

**NOTICE OF REGULAR MEETING OF THE  
PLANNING & ZONING COMMISSION OF THE CITY OF LAMPASAS  
CALVERT MUNICIPAL BUILDING  
CITY COUNCIL CHAMBERS  
302 E THIRD STREET  
THURSDAY, August 3, 2023  
6:00 P.M.**

Notice is hereby given that a regular meeting of the Planning and Zoning Commission of the City of Lampasas, Texas will be held at 6:00 p.m. on Thursday, August 3, 2023 in the Calvert Municipal Building City Council Chambers, 302 E Third Street, Lampasas, Texas.

**REGULAR SESSION**

- I. Call to order
- II. Discussion and possible action regarding approval of the minutes dated May 4, 2023
- III. Discussion and possible action regarding approval of minutes from the Special Meeting held on May 11, 2023.
- IV. Discussion regarding Parliamentary Procedures.

**PUBLIC HEARING**

- V. Public hearing to receive citizen comments to consider a Preliminary Plat for the Moore Subdivision, 5.556 acres, a subdivision out of the L.H.W Johnson Survey, A-419 Lampasas Texas, Lampasas County.

**REGULAR SESSION**

- VI. Discussion and possible action to consider approval, denial or approval with modifications to the Preliminary Plat Moore Subdivision, 5.556 acres, a subdivision out of the L.H.W Johnson Survey, A-419 Lampasas Texas, Lampasas County.

**PUBLIC HEARING**

- VII. Public hearing to receive citizen comments to consider a Final Plat for the Moore Subdivision, 5.556 acres, a subdivision out of the L.H.W Johnson Survey, A-419 Lampasas Texas, Lampasas County.

**REGULAR SESSION**

- VIII. Discussion and possible action to consider approval, denial or approval with modifications to the Final Plat for the Moore Subdivision, 5.556 acres, a subdivision out of the L.H.W Johnson Survey, A-419 Lampasas Texas, Lampasas County.

**PUBLIC HEARING**

- IX. Public hearing to receive citizen comments to consider a request to amend the City of Lampasas Zoning Ordinance by amending the following Business Park Zoning Districts:
- Section 30 A – Business Park Zone 1 –Low Intensity - “BPZ1”
  - Section 30 B – Business Park Zone 2 – Medium Intensity- “BPZ2”
  - Section 30 C – Business Park Zone 3 – High Intensity - “BPZ3”

**REGULAR SESSION**

- X. Discussion and possible action to consider approval, denial or approval to amend the City of Lampasas Zoning Ordinance by amending the following Business Park Zoning Districts:
- Section 30 A – Business Park Zone 1 –Low Intensity - “BPZ1”
  - Section 30 B – Business Park Zone 2 – Medium Intensity- “BPZ2”
  - Section 30 C – Business Park Zone 3 – High Intensity - “BPZ3”

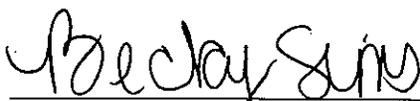
**PUBLIC HEARING**

- XI. Public hearing to receive citizen comments to consider a request to rezone property being 151.64 acres out of the Daniel Stanley Survey, Abstract 0631, more specifically being the Lampasas Economic Development Corporation Business Park located on South U.S. Highway 183 from an area zoned Agricultural “AG” to Business Park Zone 1 “BPZ1”, Business Park Zone 2 “BPZ2” and Business Park Zone 3 “BPZ3”

**REGULAR SESSION**

- XII. Discussion and possible action to consider approval, denial or approval to consider a request to rezone property being 151.64 acres out of the Daniel Stanley Survey, Abstract 0631, more specifically being the Lampasas Economic Development Corporation Business Park located on South U.S. Highway 183 from an area zoned Agricultural “AG” to Business Park Zone 1 “BPZ1”, Business Park Zone 2 “BPZ2” and Business Park Zone 3 “BPZ3”
- XIII. Adjourn

I, Becky Sims, City Secretary/Zoning Administrator of the City of Lampasas, Texas, do hereby certify that this Notice of Meeting was posted on the bulletin board/front window of City Hall, 312 East Third Street, Lampasas, Texas, at a place readily accessible to the general public at all times, on the 28 day of July 2023 at 4:40pm



Becky Sims, City Secretary/Zoning Administrator

NOTICE OF PUBLIC HEARINGS

HEARING DATES/TIMES:

PLANNING AND ZONING COMMISSION: August 3, 2023 - 6:00 P.M.

CITY COUNCIL: August 14, 2023 - 6:00 P.M.

HEARING(S) LOCATION:  
CALVERT MUNICIPAL BUILDING  
CITY COUNCIL CHAMBERS

302 E THIRD STREET, LAMPASAS, TEXAS 76550

The Planning and Zoning Commission of the City of Lampasas, Texas will hold a public hearing to receive comments on the following items:

*To consider a Preliminary Plat for the Moore Subdivision, 5.556 acres, a subdivision out of the L.H.W Johnson Survey, A-419 Lampasas Texas, Lampasas County.*

*To consider a Final Plat for the Moore Subdivision, 5.556 acres, a subdivision out of the L.H.W Johnson Survey, A-419 Lampasas Texas, Lampasas County.*

*To consider a request to amend the City of Lampasas Zoning Ordinance by amending the following Business Park Zoning Districts:*

- *Section 30 A – Business Park Zone 1 –Low Intensity - “BPZ1”*
- *Section 30 B – Business Park Zone 2 – Medium Intensity- “BPZ2”*
- *Section 30 C – Business Park Zone 3 – High Intensity - “BPZ3”*

*To consider a request to rezone property being 151.64 acres out of the Daniel Stanley Survey, Abstract 0631, more specifically being the Lampasas Economic Development Corporation Business Park located on South U.S. Highway 183 from an area zoned Agricultural “AG” to Business Park Zone 1 “BPZ1”, Business Park Zone 2 “BPZ2” and Business Park Zone 3 “BPZ3”*

The purpose of the public hearings noted herein is to allow members of the public who may be affected by these items to voice their views to the Planning and Zoning Commission. The first public hearing will be held on August 3, 2023 at 6:00 P.M. in the City Council Chambers located at 302 E Third Street, Lampasas, Texas, before a recommendation is made to the City Council on the items listed above.

The City Council will hold public hearings on the above-referenced items on August 14, 2023 at 6:00 P.M. in the Calvert Municipal Building, City Council Chambers located at 302 E Third Street, Lampasas, Texas 76550.

All persons interested in the above referenced items and potential actions are invited to attend the public hearings and to provide their comments at the times and places referenced above. Comments may also be submitted *in writing* to the City Secretary’s office, no later than 12 Noon on the date of either public hearing referenced in this public notice, at the following address: 312 East Third Street, Lampasas, Texas 76550. For additional information, please contact Becky Sims, City Secretary, at (512) 556-6831 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

I, **Becky Sims**, City Secretary of the City of Lampasas, Texas, do hereby certify that this Notice of Public Hearing was posted on the bulletin board/front window of City Hall, 312 East Third Street, Lampasas, Texas, at a place readily accessible to the general public at all times, on the 18 day of July 2023 at noon

**MINUTES OF MEETING OF THE  
PLANNING & ZONING COMMISSION OF THE CITY OF LAMPASAS  
CALVERT MUNICIPAL BUILDING  
CITY COUNCIL CHAMBERS  
302 E THIRD STREET  
THURSDAY, May 4, 2023  
6:00 P.M.**

The Planning and Zoning Commission of the City of Lampasas met in regular session on the above date with Commission Chair Canales presiding:

P&Z Members Present:  
Danielle Shepard  
Zach Taylor  
Bob McCauley  
James Skinner

City Staff Present:  
Becky Sims, City Secretary/Zoning Administrator  
Lupe Charping, Admin Secretary/Permit Tech  
Ryan Ward, ACM  
Frank Ellett, Building Official

P&Z Members Absent  
Michael Sibberson

**REGULAR SESSION**

I. Call to order.

*Chair Canales called the meeting to order at 6:00 p.m.*

II. Discussion and possible action to consider an appointment of chair to replace Dorothy Person who resigned from the board and consideration of a co-chair.

*Commission member Shepard moved to appoint Commission member Canales as Commission Chair, the motion was seconded by Commission member Taylor and with a unanimous vote, the motion carried. (Sibberson absent)*

*Commission member Shepard moved to appoint Commission member Taylor as Co-Chair, the motion was seconded by Commission member McCauley and with a unanimous vote, the motion carried. (Sibberson absent)*

III. Discussion and possible action regarding approval of the minutes dated March 2, 2023.

*Commission member Skinner moved to approve the minutes as presented, the motion was seconded by Commission member Shepard and with a unanimous vote, the motion carried (Sibberson absent)*

**PUBLIC HEARING**

IV. Public hearing to receive citizen comments to consider a request to rezone parcel 8121, 48.13 acres, abstract 0042, John Burleson Survey, commonly known as 1206 Mills Street and to rezone parcel 8246, 8247, 8248, 31.83 acres, abstract 0042, John Burleson Survey, commonly known as 1705 E 4<sup>th</sup> Street.

- Request to rezone 79.917 acres as defined on concept plat as follows:
- o 3.046 acres to Single Family Attached- SFA-(Townhomes)
  - o 10.141 acres to Single Family Residential-6 "SF-6"
  - o 35.195 acres to Single Family Residential-8 "SF-8"
  - o 29.360 acres to Single Family Residential-10 "SF-10"
  - o 2.175 acres to Commercial "C"

*Chair Canales opened the public hearing*

*Becky Sims, Zoning Administrator advised of the following:*

- Tri-Cru Ventures, LLC, Emilio Perales is asking the City's Planning Commission to consider the following rezone
  - Request to rezone 79.917 acres as defined on concept plat as follows:*
    - 3.046 acres to Single Family Attached- SFA-(Townhomes)
    - 10.141 acres to Single Family Residential-6 "SF-6"
    - 35.195 acres to Single Family Residential-8 "SF-8"
    - 29.360 acres to Single Family Residential-10 "SF-10"
    - 2.175 acres to Commercial "C"
- The property is currently zoned Agriculture and Single Family-6 "SF-6" The area surrounding the property is Commercial, Single Family Residential and Retail.
- All notifications and publications, as required by Ordinance and Statute, have been made. The City sent eighteen (18) notices to property owners within 200 feet of the applicant's property. At the time of preparing this report, the City has received one notice in favor of the request and none in opposition. Seven letters were received today in opposition of the request.
- The requested rezone fits within the existing character of the neighborhood and rooftops are essential to the community as outlined in the Comprehensive Plan.

*Commission member Shepard addressed the developer regarding drainage concerns by citizen opposition.*

- *Mr. Little advised that drainage plan will be engineered.*
  - *Adherence to State & License Mandates and Statutes.*

*The following citizens provided testimony:*

- *David Matthews – 1703 E 4<sup>th</sup> Street*
  - *Strongly protest the zoning request*
  - *Drainage/runoff concerns*
  - *Infrastructure*
  - *School System*
  - *Cost to Citizens*
  - *Increased traffic*
- *Dale Kemp*
  - *Opposition to development*
  - *Drainage/flooding*
  - *Congestion*
- *Richardson via letters*
  - *Traffic*
  - *Flooding*
  - *Disturbance of existing water wells*
  - *Trespassing/poaching*
  - *Flood plain*
  - *# of homes*
  - *Safety*
- *BJ Little addressed the Commission:*
  - *Traffic Impact Analysis*
    - *Traffic Signal*

- *Intersection Layout*
- *Deceleration/Acceleration Lanes*
- *Drainage Study*
- *Infrastructure Design*
- *Civil Plan*
- *Egress/Ingress- access onto Fourth Street*
- *Developer to bare cost of development*

*With no additional comments, Chair Canales closed the public hearing*

<b>REGULAR SESSION</b>
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- V. Discussion and possible action to consider approval, denial or approval with modifications the request to rezone parcel 8121, 48.13 acres, abstract 0042, John Burleson Survey, commonly known as 1206 Mills Street and to rezone parcel 8246, 8247, 8248, 31.83 acres, abstract 0042, John Burleson Survey, commonly known as 1705 E 4<sup>th</sup> Street.

Request to rezone 79.917 acres as defined on concept plat as follows:

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- 10.141 acres to Single Family Residential-6 “SF-6”
- 35.195 acres to Single Family Residential-8 “SF-8”
- 29.360 acres to Single Family Residential-10 “SF-10”
- 2.175 acres to Commercial “C”

*Commission member Shepard moved to approve the zoning as presented with modifying the Single Family Attached (townhomes) to Patio Homes, the motion was seconded by Commission member Taylor and with no additional affirmative actions, the motion was denied.*

*City Secretary Sims opened the floor for an additional motion to obtain consensus among the Commission.*

*Commission member McCauley moved to amend the zoning from the proposed layout to Single Family Residential-8 “SF-8”, with no second the motion failed.*

*Commission member Skinner moved to deny the proposed zoning as presented, the motion was seconded by Chair Canales, and with no additional affirmative actions, the motion was denied.*

*City Secretary Sims advised would review next steps and refer to City Council for zoning consideration.*

- VI. Discussion regarding General Planning and Zoning Inquiries, possible Zoning Amendments to be considered at future meetings and any updates to Residential and Commercial Developments.

COMMERCIAL DEVELOPMENTS

- *New Retail Strip Center/Storage Units 4<sup>th</sup>/Briggs*
- *New Retail Strip Center-*
  - *Lotus Beauty Salon*
    - *New salon going in its place at Market Place*
  - *Anytime Fitness- Fall*
- *Silver Creek Assisted Living-(additional 42 apartments) 281 across from Boones*

- (2) 4-story & (1)-2-story-
- Engineer has reached out for utility design
- Santa Fe Depot- 2<sup>nd</sup>/Liveoak- Metal Building/Shell (Business TBD)
- Rutlands Building-
  - Turquoise in Texas Boutique
  - Wings of Eagles
- Ladies Side- Distillery/Tasting Room- TBD
- Cory Butts Electric- Central Texas Expressway- Wrights Fencing/ Pools etc.
- Lampasas Rice Building- Demolished
- Community Church- New Building on 4<sup>th</sup> (close to finished)
- Old Community Church location- renovated for Cooley-Baltrum Law Office  
Corner of 3<sup>rd</sup>/main
- Dealer Accessories Complex HWY 183- Tamara's Hair Studio
- Fireworks Stand- (right out of town- on Highway 190)

NEW RESIDENTIAL DEVELOPMENTS

- Issued 14 new home permits.

*Substandard- Property Inventory (approx.40 properties identified)*

VII. Adjourn-

*Commission member Shepard moved to adjourn meeting at 7:06 p.m., the motion was seconded by Commission member Taylor and with a unanimous vote, the motion carried. (Sibberson absent)*

*Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_2023*

\_\_\_\_\_  
Marisa Canales, Chair

ATTEST:

\_\_\_\_\_  
Becky Sims, City Secretary/Zoning Administrator

**MINUTES OF SPECIAL MEETING OF THE  
PLANNING & ZONING COMMISSION OF THE CITY OF LAMPASAS  
CALVERT MUNICIPAL BUILDING  
CITY COUNCIL CHAMBERS  
302 E THIRD STREET  
THURSDAY, May 11, 2023  
6:00 P.M.**

The Planning and Zoning Commission of the City of Lampasas met in regular session on the above date with Commission Chair Canales presiding:

P&Z Members Present:  
Danielle Shepard  
Zach Taylor  
Bob McCauley  
James Skinner

City Staff Present:  
Becky Sims, City Secretary/Zoning Administrator  
Lupe Charping, Admin Secretary/Permit Tech  
Ryan Ward, ACM  
Frank Ellett, Building Official

P&Z Members Absent  
Michael Sibberson

**REGULAR SESSION**

I. Call to order.

*Chair Canales called the meeting to order at 6:00 p.m.*

II. Special called meeting to discuss and consider possible action to approve, deny or approve with modifications and provide findings to City Council regarding the request to rezone parcel 8121, 48.13 acres, abstract 0042, John Burleson Survey, commonly known as 1206 Mills Street and to rezone parcel 8246, 8247, 8248, 31.83 acres, abstract 0042, John Burleson Survey, commonly known as 1705 E 4<sup>th</sup> Street.

Request to rezone 79.917 acres as defined on concept plat as follows:

- o 3.046 acres to Single Family Attached- SFA-(Townhomes)
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- o 29.360 acres to Single Family Residential-10 "SF-10"
- o 2.175 acres to Commercial "C"

*Becky Sims, City Secretary/Zoning Administrator presented the following:*

- *The property is currently zoned Agriculture and Single Family-6 "SF-6" The area surrounding the property is Commercial, Single Family Residential and Retail.*
- *All notifications and publications, as required by Ordinance and Statute, have been made. The City sent eighteen (18) notices to property owners within 200 feet of the applicant's property. At the time of preparing this report, the City has received one notice in favor of the request and seven (7) in opposition.*
- *The Commission did hear public testimony at the May 4, 2023 meeting regarding citizen concerns regarding the development as a whole, primarily drainage, impact to infrastructure, and traffic congestion.*
- *The requested rezone fits within the existing character of the neighborhood and within the community as outlined in the Comprehensive Plan. Suburban Residential, Suburban Mixed-Use, Corridor Commercial are recommended zoning for the area.*

- *As presented at the previous 2 planning meetings this zoning is in line with the Comprehensive Plan, it fits with the future planning of the area. If you were to deny this zoning request it goes against the Comprehensive Plan that was approved and adopted by the Planning Commission & City Council in April 2021; which would require amending the Comprehensive Plan.*

*Commission member Shepard moved to approve the rezone request with modification that the 3.046 acres of proposed Single Family Attached- SFA (townhomes) be changed to Single Family Residential Patio Home, the motion was seconded by Commission member Taylor, with Commission member Skinner and Chair Canales in opposition and Commission Member McCauley for the request, the motion carried. (Sibberson absent)*

III. Adjourn-

*Commission member Taylor moved to adjourn at 6:40 p.m., the motion was seconded by Commission member Shepard and with a unanimous vote, the motion carried. (Sibberson absent)*

*Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2023*

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Marisa Canales, Chair

ATTEST:

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Becky Sims, City Secretary/Zoning Administrator







# Permit to Construct Access Driveway Facilities on Highway Right of Way

Form 1058  
(Rev. 8/20)  
Page 1 of 2

PERMIT NUMBER: TxDOT ENTER PERMIT NUMBER HERE			
REQUESTOR	GPS*	ROADWAY	
	LATITUDE, LONGITUDE	HWY NAME	U.S. 281
	31.053139, -98.182002	FOR TxDOT'S USE	
NAME	M D Abel Co. (second driveway 31.054123, -98.181634)	CONTROL	0251-06
MAILING ADDRESS	PO Box 949	SECTION	036
CITY, STATE, ZIP	Lampasas, TX 766550		
PHONE NUMBER	512-556-4556 or 512-913-1812		
*GLOBAL POSITIONING SYSTEM COORDINATES AT INTERSECTION OF DRIVEWAY CENTERLINE WITH ABUTTING ROADWAY			

Is this parcel in current litigation with the State of Texas?  YES  NO

The Texas Department of Transportation, hereinafter called the State, hereby authorizes TxDOT to  construct /  reconstruct a two commercial (residential, convenience store, retail mall, farm, etc.) access driveways on the highway right of way abutting highway US 281 in Lampasas County located at the proposed intersection of US 281 Business and at Station 77+90 as shown on the US 281 engineering plans.

USE ADDITIONAL SHEETS AS NEEDED

This permit is subject to the Access Driveway Policy described on page 2 and the following:

1. The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for maintenance of an access driveway on the state highway right of way.
2. TxDOT represents that the design of the facilities, as shown in the attached sketch, is in accordance with the Roadway Design Manual, Hydraulic Design Manual and the access management standards set forth in the Access Management Manual (except as otherwise permitted by an approved variance).
3. Construction of the driveway shall be in accordance with the attached design sketch, and is subject to inspection and approval by the State.
4. Maintenance of facilities constructed hereunder shall be the responsibility of the Permittee, and the State reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the highway. Changes in design will be made only with prior written approval of the State.
5. The Permittee shall hold harmless the State and its duly appointed agents and employees against any action for personal injury or property damage related to the driveway permitted hereunder.
6. Except for regulatory and guide signs at county roads and city streets, the Permittee shall not erect any sign on or extending over any portion of the highway right of way. The Permittee shall ensure that any vehicle service fixtures such as fuel pumps, vendor stands, or tanks shall be located at least 12 feet from the right of way line to ensure that any vehicle services from these fixtures will be off the highway right of way.
7. The State reserves the right to require a new access driveway permit in the event of: (i) a material change in land use, driveway traffic volume or vehicle types using the driveway, or (ii) reconstruction or other modification of the highway facility by the State.
8. The State may revoke this permit upon violation of any provision of this permit by the Permittee.
9. This permit will become null and void if the above-referenced driveway facilities are not constructed within the US 281 construction project
10. N/A
11. N/A

The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction and maintenance of an access driveway on the highway right of way.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
(Property owner or owner's representative)

Date of Issuance	District Engineer, or designee Approval
Date of Issuance as per Variance to AMM	District Engineer, or designee Approval
Date of Denial	District Engineer Denial (No Delegation)

## Access Driveway Policy

Title 43 Texas Administrative Code (Transportation), Chapter 11 (Design), Subchapter C (Access Connections To State Highways) and the "Access Management Manual" establish policy for the granting of access and the design, materials, and construction of driveways connecting to state highways. All driveway facilities must follow this policy. To the extent there is any conflict between this permit and the policy, the policy shall control. If a proposed driveway does not comply with the access management standards, the owner may seek a variance to a requirement contained in the access management standards by contacting the local TxDOT office.

### TxDOT Driveway Permit Request Contact

For a local contact for your TxDOT Driveway Permit Request or variance request, visit: <http://www.txdot.gov/inside-txdot/district.html>. You can click on the section of the map closest to your location to find the local TxDOT office. You can also click on the drop down box below the map to find the district for your county.

### Other Conditions

In addition to Items 1 thru 11 on page 1 of this permit, the facility shall also be in accordance with the attached sketch and subject to the following additional conditions stated below:

This permit is for the construction of two driveways for access of property owned by the M D Abel Co. The two driveways will be constructed with the US 281 widening project to be Let in May, 2023, CSJ 0251-06-036. Relocating the driveway at station 77+90 in either a northward or southward direction will result in the loss of a proposed development site within the property.

### Variance Documentation Justification

For a Variance request, please indicate which of the below are applicable, as required by TAC §11.52(e):

- a significant negative impact to the owner's real property or its use will likely result from the denial of its request for the variance, including the loss of reasonable access to the property or undue hardship on a business located on the property.
- an unusual condition affecting the property exists that was not caused by the property owner and justifies the request for the variance.

For the conditions selected above, provide written justification below. (Attach additional sheets, if needed)

The driveway spacing of 190 ft for the proposed driveway at 77+90 does not meet the minimum spacing of 250 ft for the posted 35 mph speed limit. The variance is agreeable by reducing the number of conflict points with the construction of a raised center median prohibiting left turns making the proposed driveway a right turn in and right turn out only.

For TXDOT use below:

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For Variance denials, please indicate which of the below conditions, as provided in TAC §11.52(e), were determined:

- adversely affect the safety, design, construction, mobility, efficient operation, or maintenance of the highway; or
- likely impair the ability of the state or the department to receive funds for highway construction or maintenance from the federal government.

Attachments:

Sketch of Installation

All Variance Documentation

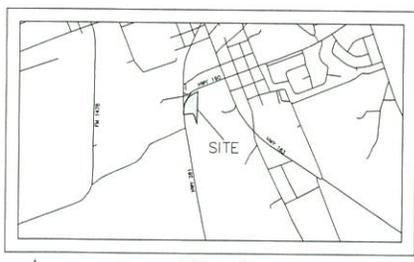
# MOORE SUBDIVISION

BEING A SUBDIVISION OF 5.556 ACRES OUT OF THE L.H.W. JOHNSON SURVEY, A-419, IN LAMPASAS COUNTY, TEXAS.

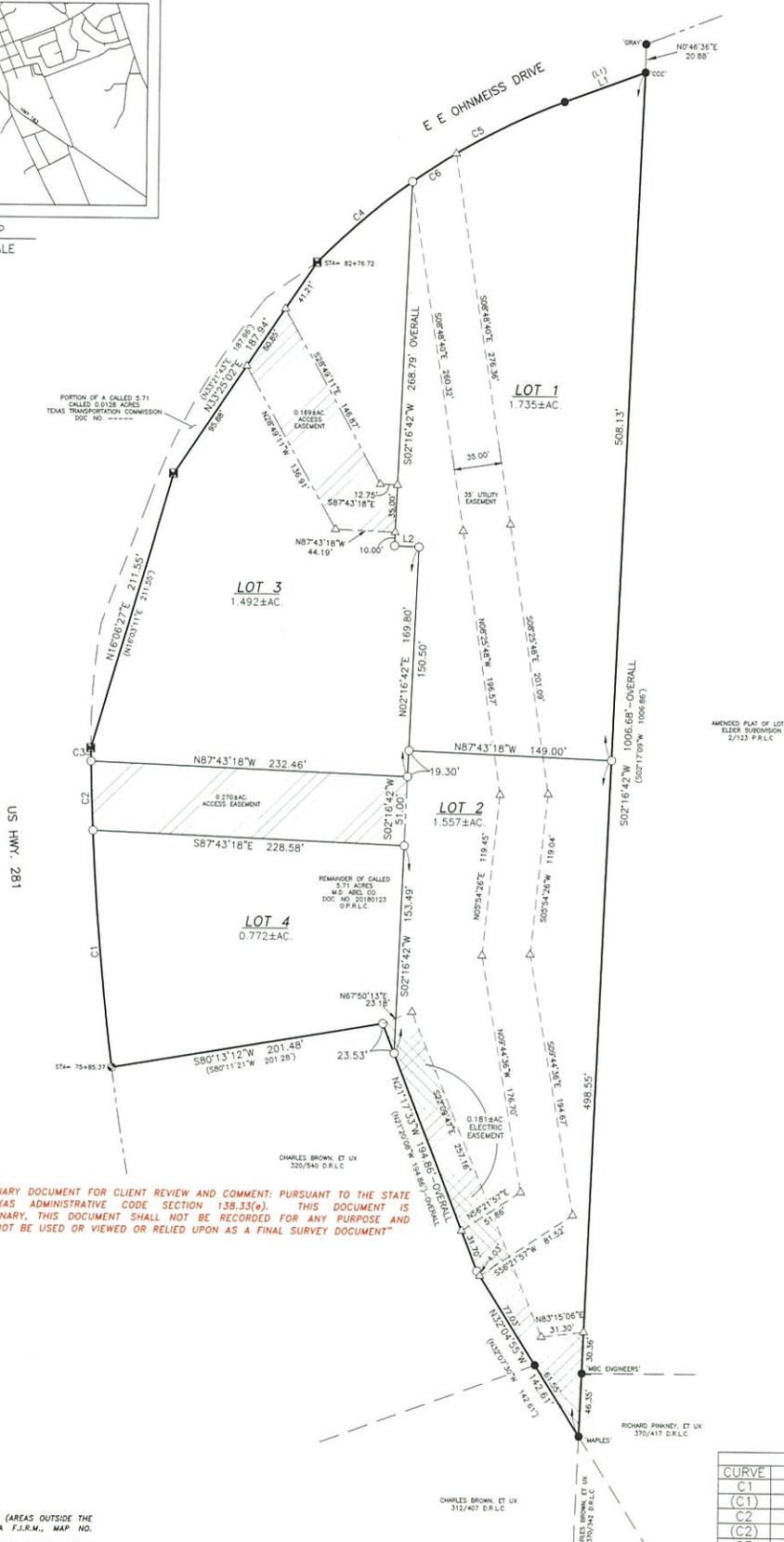


**LEGEND**

- 1/2" IRON PIN FOUND (UNLESS NOTED)
- 5/8" IRON PIN FOUND
- SET 1/2" IRON PIN WITH COLOR PROPERTY CAP
- ▭ TAD01 TYPE I CONC. R.E.W. MONUMENT FND.
- ... VOLUME/PAGE
- P.R.L.C. PLAY RECORDS LAMPASAS CO. D.R.L.C. DEED RECORDS LAMPASAS CO. O.P.R.L.C. OFFICIAL PUBLIC RECORDS LAMPASAS COUNTY
- ( ) RECORD INFO/SUBJECT



NORTH  
SITE MAP  
NOT TO SCALE



PRELIMINARY DOCUMENT FOR CLIENT REVIEW AND COMMENT: PURSUANT TO THE STATE OF TEXAS ADMINISTRATIVE CODE SECTION 138.33(a), THIS DOCUMENT IS "PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT"

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N69°19'33"E	63.11'
L2	N69°18'45"E	63.00'
L3	S87°43'18"E	18.00'

**CURVE TABLE**

CURVE	RADIUS	ARC LEN	CHD LEN	CHD BRG
C1	2241.83'	175.45'	175.41'	N04°58'11"W
(C1)	2241.83'	---	---	---
C2	2241.83'	51.15'	51.15'	N02°04'26"W
(C2)	2241.83'	---	---	---
C3	2241.83'	9.57'	9.57'	N01°17'53"W
(C3)	2241.83'	---	---	---
C4	502.96'	92.16'	92.03'	N49°16'34"E
(C4)	502.96'	---	---	---
C5	502.96'	126.75'	126.42'	N61°44'42"E
(C5)	502.96'	---	---	---
C6	502.96'	38.46'	38.45'	N56°42'58"E

- NOTES:**
- ENTIRE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X (AREAS OUTSIDE THE 100 YR FLOOD) AS GRAPHICALLY IDENTIFIED ON FEMA F.I.R.M., MAP NO. 4804300005B, EFFECTIVE 06/15/1982.
  - BASES OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE.
  - TOTAL ACREAGE: 5.556 ACRES
  - NO. OF LOTS: 4 (RETAIL)
  - ELECTRICAL SERVICE PROVIDED BY THE CITY OF LAMPASAS.
  - WATER PROVIDED BY THE CITY OF LAMPASAS.
  - SEWER SERVICES PROVIDED BY THE CITY OF LAMPASAS.
  - ALL LOTS LIE WITHIN THE FULL PURPOSE CITY LIMITS OF LAMPASAS.
  - THIS TRACT IS SUBJECT TO THE ZONING AND SUBDIVISION ORDINANCE IN PLACE AT THE TIME OF THE PLAT (MAY, 2023).
  - CURRENT SITE ZONING IS (R)-RETAIL.
  - NO RIGHT-OF-WAY DEDICATION IS REQUIRED.
  - ALL EXISTING EASEMENTS SHALL BE VACATED AND REMOVED BY THIS PLAT. FUTURE EASEMENTS NOT DEDICATED HEREIN WILL BE DEDICATED BY SEPARATE INSTRUMENTS.
  - SUBDIVISION IS NOT SUBJECT TO CURRENT OR FUTURE IMPACT FEES.

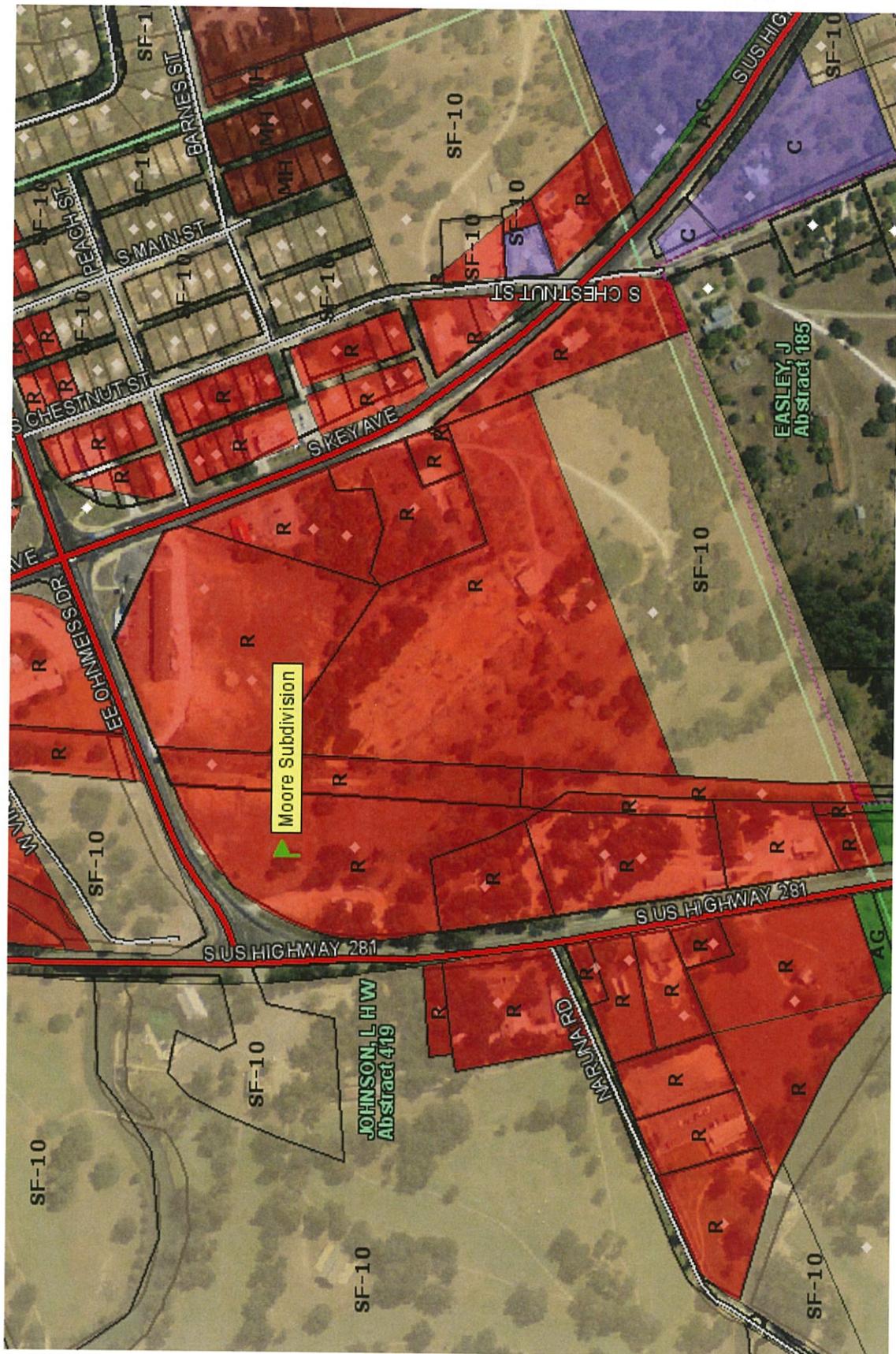
PROJ. NO. 22177  
 PREPARED FOR: JOSEPH C. ABEL  
 TECH: LPF  
 APPROVED: K.C. LUST  
 FIELDWORK PERFORMED ON: SEPT. 2022 & MAY 2023

1500 OLLIE LANE  
 MARBLE FALLS, TX. 78654  
 PH. 325-388-3300/830-693-8815  
 WWW.CUPLINASSOCIATES.COM

SCALE 1" = 60'

14 SHEET  
 DATE NO. DESCRIPTION

2 OF 2



City of Lampasas  
Staff Report (Moore Subdivision)  
Planning and Zoning Board

Subject Property	The property is described as a subdivision of 5.556 acres out of the L.H.W Johnson Survey, A-419, in Lampasas County, Texas
Summary	<p>Sam Walker, Eckermann Engineering and Joe Abel, property owner is asking the Commission to consider approval, denial or approval with modifications of the Preliminary and Final Plat of the Moore Subdivision.</p> <p><i>(1) The City Manager, or his/her qualified designee may make the determination that the preliminary plat and final plat may be combined/submitted as one submission under the following conditions:</i></p> <ul style="list-style-type: none"><li><i>a. All related conditions of this chapter are met and;</i></li><li><i>b. The subdivision is or would result in 15 or fewer lots</i></li><li><i>c. The City Manager, at sole discretion may require a preliminary plat for subdivisions of 15 or fewer lots</i></li></ul> <p>The proposed development is 5.556 acres and has been platted into 4 lots. The lots meet the zoning requirements for the Retail Zoning District. Lots 1 &amp; 2 will consist of a ±21,800 sq ft Gym and a ±4,900 sq ft Spa.</p> <p>The proposed development was granted a variance by the Zoning Board of Adjustments to the number of required parking spaces in February 2023.</p> <p>As of July 20, 2023 all staff comments pertaining to the Final Plat and Site Plan have been addressed.</p>
Characteristics	This property is located within Lampasas City Limits. The 5.556 acres is zoned Retail “R”. The area surrounding the property is zoned Retail “R”
Utilities	<p>City Water, Sewer and Electric are available.</p> <p>Electric design and easements are still being discussed by both parties and will be dedicated by separate instruments.</p>
Attachments	Application, Maps, Tax Cards

Date: July 25, 2023

**NOTICE OF A PUBLIC HEARING**

**PLANNING AND ZONING COMMISSION: August 3, 2023-6:00 p.m.**

**CITY COUNCIL: August 14, 2023 – 6:00 p.m.**

**HEARING(S) LOCATION:  
JACK CALVERT MUNICIPAL BUILDING  
CITY COUNCIL CHAMBERS  
302 EAST THIRD STREET  
LAMPASAS, TEXAS 76550**

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*A request has been received from Lampasas Economic Development Corporation, Property Owner asking the Planning Commission and City Council to consider the following:*

To consider a request to rezone property being 151.64 acres out of the Daniel Stanley Survey, Abstract 0631, more specifically being the Lampasas Economic Development Corporation Business Park located on South U.S. Highway 183 from an area zoned Agricultural “AG” to Business Park Zone 1- Low Intensity “BPZ1”, Business Park Zone 2-Medium Intensity “BPZ2” and Business Park Zone 3-High Intensity “BPZ3”

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As a person who owns property that is located within 200 feet of the property that is the subject of this requested change, you are invited to attend the Public Hearing.

The purpose of the public hearing noted herein is to allow members of the public to voice their views to the Planning and Zoning Commission. The first public hearing will be held on **Thursday, August 3, 2023 at 6:00 p.m.** at the Calvert Municipal Building, City Council Chambers located at 302 East Third Street, Lampasas, Texas, before a recommendation is made to the City Council.

The City Council will hold a public hearing on **Monday, August 14, 2023 at 6:00 p.m.** at the Calvert Municipal Building, City Council Chambers located at 302 East Third Street, Lampasas, Texas 76550.

All persons interested in the above referenced request, are invited to attend the Public Hearing and provide their comments at that time to the governing body. Your comments may also be submitted, *in writing*, to Becky Sims, City Secretary. In order for the Council to consider your written comments and include them in the records of the Public Hearing, they must be received by the City Secretary, at 312 East Third Street, Lampasas, Texas 76550, by no later than 12:00 noon on the date of the public hearing. For additional information, please contact Becky Sims at (512) 556-6831, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

If interpreter services for the deaf or hearing impaired are required by you for participation at the Public Hearing, please contact the City Secretary Office at City Hall, (512) 556-6831. A request for interpretive assistance must be provided to the City at least 48 hours in advance of the date/time shown above for the scheduled Public Hearing.

**WRITTEN COMMENTS FOR A ZONING CHANGE REQUEST  
(LEDC Business Park)**

I own \_\_\_\_\_, [address] in Lampasas, Texas.

At this time, I \_\_\_\_\_ (do) or \_\_\_\_\_ (do not) plan to attend the Public Hearing noted above.

*(You are welcome to attend, even if you indicate on this form that you do not plan to do so)*

As a property owner who may be affected by the requested change, I want the Board to know that I, \_\_\_\_\_(protest) or \_\_\_\_\_(approve) the requested zoning change that the Applicant has asked the Council to grant.

**Please place a check mark beside your choice above and/or note any reasons or concerns you want the Council to consider in the spaces below.**

My support/objection to the request is because:

(1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

(Further information may be written on back of this sheet, if additional space is needed.)

Signed \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_

Written Form Received by City Staff on: \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.

## **SECTION 30-A BUSINESS PARK ZONE-1 (LOW INTENSITY) “BPZ1”**

### **30A.1 GENERAL PURPOSE AND DESCRIPTION**

The Low Intensity District anticipates land uses that do not impact the area in terms of noise, traffic, density; and design standards that promote a higher architectural standard including landscaping, exterior finishes and signage.

### **30A.2 PERMITTED USES:**

1. Those uses specified in Section 35 (Use Charts).
2. Such uses as may be permitted under provisions of Specific Use Permits, Section 34.
3. Typical land uses include Offices, Research, Financial Services, Software Development, Retail, Hospitality, Light Industrial with an Office Showroom.

### **30A.3 HEIGHT REGULATIONS:**

#### **A. Maximum Height:**

1. Occupied structure/buildings – No more than 70 feet in height

### **30A.4 AREA REGULATIONS**

#### **A. Size of Yards:**

1. **Minimum Front Yard** – Twenty-five feet (25')
2. **Minimum Side Yard** - Fifteen feet (15'); twenty feet (20') if adjacent to a street
3. **Minimum Rear Yard** - Twenty feet (20')

**B. Maximum Lot Coverage:** Sixty-five percent (65%).

**C. Minimum Main Building** per lot shall be 3,000 square feet.

#### **D. Parking Regulations:**

1. As required by Section 36, Off-Street Parking and Loading Requirements.

### **30A.5 SPECIAL REQUIREMENTS**

- A. For site plan requirements, see Section 40.
- B. Temporary Portable Buildings are not allowed in BPZ1 District
- C. Open Outdoor Storage may not exceed 10% of its total floor area in the BPZ1 District. Screening shall be required only for those areas used for open outdoor storage. A minimum six-foot (6') screening fence or wall shall be provided and maintained at the property line adjacent to the area to be screened but may not include the following methods:

1. Chain link, barbed wire, electrical fencing
  2. Alternate Open Outdoor Storage percentages may be approved through a Special Use Permit
- D. Typical “Light Industrial” land uses such as manufacturing in “BPZ1” will be required to have an “Office Showroom.” An Office Showroom is an establishment with no more than eighty-five percent (85%) of its total floor area devoted to storage and warehousing, but not accessible to the general public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.
- E. Electrical Service and exterior lighting shall be supplied by underground feed to pad mount transformer.
- F. Other Regulations: As established in the Development Standards, Sections 36 through 44.

## **SECTION 30-B BUSINESS PARK ZONE 2 (MEDIUM INTENSITY) “BPZ2”**

### **30B.1 GENERAL PURPOSE AND DESCRIPTION**

The Medium Intensity District anticipates land uses that can accommodate slightly more intense uses that require more frequent or after hour traffic patterns; have a greater potential for increased noise and have a reduced construction and design standards due to the proximity to streets or access.

### **30B.2 PERMITTED USES:**

1. Those uses specified in Section 35 (Use Charts).
2. All uses allowed in the “BPZ1” zoning district.
3. Such uses as may be permitted under provisions of Specific Use Permits, Section 34.
4. Typical land uses within the Medium Intensity District would include light manufacturing, warehousing, offices, research and development, call or data centers, fabrication, furniture manufacturer, or refinishing, sheet metal or structural metal sales and fabrication, hospitality, accessory installation, and uses generally allowed in the Low Intensity District.

### **30B.3 HEIGHT REGULATIONS**

#### **A. Maximum Height:**

1. Occupied structure/buildings – no more than 70 feet in height
2. Unoccupied structures (e.g., grain silos, etc., elevated water storage etc. except communications antennae, see Section 41.5C) No height limit unless adjacent to a residential zoning district (SF-20, SF-10, SF-8, SF-6, SF-PH, 2F, SFA, MF-1, MF-2 and MH); whereas additional setback (i.e., front, side, rear yard) distance must be provided from the residential zoning district boundary line of one (1) additional foot for each two feet that such structures exceed thirty-five feet (35')

### **30B.4 AREA REGULATIONS**

#### **A. Size of Yards:**

1. **Minimum Front Yard** – Twenty-five feet (25')
2. **Minimum Side Yard** - Fifteen feet (15'); twenty feet (20') if adjacent to a street
3. **Minimum Rear Yard** - Twenty feet (20')

**B. Minimum Main Building** per lot shall be 3,000 square feet.

**C. Maximum Lot Coverage:** Sixty-five percent (65%).

#### **D. Parking Regulations:**

2. As required by Section 36, Off-Street Parking and Loading Requirements.

**30B.5 SPECIAL REQUIREMENTS**

- A. For site plan requirements, see Section 40.
- B. Temporary Portable Buildings are not allowed in the BPZ2 District.
- C. Open Outdoor Storage may not exceed 10% of its total lot size in the BPZ2 District.
- D. Outdoor Retail Sales Display are allowed in the BPZ2 District.
  - Outdoor retail sales is defined as products that are incidental to the permanent business establishment. Products shall not obstruct ingress and egress to a building, obstruct fire lanes, interfere with vehicular circulation or sight distance, be located in landscaped areas, or extend into the right-of-way.
- E. Electrical Service and exterior lighting shall be supplied by underground feed to pad mount transformer.
- F. **Other Regulations:** As established in the Development Standards, Sections 36 through 44.

## **SECTION 30-C BUSINESS PARK ZONE 3 (HIGH INTENSITY) “BPZ3”**

### **30C.1 GENERAL PURPOSE AND DESCRIPTION**

The High Intensity District anticipates uses that are typical of an industrial zoning district with higher volume of traffic, possibly in the evening and weekend; noise generated from more intense manufacturing or assembly; and greater latitude for exterior finishes and outdoor storage of materials.

### **30C.2 PERMITTED USES:**

1. Those uses specified in Section 35 (Use Charts).
2. All uses allowed in the “BPZ1” and “BPZ2” zoning districts.
3. Typical land uses might include: heavy manufacturing, material batching or mixing, warehousing, trade shop, food processing, logistics, welding or metal manufacturing, paint or repair shops, fabrication or propane storage.

### **30C.3 HEIGHT REGULATIONS**

#### **A. Maximum Height:**

1. Occupied structure/buildings – no more than 70 feet in height.
2. Unoccupied structures (e.g., grain silos, elevated water storage etc., except communications antennae, see Section 41.5C) - No height limit unless adjacent to a residential zoning district (SF-20, SF-10, SF-8, SF-6, SF-PH, 2F, SFA, MF-1, MF-2 and MH); whereas additional setback (i.e., front, side, rear yard) distance must be provided from the residential zoning district boundary line of one (1) additional foot for each two feet that such structures exceed thirty-five feet (35')

### **30C.4 AREA REGULATIONS**

#### **A. Size of Yards:**

1. **Minimum Front Yard** – Twenty-five feet (25')
2. **Minimum Side Yard** - Fifteen feet (15'); twenty feet (20') if adjacent to a street
3. **Minimum Rear Yard** - Twenty feet (20')

**B. Minimum Main Building** per lot shall be 3,000 square feet.

**C. Maximum Lot Coverage:** Seventy-five percent (75%).

#### **D. Parking Regulations:**

3. As required by Section 36, Off-Street Parking and Loading Requirements.

### **30C.5 SPECIAL REQUIREMENTS**

- A. For site plan requirements, see Section 40.
- B. Temporary Portable Buildings are not allowed in the BPZ3 District
- C. Open Storage shall not exceed 25% of the lot area. Open storage shall not occupy any required parking space(s), traffic circulation, and/or fire lane(s).
- D. **Other Regulations:** As established in the Development Standards, Sections 36 through 44.

## Business Park "BP" 1

### Permitted in District

- ACCOUNTANT OR BOOKKEEPING OFFICE
- ARCHITECT'S OFFICE
- BAKERY OR CONFECTIONERY (WHOLESALE OR COMMERCIAL) *A manufacturing facility for the production and distribution of baked goods and confectioneries to retail outlets.*
- BAKERY OR CONFECTIONERY SHOP (RETAIL) *A facility for the production and/or sale of baked goods.*
- BANK, SAVINGS & LOAN OR CREDIT UNION *An establishment for the custody, loan, exchange and/or issue of money, the extension of credit, and/or facilitating the transmission of funds.*
- BANKING, AUTOMATIC TELLER ONLY
- BOOK OR STATIONERY SHOP OR NEWSSTAND
- BUILDING MATERIALS, HARDWARE OR HOME IMPROVEMENT CENTER (INDOOR) W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM")  
*BUILDING MATERIALS AND HARDWARE SALES (INDOOR OR OUTDOOR) - Materials, tools, and/or hardware customarily used in the construction of buildings and other structures, including facilities for storage of materials for retail sales. Sometimes referenced as a "home improvement center". "Outdoor" means the storage of materials and products outside of the main building.*
- CABINET SHOP W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM")
- CELLULAR PHONE/PAGER SALES (INDOOR)
- CHILD CARE CENTER/ DAY CARE CENTER *A commercial institution or place designed for the care or training of twelve (12) or more unrelated children under fourteen (14) years of age for less than 24 hours a day.*
- CLEANING SHOP OR LAUNDRY PICK-UP (SMALL SHOP) *A custom cleaning shop not exceeding three thousand (3,000) square feet of floor area and may include customer self-service laundry and cleaning.*
- CLOTHING OR SIMILAR LIGHT MANUFACTURING W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM")
- COLLEGE OR UNIVERSITY *An academic institution of higher learning accredited or recognized by the State and covering a program or series of programs of academic study.*
- COMPUTER SALES
- CONTRACTOR SHOP W/OUTSIDE STORAGE YARD *A building, part of a building, or land area for the construction or storage of materials, equipment, tools, products, and vehicles.*
- COPY SHOP *An establishment that reproduces, in printed form, individual orders from a business, profession, service, and industry or government organization and occupies less than 4,000 square feet.*
- DENTAL CLINIC, LABORATORY OR OFFICE
- DONUT SHOP
- DRAPERY OR FURNITURE UPHOLSTERY SHOP *An establishment for the production, display and sale of draperies and soft coverings for furniture. W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM")*
- DRUG STORE OR PHARMACY
- ELECTRICAL SUBSTATION (HIGH VOLTAGE BULK POWER) *A subsidiary station in which electric current is transformed.*
- ELECTRICAL TRANSMISSION LINE (HIGH VOLTAGE)
- EQUIPMENT RENTAL (HEAVY)
- EQUIPMENT SALES (NEW OR USED)
- FIRE, POLICE OR MUNICIPAL BUILDINGS- *Any public service building of the municipal*

*government including a library or City Hall, but excluding storage yards, utility shops and equipment centers.*

- FLORIST SHOP *An establishment for the display and retail sale of flowers, small plants and accessories.*
- FURNITURE MANUFACTURER AND REFINISHING SHOP W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM")
- GAS LINE AND REGULATING STATION
- GREENHOUSE OR PLANT NURSERY W/ OUTSIDE DISPLAY OF PLANTS (RETAIL AND WHOLESALE)
- HARDWARE SHOP
- HEATING AND AIR CONDITIONING SALES
- HEAVY MACHINERY SALES STORAGE *A building or open area used for the display, sale, rental or storage of heavy machinery, tractors or similar machines, or a group of machines which function together as a unit.*
- HOSPITAL, ACUTE CARE *An institution where sick or injured patients are given medical and/or surgical treatment intended to restore them to health and an active life, and which is licensed by the State of Texas.*
- HOSPITAL, CHRONIC CARE *An institution where those persons suffering from illness, injury, deformity and/or deficiencies pertaining to age are given care and treatment on a prolonged or permanent basis and which is licensed by the State of Texas.*
- KEY SHOP
- KIOSK *A small, free-standing, one-story accessory structure having a maximum floor area of one hundred (100) square feet and used for retail purposes, such as automatic teller machines or the posting of temporary information and/or posters, notices and announcements. If a kiosk is to be occupied, it shall have a minimum floor area of 50 square feet.*
- LABORATORY EQUIPMENT MANUFACTURING W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM") *A facility that makes or produces equipment or products used for research or testing.*
- LABORATORY, SCIENTIFIC OR RESEARCH W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM") *An establishment that engages in research, testing or evaluation of materials or products, but not medical-related (see "Medical Facilities -- Medical Laboratory").*
- LANDSCAPING SERVICE/CONSTRUCTION
- LIGHT MANUFACTURING AND ASSEMBLY PROCESSES W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM") *Manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales and distribution of such products, but excluding basic industrial processing.*
- LITHOGRAPHIC OR PRINT SHOP
- LOCAL UTILITY LINE *The facilities provided by a municipality or a franchised utility company for distribution or collection of gas, water, surface drainage water, sewage, electric power or telephone service, including pad- and pole-mounted transformers.*
- MEDICAL APPLIANCES, FITTING, SALES OR RENTAL
- MEDICAL CLINIC OR OFFICE *A facility or group of offices for one or more physicians for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight except under emergency conditions.*
- MEDICAL LABORATORY W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM") *An indoor establishment that includes laboratories and/or experimental equipment for medical testing, prototype design and development, and product testing.*

- MILK DEPOT, DAIRY OR ICE CREAM PLANT W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM")
- MINOR MEDICAL EMERGENCY CLINIC *A facility or group of offices for one or more physicians for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight except under emergency conditions.*
- MOBILE FOOD COURT(S)/PARK(S) *a lot or parcel of real property, not including public property and/or public rights of way, where Mobile Food Vendor Unit(s) may be located and operated as businesses for profit, in compliance with the municipal zoning regulations, for the purpose of offering to sell food and beverages to the public."*
- MOBILE FOOD VENDOR UNIT *a commercially manufactured vehicle that is readily moveable (i.e. truck or trailer) from which food or beverages are prepared, sold or served for consumption. The term mobile food vendor unit shall not include pushcarts of any kind.*
- MUNICIPAL FACILITY OR USE *Any area, land, building, structure and/or facility which is owned, used, leased or operated by the City of Lampasas, Texas.*
- OFFICE SHOWROOM *An establishment with no more than seventy-five percent (75%) of its total floor area devoted to storage and warehousing that is not accessible to the general public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.*
- OFFICE WAREHOUSE W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM")
- OFFICE RETAIL-
- OFFICES, GENERAL BUSINESS AND PROFESSIONAL *A room or group of rooms used for the provision of executive, management and/or administrative services. Typical uses include administrative offices and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations and associations, but excluding medical offices.*
- OFF-STREET PARKING INCIDENTAL TO MAIN USE *Off-street parking spaces provided in accordance with the requirements of this Ordinance, located on the lot or tract occupied by the main use or within one hundred fifty feet (150') of such lot or tract, and located within the same zoning district as the main use or in an adjacent parking district.*
- OPEN STORAGE, DISPLAY, OR WORK AREAS FOR MERCHANDISE OR MACHINERY
- OUTDOOR RETAIL SALES DISPLAY- *Outdoor display of products that are incidental to the permanent business establishment. Products shall not obstruct ingress and egress to a building, obstruct fire lanes, interfere with vehicular circulation or sight distance, be located in landscaped areas, or extend into the right-of-way.*
- OPTICIAN OR OPTOMETRIST
- PARKING LOT STRUCTURE COMMERCIAL (AUTO) *An area or structure devoted to the parking or storage of automobiles for a fee which may include, in the case of a parking structure only, a facility for servicing automobiles provided that such facility is an internal function for use only by automobiles occupying the structure and that such facility creates no special problems of ingress or egress*
- PRINTING COMPANY W/ OFFICE SHOWROOM (see "OFFICE SHOWROOM")
- PUBLIC BUILDING, SHOP OR YARD OF LOCAL, STATE OR FEDERAL AGENCY *Any building, land, area and/or facility (including maintenance/storage yards and shops) which is owned, leased, primarily used and/or occupied by any subdivision or agency of the following: the State of Texas, the United States, or other public utility or agency. Any facility which is owned, leased, used and/or occupied by the City of Lampasas are defined as "Municipal Facility or Use".*
- RADIO OR TELEVISION BROADCASTING WITHOUT TOWER
- REAL ESTATE OFFICE
- SCHOOL, BUSINESS *A for-profit business that offers instruction and training in a profession, service or art such as a secretarial or court reporting school, barber/beauty college or commercial*

*art school, but not including commercial trade schools.*

- SCHOOL. COMMERCIAL, TRADE *A for-profit business that offers vocational instruction and training in trades such as welding, brick laying, machinery operation/repair, and similar trades.*
- SEASONAL USES (TEMPORARY)
- SILK SCREENING STUDIO OR TEE SHIRT SHOP W/ OFFICE SHOWROOM (see “OFFICE SHOWROOM”)
- STUDIO FOR RADIO OR TELEVISION *A building or portion of a building used as a place for radio or television broadcasting.*
- TELEMARKETING AGENCY *An establishment which solicits business or the purchase of goods and/or services by telephone only. No sales of goods or services to the public occurs at or on the premises. No products are stored at or on the premises.*
- TELEPHONE BUSINESS OFFICE
- TELEPHONE EXCHANGE, SWITCHING OR RELAY OR TRANSMITTING STATION *A line for the transmission of telephone signals and a central office in which telephone lines are connected, to permit communication but not including a business office, storage (inside or outside) or repair yards.*
- TINSMITH/SHEET METAL SHOP W/ OFFICE SHOWROOM (see “OFFICE SHOWROOM”)
- TOOL AND LIGHT EQUIPMENT RENTAL (INDOOR) W/ OFFICE SHOWROOM (see “OFFICE SHOWROOM”)
- TRACTOR SALES W/ OFFICE SHOWROOM (see “OFFICE SHOWROOM”)
- TRAVEL BUREAU OR TRAVEL CONSULTANT
- TROPHY SALES AND ENGRAVING
- VETERINARIAN HOSPITAL (INSIDE ANIMAL PENS ONLY)
- VETERINARIAN OFFICE ONLY (NO ANIMAL HOSPITAL)
- WATER RESERVOIR WELL OR PUMPING STATION
- WATER STAND PIPE OR ELEVATED WATER STORAGE

## Business Park "BP" 2

### Permitted in District

- ACCOUNTANT OR BOOKKEEPING OFFICE
- ARCHITECT'S OFFICE
- BAKERY OR CONFECTIONERY (WHOLESALE OR COMMERCIAL) *A manufacturing facility for the production and distribution of baked goods and confectioneries to retail outlets.*
- BAKERY OR CONFECTIONERY SHOP (RETAIL) *A facility for the production and/or sale of baked goods.*
- BANK, SAVINGS & LOAN OR CREDIT UNION *An establishment for the custody, loan, exchange and/or issue of money, the extension of credit, and/or facilitating the transmission of funds.*
- BANKING, AUTOMATIC TELLER ONLY
- BOOK OR STATIONERY SHOP OR NEWSSTAND
- BUILDING MATERIALS, HARDWARE OR HOME IMPROVEMENT CENTER (INDOOR) *BUILDING MATERIALS AND HARDWARE SALES (INDOOR OR OUTDOOR) - Materials, tools, and/or hardware customarily used in the construction of buildings and other structures, including facilities for storage of materials for retail sales. Sometimes referenced as a "home improvement center". "Outdoor" means the storage of materials and products outside of the main building.*
- BUILDING MATERIALS, HARDWARE OR HOME IMPROVEMENT CENTER (OUTDOOR)
- CABINET SHOP
- CELLULAR PHONE/PAGER SALES (INDOOR)
- CHILD CARE CENTER/ DAY CARE CENTER *A commercial institution or place designed for the care or training of twelve (12) or more unrelated children under fourteen (14) years of age for less than 24 hours a day.*
- CLEANING SHOP OR LAUNDRY PICK-UP (SMALL SHOP) *A custom cleaning shop not exceeding three thousand (3,000) square feet of floor area and may include customer self-service laundry and cleaning.*
- CLOTHING OR SIMILAR LIGHT MANUFACTURING
- COLLEGE OR UNIVERSITY *An academic institution of higher learning accredited or recognized by the State and covering a program or series of programs of academic study.*
- COMPUTER SALES
- CONTRACTOR SHOP W/OUTSIDE STORAGE YARD *A building, part of a building, or land area for the construction or storage of materials, equipment, tools, products, and vehicles.*
- COPY SHOP *An establishment that reproduces, in printed form, individual orders from a business, profession, service, and industry or government organization and occupies less than 4,000 square feet.*
- DENTAL CLINIC, LABORATORY OR OFFICE
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- DRAPERY OR FURNITURE UPHOLSTERY SHOP *An establishment for the production, display and sale of draperies and soft coverings for furniture.*
- DRUG STORE OR PHARMACY
- ELECTRICAL SUBSTATION (HIGH VOLTAGE BULK POWER) *A subsidiary station in which electric current is transformed.*
- ELECTRICAL TRANSMISSION LINE (HIGH VOLTAGE)
- EQUIPMENT RENTAL (HEAVY)
- EQUIPMENT SALES (NEW OR USED)
- FIRE, POLICE OR MUNICIPAL BUILDINGS- *Any public service building of the municipal*

*government including a library or City Hall, but excluding storage yards, utility shops and equipment centers.*

- FLORIST SHOP *An establishment for the display and retail sale of flowers, small plants and accessories.*
- FURNITURE MANUFACTURER AND REFINISHING SHOP
- GAS LINE AND REGULATING STATION
- GREENHOUSE OR PLANT NURSERY W/ OUTSIDE DISPLAY OF PLANTS (RETAIL AND WHOLESALE)
- HARDWARE SHOP
- HEATING AND AIR CONDITIONING SALES
- HEAVY MACHINERY SALES STORAGE *A building or open area used for the display, sale, rental or storage of heavy machinery, tractors or similar machines, or a group of machines which function together as a unit.*
- HOSPITAL, ACUTE CARE *An institution where sick or injured patients are given medical and/or surgical treatment intended to restore them to health and an active life, and which is licensed by the State of Texas.*
- HOSPITAL, CHRONIC CARE *An institution where those persons suffering from illness, injury, deformity and/or deficiencies pertaining to age are given care and treatment on a prolonged or permanent basis and which is licensed by the State of Texas.*
- KEY SHOP
- KIOSK *A small, free-standing, one-story accessory structure having a maximum floor area of one hundred (100) square feet and used for retail purposes, such as automatic teller machines or the posting of temporary information and/or posters, notices and announcements. If a kiosk is to be occupied, it shall have a minimum floor area of 50 square feet.*
- LABORATORY EQUIPMENT MANUFACTURING *A facility that makes or produces equipment or products used for research or testing.*
- LABORATORY, SCIENTIFIC OR RESEARCH *An establishment that engages in research, testing or evaluation of materials or products, but not medical-related (see "Medical Facilities -- Medical Laboratory").*
- LANDSCAPING SERVICE/CONSTRUCTION
- LIGHT MANUFACTURING AND ASSEMBLY PROCESSES *Manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales and distribution of such products, but excluding basic industrial processing.*
- LITHOGRAPHIC OR PRINT SHOP
- LOCAL UTILITY LINE *The facilities provided by a municipality or a franchised utility company for distribution or collection of gas, water, surface drainage water, sewage, electric power or telephone service, including pad- and pole-mounted transformers.*
- MEDICAL APPLIANCES, FITTING, SALES OR RENTAL
- MEDICAL CLINIC OR OFFICE *A facility or group of offices for one or more physicians for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight except under emergency conditions.*
- MEDICAL LABORATORY *An indoor establishment that includes laboratories and/or experimental equipment for medical testing, prototype design and development, and product testing.*
- MILK DEPOT, DAIRY OR ICE CREAM PLANT
- MINOR MEDICAL EMERGENCY CLINIC *A facility or group of offices for one or more physicians for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight except under emergency conditions.*

- MOBILE FOOD COURT(S)/PARK(S) *a lot or parcel of real property, not including public property and/or public rights of way, where Mobile Food Vendor Unit(s) may be located and operated as businesses for profit, in compliance with the municipal zoning regulations, for the purpose of offering to sell food and beverages to the public."*
- MOBILE FOOD VENDOR UNIT *a commercially manufactured vehicle that is readily moveable (i.e. truck or trailer) from which food or beverages are prepared, sold or served for consumption. The term mobile food vendor unit shall not include pushcarts of any kind.*
- MUNICIPAL FACILITY OR USE *Any area, land, building, structure and/or facility which is owned, used, leased or operated by the City of Lampasas, Texas.*
- OFFICE SHOWROOM *An establishment with no more than seventy-five percent (75%) of its total floor area devoted to storage and warehousing, that is not accessible to the general public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.*
- OFFICE WAREHOUSE
- OFFICE RETAIL
- OFFICES, GENERAL BUSINESS AND PROFESSIONAL *A room or group of rooms used for the provision of executive, management and/or administrative services. Typical uses include administrative offices and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations and associations, but excluding medical offices.*
- OFF-STREET PARKING INCIDENTAL TO MAIN USE *Off-street parking spaces provided in accordance with the requirements of this Ordinance, located on the lot or tract occupied by the main use or within one hundred fifty feet (150') of such lot or tract, and located within the same zoning district as the main use or in an adjacent parking district.*
- OPEN STORAGE, DISPLAY, OR WORK AREAS FOR MERCHANDISE OR MACHINERY
- OUTDOOR RETAIL SALES DISPLAY- *Outdoor display of products that are incidental to the permanent business establishment. Products shall not obstruct ingress and egress to a building, obstruct fire lanes, interfere with vehicular circulation or sight distance, be located in landscaped areas, or extend into the right-of-way.*
- OPTICIAN OR OPTOMETRIST
- PARKING LOT STRUCTURE COMMERCIAL (AUTO) *An area or structure devoted to the parking or storage of automobiles for a fee which may include, in the case of a parking structure only, a facility for servicing automobiles provided that such facility is an internal function for use only by automobiles occupying the structure and that such facility creates no special problems of ingress or egress*
- PRINTING COMPANY
- PUBLIC BUILDING, SHOP OR YARD OF LOCAL, STATE OR FEDERAL AGENCY *Any building, land, area and/or facility (including maintenance/storage yards and shops) which is owned, leased, primarily used and/or occupied by any subdivision or agency of the following: the State of Texas, the United States, or other public utility or agency. Any facility which is owned, leased, used and/or occupied by the City of Lampasas are defined as "Municipal Facility or Use".*
- RADIO OR TELEVISION BROADCASTING WITHOUT TOWER
- REAL ESTATE OFFICE
- SCHOOL, BUSINESS *A for-profit business that offers instruction and training in a profession, service or art such as a secretarial or court reporting school, barber/beauty college or commercial art school, but not including commercial trade schools.*
- SCHOOL, COMMERCIAL, TRADE *A for-profit business that offers vocational instruction and training in trades such as welding, brick laying, machinery operation/repair, and similar trades.*
- SEASONAL USES (TEMPORARY)
- SILK SCREENING STUDIO OR TEE SHIRT SHOP

- SMALL ENGINE REPAIR SHOP *Shop for the repair of lawn mowers, chain saws, lawn equipment.*
- STUDIO FOR RADIO OR TELEVISION *A building or portion of a building used as a place for radio or television broadcasting.*
- TELEMARKETING AGENCY *An establishment which solicits business or the purchase of goods and/or services by telephone only. No sales of goods or services to the public occurs at or on the premises. No products are stored at or on the premises.*
- TELEPHONE BUSINESS OFFICE
- TELEPHONE EXCHANGE, SWITCHING OR RELAY OR TRANSMITTING STATION *A line for the transmission of telephone signals and a central office in which telephone lines are connected to permit communication but not including a business office, storage (inside or outside) or repair yards.*
- TINSMITH/SHEET METAL SHOP
- TOOL AND LIGHT EQUIPMENT RENTAL (INDOOR)
- TRACTOR SALES
- TRAVEL BUREAU OR TRAVEL CONSULTANT
- TROPHY SALES AND ENGRAVING
- VETERINARIAN HOSPITAL (INSIDE ANIMAL PENS ONLY)
- VETERINARIAN OFFICE ONLY (NO ANIMAL HOSPITAL)
- WATER RESERVOIR WELL OR PUMPING STATION
- WATER STAND PIPE OR ELEVATED WATER STORAGE

## Business Park “BP” 3

### Permitted in District

- ANY USE WHICH COULD POTENTIALLY CREATE A PROBLEM TO THE ENVIRONMENT DUE TO EMISSIONS, VISUAL QUALITY, ODOR, NOISE, HAZARD OR SIMILAR FACTORS
- ALL PERMITTED USES IN BP 1 AND BP 2
- AUTO PAINTING OR BODY REBUILDING SHOP
- BOTTLING WORKS
- CEMENT OR HYDRATED LIME PLANT
- CLEANING PLANT (COMMERCIAL OR WHOLESALE)
- CONCRETE OR ASPHALT BATCHING PLANT (PERMANENT)
- DISTRIBUTION CENTER *Building or facility used for the storage and distribution of wholesale items/products.*
- DYEING OR LAUNDRY PLANT (COMMERCIAL)
- MANUFACTURED OR INDUSTRIALIZED HOME MANUFACTURING
- MOTOR FREIGHT COMPANY A company using trucks or other heavy load vehicles to transport goods, equipment and similar products. Includes companies that move residential or commercial belongings.
- PROPANE SALES (RETAIL)
- WELDING OR MACHINE SHOP

**AN ORDINANCE AMENDING ORDINANCE NO. 878, THE CITY OF LAMPASAS ZONING ORDINANCE, TO ADD NEW BUSINESS PARK ZONING DISTRICTS SECTION 30-A BUSINESS PARK ZONE 1 (LOW INTENSITY) “BPZ1” SECTION 30-B BUSINESS PARK ZONE 2 (MEDIUM INTENSITY) “BPZ2” AND SECTION 30-C BUSINESS PARK 3 (HIGH INTENSITY) “BPZ3” (GENERAL PURPOSE AND DESCRIPTION); PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ANY INCONSISTENT PROVISIONS; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, pursuant to Section 10 of the Zoning Ordinance of the City of Lampasas, Texas, public notice has been given, and a public hearing was held on August 3, 2023 by the Planning & Zoning Commission regarding amendments to the Lampasas Zoning Ordinance; and

WHEREAS, following a public meeting on August 3, 2023, the Planning & Zoning Commission recommended approval of the changes; and

WHEREAS, pursuant to Section 10 of the Zoning Ordinance of the City of Lampasas, Texas, public notice has been given, and a public hearing was held on August 14, 2023 by the City Council regarding the new Business Park Zoning Districts to be added to the Lampasas Zoning Ordinance; and

WHEREAS, the City Council finds that it is in the public interest to approve the requested new Business Park Zoning Districts to be added to the Lampasas Zoning Ordinance.

**NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF LAMPASAS, TEXAS:**

That Section 30-A, 30-B and 30-C be added to the Lampasas Zoning Ordinance adopted June 14, 1999 by Ordinance No. 878, as follows:

**SECTION 30-A BUSINESS PARK ZONE-1 (LOW INTENSITY) “BPZ1”**

**30A.1 GENERAL PURPOSE AND DESCRIPTION**

The Low Intensity District anticipates land uses that do not impact the area in terms of noise, traffic, density; and design standards that promote a higher architectural standard including landscaping, exterior finishes and signage.

**30A.2 PERMITTED USES:**

1. Those uses specified in Section 35 (Use Charts).
2. Such uses as may be permitted under provisions of Specific Use Permits, Section 34.
3. Typical land uses include Offices, Research, Financial Services, Software Development, Retail, Hospitality, Light Industrial with an Office Showroom.

**30A.3 HEIGHT REGULATIONS:**

**A. Maximum Height:**

1. Occupied structure/buildings – No more than 70 feet in height

**30A.4 AREA REGULATIONS**

**A. Size of Yards:**

1. **Minimum Front Yard** – Twenty-five feet (25')
2. **Minimum Side Yard** - Fifteen feet (15'); twenty feet (20') if adjacent to a street
3. **Minimum Rear Yard** - Twenty feet (20')

**B. Maximum Lot Coverage:** Sixty-five percent (65%).

**C. Minimum Main Building per lot** shall be 3,000 square feet.

**D. Parking Regulations:**

1. As required by Section 36, Off-Street Parking and Loading Requirements.

**30A.5 SPECIAL REQUIREMENTS**

A. For site plan requirements, see Section 40.

B. Temporary Portable Buildings are not allowed in BPZ1 District

C. Open Outdoor Storage may not exceed 10% of its total floor area in the BPZ1 District. Screening shall be required only for those areas used for open outdoor storage. A minimum six-foot (6') screening fence or wall shall be provided and maintained at the property line adjacent to the area to be screened but may not include the following methods:

1. Chain link, barbed wire, electrical fencing
2. Alternate Open Outdoor Storage percentages may be approved through a Special Use Permit

D. Outdoor Retail Sales Display are allowed in the BPZ1 District.

- Outdoor retail sales is defined as products that are incidental to the permanent business establishment. Products shall not obstruct ingress and egress to a building, obstruct fire lanes, interfere with vehicular circulation or sight distance, be located in landscaped areas, or extend into the right-of-way.

E. Typical “Light Industrial” land uses such as manufacturing in “BPZ1” will be required to have an “Office Showroom.” An Office Showroom is an establishment with no more than eighty-five percent (85%) of its total floor area devoted to storage and warehousing, but not accessible to the general public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.

- F. Electrical Service and exterior lighting shall be supplied by underground feed to pad mount transformer.
- G. Other Regulations: As established in the Development Standards, Sections 36 through 44.

**SECTION 30-B BUSINESS PARK ZONE 2 (MEDIUM INTENSITY) “BPZ2”**

**30B.1 GENERAL PURPOSE AND DESCRIPTION**

The Medium Intensity District anticipates land uses that can accommodate slightly more intense uses that require more frequent or after hour traffic patterns; have a greater potential for increased noise and have a reduced construction and design standards due to the proximity to streets or access.

**30B.2 PERMITTED USES:**

- 1. Those uses specified in Section 35 (Use Charts).
- 2. All uses allowed in the “BPZ1” zoning district.
- 3. Such uses as may be permitted under provisions of Specific Use Permits, Section 34.
- 4. Typical land uses within the Medium Intensity District would include light manufacturing, warehousing, offices, research and development, call or data centers, fabrication, furniture manufacturer, or refinishing, sheet metal or structural metal sales and fabrication, hospitality, accessory installation, and uses generally allowed in the Low Intensity District.

**30B.3 HEIGHT REGULATIONS**

**A. Maximum Height:**

- 1. Occupied structure/buildings – no more than 70 feet in height
- 2. Unoccupied structures (e.g., grain silos, etc., elevated water storage etc. except communications antennae, see Section 41.5C) No height limit unless adjacent to a residential zoning district (SF-20, SF-10, SF-8, SF-6, SF-PH, 2F, SFA, MF-1, MF-2 and MH); whereas additional setback (i.e., front, side, rear yard) distance must be provided from the residential zoning district boundary line of one (1) additional foot for each two feet that such structures exceed thirty-five feet (35')

**30B.4 AREA REGULATIONS**

**A. Size of Yards:**

- 1. **Minimum Front Yard** – Twenty-five feet (25')
- 2. **Minimum Side Yard** - Fifteen feet (15'); twenty feet (20') if adjacent to a street
- 3. **Minimum Rear Yard** - Twenty feet (20')

- B. Minimum Main Building** per lot shall be 3,000 square feet.
- C. Maximum Lot Coverage:** Sixty-five percent (65%).
- D. Parking Regulations:**
  - 2. As required by Section 36, Off-Street Parking and Loading Requirements.

**30B.5 SPECIAL REQUIREMENTS**

- A.** For site plan requirements, see Section 40.
- B.** Temporary Portable Buildings are not allowed in the BPZ2 District.
- C.** Open Outdoor Storage may not exceed 10% of its total lot size in the BPZ2 District.
- D.** Outdoor Retail Sales Display are allowed in the BPZ2 District.
  - Outdoor retail sales is defined as products that are incidental to the permanent business establishment. Products shall not obstruct ingress and egress to a building, obstruct fire lanes, interfere with vehicular circulation or sight distance, be located in landscaped areas, or extend into the right-of-way.
- E.** Electrical Service and exterior lighting shall be supplied by underground feed to pad mount transformer.
- F. Other Regulations:** As established in the Development Standards, Sections 36 through 44.

**SECTION 30-C BUSINESS PARK ZONE 3 (HIGH INTENSITY) “BPZ3”**

**30C.1 GENERAL PURPOSE AND DESCRIPTION**

The High Intensity District anticipates uses that are typical of an industrial zoning district with higher volume of traffic, possibly in the evening and weekend; noise generated from more intense manufacturing or assembly; and greater latitude for exterior finishes and outdoor storage of materials.

**30C.2 PERMITTED USES:**

- 1. Those uses specified in Section 35 (Use Charts).
- 2. All uses allowed in the “BPZ1” and “BPZ2” zoning districts.
- 3. Typical land uses might include: heavy manufacturing, material batching or mixing, warehousing, trade shop, food processing, logistics, welding or metal manufacturing, paint or repair shops, fabrication or propane storage.

### **30C.3 HEIGHT REGULATIONS**

#### **A. Maximum Height:**

1. Occupied structure/buildings – no more than 70 feet in height.
2. Unoccupied structures (e.g., grain silos, elevated water storage etc., except communications antennae, see Section 41.5C) - No height limit unless adjacent to a residential zoning district (SF-20, SF-10, SF-8, SF-6, SF-PH, 2F, SFA, MF-1, MF-2 and MH); whereas additional setback (i.e., front, side, rear yard) distance must be provided from the residential zoning district boundary line of one (1) additional foot for each two feet that such structures exceed thirty-five feet (35')

### **30C.4 AREA REGULATIONS**

#### **A. Size of Yards:**

1. **Minimum Front Yard** – Twenty-five feet (25')
2. **Minimum Side Yard** - Fifteen feet (15'); twenty feet (20') if adjacent to a street
3. **Minimum Rear Yard** - Twenty feet (20')

**B. Minimum Main Building** per lot shall be 3,000 square feet.

**C. Maximum Lot Coverage:** Seventy-five percent (75%).

#### **D. Parking Regulations:**

3. As required by Section 36, Off-Street Parking and Loading Requirements.

### **30C.5 SPECIAL REQUIREMENTS**

**A.** For site plan requirements, see Section 40.

**B.** Temporary Portable Buildings are not allowed in the BPZ3 District

**C.** Open Storage shall not exceed 25% of the lot area. Open storage shall not occupy any required parking space(s), traffic circulation, and/or fire lane(s).

**D. Other Regulations:** As established in the Development Standards, Sections 36 through 44.

**SECTION 3.** All provisions of the City of Lampasas Zoning Ordinance not hereby amended shall remain in full force and effect. All Ordinances or parts of the ordinances of the City of Lampasas, Texas that are not consistent with or in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 4.** It is hereby declared to be the intention of the City Council of the City of Lampasas, Texas that the phrases, clauses, sentences, paragraphs, and sections of this Order are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, paragraphs, and sections of this Ordinance.

sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of such unconstitutional phrase, clause, sentence, paragraph, or sentence

**SECTION 5.** This Ordinance shall become effective upon the final date of the adoption noted below, with the penalty provisions contained herein, if any, to take effect and become enforceable by the City ten (10) days following the publication of the ordinance in the Lampasas Dispatch Record.

PASSED AND APPROVED ON THE FIRST READING ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

PASSED AND APPROVED ON THE SECOND READING ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

APPROVED:

ATTEST:

\_\_\_\_\_  
Herb Pearce, Mayor

\_\_\_\_\_  
Becky Sims, City Secretary

APPROVED AS TO FORM:

**Jo-Christy Brown, City Attorney**

**(Signature of Attorney Provided on Separate Page, to be Attached)**