made by a financial institution and/or broker/dealer to determine that they are in compliance with the provisions of the Policy.

8.4. **Investment Policy Certification**. All investment providers and advisors shall provide the City a certification of having read the City's Policy, signed by a qualified representative of the organization, and acknowledging that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the City and the organization.

9. **DELIVERY VERSUS PAYMENT.** It is the policy of the City that all security transactions entered into with the City shall be conducted on a "**DELIVERY VERSUS PAYMENT"** (DVP) basis through the Federal Reserve System or other system. By doing this, City funds are not released until the City has received, through the City's safekeeping agent, the securities purchased. The City's funds shall only be released after the safekeeping bank has received the purchased security and it has been placed in the safekeeping account of the City.

## 10. SAFEKEEPING AND COLLATERALIZATION

10.1. **Safekeeping.** All securities owned by the City shall be held by its safekeeping agent. Original safekeeping receipts shall be obtained and held by the City. The City shall contract with a bank or banks for the safekeeping of securities owned by the City as part of its investment portfolio.

10.2. **Collateralization.** Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require full insurance or collateralization of all City funds on deposit with a depository bank. The market value of the investments securing the deposit of funds shall be at least equal to but not less than 102% of the amount of the deposits of funds reduced to the extent that the deposits are insured by the Federal Deposit Insurance Corporation (FDIC). Securities pledged as collateral shall be held in the City's segregated account at the Federal Reserve Bank or by an independent third party with whom the City has a current custodial agreement. The agreement is to specify the acceptable investment securities as collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. The custodial agreement must clearly state that the custodian is instructed to release collateral securities to the City in the event the City has determined that the depository bank has failed to pay on any withdrawal request or has determined that the funds of the City are in jeopardy for whatever reason, including involuntary closure or change of ownership. A clearly marked evidence of ownership, e.g., pledge or collateral receipt, must be supplied to the City and retained by the City. Any collateral with a maturity over five (5) years must be approved by an Investment Officer before the transaction is initiated. Release of

collateral or substitution of securities must be approved in writing by an Investment Officer.

10.2.1. The City may accept collateral as authorized by the Public Funds Collateral Act (Chapter 2257 of the Texas Government Code).

All collateral shall be subject to inspection and audit by the City or the City's independent auditors.

10.2.2. Financial institutions with which the City maintains deposits shall require the custodian to provide monthly, and as requested by an Investment Officer, a listing of the collateral pledged to the City, marked to current market prices. The listing shall include total pledged securities itemized by name, type, description, par value, current market value, maturity date, and Moody's or Standard & Poor's rating, if applicable. The City and the financial institution shall jointly assume the responsibility for ensuring that the collateral is sufficient.

10.2.3. **Collateralized Deposits**. Consistent with the requirements of State law, the City requires all bank deposits to be federally insured or collateralized with eligible securities. Financial institutions serving as City depositories will be required to sign a "Depository Agreement" with the City. The collateralized deposit portion of the Agreement shall define the City's rights to the collateral in the event of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- the Agreement must be in writing;
- the Agreement must be executed by the Depository and the City contemporaneously with the acquisition of the asset;
- the Agreement must be approved by the Board of Directors of the Loan Committee of the Depository and a copy of the meeting minutes must be delivered to the City; and
- the Agreement must be part of the Depository's "official record" continuously since its execution.

10.2.4. **Primary Depository**. Not less than every five years, a primary depository shall be selected through the City's banking services procurement process, which shall include a formal request for application and consistent with State law. In selecting a primary depository, the service cost and credit worthiness of institutions shall be considered, and the City Finance Director shall conduct a comprehensive review of prospective depository's credit characteristics and financial history.

11. **INTERNAL CONTROL.** The Investment Officer shall establish a system of written internal controls. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation, or imprudent actions. The City, in conjunction with its

annual financial audit, shall perform a compliance audit of internal and management controls, and adherence to the City's established investment policy.

12. **PERFORMANCE.** A market rate of return is a general term referring to the approximate interest rate that could be earned by an investor in a specific maturity range at any given point in time. For example, an investor seeking to earn "a market rate of return" while maintaining an investment portfolio with an average maturity of 90 days would hope to earn approximately the same as a three-month agency discount note. If the investor earns a rate much higher than this, it might signal an inappropriate level of risk.

To enhance performance, it is the policy of the City to create a competitive environment for all individual purchases and sales, financial institution deposits, money market mutual funds, and local government investment pools.

13. **REPORTING.** The City Finance Director shall submit a quarterly investment report, signed by all the Investment Officers, which summarizes current market conditions, economic developments, and anticipated investment conditions. The report shall summarize investment strategies employed in the most recent quarter and describe the portfolio in terms of investment securities, maturities, and risk characteristics, and shall explain the interest income for the quarter.

13.1. **Annual Report.** Within ninety (90) days of the end of the fiscal year, the City Finance Director shall present an annual report on the investment program and investment activity. This report may be presented as a component of the fourth quarter report to the City Manager and City Council. The reports prepared by the City Finance Director shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the City Council by that auditor.

13.2. **Methods.** The quarterly investment report shall include a succinct management summary that provides a clear picture of the status of the current investment portfolio and transactions made over the past quarter. This management summary will be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to this Policy. The report will be provided to the City Council. The report will include the following:

13.2.1. A listing of individual investments held at the end of the reporting period. This list will include the name of the fund or pooled group fund for which each individual investment was acquired;

13.2.2. Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of investments for the period. Market values shall be obtained from financial institutions or portfolio

reporting services independent from the broker/dealer from which the security was purchased;

13.2.3 . Additions and changes to the market value during the period;

13.2.4. Fully accrued interest for the reporting period;

13.2.5. Average weighted yield to maturity of portfolio on entity investments as compared to applicable benchmarks;

13.2.6. Listing of investments by maturity date;

13.2.7. The percentage of the total portfolio which each type of investment represents;

13.2.8. Verification of current credit rating for all investments that have a required minimum credit rating; and

13.2.9. Statement of compliance of the City's investment portfolio with State Law and the Policy approved by the City Council.

14. **INVESTMENT POLICY ADOPTION AND AMENDMENT.** The City's Investment Policy and Strategy shall be adopted and amended by resolution of the City Council only. The City's written policies and procedures for investments are subject to review and approval not less than annually to stay current with changing laws, regulations and needs of the City.

## ADDENDUM A

### CITY OF LIBERTY HILL, TEXAS
### LIST OF AUTHORIZED BROKER/DEALERS

Cabrera Capital Markets

FHN Financial Capital Markets

Hilltop Securities Inc

Multi-Bank Securities, Inc.

Rice Securities, LLC

SAMCO Capital Markets

Southwest|DuncanWilliams

Stifel

TCBI Securities, Inc.

# AGENDA ITEM 4.D

**Approval of a Construction Contract with Prota, Inc. in the amount of $344,363 for improvements and repairs to Lift Station 19, and authorize the City Manager to execute the agreement.**

**City Council Meeting Date:** September 23, 2026

**Requested By:** Evan Groeschel, Public Works Director

**Requested Agenda Placement:** Consent Agenda

**Agenda Item Type:** Contract / Agreement

# AGENDA ITEM COVER SHEET

## ITEM / TITLE:

Discuss and consider action on a Construction Contract with Prota, Inc. in the amount of $344,363 for construction improvements to Lift Station 19 for repairs, and authorizing the City Manager to execute the same.

## AGENDA ITEM WORDING:

Approval of a Construction Contract with Prota, Inc. in the amount of $344,363 for improvements and repairs to Lift Station 19, and authorize the City Manager to execute the agreement.

## EXECUTIVE / BACKGROUND SUMMARY:

The proposed construction contract will engage a contractor selected through TIPS to complete emergency repairs at Lift Station 19. The repairs are necessary due to the deteriorating condition of the station's discharge piping, which is approaching catastrophic failure.

Lift Station 19 contains three discharge pipes: one six-inch pipe and two eight-inch pipes. The condition assessment completed as part of the City's 2025 Wastewater Master Plan identified significant corrosion on one of the pipes and recommended immediate repair. More recently, City staff discovered a hole in a second discharge pipe, further increasing the risk of failure. Wastewater Operations staff has been performing emergency repairs to maintain operation of the facility; however, these measures are temporary and are not a sustainable solution.

The proposed construction contract will remove and replace all three discharge pipes to maintain reliable operation of Lift Station 19 while the City determines the appropriate long-term solution for the facility.

Lift Station 19 is one of the City's most critical wastewater facilities. The station receives wastewater flows from the Santa Rita Ranch area and currently conveys more than half of the City's wastewater to the South Fork Wastewater Treatment Plant. It currently receives flows from 11 upstream lift stations, including MorningStar Lift Stations 23A, 23B, 23C, 23D, and 23E; Rancho Sienna Lift Stations 12A, 12B, 12C, 12D, and 12E; and Santa Rita Lift Station 13C.

The facility is also a critical component of the City's planned wastewater system, with several approved development agreements relying on Lift Station 19 to convey additional wastewater flows. Maintaining reliable operation of the station is therefore necessary to protect the existing wastewater system, meet the City's contractual obligations, and support planned growth within the City's wastewater service area.

Lift Station 19 was commissioned in 2009 by Municipal Utility District No. 19 as part of the Santa Rita development and was subsequently conveyed to the City for ownership, operation, and maintenance. In addition to the discharge piping addressed through this contract, several other components of the facility are aging and require evaluation, rehabilitation, or replacement. The existing wet well liner is deteriorating, the Variable Frequency Drive (VFD) that controls pump speed and power usage requires replacement, and additional capacity will ultimately be necessary to accommodate future wastewater flows.

At its August 14, 2026 meeting, City Council approved a professional services agreement with Kimley-Horn to perform preliminary engineering for Lift Station 19. That work will evaluate the facility and determine whether rehabilitation and expansion of the existing lift station or conversion to a gravity wastewater solution represents the most appropriate long-term approach.

The proposed construction contract is therefore intended to address an immediate operational and infrastructure risk while the City completes the engineering necessary to establish a permanent solution. Replacing the deteriorated discharge piping will reduce the risk of a significant failure or service disruption and allow Lift Station 19 to remain operational while the City advances its long-term wastewater infrastructure strategy.

A condition assessment of Lift Station 19 included in the Wastewater Master Plan adopted in 2025 is provided below.

**Table 2.17 Lift Station #19 Condition Assessment**

| Facility | Condition Rating | | | | |
|---|---|---|---|---|---|
| | Process | Electrical | Architectural | Structural | HVAC |
| LS 19 | Fair[1,2] | Good[3] | Good | Poor[4,5] | Fair[5] |
| *Key Observations:* | | | | | |
| 2. Riser pipes inside wet well are corroded and should be scheduled for replacement. Gate valve for 36" interceptor is inoperable; requires installation of a plug when bypass is needed.<br>3. Pump turndown not possible without triggering excessive ragging.<br>4. Generator is old but generally reliable. Replacement should be planned within next 10 years. VFD replacement parts have long lead times.<br>5. Concrete inside wet well appears to have some exposed aggregate.<br>6. Wet well vent appears to be undersized (3" or 4" diameter). | | | | | |

Next Steps

With the approval of this contract, staff will move forward with the emergency repairs in this scope being completed, as well as continue working with Kimley-Horn for the long-term solutions related to determining best path forward for the long-term sustainability of Lift Station 19. We anticipate staff will bring forward another contract for full design and construction services May 2027.

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## FISCAL NOTES / FINANCIAL IMPACT:

This emergency work will be funded by the wastewater fund.

Staff originally anticipated addressing the condition of the discharge piping, along with the other identified deficiencies at Lift Station 19, through the larger Capital Improvement Program (CIP) project currently underway for the facility. However, the continued deterioration of the discharge piping has elevated the

condition to an emergency level that can no longer reasonably wait for completion of the long-term engineering, design, and construction process.

As a result, it is necessary to proceed with these emergency repairs concurrently with the ongoing preliminary engineering effort to ensure Lift Station 19 remains operational until the City determines, designs, and constructs the ultimate long-term solution for the facility.

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## CITY ATTORNEY REVIEW (IF APPLICABLE):

The agreement was approved by the City Attorney.

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## RESPONSIBLE STAFF / FOLLOW-UP:

NA

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## ATTACHMENTS:

Construction Agreement

General Location Map

## GENERAL SERVICES CONTRACT

**THIS CONTRACT** made this the 23rd day of September 2026, by and between **Prota, Inc.** hereinafter called the "*Contractor*", and the **City of Liberty Hill**, hereinafter called the "*City*." acting herein by its authorized representative.

**WITNESSETH**, that the Contractor and the City for the considerations stated herein mutually agree as follows:

**ARTICLE 1. DESCRIPTION OF SERVICES.** The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, and services, including such services that are such an inseparable part of the work described that exclusion would render performance by Contractor impractical, illogical, or unconscionable. The project will be reviewed and under the direction of Matthew Brown, City of Liberty Hill Wastewater Superintendent. The Contractor shall perform and complete all work required for the Lift Station 19 Repairs and required supplemental work, all in strict accordance with the contract documents. The Contractor will provide the Services in accordance with the terms of this Agreement in a timely, courteous, professional, and workmanlike manner consistent with applicable generally accepted industry standards of quality and integrity. The Contractor represents and warrants that it has the necessary skill, experience, judgment and resources to perform the Services. The Contractor acknowledges that the City is relying on the contractor's expertise, judgment, and experience in performing the Services and agrees to utilize its specialized skills to meet the City's needs.

**ARTICLE 2. CONTRACTOR'S DUTIES.**

1. **Services .** Contractor shall provide repairs to the Lift Station 19. The full scope of services is attached as Attachment "A".

2. **Labor and Materials.** The Contractor shall furnish all labor, materials, transportation, equipment, and services necessary for the completion of the services described in this Contract and in accordance with the plan (if any) and other contract documents to complete the services required under this Contract in an efficient manner.

3. **Invoicing.** Contractor shall prepare an invoice for services completed and submit the involved to the City for payment. The proposal for the services is set forth in Attachment "A". Incomplete or inaccurate invoices shall be returned to the Contractor for correction and re-submittal. Payment shall be made within thirty (30) days of the City receiving and approving the invoice.

4. **Insurance.** Contractor shall assume all risk and liability for accidents and damages that may occur to persons or property during the performance of the services under this

Contract. Contractor shall not be covered by the City's liability carrier. Contractor shall, at its sole expense, maintain during the full term of this Contract insurance coverage with insurers licensed to do business in the State of Texas and acceptable to the City. The Contractor shall comply with all insurance requirements contained in Attachment "B", including maintaining workers compensation and liability coverage, in stated amounts, and providing proof of such coverage with the City as an additional named insured.

5. **Mandatory Disclosures.** Texas law requires that vendors make certain disclosures. Prior to the effective date of this Contract, the Contractor has submitted to the City a copy of the Conflict of Interest Questionnaire form (CIQ Form) approved by the Texas Ethics Commission (Texas Local Government Code Chapter 176). The Contractor also confirms it is in compliance with all Texas requirements related to government contracts including: (1) no boycott of Israel; (2) not listed as a foreign terrorist organization by the Texas Comptroller of Public Accounts; (3) Contractor does not have a policy or practice of discriminating against firearm entities or firearm trade associations; (4) Contractor does not boycott energy companies; and Contractor is compliant with all other Texas laws including any additional disclosure requirements.

**ARTICLE 3. THE CONTRACT PRICE.**

1. **Price**. The City will pay the Contractor for the performance of the Contract, in current funds, subject to additions and deductions as provided in this Agreement, the sum of $344,363. Payments will be made pursuant to this Agreement. Additional services shall only be approved through written agreement of both parties.
2. **Sales Tax Exemption.** The City is exempt from payment of sales, use, rental and certain excise taxes in accordance with Chapter 151 of the Texas Tax Code. Contractor acknowledges and agrees that no such tax shall be included in any invoice or request for payment. City shall cooperate with the Contractor in providing any necessary documentation to evidence the City's tax-exempt status, including providing a completed Texas Sales and Use Tax Exemption Certification form upon request.
3. **Billing and Payment.** (1) The Contractor may bill the City for the Work provided at intervals of at least 30 days of receipt of Contractor's invoices, except for the final billing. The City will pay the Contractor within 30 days of receipt of Contractor's invoices for the Work provided for in this Contract with current revenues available to the City, but all of the City's payments to the Contractor, including the time of payment and the payment of interest on overdue amounts, are subject to the provisions of Chapter 2251, Texas Government Code.

   (2) The City shall notify the Contractor in writing of an error or disputed amount in an invoice, or any part thereof, within 21 days of receiving the invoice. The City's notice shall

   identify with reasonable specificity the basis for the dispute and the amount disputed. The City may withhold only the portion of the invoice that is the subject of a good-faith, bona fide dispute and shall timely pay all undisputed portions of the invoice in accordance with

Chapter 2251, Texas Government Code. Failure to provide timely written notice of a disputed amount shall constitute approval of the invoice for payment purposes, subject to applicable law.

(3) The City is not liable to the Contractor for any taxes for which the City is not liable by law, including state and local sales and use taxes (Section 151.309 and Title 3, Texas Tax Code) and federal excise taxes (Subtitle D of the Internal Revenue Code). Accordingly, the Contractor shall not include in any invoice any taxes for which the City is not liable by law.

**ARTICLE 4. TERM AND TERMINATION**

Completion of the work shall occur within thirty (30) days of issuance of the Notice to Proceed by the City. The agreement shall be for twelve (12) months starting at the effective date of this agreement or until all repairs are complete and accepted by the City.

**ARTICLE 5. Miscellaneous**

1. **Reports of Incidents and Claims.** Within twenty-four (24) hours upon occurrence, Contractor shall provide in writing to the City notice and details of any accidents or occurrences resulting in injuries to persons or property, or pollution arising in any way out of or related to the Services whether done by the Contractor, its agents, representatives, volunteers, employees, Subcontractors, or any other person performing Work pursuant to this Contract on behalf of or at the request of the Contractor. Within 24 hours of receiving any claim, demand, or suit that may be presented to or served upon it arising out of or as a result of Work, Contractor shall provide in writing to the City notice and details of any such claim, demand, or suit.

2. **Non-Assignability.** Neither the City nor the Contractor shall assign any interest in this Contract without the prior written consent of the other party outside of what is allowed in this Contract or its the bid documents described above.

3. **Amendment.** This Contract and the bid documents described above embody the entire agreement between the parties and may not be modified unless in writing, executed by all parties.

4. **Independent Contractor.** Contractor is an independent contractor under this Contract. Services provided by Contractor pursuant to this Contract shall be subject to the supervision of the Contractor. In providing such services, neither Contractor nor Contractor's agents shall act as officers, employees, or agents of the City. No partnership, joint venture, or other join relationship is created hereby. City does not extend to Contractor or Contractor's agents any authority of any kind to bind City in any respect whatsoever. Contractor employees, if any, who perform services for City under this Agreement shall also be bound by the provisions of this Agreement. At the request of City, Contractor shall provide adequate evidence that such persons are Contractor's employees.

5. **INDEMNIFICATION.** TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, THE CONTRACTOR SHALL INDEMNIFY AND HOLD HARMLESS THE CITY, ITS OFFICERS, AGENTS, VOLUNTEERS, AND EMPLOYEES FROM AND AGAINST CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, AND LIABILITY, INCLUDING REIMBURSEMENT OF REASONABLE ATTORNEY'S FEES AND COSTS, BUT ONLY TO THE EXTENT CAUSED BY THE NEGLIGENCE, INTENTIONAL TORT, INTELLECTUAL PROPERTY RIGHT INFRINGEMENT, OR FAILURE TO PAY A SUBCONTRACTOR OR SUPPLIER COMMITTED BY CONTRACTOR, ITS AGENTS, REPRESENTATIVES, EMPLOYEES, SUBCONTRACTORS, OR ANYONE OVER WHOM CONTRACTOR EXERCISES CONTROL OR FOR WHOM CONTRACTOR IS LEGALLY LIABLE UNDER THIS CONTRACT. CONTRACTOR SHALL HAVE NO OBLIGATION TO INDEMNIFY, DEFEND, OR HOLD HARMLESS THE CITY OR ANY OTHER PERSON OR ENTITY FOR CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS, OR LIABILITY CAUSED BY THE NEGLIGENCE, FAULT, BREACH OF CONTRACT, WILLFUL MISCONDUCT, OR STRICT LIABILITY OF THE CITY, ITS CONSULTANTS, SEPARATE CONTRACTORS, OR ANY PERSON OR ENTITY NOT UNDER CONTRACTOR'S CONTROL.

   NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, UNDER NO CIRCUMSTANCES WHETHER UNDER BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, OR ANY OTHER THEORY OF LIABILITY, SHALL EITHER PARTY BE LIABLE TO THE OTHER FOR ANY CONSEQUENTIAL, SPECIAL, INDIRECT, INCIDENTAL, EXEMPLARY, ENHANCED, TREBLE (OR STATUTORY EQUIVALENT), OR PUNITIVE DAMAGES, INCLUDING WITHOUT LIMITATION, LOSS OF PROFITS, LOSS OF BUSINESS OPPORTUNITY OR LOSS OF PROSPECTIVE REVENUE, ARISING OUT OF THIS CONTRACT OR ANY WORK PERFORMED OR TO BE PERFORMED HEREUNDER.

**Notice.** All notice required or permitted under this Contract shall be in writing and shall be delivered either in person or deposited in the United States mail, postage prepaid, addressed as follows:

| For the City: | For the Contractor: |
|---|---|
| Attention: Brandon Pritchett | Attention: Michelle Borg, CEO |
| Deputy City Manager | Prota, Inc. |
| City of Liberty Hill | Post Office 342195 |
| 926 Main Street | Austin, Texas 78734 |
| Liberty Hill, Texas | info@protaconstruction.com |

**6. Amendment**

This agreement may be modified or amended only if the amendment is made in writing and is signed by both parties.

**7. Severability**

If any provision of this Agreement shall be held to be invalid or unenforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

**8. Waiver of Contractual Right**

The failure of any party to enforce any provision of this Agreement shall not be construed as a waiver of that party's right to subsequently enforce and compel strict compliance with every provision of the Agreement.

**9. Force Majeure.** No party to this Contract shall be deemed in violation if it is prevented from timely performing any of its obligations by reason of labor disputes, acts of God, acts of the public enemy, acts of superior governmental authority, or other circumstances for which the party is not responsible or which is not in its control.

**10. Law & Venue.** This Contract shall be governed by the laws of the State of Texas. The venue for any disputes arising under this Contract shall be Williamson County, Texas.

**11. Severability.** If the final judgment of a court of competent jurisdiction invalidates any part of this Contract, then the remaining parts shall be enforced, to the extent possible, consistent with the intent of the Parties as evidenced by this Contract.

**13 Entire Agreement.** This Contract contains the entire Contract of the parties and there are no other promises or conditions in any other Contract whether oral or written. This

Contract supersedes and prior written contracts between the parties. If a conflict exists between this Contract and Attachment "A", this Contract shall prevail.

**IN WITNESS WHEREOF**, the parties hereto have caused this Contract to be executed on the day and year first above written.

| CITY OF LIBERTY HILL | Prota, Inc. |
|---|---|
| By _____ | By _____ |
| Thomas Hunter, City Manager | Michelle Borg, CEO |
| City of Liberty Hill | Prota, Inc. |

ATTACHMENT "A"
SCOPE OF SERVICES

PROTA
UTILITY CONTRACTORS

Prota Bid #CLH-LS9-1

**Date:** September 1, 2026

**To: City of Liberty Hill**

**Attn: Matthew Brown**

**Ref: City of Liberty Hill Lift Station 19 (TIPS CONTRACT # 26010401/02)**

**Prota, Inc.** (Contractor) is pleased to provide the following proposal to you for the "Discharge Pipe Replacement for the Lift Station 19" Project" in Liberty Hill, TX in accordance with the Owner's Plans and Specifications issued by N/A dated N/A , N/A (Base Bid) and N/A (Alternate Bid), along with Addendums N/A, unless stated otherwise:

**SCOPE OF WORK**

1.Bypass

2.City of Liberty Hill to Hire WWTS for initial LS cleaning

3.Decontamination.

4.Scaffolding

5.Demo two 8" discharge lines for Pumps 1 and 2, including the upper 90-degree elbow, two 22 1/2" bends, and the spool piece flange on PE leading to the valve vault.

6.Install two 8" discharge lines for Pumps 1 and 2 including the upper 90-degree elbow two 22 1/2" bends, and the spool piece flange on PE leading to the valve vault. (coating included)

7.Demo (1) 6" discharge line for Pump 3, including the upper 90-degree elbow, two 22 1/2" bends, and the spool piece flange on PE

8.Install (1) 6" discharge lines for Pump 3 including the upper 90-degree elbow two 22 1/2" bends, and the spool piece flange on PE (coating included)

9.Remove and reinstall the existing guide rail system. on pumps 1, 2 and 3.

10.Demobilization.

**Lump Sum Total Amount : $344,363.00**

Tel. (512) 535-2555 P.O. Box 342195, Austin, TX 78734 info@protaconstruction.com

Completion Date: _30_ (calendar days). The completion times stated here excludes any extension of time as necessitated by delays occasioned beyond the control of Subcontractor. The pricing in this proposal is contingent on Subcontractor being able to commence work on site no earlier or later than _30_.

**CLARIFICATION AND EXCLUSIONS**

- This proposal was created assuming an uninterrupted operation starting from the day the Prime Contractor requests Prota to mobilize to the project.
- Each site mobilization other than the one (1) included in this proposal will have a specific mobilization charge of $20,000/each.
- Prota includes required documentation and management for the scope provided herein.
- This quotation is contingent upon the execution of a mutually agreed upon subcontract. An executed agreement is required to begin material submittals.
- Prota has included labor, equipment, material, surveying and staking as listed above under the Scope of Work. Any costs for the scope in excess of that listed herein shall be coordinated with Prota prior to the bid or will be billed at Prota's current service rates.
- This proposal was created with the assumption that existing utilities are correctly identified in both plans and specifications. Any utilities that are not properly identified, present obstruction to proposed improvements and are identified for relocation; and/or change the grade and alignment of the proposed improvements, will be billed at Prota's current service rates. Prota, Inc. will not be liable for delay costs or damages due to relocation of utilities which hinder progress of the work.
- Pricing assumes trenching can be performed without damage to existing facilities. While Prota, Inc will take care to avoid them, because our quote does not include any contingencies to repair existing facilities, in the event damage occurs we reserve the right to request additional compensation if repairs are indeed required.
- Should there be a retainer, the rate of retainage withheld shall not exceed 10%
- Prota acknowledges that this is a Prevailing Wage project
- Pricing for a Payment and Performance Bond to cover our estimated time of completion is included and pricing for a Maintenance Bond
- Price includes minimum insurance requirements for this project. Pricing for a Builders Risk Policy is not required
- Testing, Traffic Control, and Site Facilities, including employee parking will be provided by others.
- Access for heavy construction to complete the work will be provided by others.
- For conflicts in the construction documents, the most cost effective method of completing the work was utilized in our pricing.
- Identification, location, relocation, installation, coordination of Mechanical, Electrical, Plumbing and any unforeseen items will be by others.
- Stand By rate for construction equipment is $2,000 per day and $50/hr per construction worker
- SWPPP measures by others
- Prota, Inc. will not be liable for penalties or liquidated damages as a result of others work and / or time delays
- Prota, Inc. will not indemnify either the Prime Contractor, their Principals, the Engineer, nor the Owner from acts of their own negligence.

- Prota, Inc.'s liability to Prime Contractor shall be limited to direct damages only in the form of services and the reasonable cost of repair or replacement of those portions of the project in question made necessary by a negligent act or failure to act by Prota, Inc. Furthermore, Prota, Inc. shall not be liable or responsible to Prime Contractor for special, consequential, incidental, or other damages, attorneys fees, expert fees, loss of profit, loss of revenue, cost of rented or leased equipment, or services, regulatory fines or costs.
- Warranty of work is for ONE (1) year. Additional time is available but for an additional cost.
- Prota, Inc. is a certified as MBE and WBE by the City of Austin SMBR department
- This proposal price is valid for 30 days.

Should you have any questions regarding our proposal, feel free to contact me at: Tel. 512-535-2555, Cel. 512-992-7200 or via email at info@protaconstruction.com.

Sincerely,

*Hector Bravo*

CCO
Prota, Inc.

ATTACHMENT "B"

**CITY CONTRACTOR INSURANCE REQUIREMENTS:**

Firm providing goods, materials and services for the City shall, during the term of the contract with the City or any renewal or extension thereof, provide and maintain the types and amounts of insurance set forth herein. All insurance and certificate(s) of insurance shall contain the following provisions:

1. Name the City as additional named insured as to all applicable coverage.

2. Provide for at least ten (10) days prior written notice to the City for cancellation, non-renewal, or material change of the insurance.

3. Provide for a waiver of subrogation against the City for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance.

**Insurance Company Qualification:** All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service.

**Certificate of Insurance:** Certificates of Insurance evidencing all of the required insurance coverages shall be submitted with the Firm's submission. Copies of any modifications, amendments, renewals, or terminations of any coverage shall be promptly submitted to the City. If the contract is extended by the City, certificates of insurance evidencing all of the required insurance coverages shall be provided to the City prior to the date the contract is extended.

**Type of Contract and Amount of Insurance:**

- Statutory Workers Compensation insurance as required by state law.

- Commercial General Liability minimum limits of $1,000,000 per occurrence for bodily injury, personal injury, and property damage.

- Automobile Liability with a minimum of $500,000 Dollars combined single limit.

PROTINC02C JROBINSON

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 9/16/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| PRODUCER | CONTACT NAME: Jody Robinson, CIC, CISR, ACSR |
|---|---|
| INSURICA<br>8834 N Capital of Texas Hwy, Suite 300<br>Austin, TX 78759-7478 | PHONE (A/C, No, Ext): (512) 381-8371 FAX (A/C, No): (866) 652-9367<br>E-MAIL ADDRESS: Jody.Robinson@INSURICA.com |

| INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A : National Fire Insurance Co. of Hartford | 20478 |
| INSURER B : Continental Insurance Company | 35289 |
| INSURER C : Continental Casualty Company | 20443 |
| INSURER D : | |
| INSURER E : | |
| INSURER F : | |

INSURED

Prota, Inc.
P. O. Box 342195
Austin, TX 78734

**COVERAGES** **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| A | X COMMERCIAL GENERAL LIABILITY<br>CLAIMS-MADE X OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>POLICY X PRO-JECT LOC<br>OTHER: | X | X | 7037062247 | 4/28/2026 | 4/28/2027 | EACH OCCURRENCE<br>DAMAGE TO RENTED PREMISES (Ea occurrence)<br>MED EXP (Any one person)<br>PERSONAL & ADV INJURY<br>GENERAL AGGREGATE<br>PRODUCTS - COMP/OP AGG<br>EMPLOYEE BEN AG | $ 1,000,000<br>$ 100,000<br>$ 15,000<br>$ 1,000,000<br>$ 2,000,000<br>$ 2,000,000<br>$ 1,000,000 |
| B | AUTOMOBILE LIABILITY<br>X ANY AUTO<br>OWNED AUTOS ONLY SCHEDULED AUTOS<br>X HIRED AUTOS ONLY X NON-OWNED AUTOS ONLY | X | X | 7037062216 | 4/28/2026 | 4/28/2027 | COMBINED SINGLE LIMIT (Ea accident)<br>BODILY INJURY (Per person)<br>BODILY INJURY (Per accident)<br>PROPERTY DAMAGE (Per accident) | $ 1,000,000<br>$<br>$<br>$ |
| B | X UMBRELLA LIAB X OCCUR<br>EXCESS LIAB CLAIMS-MADE<br>DED X RETENTION $ 10,000 | X | X | 7037062233 | 4/28/2026 | 4/28/2027 | EACH OCCURRENCE<br>AGGREGATE<br>Aggregate | $ 5,000,000<br>$<br>$ 5,000,000 |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N: N<br>If yes, describe under DESCRIPTION OF OPERATIONS below | N / A | X | WC 7- 37062250 | 4/28/2026 | 4/28/2027 | X PER STATUTE OTH-ER<br>E.L. EACH ACCIDENT<br>E.L. DISEASE - EA EMPLOYEE<br>E.L. DISEASE - POLICY LIMIT | <br>$ 1,000,000<br>$ 1,000,000<br>$ 1,000,000 |
| C | Leased/Rented Eqmt | | | C7037189502 | 4/28/2026 | 4/28/2027 | Max value any 1 item | 250,000 |
| C | Installation Floater | | | C7037189502 | 4/28/2026 | 4/28/2027 | Limit with $2500 Ded | 500,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Project : City of Liberty Hill Lift Station #19 , TIPS CONTRACT # 26010401/02
COMPLETE CERTIFICATE HOLDER / ADDITIONAL INSURED TO READ:
City of Liberty Hill, Director of Public Works

SEE ATTACHED ACORD 101

**CERTIFICATE HOLDER**

City of Liberty Hill
Director of Public Works
926 Loop 332
Liberty Hill, TX 78642

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Randall D. Stewart


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AGENCY CUSTOMER ID: PROTINC02C JROBINSON

LOC #: 1

# ADDITIONAL REMARKS SCHEDULE



| AGENCY | | NAMED INSURED |
|---|---|---|
| INSURICA | | Prota, Inc.<br>P. O. Box 342195<br>Austin, TX 78734<br>Travis |
| POLICY NUMBER | | |
| SEE PAGE 1 | | |
| CARRIER | NAIC CODE | EFFECTIVE DATE: SEE PAGE 1 |
| SEE PAGE 1 | SEE P 1 | |

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

Description of Operations/Locations/Vehicles:
Project : City of Liberty Hill Lift Station #19 , TIPS CONTRACT # 26010401/02
COMPLETE CERTIFICATE HOLDER / ADDITIONAL INSURED TO READ:
City of Liberty Hill, Director of Public Works

- The General Liability policy includes a blanket automatic additional insured endorsement that provides additional insured status for On-Going & Completed Operations with Primary and Noncontributory wording to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

- The Automobile policy includes a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

- The General Liability, Automobile and Workers Compensation policies include a blanket waiver of subrogation endorsement that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it.

- The Umbrella policy is follow-form to the Automobile Liability, General Liability and Employers Liability/Workers Compensation policies. Any extension of additional insured status and coverage from the GL will extend to the Umbrella policy.


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# CONFLICT OF INTEREST QUESTIONNAIRE

**FORM CIQ**

**For vendor doing business with local governmental entity**

**This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.**

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. *See* Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

**OFFICE USE ONLY**

Date Received

**1** **Name of vendor who has a business relationship with local governmental entity.**

**PROTA, Inc.**

**2** ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

**3** **Name of local government officer about whom the information is being disclosed.**

_____

Name of Officer

**4** **Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.**

**Prota, Inc. does not employ or have a business relationship with any local government officer or a family member of an office, nor is anyone at Prota, Inc. related to a local government officer of the City of Liberty Hill.**

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

**5** **Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.**

**6** ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

**7**

Michelle Borg
Name of signatory

Signature

09/16/2026
Date

# AGENDA ITEM 4.E

**Approval of a lease agreement with Over The Hill Gang for City property located at 3407 Ranch Road 1869, and authorize the City Manager to execute the agreement.**

**City Council Meeting Date:** September 23, 2026

**Requested By:** Brandon Pritchett, Deputy City Manager

**Requested Agenda Placement:** Consent Agenda

**Agenda Item Type:** Contract / Agreement

# AGENDA ITEM COVER SHEET

## ITEM / TITLE:

Lease Agreement – Over The Hill Gang

## AGENDA ITEM WORDING:

Approval of a lease agreement with Over The Hill Gang for City property located at 3407 Ranch Road 1869, and authorize the City Manager to execute the agreement.

## EXECUTIVE / BACKGROUND SUMMARY:

The City currently owns the property located at 3407 RR1869 that is generally located south of Parkers Mercantile along RR1869. This property has been leased and utilized as a senior facility where the tenant (Over The Hill Gang) provides a variety of activities throughout the week for senior citizens to gather. The Over The Hill Gang is a non-profit corporation that provides a public service to the community. This lease renewal will extend the lease for another year through September 30, 2027. At that time, the City will have advanced more on the Downtown District project to be able to determine the future of the existing facility.

## FISCAL NOTES / FINANCIAL IMPACT:

The upkeep and maintenance of the facility has been included within the FY2027 budget within the Facility Maintenance Department and has it's own line item within the FY2027 budget.

## CITY ATTORNEY REVIEW (IF APPLICABLE):

The City Attorney has reviewed and approved the lease agreement.

## RESPONSIBLE STAFF / FOLLOW-UP:

After approval, staff would route the lease for full execution by the City Manager and coordinate any needs with the tenant directly.

---

## ATTACHMENTS:

Lease Agreement – Over The Hill Gang – Partially Executed

**STATE OF TEXAS )**

**COUNTY OF WILLIAMSON ) LEASE AGREEMENT**

**CITY OF LIBERTY HILL )**

This Agreement of Lease is made and entered into on the 1st day of October 2026, by and between the CITY OF LIBERTY HILL, TEXAS, Home Rule Charter City ("City" of "Landlord") and OVER THE HILL GANG, INC. ("Tenant"). In this Agreement, the Landlord and Tenant are sometimes individually referred to as a "Party" and collectively referred to as the "Parties."

**RECITALS:**

**WHEREAS,** Over the Hill Gang, Inc. is a non-profit corporation that provides a public service to the community in and around the City of Liberty Hill, Texas; and

**WHEREAS,** the value of the public service provided by Over the Hill Gang well exceeds the value of the leasehold granted herein; and

**WHEREAS,** City owns and operates a building located at 3407 Ranch Road 1869, Liberty Hill, Texas ("City Property"); and

**WHEREAS,** Over the Hill Gang desires to continue to provide services to the community, including, but not limited to lunches, amusements, library services, and activities for senior citizens, at the City Property; and

**WHEREAS,** the City Council hereby declares that the use of the City Property by Over the Hill Gang serves a public purpose and is beneficial to the City's citizens and is directly connected to the functions of the City; and

**WHEREAS,** subject to the terms and conditions hereinafter stated, the City agrees to allow Over the Hill Gang to use the City Property; and

**WHEREAS,** the Parties desire to enter this Agreement to set forth in writing their respective rights, duties, and obligations.

**NOW, THEREFORE, WITNESSETH:**

That for and in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties mutually agrees as follows:

## ARTICLE I. RECITALS

**1.1** The foregoing recitals are incorporated into this Agreement by reference as if expressly set forth herein.

## ARTICLE II. DEFINITIONS

**2.01** **Agreement** means this binding legal contract between the Parties.

**2.02** **City** means the City of Liberty Hill, Williamson County, Texas.

**2.03** **Effective Date** means the date upon which the binding signatures of all Parties to this Agreement are affixed.

**2.04** **Force Majeure** means acts of God, strikes, lockouts, or other industrial disturbances, acts of the public enemy, orders of any kind from the government of the United States or the State of Texas or military authority, insurrections epidemics, pandemics, landslides, lightning, earthquakes, fires, hurricanes, storms, floods, restraint of the government and the people, explosions, or other causes not reasonably within the control of the party claiming such inability.

**2.05** Certain other capitalized terms have the meanings given in the Recitals or section of this Agreement where first used.

## ARTICLE III. TERM AND RENTAL CONSIDERATION

**3.01** This Agreement shall be effective on the Effective Date and shall remain in full force and effect for one (l) year. The expiration date of this contract is 12:00 midnight, September 30, 2027.

**3.02** This Agreement may be extended for another one (1) year period by mutual written agreement of the Parties.

## ARTICLE IV. OBLIGATIONS OF PARTIES

**4.01 Obligations of Over the Hill Gang.**

(a) Over the Hill Gang agrees to review and comply with all rules and regulations adopted by the City regarding the use of City facilities, as adopted or amended from time to time.
(b) Over the Hill Gang shall take reasonable steps to ensure that waste is not performed upon the City Property, and that any damage to the City Property is limited to reasonable wear

and tear. Any destruction, damage, or injury to City Property during Over the Hill Gang's use of the City Property shall be repaired by Over the Hill Gang.

(c) Over the Hill Gang is obligated to remove and properly dispose of all litter, trash, and refuse on the City Property because of Over the Hill Gang's use of the City Property.

(d) Over the Hill Gang is obligated to notify the City of any damage to the City Property.

(e) Over the Hill Gang will be allowed to use the City Property during the days and time as stated in Exhibit "A", attached and incorporated herein by reference.

(f) Over the Hill Gang may not sublease the City Property under this Agreement to any other party.

(g) Over the Hill Gang cannot allow the use of the City Property by other non-profit organizations or persons. The right to allow the use of the City Property is exclusive of the City.

(h) ACCESS BY CITY. City and the City's agents shall have the right at all reasonable times, and by all reasonable means, during the term of this Agreement and any renewal to enter the Premises.

**4.02 Obligations of City**

(a) City agrees to allow Over the Hill Gang exclusive use of the City Property beginning on October l, 2026.

(b) City recognizes that the furnishings and equipment within the area are the property of the Over the Hill Gang. Upon termination of this Agreement, Over the Hill Gang will be given an opportunity to remove all of their property.

(c) City agrees to provide utilities, basic janitorial services, and maintenance to the City Property.

## ARTICLE V. NOTICES

**5.01** All notices and other communications in connection with this Agreement shall be sufficient if sent by certified mail, return receipt requested, postage fully prepaid, addressed to the proper party at the following addresses:

Notice to Over the Hill Gang:

Mike Rutherford
112 Howard Lane
Liberty Hill, Texas 78642
Mikeprutherford@gmail.com

Notice to City:

City of Liberty Hill
Thomas Hunter
Atm: City Manager
926 Main Street
Liberty Hill, TX 78642

Any address or name specified above may be changed by a notice given by the addressee to the other party in accordance with this Article V.

The inability to deliver because of changed address of which no notice was given, or the rejection or other refusal to accept any notice, demand, or other communication, shall be deemed to be the receipt of the notice, demand, or other communication as of the date of such inability to deliver or the rejection or refusal to accept.

Nothing contained herein shall be construed to restrict the transmission of routine communications between the Parties.

## ARTICLE VI. TERMINATION & SUSPENSION

**6.01** This Agreement may, by written notice given in the manner hereinafter provided, be terminated by either Party for any reason or for no reason at all.

**6.02** In the event the City wishes to terminate this Agreement, the termination will be effective thirty (30) days following the giving of written notice.

**6.03** In the event Over the Hill Gang wishes to terminate this Agreement, the termination will be effective seven (7) days following the giving of written notice.

**6.04** In the event City terminates under this section, the following shall apply: Upon City's delivery of the referenced notice to Over the Hill Gang, Over the Hill Gang shall discontinue all services in connection with the performance of this Agreement and shall proceed to cancel promptly all services and activities to be performed at the City Property.

**6.05** Upon termination, the Over the Hill Gang shall have ten (10) days to remove all furnishings and other property owned by the Over the Hill Gang.

### ARTICLE VII. GENERAL PROVISIONS

**7.01** **Assignment**. The Parties each hereby bind themselves, their successors, assigns and legal representatives to each other with respect to the terms of this Agreement. This Agreement is not assignable.

**7.02** **Waiver.** No covenant or condition of this Agreement may be waived without the consent of the Parties. Forbearance or indulgence by the City shall not constitute a waiver of any covenant or condition to be performed pursuant to this Agreement.

**7.03** **Venue & Enforcement.** This Agreement shall be enforceable in Liberty Hill, Texas, and if legal action is necessary by any of the Parties with respect to the enforcement of any or all the terms or conditions of this Agreement, exclusive venue for same shall lie in Williamson County, Texas. This Agreement shall be governed by and construed in accordance with the laws and court decisions of the State of Texas.

**7.04** **Exclusive Agreement.** This document, and all appended documents, constitute the entire Agreement between the Parties. This Agreement may only be amended or supplemented by mutual agreement of the Parties in writing.

**7.05** **Severability.** The invalidity, illegality, or unenforceability of any provision of this Agreement, or the occurrence of any event rendering any portion or provision of this Agreement void, shall in no way affect the validity or enforceability of any other portion or provision of this Agreement. Any void provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if this Agreement did not contain the portion or

provision held to be void. The Parties further agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this section shall not prevent this entire Agreement from being void should a provision which is of the essence of this Agreement be determined void.

**7.06** **Force Majeure.** Neither City nor Over the Hill Gang shall be deemed in violation of this Agreement if it is prevented from performing any of its obligations hereunder by reasons for which it is not responsible as defined herein. However, notice of such impediment or delay in performance must be timely given, and all reasonable efforts undertaken to mitigate its effects.

**7.07** **Multiple Counterparts.** This Agreement may be executed in multiple counterparts, any one of which shall be considered an original of this document; and all of which, when taken together, shall constitute one and the same instrument.

**7.08** **Independent Status.** Over the Hill Gang is independent and is not City's employee or agent. Over the Hill Gang's employees or subcontractors are not City's employees. This Agreement does not create a partnership, joint venture, or agency, express or implied, nor any employer-employee, or borrowed servant relationship by and among the Parties.

**7.09** **INDEMNIFICATION.** OVER THE HILL GANG SHALL DEFEND (AT THE OPTION OF CITY), INDEMNIFY, AND HOLD CITY, ITS SUCCESSORS, ASSIGNS, OFFICERS, EMPLOYEES, AND ELECTED OFFICIALS HARMLESS FROM AND AGAINST ALL SUITS, ACTIONS, LEGAL PROCEEDINGS, CLAIMS, DEMANDS, DAMAGES, COSTS, EXPENSES, ATTORNEY'S FEES, AND ANY AND ALL OTHER COSTS OR FEES ARISING OUT OF, OR INCIDENT TO, CONCERNING OR RESULTING FROM THE FAULT OF OVER THE HILL GANG, OR OVER THE HILL GANG'S AGENTS, EMPLOYEES, SUBCONTRACTORS, INVITEES, GUEST, OR TRESPASSER IN THE PERFORMANCE OF OVER THE HILL GANG'S OBLIGATIONS UNDER THIS AGREEMENT, NO MATTER HOW, OR TO WHOM, SUCH LOSS MAY OCCUR. NOTHING HEREIN SHALL BE DEEMED TO LIMIT THE RIGHTS OF CITY OR OVER THE HILL GANG (INCLUDING, BUT NOT LIMITED TO THE RIGHT TO SEEK CONTRIBUTION) AGAINST ANY THIRD PARTY WHO MAY BE LIABLE FOR AN INDEMNIFIED CLAIM.

**7.10** **Insurance.** During the term of the contract with the City of Liberty Hill or any renewal or extension thereof, provide and maintain the insurance as set forth in Exhibit "B" attached and incorporated herein. In addition, the Over the Hill Gang shall obtain insurance coverage for Over the Hill Gang's personal property and furniture.

**7.11** **Compliance with Laws & Ordinances.** Over the Hill Gang, its agents, employees, and subcontractors shall use best efforts to comply with all applicable federal and state laws, the Ordinances of the City of Liberty Hill, as amended, and with all applicable rules and regulations promulgated by local, state, and national boards, bureaus, and agencies.

**7.12** **Third Party Beneficiaries.** For purposes of this Agreement, including its intended operation and effect, the Parties specifically agree that: (1) the Agreement only affects matters/disputes between the Parties to this Agreement, and is in no way intended by the Parties to benefit or otherwise affect any third person or entity, notwithstanding the fact that such third person or entities may be in a contractual relationship with the City or Over the Hill Gang; and (2) the terms of this Agreement are not intended to release, either by contract or operation of law, any third person or entity from obligations owing by them to either the City or Over the Hill Gang.

**7.13** **Governmental Immunity.** Nothing in this Agreement shall be deemed to waive, modify or amend any legal defense available at law or in equity to either the City or Over the Hill Gang. The City does not waive, modify, or alter to any extent whatsoever the defense of governmental immunity pursuant to the laws of the state of Texas.

**7.14** **Authority to Act.** The Parties each represent and warrant that the signatories on this Agreement are authorized to execute this Agreement. Each party warrants that any action required to be taken for this Agreement to be binding on it has been duly and properly taken prior to the execution of this Agreement.

**[SIGNATURE PAGE TO FOLLOW]**

**IN WITNESS WHEREOF, the Parties to these presents have executed this Agreement on the dates indicated.**

| **CITY OF LIBERTY HILL, TEXAS:** | **OVER THE HILL GANG, INC.:** |
|---|---|
| **By:** _____ | **By:** Mike Rutherford |
| **Thomas Hunter, City Manager** | **Mike Rutherford, President** |
| **Date:** _____ | **Date:** 9/11/2026 |

**ATTEST:**

**By:** _____
**Beatrice Canseco, City Secretary**

# EXHIBIT “A”

Activities for Over the Hill Gang 2026-2027

**Mondays**

Coffee group, 10:00 Board meeting, Cribbage Group deliver groceries, take inventory, clean up, organize

**Tuesdays**

Coffee group, Breakfast, 9:00 Meal planning meeting, 11:00 Looming/crochet/knitting/sewing group, 12:00 lunch

**Wednesdays**

Coffee group, 10:00 Canasta group, Cribbage Group, 11:00 Ladies Bible Study, 7:00 evening Bible Study

**Thursday**

Coffee group, 10:00 'Looking Back at Liberty Hill' presentation by Gary Spivey, Guest speakers, 11:30 Lunch, 12:30-5:00 Games and Activities

**Friday**

Coffee group, 10:00 Exercise/dance activity

Saturday

Open for planned events such as reunions, Birthdays, Celebrations of Life, Ice Cream Socials, Book Club, TV Sports Events, Movies,various games etc.

# EXHIBIT "B"

**CITY OF LIBERTY HILL INSURANCE REQUIREMENTS:**

During the term of the contract with the City of Liberty Hill or any renewal or extension thereof, provide and maintain the types and amounts of insurance set forth herein. All insurance and certificate(s) of insurance shall contain the following provisions:

1. Name the City of Liberty Hill as additional named insured as to all applicable coverage.
2. Provide for at least thirty (30) days prior written notice to the City of Liberty Hill for cancellation, non-renewal, or material change of the insurance.
3. Provide for a waiver of subrogation against the City of Liberty Hill for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance.

**Insurance Company Qualification:** All insurance companies providing the required insurance shall be authorized to &insect business in Texas and rated at least "A" by AM Best or other equivalent rating service.

**Certificate of Insurance:** Certificates of Insurance evidencing all the required insurance coverages shall be submitted with the Firm's submission. Copies of any modifications, amendments, renewals, or terminations of any coverage shall be promptly submitted to the City. If the contract is extended by the City of Liberty Hill, certificates of insurance evidencing all the required insurance coverages shall be provided to the City prior to the date the contract is extended.

**Type of Contract and Amount of Insurance:**

- Commercial General Liability minimum limits of $500,000 per occurrence for bodily injury, personal injury, and property damage.

# AGENDA ITEM 5.A

**Discussion and consideration of possible action on a Resolution of the City of Liberty Hill Ratifying the Municipal Budget for Fiscal Year 2026-2027; Funding Municipal Purposes; Authorizing Expenditures; Filing of Budget; Repealer; Severability; Effective Date; and Proper Notice.**

**City Council Meeting Date:** September 23, 2026

**Requested By:** Josh Armstrong, Finance Director

**Requested Agenda Placement:** Regular Agenda

**Agenda Item Type:** Presentation

# AGENDA ITEM COVER SHEET

## ITEM / TITLE:

Resolution for Ratification of 2026 Tax Rate

## AGENDA ITEM WORDING:

Discussion and consideration of possible action on a Resolution of the City of Liberty Hill Ratifying the Municipal Budget for Fiscal Year 2026-2027; Funding Municipal Purposes; Authorizing Expenditures; Filing of Budget; Repealer; Severability; Effective Date; and Proper Notice.

## EXECUTIVE / BACKGROUND SUMMARY:

The Local Government Code Section 102.007 requires the City Council take a vote to ratify the increase in revenue generated by the 2026 property tax rate. This vote is in addition to and separate from the vote to adopt the budget or to set the tax rate as required by Chapter 26 of the Tax Code.

This resolution ratifies and acknowledges that the adoption of the FY27 Annual Budget will require raising more revenue from property taxes than in the previous year. This budget will raise more revenue from property taxes than last year's budget by an amount of $937,656.04, which is a 16.6% percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is $531,904.60

## FISCAL NOTES / FINANCIAL IMPACT:

There is no fiscal impact on this item other than that related to ratifying the previously approved budget and tax rate.

## CITY ATTORNEY REVIEW (IF APPLICABLE):

This ratification is required by state law as described above. The only requirements are that it: (1) is done after the approval of the budget and tax rate; and (2) is done by separate vote.

## RESPONSIBLE STAFF / FOLLOW-UP:

Once approved, the Budget and Tax Rate processes will continue including uploading items onto the Website and notifying the County.

## ATTACHMENTS:

Resolution # 2026-R-020

**CITY OF LIBERTY HILL**

**RESOLUTION No. 2026-R___**

A RESOLUTION OF THE CITY OF LIBERTY HILL, TEXAS, RATIFYING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2026-2027; FUNDING MUNICIPAL PURPOSES; AUTHORIZING EXPENDITURES; FILING OF BUDGET; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE

**WHEREAS,** the City of Liberty Hill City Council ("City Council") seeks to enact and otherwise approve the City of Liberty Hill's ("City") budget for Fiscal Year 2026-2027; and

**WHEREAS,** the new fiscal year commences for the City on October 1, 2026; and

**WHEREAS,** the Budget as adopted raises more total property taxes than last year's budget by $937,656.04, which is a sixteen point six point forty percent (16.6%) increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is $531,904.60; and

**WHEREAS,** Local Government Code § 102.007 requires the City ratify the Budget by a separate vote; and

**WHEREAS,** the City Council finds that the proposed Budget is for legitimate municipal purposes, and complies with Texas Local Government Chapter 102; and

**WHEREAS,** the City Council finds that it is necessary and proper for the good government, peace or order of the City to adopt an ordinance establishing a budget for the upcoming fiscal year; and

**WHEREAS,** the City has satisfied all statutory requirements for public notices and public hearings regarding the adopted budget.

**NOW, THEREFORE, BE IT by the City Council of the City of Liberty Hill, Texas, that:**

## 1. FINDINGS OF FACT

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

## 2. ENACTMENT

The City's budget for Fiscal Year 2026-2027 shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Resolution for all intents and purposes.

## 3. REPEALER

To the extent reasonably possible, resolutions and ordinances are to be read together in harmony. However, all resolutions and ordinances, or parts thereof, that 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 regulated, herein.

## 4. SEVERABILITY

Should any of these clauses, sentences, paragraphs, sections or parts of this Resolution 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 Resolution.

## 5. FILING OF THE BUDGET

The City Secretary is hereby directed to file the budget on the website of the City and in the City's official records.

## 6. EFFECTIVE DATE

This Resolution shall be effective immediately upon passage and publication as provided for by law.

## 7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Resolution 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.

**PASSED & APPROVED, this the 23rd day of September 2026, by a roll call vote of the City Council of Liberty Hill, Texas.**

**CITY OF LIBERTY HILL:**

_____

Crystal Mancilla Mayor

**ATTEST:**

_____

Beatrice Canseco, City Secretary

# AGENDA ITEM 5.B

**Discussion and consideration of possible action on Ordinance No. 2026-O-019 amending Section 7.05 (Fiscal Surety and Assurance of Construction and Maintenance) of the City of Liberty Hill Unified Development Code, related to fiscal security, warranty requirements, and acceptance of public improvements.**

**City Council Meeting Date:** September 23, 2026

**Requested By:** Robyn Claridy-Miga, Director of Planning & Development Services

**Requested Agenda Placement:** Public Hearing(s)

**Agenda Item Type:** Ordinance

# AGENDA ITEM COVER SHEET

## ITEM / TITLE:

Fiscal Surety and Assurance of Construction and Maintenance UDC Text Amendment

## AGENDA ITEM WORDING:

Discussion and consideration of possible action on Ordinance No. 2026-O-019 amending Section 7.05 (Fiscal Surety and Assurance of Construction and Maintenance) of the City of Liberty Hill Unified Development Code, related to fiscal security, warranty requirements, and acceptance of public improvements.

## EXECUTIVE / BACKGROUND SUMMARY:

The proposed amendments to Section 7.05, Fiscal Surety and Assurance of Construction and Maintenance, strengthen the City's financial security, clarify the process for accepting and maintaining public infrastructure after construction, and add flexibility for the development community.

The amendments would:

- Extend the warranty period for public improvements from one year to two years, beginning on the date of final acceptance
- Revise the required warranty security from at least 20 percent to 80 percent of the total construction cost of the public improvements, unless otherwise approved by the City Engineer
- Add a partial fiscal security option allowing a Final Plat to be recorded while public improvements are still under construction. Today an applicant must either finish and receive final acceptance of all improvements or post security for the full amount before recordation. The amendment lets the City Engineer accept partial security equal to 110 percent of the estimated cost of the remaining work, supported by a current cost estimate signed and sealed by the Engineer of Record, so applicants can record and stay on schedule while the City remains secured for whatever is left
- Establish a clearer final acceptance process covering required closeout documentation, final inspection, written acceptance or rejection, and release of fiscal security
- Shift approval authority for fiscal security, inspections, and acceptance of public improvements from the City Manager to the City Engineer to reflect current practice

- Remove the express authorization for irrevocable letters of credit, leaving the acceptable forms of fiscal security to the City Engineer's approval
- Require private maintenance agreements with a minimum ten year term and recording in the Official Public Records, and a license agreement for irrigation improvements within public right of way

Together these changes give the City stronger, clearer protection over the life of new public infrastructure while giving applicants a more predictable path to plat recordation.

This item was previously postponed at the August 26, 2026, City Council meeting to allow staff to provide additional information regarding the potential fiscal impact of increasing the required maintenance bond from 20 percent to 80 percent.

For example, on a project with an infrastructure value of approximately $1 million, the current 20-percent requirement would result in a $200,000 maintenance bond, while the proposed 80-percent requirement would result in an $800,000 maintenance bond—providing the City with an additional $600,000 in financial security.

There is no standard metric that can be applied to determine the exact additional cost to a contractor, as bond premiums vary by contractor and surety company and are influenced by factors such as the contractor's financial condition, bonding capacity, and overall risk profile. However, the increased cost to obtain additional bond coverage is anticipated to be measured in thousands of dollars rather than hundreds of thousands of dollars. As proposed, the increased bond requirement would therefore provide the City with substantially greater financial protection for public infrastructure during the two-year maintenance period without requiring the contractor to directly fund or escrow the full amount of the increased security.

The Planning and Zoning Commission considered the proposed UDC text amendment at its August 4, 2026 meeting and recommended approval by a vote of 3 to 0.

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## FISCAL NOTES / FINANCIAL IMPACT:

No direct fiscal impact. The proposed amendment does not expend City funds, does not require a budget amendment, and does not change any application or inspection fee.

The purpose of the amendment is to better align the City's financial assurance requirements with the long-term cost of maintaining public infrastructure. Extending the warranty period from one year to two years and increasing warranty security to 80 percent of construction cost provides the City a longer and stronger period of protection for newly accepted improvements.

If denied or postponed, the City's current financial assurance standards would remain in place.

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## CITY ATTORNEY REVIEW (IF APPLICABLE):

The proposed UDC text amendment was reviewed by the City Attorney.

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## RESPONSIBLE STAFF / FOLLOW-UP:

Planning and Development Services Department.

Following adoption, the City Secretary's Office will update the Unified Development Code to reflect the amended Section 7.05. Planning staff will then apply the revised fiscal security and warranty requirements to new plats, site development permits, and acceptance of public improvements, and will update applicable application materials, checklists, and applicant guidance accordingly.

**ATTACHMENTS:**

Proposed Ordinance

**CITY OF LIBERTY HILL**

**ORDINANCE NO. 2026-O-019**

***AMENDING UNIFIED DEVELOPMENT CODE SECTION 7.05 FISCAL SURETY AND ASSURANCE OF CONSTRUCTION AND MAINTENANCE***

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY HILL, TEXAS, AMENDING THE CITY OF LIBERTY HILL UNIFIED DEVELOPMENT CODE, SECTION 7.05, FISCAL SURETY AND ASSURANCE OF CONSTRUCTION AND MAINTENANCE, IN ITS ENTIRETY; PROVIDING FOR FINDINGS OF FACT; ENACTMENT; CODIFICATION; SAVINGS; SEVERABILITY; REPEALER; NOTICE OF PUBLIC MEETING; AND EFFECTIVE DATE.**

**WHEREAS**, Chapter 212 of the Texas Local Government Code authorizes the City to regulate the subdivision of land and the construction of public improvements serving subdivisions and developments within the City and its extraterritorial jurisdiction, including the authority to require fiscal security assuring the completion of such improvements; and

**WHEREAS**, the City has adopted a Unified Development Code to provide for the orderly development of property within the City and to promote the public health, safety, and welfare of the City; and

**WHEREAS**, Section 7.05 of the Unified Development Code, Fiscal Surety and Assurance of Construction and Maintenance, governs the fiscal security, warranty, acceptance, and maintenance requirements applicable to public improvements constructed within the City and its extraterritorial jurisdiction; and

**WHEREAS**, City staff has prepared amendments to Section 7.05 that extend the warranty period for public improvements, revise the amount of required warranty security, establish a defined closeout and final acceptance process, provide for private maintenance agreements for improvements approved for private ownership and maintenance, and align the City's financial assurance requirements with the long-term cost of maintaining public infrastructure; and

**WHEREAS**, the amendments further establish a partial fiscal security option that allows a Final Plat to be recorded prior to final acceptance of the required public improvements, providing owners and developers additional flexibility in the timing of plat recordation while preserving the City's assurance that the remaining improvements will be completed; and

**WHEREAS**, the notices required by the City's Unified Development Code and applicable state law were published; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing on August 4, 2026, and after discussion and consideration recommended approval of the proposed amendments by a vote of three (3) ayes to zero (0) nays; and

**WHEREAS**, the City Council conducted a public hearing on August 26, 2026, to consider the recommendation from the Planning and Zoning Commission and comments from the public; and

**WHEREAS**, the City Council finds that the proposed amendments promote the health, safety, and general welfare of the City.

**THE CITY OF LIBERTY HILL, TEXAS, HEREBY ORDAINS:**

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

**SECTION 2. Enactment.** The City of Liberty Hill Unified Development Code, Section 7.05, Fiscal Surety and Assurance of Construction and Maintenance, is hereby amended in its entirety to read as set forth in Exhibit "A," attached hereto and incorporated for all purposes. Any underlined text shall be added and any struck-through text shall be deleted.

**SECTION 3. Codification.** The City Secretary is hereby authorized and directed to make the necessary changes so as to reflect the provisions of this Ordinance in the City of Liberty Hill Unified Development Code, and is further authorized to correct any typographical, numbering, or clerical errors and to make any nonsubstantive formatting changes necessary to conform Exhibit "A" to the style and numbering of the Code.

**SECTION 4. Savings.** Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

**SECTION 5. Severability.** It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, because the same would have been enacted by the City Council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 6. Repealer.** All ordinances or parts of ordinances and sections of the City of Liberty Hill Unified Development Code in conflict with this Ordinance are hereby repealed to the extent of such conflict. All other provisions of the Unified Development Code not in conflict with this Ordinance shall remain in full force and effect.

**SECTION 7. Notice of Public Meeting.** It is officially found, determined, and declared that the meeting at which this Ordinance was adopted was open to the public and public notice of

the time, place, and subject matter of the public business to be considered at such meeting was given as required by Chapter 551, Texas Government Code, as amended.

**SECTION 8. Effective Date.** This Ordinance shall take effect immediately from and after its adoption and publication in accordance with the requirements of the Liberty Hill City Charter, the Liberty Hill Code of Ordinances, and the laws of the State of Texas.

**ORDAINED AND APPROVED the 26th day of August, 2026 by City Council on vote of _____ AYES; _____ NAYS; _____ ABSTENTIONS.**

**CITY OF LIBERTY HILL**

_____
Crystal Mancilla, Mayor

**ATTEST:**

_____
Beatrice Canseco, City Secretary

**APPROVED AS TO FORM:**

_____
Laura Mueller, City Attorney

**EXHIBIT "A"**

**SECTION 7.05 FISCAL SURETY AND ASSURANCE OF CONSTRUCTION AND MAINTENANCE**

Exhibit A

§ 7.05 Fiscal Surety and Assurance of Construction and Maintenance.

7.05.01 Payment of Taxes.

The landowner or developer shall provide the City Manager with a certifiable receipt showing that all taxes have been paid in conjunction with the submittal of an application for final plat approval or site development permit issuance.

7.05.02 ~~Letter of Credit or~~ Performance Bond.

~~A. Before any development or project can proceed, the City Manager must be satisfied that the landowner or developer will be in a financial position to install or cause to be installed at his own cost, risk, and expense, all of the improvements required by this Code.~~

**A.** Before any development or project may proceed, the **City Engineer** shall determine that the owner or developer has demonstrated the financial ability to construct, or cause to be constructed, at the owner's or developer's sole cost, risk, and expense, all public and private improvements required by this Code.

B. Prior to the recordation of a Final Plat, the owner/applicant may choose to either:

Prior to recordation of a Final Plat, the owner or applicant shall satisfy one of the following requirements:

1. **Construction and Acceptance.** Construct all required public improvements and obtain final acceptance of such improvements by the City in accordance with the approved Public Improvement Plans, this Code, the City's Engineering Design Manual, Standard Specifications, and all other applicable ordinances, regulations, and standards, as amended; or

2. **Fiscal Security.** Provide fiscal security in an amount equal to one hundred ten percent (110%) of the estimated cost to complete all required public improvements. The fiscal security shall be in a form approved by the City Engineer and shall guarantee the faithful completion of the required improvements.

3. **Partial Fiscal Security.** When required public improvements are under construction but have not received final acceptance by the City, the City Engineer may authorize the posting of partial fiscal security in an amount equal to one hundred ten percent (110%) of the estimated cost to complete the remaining improvements, thereby allowing the Final Plat to be recorded prior to final acceptance. The owner or applicant shall submit a written request to the City Engineer together with a current

cost estimate signed and sealed by the Engineer of Record. The City Engineer shall review and approve the cost estimate prior to acceptance of the fiscal security.

**C. Purpose and Release of Fiscal Security.**

A. Fiscal security shall guarantee the completion of all required public improvements in accordance with the approved Public Improvement Plans and shall secure the City's ability to complete such improvements if the owner or developer fails to do so.

B. Unless otherwise approved in writing by the City, the owner or developer shall complete all required public improvements within one (1) year of Final Plat approval or issuance of the applicable Site Development Permit, as applicable.

C. Upon failure of the owner or developer to complete the required public improvements within the required time, the City may declare the owner or developer in default, draw upon the fiscal security, and use the proceeds to complete the required improvements. These remedies are cumulative and do not limit any other remedy available to the City under this Code, the applicable fiscal security instrument, or state law.

~~3. The fiscal surety shall be for the purpose of securing the estimated cost of completing such improvements, should the City find it necessary to complete the improvements in lieu of the landowner or developer. The landowner or developer shall complete all such improvements specified or referenced in the subdivision plat or site development permit and the construction plans for the same, within one (1) year from the date of final plat approval or site development permit issuance unless granted an extension by the City. Failure to do so shall authorize the City to complete the improvements using the fiscal surety provided by the landowner or developer.~~

~~B. If the landowner or developer elects to construct the required improvements prior to recording of a subdivision plat, after such plat has been approved, all such construction shall be inspected while in progress; 2.~~

~~in addition, the construction must be approved upon completion by the City Manager or his designee. A certificate by the City Manager or his designee that the construction conforms to the plans and specifications and the standards contained in or referred to in this Code must be presented to the City Council by the landowner or developer prior to approval of the final plat.~~

~~C. The landowner or developer of a site development shall post fiscal surety, as provided below, to assure completion of all construction required under this Code following issuance of the site development permit. If the landowner or developer of a subdivision decides or~~

~~elects to post fiscal surety in lieu of completing construction prior to final plat approval, the landowner or developer may utilize one of the following methods of posting fiscal surety. If the landowner or developer elects to post fiscal surety for subdivision or site development related construction, the plat shall not be approved or the permit shall not be issued unless the landowner or developer has done the following:~~

~~1. The landowner's or developer's engineer shall provide the City an estimate of the total cost of all uncompleted or unaccepted improvements as may be required by this Code; and the estimate shall be acceptable to the City Manager or his designee; and,~~

~~2. The City Manager shall require suficient fiscal surety to insure the orderly development within any subdivision or site development in the form of either (1) a performance bond or (2) an irrevocable letter of credit, equal to 110% of the estimated total cost of the improvements not yet completed and/or accepted as complete. Such letter of credit or bonds shall be issued by a financial institution authorized to do business in the State of Texas. Furthermore, the financial institution shall be reviewed and approved in advance and the letters of credit or bonds shall conform to forms or criteria approved in advance by the City Council.~~

~~3. The fiscal surety shall be for the purpose of securing the estimated cost of completing such improvements, should the City find it necessary to complete the improvements in lieu of the landowner or developer. The landowner or developer shall complete all such improvements specified or referenced in the subdivision plat or site development permit and the construction plans for the same, within one (1) year from the date of final plat approval or site development permit issuance unless granted an extension by the City. Failure to do so shall authorize the City to complete the improvements using the fiscal surety provided by the landowner or developer.~~

~~D. It is expressly understood that, as a condition to the approval of said subdivision or site development, no sale of any lot may be completed until all utilities are installed and all other improvements required by this Code are made within the block in which said lot is contained.~~

7.05.03 Requirements Prior to Final Acceptance for Maintenance.

A. Warranty Period.

The owner or developer shall ensure that all public improvements constructed pursuant to this Code, the Engineering Design Manual, approved Public Improvement Plans, and all applicable ordinances are free from defects in materials and workmanship, perform as designed, and remain in good working order for a period of two (2) years commencing on the date of final acceptance by the City Engineer or the City Engineer's designee.

1. Warranty Security Required.

As a condition of final acceptance of public improvements by the City, the owner or developer shall require each contractor responsible for constructing the public improvements to provide a written warranty for all labor, materials, and workmanship. In addition, the owner or developer shall provide the City with a written warranty guaranteeing that all public improvements are free from defects in materials and workmanship for a period of two (2) years following the date of final acceptance by the City Engineer or the City Engineer's designee.

2. The required warranty shall be secured by one of the following forms of financial assurance, subject to approval by the City Engineer:

(1) A warranty bond issued by a corporate surety authorized to transact business in the State of Texas; or

(2) The warranty security shall be in an amount equal to 80 % of the total construction cost of the public improvements, unless otherwise approved by the City Engineer.

(3) All warranty bonds shall be in a form acceptable to the City Attorney and the City Engineer and shall guarantee the correction of any defects in materials or workmanship discovered during the warranty period.

3. Correction of Deficiencies.

If any defect in materials or workmanship, or any failure of the public improvements to perform in accordance with the approved plans, specifications, this Code, or the Engineering Design Manual is identified during the warranty period, the owner or developer shall promptly correct such deficiencies at its sole expense upon written notice from the City. If the owner or developer fails to complete the required corrective work within the time specified by the City, the City may draw upon the warranty security and perform or cause the corrective work to be performed. The remedies provided in this section are cumulative and do not limit any other remedy available to the City under this Code or applicable law.

B. The owner or developer shall ensure that all public improvements constructed pursuant to this Code, the Engineering Design Manual, approved Public Improvement Plans, and all applicable ordinances are free from defects in materials and workmanship, perform as designed, and remain in good working order for a period of two (2) years commencing on the date of final acceptance by the City Engineer or the City Engineer's designee.

~~A. The landowner or developer shall ensure that all of the facilities constructed in accordance with the requirements of this Code will perform and remain in good working order and in accordance with the design performance criteria of each such facility, for one (1) year commencing on the date of approval of final completion by the City Manager or his designee.~~

~~B. Prior to final acceptance for maintenance of the completed improvements by the City Manager, the landowner or developer shall require any construction contractors with whom he contracts for furnishing materials and for installation of the improvements required under this Code, to provide written guarantees to the City, and shall himself be required to furnish to the City, a written guarantee, that all workmanship and materials shall be free of defects for a period of one (1) year from the date of acceptance by the City Manager. The guarantee shall be either in the form of a one (1) year warranty bond executed by a corporate surety licensed to do business in the State of Texas, conditioned that the improvements are free from defects in materials and workmanship, or an irrevocable letter of credit from a financial institution authorized to do business in Texas, and approved by the City Manager, committing funds for the correction and repair of any defects in materials or workmanship. Said bonds or letters of credit shall be in the amount of at least twenty (20) percent of the total construction cost. The financial institution shall be reviewed and approved in advance and the letters of credit or bonds shall conform to forms or criteria approved in advance by the City Council. The one (1) year assurance period shall commence on the date of approval of final completion of the improvements by the City Manager or his designee.~~

7.05.04 Acceptance of Improvements.

**A. Inspection and Closeout Requirements.**

The City Engineer or the City Engineer's designee shall conduct periodic inspections during the construction of all required public improvements to verify compliance with the approved Public Improvement Plans, this Code, the Engineering Design Manual, the City's Standard Specifications and Details, and all other applicable federal, state, and local laws, regulations, and standards.

Upon completion of all required public improvements, the owner or developer may request final acceptance by submitting all required closeout documentation, including, at a minimum:

1. Record drawings (as-built plans) signed and sealed by the Engineer of Record;
2. A written certification signed and sealed by the Engineer of Record stating that the public improvements were constructed in substantial conformance with the approved Public Improvement Plans;

3. The required two-year warranty bond or other approved warranty security as required by this Code;

4. Operation and maintenance manuals, testing reports, easement documents, and other closeout documents required by the City; and

5. Any other documentation required by the City Engineer to demonstrate compliance with this Code.

**B. Final Inspection and Acceptance.**

Following receipt of all required closeout documentation and completion of the final inspection, the City Engineer shall notify the owner or developer in writing whether the public improvements are accepted or rejected. Public improvements shall be accepted only upon a determination by the City Engineer that the improvements have been completed in accordance with the approved Public Improvement Plans, this Code, the Engineering Design Manual, the City's Standard Specifications and Details, and all applicable laws and regulations.

If the public improvements are rejected, the City Engineer shall provide a written list of deficiencies that must be corrected before final acceptance will be granted.

**C. Release of Fiscal Security.**

No fiscal security posted pursuant to this Chapter shall be released until the public improvements have received final acceptance by the City and all applicable warranty security has been provided in accordance with this Code.

**D. Extension of Completion Time.**

For good cause shown, the City Engineer may grant a written extension of the time for completion of the required public improvements. No extension shall be granted unless the owner or developer provides fiscal security in an amount and for a duration acceptable to the City Engineer suficient to guarantee completion of the public improvements throughout the extended period.

~~A. During the course of installation and construction of the required improvements, the City Manager or his designee shall make periodic inspections of the work to insure that all improvements comply with the requirements of this Code. Upon completion of installation and construction of all required improvements, the landowner or developer may seek acceptance of all public improvements by the City by submitting the required number of copies of as-built plans and a one (1) year maintenance bond as specified in the terms and conditions above. In addition, the landowner or developer shall provide a certified statement~~

~~signed by a registered professional engineer that all improvements have been installed and constructed in accordance with the submitted as-built plans.~~

~~B. After final inspection, the City Manager shall notify the landowner or developer and the City Attorney in writing as to its acceptance or rejection. The City Manager shall reject such construction only if it fails to comply with the standards and specifications contained or referred to herein. No release of any posted fiscal surety shall occur until the City has formally accepted the constructed improvements that are the subject of such surety.~~

~~C. If the City Manager rejects such construction, the City Attorney shall, upon direction of the City Council, proceed to enforce the guarantees provided in this Chapter.~~

~~D. When good cause exists, the City Manager may extend the period of time for completion. Such extension of time shall be reported to the City Council and recorded in the minutes. No such extension shall be granted unless fiscal surety, as set forth above, has been provided by the landowner or developer covering the extended period of time.~~

7.05.05 Maintenance and Supervision.

A. Private Maintenance Agreement Required.
The City may require the owner or developer to enter into a private maintenance agreement for drainage facilities, water quality facilities, park improvements, landscaping, irrigation systems, private infrastructure, or other improvements approved by the City for private ownership and maintenance. Such agreement shall be in a form approved by the City Attorney and shall be executed prior to acceptance of the applicable public improvements or as otherwise required by the City.

B. Term and Recording.
Unless otherwise approved by the City Council, each private maintenance agreement shall remain in efect for a minimum period of ten (10) years and shall be recorded in the Oficial Public Records of Williamson County, Texas, or any other county in which the property is located. The agreement shall run with the land and be binding upon the owner and all successors and assigns.

C. Irrigation Within Public Right-of-Way.
Where irrigation improvements are proposed within a public right-of-way or other City-owned property, the owner or developer shall obtain a license agreement approved by the City prior to installation. Installation of irrigation facilities within the public right-of-way shall not be permitted without an executed license agreement.

D. Maintenance Standards.
All facilities and improvements subject to a private maintenance agreement shall be

maintained by the owner in a safe, functional, and orderly condition, free of debris and nuisance conditions, and in compliance with:

1. This Code;

2. All applicable City ordinances;

3. Applicable state and federal laws and regulations;

4. The terms and conditions of any applicable permits; and

5. The executed private maintenance/license agreement.

E. **Failure to Maintain.**

If the owner fails to properly maintain any improvement subject to a private maintenance agreement, the City may provide written notice requiring corrective action within a reasonable period of time. If the owner fails to complete the required corrective action within the time specified in the notice, the City may, but shall not be obligated to, perform or cause the necessary maintenance or repairs to be performed and recover all costs incurred from the owner. Such costs may be collected by any lawful means, including assessment of a lien if authorized by law or by the terms of the recorded maintenance agreement. The remedies provided herein are cumulative and shall not limit any other remedy available to the City under this Code or applicable law.

~~Where a subdivision contains sewers, sewage treatment facilities, water supply systems, water quality protection facilities, streets and other transportation related improvements, parks and grounds held in common, park and recreation improvements, drainage easements and/or drainage improvements, landscape improvements or other physical facilities necessary or desirable for the welfare of the area, or that are of common use or benefit which are not or cannot be satisfactorily maintained by an existing public agency, provision shall be made, which is acceptable to the City Council, for the proper and continuous operation, maintenance, and supervision of such facilities. A copy of the agreements providing for the proper and continuous operation, maintenance and supervision of such facilities shall be presented to the City Manager and approved as to form by the City Attorney prior to the time of final plat approval or site development permit issuance and shall be filed of record with the plat or permit.~~

# AGENDA ITEM 6.A

**Pursuant to Texas Government Code Section 551.071 (Consultation with Attorney), the City Council shall convene into closed executive session to seek the advice of legal counsel regarding pending and potential litigation.**

# AGENDA ITEM 6.B

**Pursuant to Texas Government Code Section 551.072 (Deliberations about Real Property), the City Council shall convene into closed executive session to deliberate the purchase, exchange, lease, or value of real property related to the Advanced Water Purification Facility (AWPF) and other related infrastructure.**

# AGENDA ITEM 6.C

**Pursuant to Texas Government Code Section 551.072 (Deliberations about Real Property), the City Council shall convene into closed executive session to deliberate the purchase, exchange, lease, or value of real property related to Project Shadow.**

# AGENDA ITEM 6.D

**Pursuant to Texas Government Code Section 551.072 (Deliberations about Real Property), the City Council shall convene into closed executive session to deliberate the purchase, exchange, lease, or value of real property related to Project Nottingham.**