



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF CITY COUNCIL REGULAR MEETING
Wednesday, August 26, 2026 at 7:00 PM

Notice is hereby given that the City Council of the City of West Lake Hills, Texas, will hold a Regular Meeting on the 26th day of August 2026 at 7:00 p.m., in the Council Chambers, Municipal Building, 4010 Bee Cave Road, West Lake Hills, Texas, at which time the following items will be discussed, to-wit:

REMOTE ACCESS - Join Zoom Meeting at <https://us02web.zoom.us/j/3499549035>
Or via telephone: Dial (346) 248-7799 - Meeting ID: 349 954 9035

If you wish to speak during the meeting or provide written comments, please email your name, phone number, comments, and the item number you wish to speak/comment on to citysec@westlakehills.gov by 1:00 P.M. on August 26, 2026.

1. Call to Order
2. Citizen Communications The City Council welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Council later in the meeting. The Council cannot respond to or discuss matters not listed on the agenda. The Council may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.
3. Consent Agenda Consider action to approve the minutes from the August 12, 2026 City Council meeting.
4. Announcements Announcements by Members of the City Council regarding items of community interest, pursuant to Texas Government Code § 551.0415. As authorized by that section, a Council Member may make a report about items of community interest during this meeting without having given prior notice of the subject of the report, provided that no action is taken and, except as permitted by Section 551.042, no possible action is discussed regarding the information provided in the report. For purposes of this item, "items of community interest" are limited to: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an

honorary or salutary recognition for purposes of this subdivision; (4) a reminder about an upcoming event organized or sponsored by the City Council; (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City Council that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City; and (6) announcements involving an imminent threat to the public health and safety of people in the City that has arisen after the posting of the agenda.

5. Administration Discuss and consider action on the Fiscal Year 2026-2027 proposed budget.
6. Administration Discuss and consider action to budget funds for design of additional landscape screening for the West Lake Hills City Hall.
7. Administration Discuss and consider action of a street use fee waiver for Brady Lane and Ridgewood Road for Halloween event.
8. Administration Discuss and consideration on ordinance 2026-011 amending board and commission meeting schedules, including meeting frequency, dates, and times.
9. Administration Discuss and consider action of Resolution 2026-08-01 to approve signatories for the General Land Office Resilient Communities Grant Program.
10. Administration Discuss and consider action on City use of AI technology.
11. Administration Discuss and consider action on the City's winter emergency preparations.
12. Administration Discuss process and requirements for becoming a certified International DarkSky Place.
13. Administration Discuss future updates and amendments to the tree ordinance.
14. Administration Review and consider an update of the City's Strategic Plan.
15. Administration Receive an update and consider possible action regarding City of West Lake Hills v. Jaffe - 1405 Wildcat Hollow.
16. Adjournment

Approved by: James Vaughan, Mayor

Certificate

I certify that the above Notice of the August 26, 2026 City Council Regular Meeting was posted on the bulletin board at the Municipal Building, 4010 Bee Cave Road, West Lake Hills, Texas on August 20, 2026, by 5:00 p.m. and will remain posted continuously until said meeting is convened.

Signed by: Makayla Rodriguez, City Secretary

The City of West Lake Hills is committed to compliance with the Americans with Disabilities Act. Reasonable accommodation and equal access to communications will be provided upon request.

All items on the agenda are for discussion and/or action. City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).



CITY OF WEST LAKE HILLS, TEXAS
CITY COUNCIL REGULAR MEETING MINUTES
Wednesday, August 12, 2026 at 7:00 PM

1. Call to Order

Mayor James Vaughan called the meeting to order at 7:03 p.m.

CITY COUNCIL PRESENT: Mayor James Vaughan, Mayor Pro Tem Gordon Bowman, Councilmember Dana Harmon, Councilmember Beth South, and Councilmember Julia Webber. Councilmember Margaret Moore attended the meeting virtually.

CITY STAFF PRESENT: Interim City Administrator Jennifer Bills, City Secretary Makayla Rodriguez, Finance Director Vonda Ragsdale, Police Chief Scott Gerdes, Wastewater Accounting Manager Theresa Sanchez, and City Attorney Charles Zech.

Mayor James Vaughan recessed the meeting at 7:04 p.m.

Mayor James Vaughan called the meeting back to order at 8:13 p.m.

2. Citizen Communications The City Council welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Council later in the meeting. The Council cannot respond to or discuss matters not listed on the agenda. The Council may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.

Mayor James Vaughan opened the meeting for public comment. Hearing none, the public comment section was closed.

3. Announcements Announcements by Members of the City Council regarding items of community interest, pursuant to Texas Government Code § 551.0415. As authorized by that section, a Council Member may make a report about items of community interest during this meeting without having given prior notice of the subject of the report, provided that no action is taken and, except as permitted by Section 551.042, no possible action is discussed regarding the information provided in the report. For purposes of this item, "items of community interest" are limited to: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary

recognition for purposes of this subdivision; (4) a reminder about an upcoming event organized or sponsored by the City Council; (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City Council that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City; and (6) announcements involving an imminent threat to the public health and safety of people in the City that has arisen after the posting of the agenda.

Councilmember Julia Webber announced that the next Art Reception will honor longtime West Lake Hills resident and artist Dianne Grammer and will be held on Wednesday, August 26, 2026, at City Hall.

Mayor James Vaughan announced that a Bird City meeting will be held in the Council Chambers on Wednesday, August 19, 2026, at 12:00 p.m.

4. Consent Agenda All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one (1) motion. No separate discussion or action on any of the items is necessary unless requested by a Council Member.
 - a. Approval of the July 22, 2026 regular meeting minutes.
 - b. Approval of the August 5, 2026 workshop minutes.
 - c. 704 Laurel Valley: Approve a replat for Lot 1R, a replat of 1.212 acres of Block W, Site A of the Stonehedge Estates Subdivision, within the city limits (Section 36.01.004(f) of the West Lake Hills Code).

MOTION: Upon a motion made by Councilmember Julia Webber and seconded by Councilmember Beth South, the City Council voted 4-0-1 (Bowman) to approve the Consent Agenda.

5. Administration Discuss and consider action on the Fiscal Year 2026-2027 proposed budget.

Finance Director Vonda Ragsdale discussed the proposed No-New-Revenue Tax Rate and the need for City Council to take action to approve the rate.

Mayor James Vaughan asked about potential budget additions related to Bird City initiatives, vegetative screening, and police vehicles. Finance Director Vonda Ragsdale confirmed that a budget amendment would not be necessary and that the items could be discussed at the next meeting.

MOTION: Upon a motion made by Mayor Pro Tem Gordon Bowman and seconded by Councilmember Dana Harmon, the City Council voted 5-0 to approve the No-New-Revenue property tax rate for Fiscal Year 2026-2027.

Interim City Administrator Jennifer Bills explained that, since there will be no tax increase, the public hearing and budget approval can take place at the next City Council meeting, allowing Council to take action to cancel the September 16, 2026 Special City Council meeting.

MOTION: Upon a motion made by Councilmember Dana Harmon and seconded by Councilmember Beth South, the City Council voted 5-0 to cancel the Special City Council meeting scheduled for September 16, 2026 and proceed with adoption of the budget and tax rate at the September 9, 2026 City Council regular meeting.

Finance Director Vonda Ragsdale reported that the previously discussed increase in the Police Department shift differential would total \$31,000 and be funded through unallocated revenue. City Council expressed support for the addition.

6. Administration Discuss and consider possible amendments to City Council and Board and Commission meeting schedules, including meeting frequency, dates, and times.

Interim City Administrator Jennifer Bills discussed the recent code amendment separating the City Council and Board of Adjustment and reviewed proposed changes to restructure the Board and Commission meeting schedules, including moving City Council to one meeting per month, establishing 6:30 p.m. start times, and reorganizing the regular Wednesday meeting schedule.

City Council discussed and asked questions regarding schedule changes, availability, and board and commission requirements. There was general consensus from City Council on the proposed schedule changes.

Interim City Administrator Jennifer Bills stated that an ordinance will be brought back in the next meeting related to the proposed changes.

7. Administration Discuss and consider action on a resolution to approve an interlocal agreement between the City of West Lake Hills and Travis County Water Control and Improvement District 10 (WCID 10).

Interim City Administrator Jennifer Bills led discussion on the interlocal agreement between the City and Travis County Water Control and Improvement District 10 (WCID10) for a waterline project on Buena Vista Circle.

MOTION: Upon a motion made by Councilmember Margaret Moore and seconded by Councilmember Dana Harmon, the City Council voted 5-0 to approve the interlocal agreement.

8. Administration Discuss and consider action on city use of AI technology.

Interim City Administrator Jennifer Bills provided an overview of the benefits and concerns associated with using artificial intelligence tools, budget implications, and the potential development and implementation of a staff artificial intelligence policy.

Mayor James Vaughan gave an overview of artificial intelligence background and processes with City Council.

9. Executive Session In accordance with Texas Government Code, Section 551.001, et seq, the City Council will recess into Executive Session (closed meeting) to discuss the following:
 - a. Section 551.072 - Discuss real estate RFP for 911 Westlake Ground Lease RFP response.
 - b. Section 551.074 - Discuss and consider action on the City Administrator hiring process.

The City Council went into Executive Session at 9:18 p.m.

Mayor James Vaughan called the meeting back to order at 9:51 p.m.

Mayor James Vaughan stated that no action was taken during Executive Session.

10. Executive Session Reconvene into open session and consider action on matters discussed in Executive Session.

No action was taken.

11. Adjournment

Mayor James Vaughan adjourned the meeting at 9:51 p.m.

Respectfully submitted:

James Vaughan, Mayor

ATTEST:

Makayla Rodriguez, City Secretary

The minutes were approved on the 26th day of August, 2026.



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	August 26, 2026	Item Number:	5
Department:	Administration		
Prepared By:	Vonda Ragsdale	Cost / Budget:	See Attached
	FY2026-27 Proposed		
Exhibits:	Budget	Source of Funds:	

Subject

Discuss and consider action on the Fiscal Year 2026-2027 proposed budget.

Recommendation

Discussion and review.

Discussion

See attached Proposed Budget for FY2026-27:

Addition from last meeting – Increase to Police Dept. Shift Differential affected Salaries, Payroll Taxes & Retirement.



City of West Lake Hills

Fiscal Year 2026-2027

James Vaughan, Mayor

PROPOSED BUDGET - AUGUST 26, 2026

PROPOSED TAX RATE

FY 2026-2027 PROPOSED PROPERTY TAX RATE FOR CITY OF WEST LAKE HILLS

This budget will raise the same amount of revenue from property taxes as last year's budget. The property tax revenue to be raised from new property (\$61,174,916) added to the tax roll this year is \$106,992.

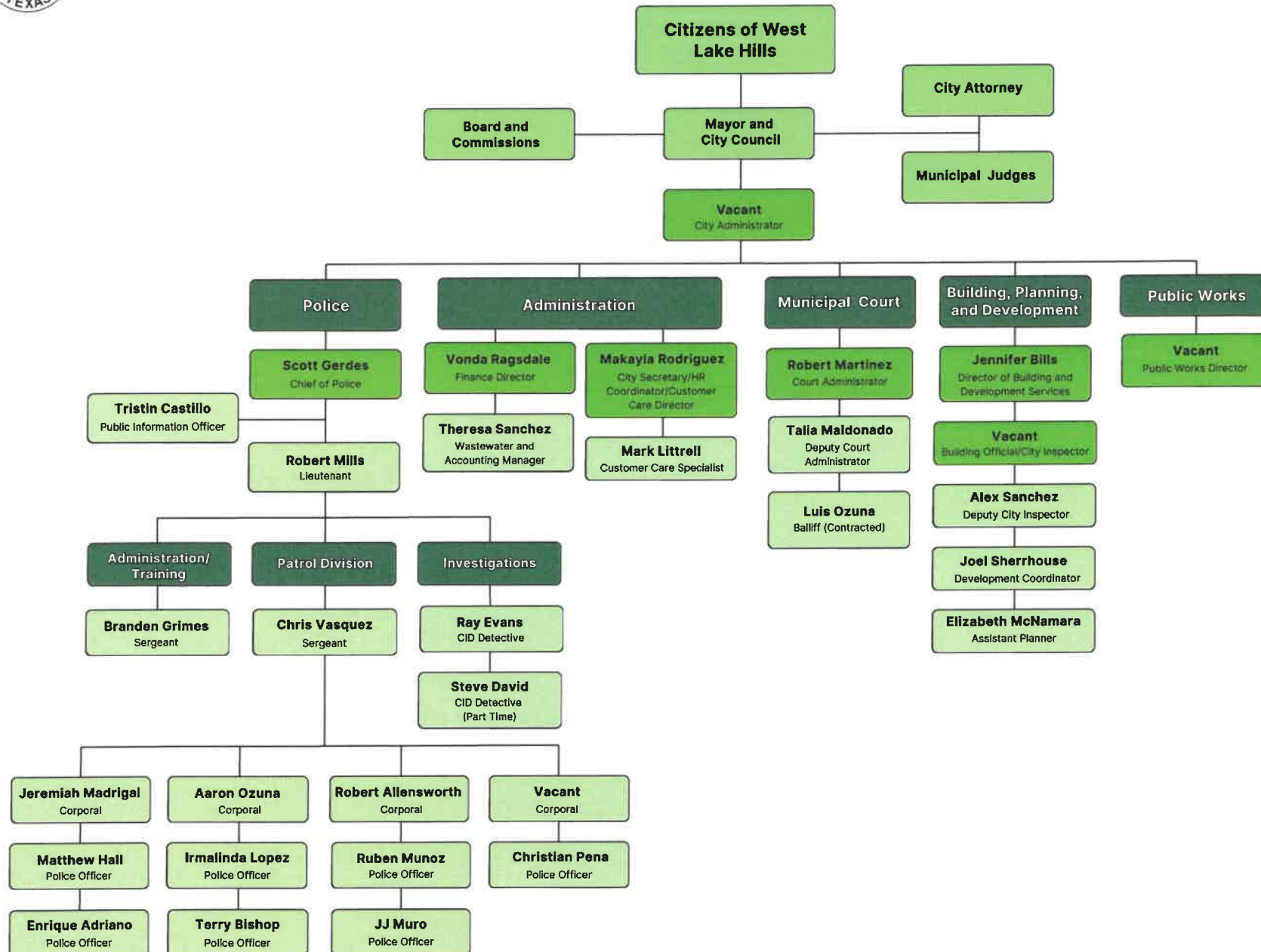
Property Tax Rate Comparison	FY 2025-26	FY 2026-27
Adopted/Proposed Tax Rate	\$0.176783/100	\$0.174896/100
No New Revenue Tax Rate	\$0.176783/100	\$0.174896/100
Maintenance and Operations Rate	\$0.119084/100	\$0.120034/100
Debt Rate	\$0.057699/100	\$0.054862/100
Voter Approval Rate	\$0.180245/100	\$0.177766/100
Voter Approval Rate w/Unused Increment Rate	\$0.182399/100	\$0.183091/100
De Minimis Rate	\$0.190827/100	\$0.187570/100

City of West Lake Hills City Council Recorded Roll Call Vote:

	FOR	AGAINST	ABSENT
Vote			
Mayor James Vaughan	(Mayor does not vote unless required to break a tie.)		
	☐	☐	☐
Council Members:			
Place 1 Dana Harmon	☐	☐	☐
Place 2 Margaret Moore	☐	☐	☐
Place 3 Beth South	☐	☐	☐
Place 4 Julia Webber	☐	☐	☐
Place 5 Gordon Bowman, Mayor Pro Tem	☐	☐	☐



City of West Lake Hills Organizational Chart



CITY OF WEST LAKE HILLS
PROPOSED BUDGET SUMMARY TOTALS - ALL GENERAL FUNDS
FY 2026-2027

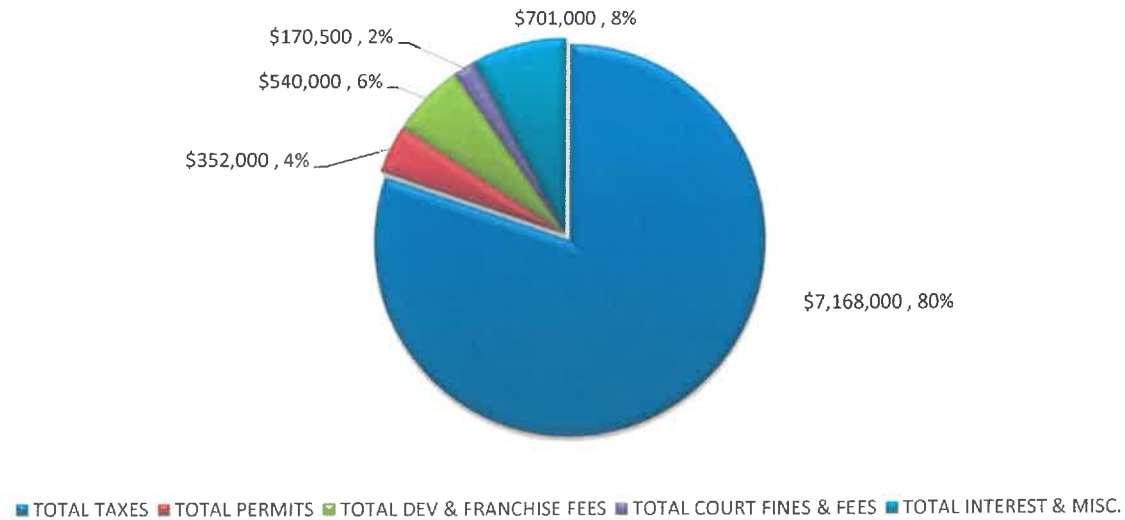
AS OF 8/20/2026

	GENERAL FUNDS					
	01 GENERAL FUND	04 2021 STREET MAINT. FUND	06 COURT SPECIAL REVENUE FUND	07 PD SPECIAL REVENUE FUND	08 STAN GRAHAM MEMORIAL TREE FUND	TOTAL GENERAL FUNDS
						
REVENUE SOURCE						
TAXES	\$ 7,168,000	\$ 1,500,000				\$ 8,668,000
PERMITS	352,000					352,000
FEES	540,000					540,000
FINES & WARRANTS	170,500		31,675			202,175
INTEREST & MISC REVENUE	701,000			1,500	12,000	714,500
TOTAL REVENUE	\$ 8,931,500	\$ 1,500,000	\$ 31,675	\$ 1,500	\$ 12,000	\$ 10,476,675
DEPARTMENTAL EXPENSE						
ADMINISTRATION	\$ 1,257,397					\$ 1,257,397
POLICE	3,486,415			1,500		3,487,915
PLANNING & DEVELOPMENT	1,451,211					1,451,211
PUBLIC WORKS	1,579,311					1,579,311
COMMUNICATIONS/EMERGENCY MGMT	253,171					253,171
MUNICIPAL COURT	397,890		11,200			409,090
FACILITIES MAINTENANCE & OPERATIONS	299,900					299,900
CAPITAL OUTLAY - GF	189,000	1,699,490	12,000			1,900,490
TREE FUND					33,000	33,000
TOTAL EXPENSE	\$ 8,914,295	\$ 1,699,490	\$ 23,200	\$ 1,500	\$ 33,000	\$ 10,671,485
BUDGET SURPLUS/ (SHORTFALL)	\$ 17,205	\$ (199,490)	\$ 8,475	\$ -	\$ (21,000)	\$ (194,810)

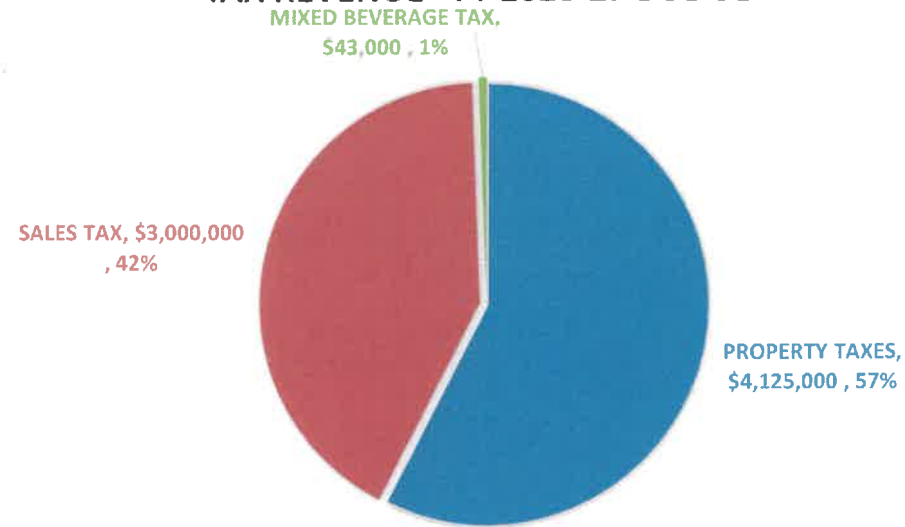
	GENERAL FUND	2021 STREET MAINT. FUND	COURT SPECIAL REVENUE FUND	PD SPECIAL REVENUE FUND	STAN GRAHAM MEMORIAL TREE FUND	TOTAL GENERAL FUNDS
Audited Ending Fund Balances - 9/30/23	\$ 9,562,230	\$ 1,236,840	\$ 184,787	\$ 41,335	\$ 275,248	\$ 11,300,440
Audited Ending Fund Balances - 9/30/24	\$ 11,617,717	\$ 2,168,809	\$ 200,228	\$ 41,501	\$ 420,388	\$ 14,448,643
Audited Ending Fund Balances - 9/30/25	\$ 10,827,396	\$ 2,207,704	\$ 63,521	\$ 41,486	\$ 312,672	\$ 13,452,779
GF Proj Yr End Budget Balances - 9/30/26	\$ 11,519,828	\$ 2,102,974	\$ 87,196	\$ 41,303	\$ 293,172	\$ 14,044,473
GF Proposed Budget Balances - 9/30/27	\$ 11,537,033	\$ 1,903,484	\$ 95,671	\$ 41,303	\$ 272,172	\$ 13,849,663
Less: Stabilization Cash Reserve	\$ (3,451,027)					
Less: Legal Counsel Cash Reserve	\$ (300,000)					
Less: Emergency Recovery Reserve	\$ (2,500,000)					
Less: Emergency Preparedness Reserve	\$ (750,000)					
Unrestricted General Fund Balance	<u>\$ 4,536,006</u>					

GENERAL FUND M&O REVENUE FY2026-27

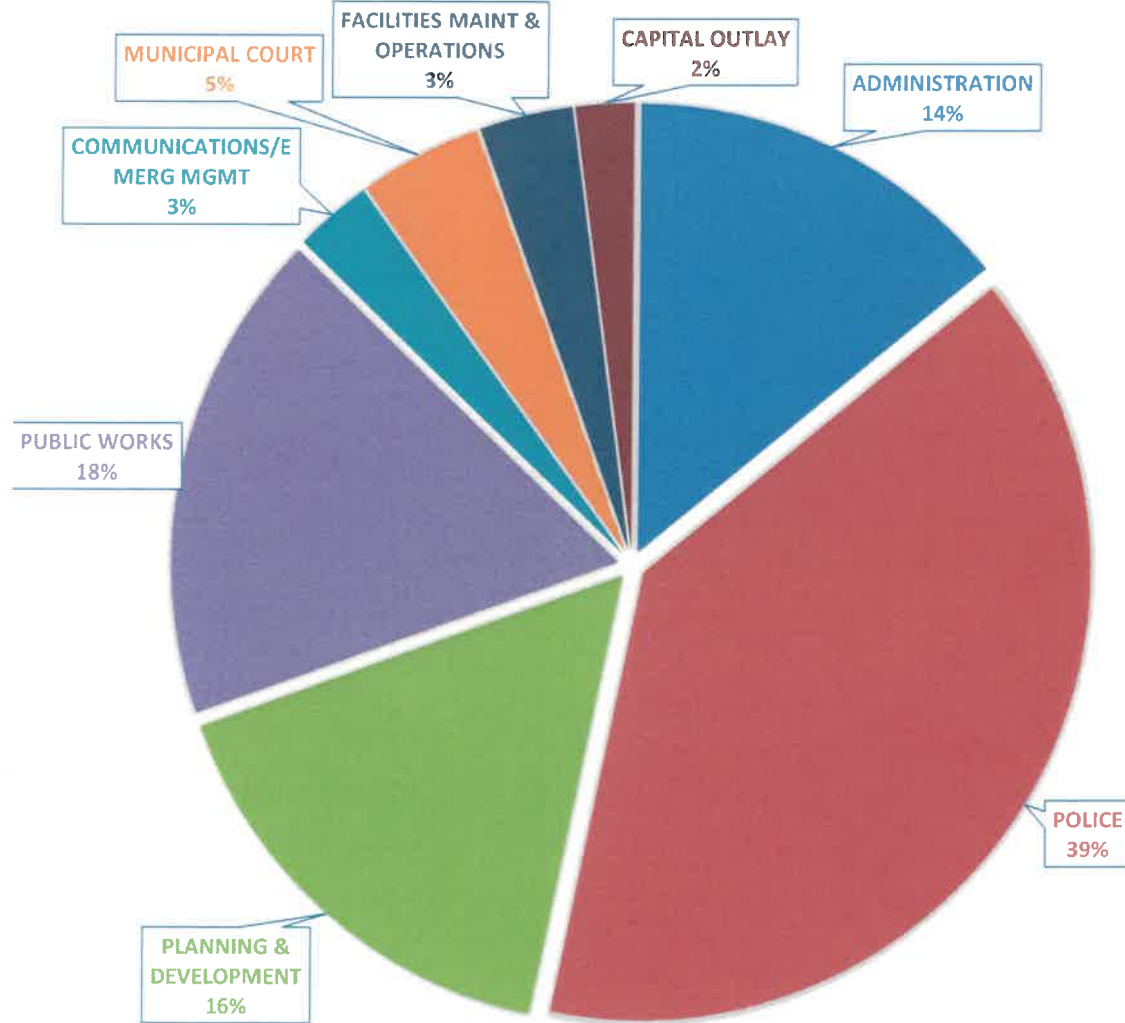
Total GF Revenue by Category - FY 2026-27 Budget



TAX REVENUE - FY 2026-27 BUDGET



GF DEPARTMENT EXPENSE - FY 2026-27



CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
REVENUES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
TAXES								
01-40100 PROPERTY TAXES	3,235,995	3,833,969	3,903,188	4,120,000	4,122,760	4,125,000	4,125,000	
01-40200 SALES TAX	2,700,666	2,720,127	2,860,285	2,820,000	2,637,597	3,000,000	3,000,000	
01-40250 MIXED BEVERAGE TAX	45,940	43,094	41,472	43,000	29,903	40,000	43,000	
TOTAL TAXES	5,982,602	6,597,190	6,804,945	6,983,000	6,790,260	7,165,000	7,168,000	
PERMITS								
01-41000 BUILDING PERMITS	344,291	330,662	413,356	400,000	250,399	350,000	350,000	
01-41010 TECHNOLOGY FEE - PLANNING	2,783	2,465	1,480	2,000	1,335	2,000	2,000	
TOTAL PERMITS	347,073	333,127	414,836	402,000	251,734	352,000	352,000	
FEES								
01-42000 SUBDIVISION PLATS	0	0	4,454	0	621	621	0	
01-42010 STREET MAINT FEES	7,263	0	424	0	689	689	500	
01-42020 ZONING FEES	47,255	48,075	47,946	45,000	30,700	40,000	45,000	
01-42025 INSPECTION FEES	54,010	37,090	51,745	45,000	41,265	45,000	45,000	
01-42030 PLANNING ADMINISTRATIVE FEES	12,437	13,205	19,919	15,000	10,394	15,000	15,000	
01-42040 TELECOM FRANCHISE/ROW FEES	51,255	42,116	34,186	30,000	35,146	35,000	28,500	
01-42043 NATURAL GAS FRANCHISE FEES	52,262	41,576	52,442	45,000	52,203	45,000	45,000	
01-42045 ELECTRIC FRANCHISE FEES	275,005	318,427	317,689	325,000	301,058	325,000	325,000	
01-42050 CABLE FRANCHISE FEES	48,447	45,045	41,131	40,000	27,780	37,000	36,000	
TOTAL FEES	547,935	545,534	569,937	545,000	499,855	543,310	540,000	
FINES & WARRANTS								
01-44000 FINES	166,746	129,128	152,800	140,000	167,565	160,000	160,000	
01-44100 WARRANT FEES	650	1,850	700	2,000	1,100	2,000	2,000	
01-44150 COURT ADMINISTRATIVE FEES	16,817	6,510	5,741	6,500	8,572	8,500	8,500	
TOTAL FINES & WARRANTS	184,213	137,488	159,241	148,500	177,236	170,500	170,500	
INTEREST & MISC.								
01-45000 INTEREST INCOME	565,851	789,070	752,049	675,000	448,635	595,000	570,000	
01-45005 PROPERTY TAX P & I	26,882	34,759	24,984	25,000	16,636	25,000	25,000	
01-45007 LEASES	77,900	79,662	81,466	83,500	81,440	83,500	86,000	
01-45008 LEASE-PARKING LOT	4,524	5,700	0	0	0	0	0	
01-45010 MISCELLANEOUS INCOME	17,365	14,872	445,588	15,000	20,243	23,000	20,000	
01-45012 POLICE GRANT REVENUE	50,598	0	0	0	0	0	0	
01-45016 FEMA REIMBURSEMENT	0	0	0	121,290	121,290	121,290	0	
01-45018 CLRF GRANT (ARPA)	82,730	0	551,859	0	0	0	0	
01-45019 OPIOID SETTLEMENT	5,354	2,422	5,082	0	2,980	2,980	0	
01-45040 SALE OF ASSETS	27,949	20,638	70,711	0	12,871	12,871	0	
TOTAL INTEREST & MISC.	859,152	947,123	1,931,740	919,790	704,095	863,641	701,000	
TOTAL REVENUES	7,920,975	8,560,462	9,880,698	8,998,290	8,423,181	9,094,451	8,931,500	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
ADMINISTRATION

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
MAINTENANCE								
01-60050 BUILDING MAINTENANCE	21,472	4,435	19,703	0	0	0	0	
01-60055 COMP MAINT/SOFTWARE/ACCESSORIE	30,867	20,913	25,900	60,350	18,056	30,000	35,000	
TOTAL MAINTENANCE	52,339	25,349	45,602	60,350	18,056	30,000	35,000	
REPAIRS								
01-60140 EQUIPMENT CONTRACTS	1,392	1,112	1,062	0	0	0	0	
01-60190 JANITORIAL	5,857	7,513	4,157	0	3,328	0	0	
TOTAL REPAIRS	7,249	8,625	5,219	0	3,328	0	0	
CONTRACT SERVICES								
01-60200 OUTSIDE LEGAL COUNSEL	21,841	0	0	0	0	0	0	
01-60205 CONSULTANT FEES	53,489	35,513	42,786	104,500	37,030	75,000	75,000	
01-60206 CITY HALL/911 PROJECT MANAGER	26,136	0	0	0	0	0	0	
01-60210 CITY ATTORNEY FEES	84,862	33,723	50,999	75,000	53,926	75,000	75,000	
01-60210.CITY ATTORNEY - LITIGATION	59,183	292,366	11,709	20,000	6,999	20,000	20,000	
01-60212 CODIFICATION	2,225	11,102	4,271	15,000	1,645	15,000	15,000	
01-60214 TAX COLLECTION EXPENSE	5,612	6,040	6,192	6,650	6,513	6,513	6,800	
01-60215 APPRAISAL DISTRICT EXPENSE	19,876	29,756	30,035	33,500	24,835	33,500	33,500	
01-60216 AUDITING SERVICES	24,720	27,180	29,450	31,000	30,770	31,000	32,000	
01-60217 ART COMMITTEE EXPENSES	0	0	0	0	0	0	1,000	
01-60219 CITY COUNCIL EXPENSES	0	1,671	1,672	3,000	4,990	5,500	3,000	
01-60220 TRAINING	15,684	7,404	13,439	18,000	8,394	15,000	18,000	
01-60221 MEMBERSHIPS/SUBSCRIPTIONS	4,005	12,408	12,341	13,000	13,025	13,025	9,000	
01-60222 IT - MANAGED SERVICE PROVIDER	0	0	0	9,650	9,493	9,650	9,650	
01-60230 OFFICE SUPPLIES	1,366	2,254	5,310	3,000	1,069	3,000	3,000	
01-60235 ELECTION EXPENSES	9,424	0	10,913	15,000	24,560	24,560	17,000	
01-60250 POSTAGE	975	1,498	1,239	2,000	1,892	2,000	2,000	
01-60260 EMPLOYMENT ADS/RECRUITMENT	0	0	0	250	3,750	3,750	1,000	
01-60270 PRINTING/PUBLICATIONS	9,049	5,813	12,926	16,860	17,441	16,860	600	
01-60280 PUBLIC NOTICES	5,561	3,736	2,687	10,000	1,106	4,000	4,000	
01-60290 RECORDS STORAGE & MAINTENANCE	1,084	699	867	1,450	792	1,450	1,500	
TOTAL CONTRACT SERVICES	345,090	471,163	236,836	377,860	248,230	354,808	327,050	
PAYROLL								
01-60330 SALARIES	484,597	581,157	617,365	654,500	657,745	700,000	587,652	
01-60340 PAYROLL TAX	34,296	42,263	47,383	52,400	46,515	53,620	46,544	
01-60341 RETIREMENT	78,518	109,599	125,373	131,767	128,979	133,070	114,021	
01-60342 LONGEVITY	895	3,055	4,085	5,085	4,090	4,925	2,140	
01-60343 VEHICLE/PHONE ALLOWANCE	10,340	23,385	23,400	23,400	18,570	21,400	17,040	
01-60344 MEDICAL/DENTAL/VISION/LIFE INS	76,815	81,447	119,026	140,000	113,416	140,000	115,000	
01-60346 WORKERS COMP INSURANCE	670	652	877	950	1,320	950	950	
TOTAL PAYROLL	686,132	841,557	937,508	1,008,102	970,634	1,053,965	883,347	

CITY OF WEST LAKE HILLS
 PROPOSED BUDGET WORKSHEET
 AS OF: AUGUST 31ST, 2026
 FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
 ADMINISTRATION

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
UTILITIES & SUNDRY								
01-60430 PUBLIC INFORMATION SERVICES	2,604	2,604	6,421	10,702	9,561	10,702	0	
01-60440 SUNDRY	1,572	1,323	2,800	2,000	930	2,000	2,000	
01-60450 TELECOM/CELL/WIFI	4,207	2,968	3,297	1,000	(837)	1,000	1,000	
01-60465 GENERAL INSURANCE	3,064	2,842	3,455	3,500	1,489	3,500	3,500	
01-60477 TEAM DEVELOPMENT	5,043	3,454	8,557	5,000	3,325	5,000	5,000	
01-60485 UNIFORMS	810	379	466	500	139	500	500	
01-60490 UTILITIES	11,824	13,730	13,079	0	529	529	0	
TOTAL UTILITIES & SUNDRY	29,123	27,300	38,076	22,702	15,137	23,231	12,000	
CAPITAL OUTLAY								
01-60550 COMPUTERS/FURNITURE/EQUIP	50,361	54,213	76,769	10,000	8,102	10,000	12,000	
01-60553 CO-INFRASTRUCTURE RESERVE	0	0	0	10,000	0	10,000	0	
TOTAL CAPITAL OUTLAY	50,361	54,213	76,769	20,000	8,102	20,000	12,000	
TRANSFERS								
01-60900 TRANSFER OUT	0	0	3,551,859	0	0	0	0	
TOTAL TRANSFERS	0	0	3,551,859	0	0	0	0	
TOTAL ADMINISTRATION	1,170,294	1,428,206	4,891,870	1,489,014	1,263,486	1,482,004	1,269,397	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
POLICE DEPARTMENT

EXPENDITURES	(----- 2025-2026 -----) (----- 2026-2027 -----)							
	2022-2023 ACTUAL	2023-2024 ACTUAL	2024-2025 ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
MAINTENANCE								
01-61050 BUILDING MAINTENANCE	5,848	12,928	12,926	0	0	0	0	
01-61055 COMP MAINT/SOFTWARE/ACCESSORIE	81,284	89,408	89,665	48,500	52,850	55,000	55,000	
01-61060 VEHICLE M & O	30,539	23,801	52,565	30,000	21,360	30,000	36,000	
01-61061 FUEL	30,273	27,691	27,135	30,000	26,391	35,000	35,000	
01-61080 RADAR REP/CALIBRATION	400	328	558	1,000	1,051	1,000	1,000	
TOTAL MAINTENANCE	148,344	154,156	182,850	109,500	101,652	121,000	127,000	
REPAIRS								
01-61150 EQUIPMENT CONTRACTS/REPAIRS	27,169	18,919	17,745	15,000	8,823	15,000	15,000	
01-61190 JANITORIAL	8,141	9,979	5,122	0	0	0	0	
TOTAL REPAIRS	35,310	28,898	22,867	15,000	8,823	15,000	15,000	
CONTRACT SERVICES								
01-61200 CITY ATTORNEY FEES	660	60	0	2,500	156	2,500	2,500	
01-61210 MEDICAL EXAMINATIONS	913	1,449	691	3,000	192	3,000	3,000	
01-61211 PSYCHOLOGICAL EXAMINATIONS	3,550	4,750	2,250	4,000	0	4,000	4,000	
01-61213 PSYCHOLOGICAL COUNSELING	200	2,890	2,200	2,500	200	2,500	2,500	
01-61215 OPIOID SETTLEMENT EXPENSES	0	0	3,960	0	(1,980)	0	2,000	
01-61221 MEMBERSHIPS/SUBSCRIPTIONS	4,509	8,732	1,969	9,000	2,012	9,000	9,000	
01-61222 IT-MANAGED SERVICE PROVIDER	0	0	0	36,500	46,469	50,000	50,000	
01-61226 BODY CAMERA CONTRACT	0	0	0	16,248	16,037	16,248	16,248	
01-61227 TASER CONTRACT	0	0	0	12,950	12,949	12,950	12,950	
01-61230 OFFICE SUPPLIES	4,938	4,273	7,673	5,000	3,900	5,000	5,000	
01-61240 POLICE SUPPLIES	22,691	24,489	26,282	22,000	16,047	22,000	22,000	
01-61250 POSTAGE	269	94	335	500	26	500	500	
01-61256 DISPATCH/CTECC	140,799	161,919	186,207	194,611	194,611	194,611	213,488	
01-61260 EMPLOYMENT ADS/RECRUITING	3,590	0	553	2,000	0	0	1,000	
01-61290 RECORDS STORAGE & MAINTENANCE	621	185	212	200	158	200	200	
TOTAL CONTRACT SERVICES	182,739	208,840	232,332	311,009	290,777	322,509	344,386	
PAYROLL								
01-61330 SALARIES	1,282,459	1,296,633	1,402,515	1,708,235	1,427,561	1,630,000	1,792,165	
01-61335 CERTIFICATION PAY	15,008	32,642	34,983	50,000	33,019	37,500	67,880	
01-61336 BI-LINGUAL INCENTIVE	0	0	400	2,400	1,050	1,200	2,400	
01-61340 PAYROLL TAXES	93,602	104,525	117,324	140,350	114,399	125,000	150,000	
01-61341 RETIREMENT	231,362	255,034	293,308	350,785	290,448	335,000	360,000	
01-61342 LONGEVITY	7,585	7,480	8,740	10,510	8,900	10,510	12,050	
01-61343 VEHICLE/PHONE ALLOWANCE	7,920	53,125	52,020	60,000	48,455	56,000	68,520	
01-61344 MEDICAL/DENTAL/VISION/LIFE INS	180,091	188,661	281,584	400,000	280,523	350,000	370,000	
01-61346 WORKERS COMP INSURANCE	33,115	34,096	35,740	35,740	37,514	37,514	37,514	
TOTAL PAYROLL	1,851,142	1,972,196	2,226,614	2,758,020	2,241,870	2,582,724	2,860,529	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
POLICE DEPARTMENT

	2022-2023	2023-2024	2024-2025	CURRENT	Y-T-D	PROJECTED	REQUESTED	PROPOSED
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	BUDGET	ACTUAL	YEAR END	BUDGET	BUDGET
							PB	SELECTED
UTILITIES & SUNDRY								
01-61430 PUBLIC INFORMATION SERVICES	0	0	7,834	7,900	7,630	7,900	0	
01-61450 TELECOM/CELL/WIFI	26,682	24,800	27,165	14,500	9,524	14,500	14,500	
01-61465 GENERAL INSURANCE	25,487	30,020	37,670	44,000	34,856	35,000	40,000	
01-61470 TRAINING	22,197	27,529	21,440	37,500	12,775	37,500	37,500	
01-61475 COMMUNITY RELATIONS/NNO	5,322	5,788	5,788	4,000	3,019	4,000	7,000	
01-61477 TEAM DEVELOPMENT	2,692	3,078	3,631	6,000	3,040	6,000	6,000	
01-61480 UNIFORM ALLOWANCE	16,392	14,661	15,080	18,000	14,454	18,000	18,000	
01-61485 FIRING RANGE/AMMUNITION/GUNS	10,021	7,866	5,727	8,500	15,056	16,000	16,500	
01-61490 UTILITIES	16,136	19,292	18,512	0	799	800	0	
TOTAL UTILITIES & SUNDRY	124,930	133,034	142,846	140,400	101,153	139,700	139,500	
CAPITAL OUTLAY								
01-61550 COMPUTERS/FURNITURE/EQUIP	25,566	29,110	11,674	12,000	7,165	12,000	16,000	
01-61551 DIGITAL VIDEO SYST FOR CARS	3,583	15,823	9,703	0	0	0	0	
01-61553 PATROL VEHICLES	148,180	81,048	227,606	0	12,548	12,548	0	
01-61554 RADIOS	0	41,381	34,512	14,000	7,441	14,000	28,500	
01-61555 VESTS	5,524	3,565	6,370	4,500	3,345	4,500	4,500	
01-61556 RADAR EQUIPMENT	6,769	3,215	6,384	0	0	0	0	
01-61558 CAPITAL OUTLAY-TASERS	7,458	0	12,949	0	0	0	0	
01-61559 CO - PD GRANT EXPENSE	47,958	0	0	0	0	0	0	
01-61560 CAPITAL OUTLAY-BODY CAMERAS	8,138	4,217	15,164	0	0	0	0	
01-61561 CO - FLOCK CAMERAS	0	0	32,850	0	0	0	0	
01-61562 CO - RADAR SPEED TRAILER	0	0	0	20,000	16,465	20,000	0	
TOTAL CAPITAL OUTLAY	253,175	178,359	357,212	50,500	46,965	63,048	49,000	
TRANSFERS								
TOTAL POLICE DEPARTMENT	2,595,640	2,675,483	3,164,721	3,384,429	2,791,239	3,243,981	3,535,415	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
PLANNING & DEVELOPMENT

				(----- 2025-2026 -----)		(----- 2026-2027 -----)		
	2022-2023	2023-2024	2024-2025	CURRENT	Y-T-D	PROJECTED	REQUESTED	PROPOSED
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	BUDGET	ACTUAL	YEAR END	BUDGET	BUDGET
							PB	SELECTED
MAINTENANCE								
01-63055 COMP MAINT/SOFTWARE/ACCESSORIE	32,835	32,615	31,030	55,000	19,695	36,000	36,000	
01-63060 VEHICLE M & O	912	2,156	5,734	4,200	1,806	4,200	4,200	
01-63061 FUEL	1,349	1,293	1,583	1,500	547	1,500	1,500	
TOTAL MAINTENANCE	35,096	36,064	38,347	60,700	22,048	41,700	41,700	
REPAIRS								
01-63140 EQUIPMENT CONTRACTS	812	890	1,062	0	0	0	0	
01-63157 CODE COMPLIANCE EXPENSE	161	34	0	500	0	500	500	
TOTAL REPAIRS	973	924	1,062	500	0	500	500	
CONTRACT SERVICES								
01-63200 OUTSIDE LEGAL COUNSEL	0	1,000	0	0	0	0	0	
01-63205 CONSULTANT FEES	319,773	56,775	92,625	59,000	70,685	95,000	62,000	
01-63206 DRAINAGE MANUAL	0	0	0	50,000	48,647	50,000	0	
01-63207 CITY ENGINEER	0	327,666	265,467	275,000	191,812	275,000	137,500	
01-63210 CITY ATTORNEY FEES	26,765	12,961	21,728	25,000	11,735	15,000	25,000	
01-63220 TRAINING	2,876	2,026	3,513	7,500	2,324	7,500	10,000	
01-63222 IT-MANAGED SERVICE PROVIDER	0	0	0	9,650	8,976	9,650	10,000	
01-63230 OFFICE SUPPLIES	1,317	957	536	1,500	1,654	1,500	1,500	
01-63240 MEMBERSHIPS/PROFESSIONAL FEES	1,997	2,290	2,648	4,000	1,612	4,000	4,000	
01-63245 INSP/PLAN REVIEWS-3RD PARTY	68,144	51,098	47,957	60,000	69,497	60,000	60,000	
01-63250 POSTAGE	2,373	1,807	1,484	2,000	0	2,000	2,000	
01-63266 CREDIT CARD FEES	15,314	13,607	30,434	17,000	23,229	30,000	30,000	
01-63270 PRINTING	1,517	1,001	701	1,000	338	1,000	1,000	
01-63280 PUBLIC NOTICES/ADVERTISING	0	276	342	1,000	725	1,500	1,500	
01-63290 RECORDS STORAGE & MAINTENANCE	840	1,030	1,002	1,100	945	1,100	1,300	
TOTAL CONTRACT SERVICES	440,916	472,495	468,437	513,750	432,178	553,250	345,800	
PAYROLL								
01-63330 SALARIES	348,766	378,736	391,310	478,246	353,792	420,000	713,110	
01-63336 BI-LINGUAL INCENTIVE	1,200	1,200	1,200	1,200	1,050	1,200	1,200	
01-63340 PAYROLL TAX	26,302	29,315	31,601	38,400	27,924	31,500	57,074	
01-63341 RETIREMENT	57,032	71,189	79,583	96,573	70,085	80,000	139,817	
01-63342 LONGEVITY	1,960	475	415	705	590	705	1,490	
01-63343 VEHICLE/PHONE ALLOWANCE	4,130	17,290	16,484	20,400	14,600	17,000	28,320	
01-63344 MEDICAL/DENTAL/VISION/LIFE INS	50,218	61,336	77,731	113,000	47,590	53,500	112,650	
01-63346 WORKERS COMP INSURANCE	1,135	1,177	902	1,200	1,111	1,200	1,550	
01-63350 CONTRACT/TEMPORARY SUPPORT	86,225	3,712	0	0	0	0	0	
TOTAL PAYROLL	576,969	564,431	599,227	749,724	516,741	605,105	1,055,211	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
PLANNING & DEVELOPMENT

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
UTILITIES & SUNDRY								
01-63430 PUBLIC INFORMATION SERVICES	0	0	14,966	15,000	11,724	12,000	0	
01-63440 SUNDRY	255	44	0	500	276	500	500	
01-63450 TELECOM/CELL/WIFI	4,056	3,761	4,301	3,000	763	3,000	3,000	
01-63465 GENERAL INSURANCE	2,231	2,259	2,608	2,700	2,366	2,366	2,700	
01-63480 RECORDING FEES	500	536	1,005	500	0	500	500	
01-63485 UNIFORMS	624	1,264	538	1,300	508	1,300	1,300	
TOTAL UTILITIES & SUNDRY	7,666	7,864	23,418	23,000	15,637	19,666	8,000	
CAPITAL OUTLAY								
01-63540 COMPUTERS/FURNITURE/EQUIP	13,149	2,063	7,095	5,500	407	5,500	6,500	
TOTAL CAPITAL OUTLAY	13,149	2,063	7,095	5,500	407	5,500	6,500	
TRANSFERS								
TOTAL PLANNING & DEVELOPMENT	1,074,769	1,083,840	1,137,587	1,353,174	987,011	1,225,721	1,457,711	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
PUBLIC WORKS

EXPENDITURES	2022-2023 ACTUAL	2023-2024 ACTUAL	2024-2025 ACTUAL	(----- 2025-2026 -----)		(----- 2026-2027 -----)		PROPOSED BUDGET SELECTED
				CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	
MAINTENANCE								
01-64055 COMPUTER MAINT/SOFTWARE/ACCESS	0	0	2,839	5,000	965	2,000	5,000	
01-64060 VEHICLE MAINT & OPERATIONS	0	0	40	500	22	500	5,000	
01-64061 FUEL	0	0	0	4,000	236	1,000	1,500	
TOTAL MAINTENANCE	0	0	2,879	9,500	1,223	3,500	11,500	
REPAIRS								
01-64151 DRAINAGE REPAIRS & MAINT	53,693	110,323	115,319	150,000	68,887	110,000	81,750	
01-64155 ROW MAINTENANCE	98,253	150,361	147,436	150,000	113,036	150,000	81,750	
01-64156 ROW CANOPY & RAVINE CLEARANCE	0	690	15,695	125,000	0	125,000	125,000	
01-64160 FIRE SAFETY/BRUSH PICKUP	1,952,913	155,543	6,803	211,700	2,294	5,000	0	
01-64165 SIGN MAINTENANCE	397	3,909	4,516	10,000	2,487	10,000	10,000	
01-64170 STREET LIGHTING	194	208	206	250	182	250	250	
01-64175 STREET REPAIRS	7,982	5,852	2,510	20,000	2,907	20,000	20,000	
TOTAL REPAIRS	2,113,432	426,886	292,484	666,950	189,792	420,250	318,750	
CONTRACT SERVICES								
01-64205 CONSULTANT FEES	9,373	2,513	0	0	4,719	0	0	
01-64217 SOLID WASTE SERVICES-TDS	517,305	543,636	567,493	592,500	494,336	592,500	614,500	
01-64218 BRUSH PICKUP-TDS	0	0	0	20,000	880	20,000	20,000	
01-64220 TRAINING	0	0	290	4,000	0	4,000	4,000	
01-64221 MEMBERSHIPS/SUBSCRIPTIONS	0	0	0	0	241	0	300	
01-64222 IT-MANAGED SERVICE PROVIDER	0	0	0	2,000	1,899	2,000	5,000	
01-64230 OFFICE SUPPLIES	0	0	57	1,000	858	1,000	1,650	
TOTAL CONTRACT SERVICES	526,678	546,149	567,840	619,500	502,932	619,500	645,450	
PAYROLL								
01-64330 SALARIES	0	0	57,456	105,080	59,363	80,000	379,776	
01-64340 PAYROLL TAX	0	0	4,642	8,400	4,546	6,150	30,125	
01-64341 RETIREMENT	0	0	11,352	21,038	11,579	15,000	73,800	
01-64343 VEHICLE/PHONE ALLOWANCE	0	0	3,220	3,960	1,485	2,145	12,960	
01-64344 MEDICAL/DENTAL/VISION/LIFE INS	0	0	7,776	17,950	11,678	16,200	100,000	
01-64346 WORKERS COMP INSURANCE	0	0	0	350	365	365	1,500	
TOTAL PAYROLL	0	0	84,446	156,778	89,016	119,860	598,161	
UTILITIES & SUNDRY								
01-64430 PUBLIC INFORMATION SERVICES	0	0	2,500	2,500	2,625	2,625	0	
01-64450 TELECOM/CELL/WIFI	0	0	0	1,000	0	1,000	1,000	
01-64465 GENERAL INSURANCE	130	775	868	900	2,141	2,141	2,200	
01-64485 UNIFORMS	0	0	996	1,000	40	1,000	2,250	
TOTAL UTILITIES & SUNDRY	130	775	4,364	5,400	4,806	6,766	5,450	

CITY OF WEST LAKE HILLS
 PROPOSED BUDGET WORKSHEET
 AS OF: AUGUST 31ST, 2026
 FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
 PUBLIC WORKS

EXPENDITURES	2022-2023 ACTUAL	2023-2024 ACTUAL	2024-2025 ACTUAL	(----- 2025-2026 -----)		(----- 2026-2027 -----)		PROPOSED BUDGET SELECTED
				CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	
CAPITAL OUTLAY								
01-64550 STREET IMPRV/TRAFFIC CALMING	4,807	0	0	0	0	0	0	
01-64551 SIGNS WITH RADAR	0	0	32,182	0	0	0	0	
01-64552 CITY ENTRANCE SIGNAGE	9,675	17,529	1,388	0	0	0	0	
01-64554 CAPITAL OUTLAY-VEHICLES	0	0	54,016	0	0	0	103,000	
01-64556 AI TRAFFIC SIGNALS	0	0	0	360,000	0	360,000	0	
01-64560 CAMPO GRANT-EANES CK TRAIL	0	0	0	104,000	104,000	104,000	0	
01-64561 LAKE REVEILLE IMPROVEMENTS	0	0	0	15,000	0	0	15,000	
01-64566 ANNUAL MAINT-CEDAR OAK-YR 3	636,087	0	0	0	0	0	0	
01-64567 ANNUAL MAINT-HRBRVW & WLDCT HL	3,266	0	0	0	0	0	0	
01-64568 ANNUAL MAINTENANCE-YEAR 4	4,792	0	0	0	0	0	0	
01-64569 ANNUAL MAINTENANCE-YEAR 5	4,792	0	0	0	0	0	0	
01-64570 ANNUAL MAINTENANCE-YEAR 6	942	0	0	0	0	0	0	
01-64574 NORTH PEAK - DRAINAGE	0	0	0	130,000	4,977	130,000	0	
TOTAL CAPITAL OUTLAY	664,361	17,529	87,585	609,000	108,977	594,000	118,000	
TRANSFERS								
TOTAL PUBLIC WORKS	3,304,601	991,338	1,039,599	2,067,128	896,747	1,763,876	1,697,311	

CITY OF WEST LAKE HILLS
 PROPOSED BUDGET WORKSHEET
 AS OF: AUGUST 31ST, 2026
 FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
 COMMUNICATIONS/EMERG MGMT

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
MAINTENANCE								
01-65055 COMP MAINT/SOFTWARE/ACCESSORIE	0	0	0	0	0	0	6,000	
TOTAL MAINTENANCE	0	0	0	0	0	0	6,000	
CONTRACT SERVICES								
01-65205 CONTRACT SERVICES	0	0	0	0	0	0	5,000	
01-65219 FIREWISE COMMITTEE EXPENSES	0	0	0	0	0	0	5,000	
01-65220 TRAINING	0	0	0	0	0	0	4,500	
01-65221 MEMBERSHIPS/SUBSCRIPTIONS	0	0	0	0	0	0	1,000	
01-65222 IT-MANAGED SERVICE PROVIDER	0	0	0	0	0	0	2,000	
01-65230 OFFICE SUPPLIES	0	0	0	0	0	0	200	
01-65250 POSTAGE	0	0	0	0	0	0	500	
01-65270 PRINTING/PUBLICATIONS	0	0	0	0	0	0	18,000	
TOTAL CONTRACT SERVICES	0	0	0	0	0	0	36,200	
PAYROLL								
01-65330 SALARIES	0	0	0	0	0	0	100,000	
01-65335 CERTIFICATION PAY	0	0	0	0	0	0	1,820	
01-65340 PAYROLL TAXES	0	0	0	0	0	0	8,150	
01-65341 RETIREMENT	0	0	0	0	0	0	19,736	
01-65342 LONGEVITY	0	0	0	0	0	0	395	
01-65343 VEHICLE/PHONE ALLOWANCE	0	0	0	0	0	0	3,600	
01-65344 MEDICAL/DENTAL/VISION/LIFE INS	0	0	0	0	0	0	19,290	
01-65346 WORKERS COMP INSURANCE	0	0	0	0	0	0	165	
TOTAL PAYROLL	0	0	0	0	0	0	153,156	
UTILITIES & SUNDRY								
01-65430 PUBLIC INFORMATION SERVICES	0	0	0	0	0	0	50,015	
01-65450 TELECOM/CELL/WIFI	0	0	0	0	0	0	2,500	
01-65475 PUBLIC EDUC/COMM RELATIONS	0	0	0	0	0	0	5,000	
01-65477 TEAM DEVELOPMENT	0	0	0	0	0	0	100	
01-65485 UNIFORMS	0	0	0	0	0	0	200	
TOTAL UTILITIES & SUNDRY	0	0	0	0	0	0	57,815	
CAPITAL OUTLAY								
01-65550 CO-COMPUTERS/FURNITURE/EQUIP	0	0	0	0	0	0	3,500	
TOTAL CAPITAL OUTLAY	0	0	0	0	0	0	3,500	
TOTAL COMMUNICATIONS/EMERG MGMT	0	0	0	0	0	0	256,671	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
MUNICIPAL COURT

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
MAINTENANCE								
REPAIRS								
01-67140 EQUIPMENT CONTRACTS	812	890	1,062	0	0	0	0	
01-67150 COMP MAINT/SOFTWARE/ACCESSORIE	27,706	29,960	32,950	17,650	15,263	17,650	19,000	
TOTAL REPAIRS	28,518	30,849	34,012	17,650	15,263	17,650	19,000	
CONTRACT SERVICES								
01-67220 TRAINING	4,405	3,158	3,687	3,500	5,046	5,500	3,000	
01-67221 MEMBERSHIPS/SUBSCRIPTIONS	150	253	450	300	0	300	300	
01-67222 IT-MANAGED SERVICE PROVIDER	0	0	0	13,500	13,290	14,500	13,500	
01-67230 OFFICE SUPPLIES	1,083	462	548	1,000	353	1,000	800	
01-67250 POSTAGE	838	530	157	800	0	800	500	
01-67260 PROSECUTOR FEES	57,171	33,236	50,062	40,000	26,825	30,000	40,000	
01-67266 CREDIT CARD FEES	10,261	2,883	0	0	15	0	0	
01-67290 RECORDS STORAGE & MAINTENANCE	295	13	25	15	112	140	140	
TOTAL CONTRACT SERVICES	74,202	40,535	54,928	59,115	45,642	52,240	58,240	
PAYROLL								
01-67330 SALARIES	158,827	169,392	176,013	200,475	166,745	200,475	206,880	
01-67336 BI-LINGUAL INCENTIVE	1,200	1,200	1,200	2,400	1,050	2,400	2,400	
01-67340 PAYROLL TAXES	11,857	13,405	14,268	16,300	13,194	16,300	16,875	
01-67341 RETIREMENT	23,460	29,644	33,047	33,842	29,385	33,842	34,155	
01-67342 LONGEVITY	1,805	2,065	2,325	2,560	2,285	2,560	2,820	
01-67343 VEHICLE/PHONE ALLOWANCE	2,090	8,250	7,920	7,920	6,930	7,920	7,920	
01-67344 MEDICAL/DENTAL/VISION/LIFE INS	26,026	27,948	44,608	48,850	35,489	48,850	46,850	
01-67346 WORKERS COMP INSURANCE	622	659	829	850	763	850	1,000	
TOTAL PAYROLL	225,888	252,563	280,210	313,197	255,842	313,197	318,900	
UTILITIES & SUNDRY								
01-67430 PUBLIC INFORMATION SERVICES	2,604	0	4,068	4,100	3,849	4,100	0	
01-67450 TELECOM/CELL/WIFI	2,300	1,319	2,248	300	0	300	300	
01-67465 GENERAL INSURANCE	761	664	943	1,000	566	1,000	1,000	
01-67475 PUBLIC EDUCATION/COMM RELATION	250	0	53	0	0	0	0	
01-67477 TEAM DEVELOPMENT	0	0	0	250	52	250	250	
01-67485 UNIFORMS	200	176	133	200	150	200	200	
TOTAL UTILITIES & SUNDRY	6,115	2,159	7,445	5,850	4,617	5,850	1,750	
CAPITAL OUTLAY								
01-67550 COMPUTERS/FURNITURE/EQUIP	4,493	0	2,316	0	0	0	0	
TOTAL CAPITAL OUTLAY	4,493	0	2,316	0	0	0	0	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
MUNICIPAL COURT

		(----- 2025-2026 -----) (----- 2026-2027 -----)						
	2022-2023	2023-2024	2024-2025	CURRENT	Y-T-D	PROJECTED	REQUESTED	PROPOSED
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	BUDGET	ACTUAL	YEAR END	BUDGET	BUDGET
							PB	SELECTED
TRANSFERS								
TOTAL MUNICIPAL COURT	339,217	326,107	378,911	395,812	321,363	388,937	397,890	

CITY OF WEST LAKE HILLS
 PROPOSED BUDGET WORKSHEET
 AS OF: AUGUST 31ST, 2026
 FY2026-27 PROPOSED BUDGET

01 -GENERAL FUND
 FACILITIES MAINT & OPERAT

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
MAINTENANCE								
01-68050 BUILDING MAINTENANCE/SUPPLIES	0	0	3,294	50,000	28,536	50,000	50,000	
01-68051 GROUNDS MAINT-CITY HALL	0	0	138	30,000	49,143	50,000	52,000	
TOTAL MAINTENANCE	0	0	3,431	80,000	77,680	100,000	102,000	
REPAIRS								
01-68140 EQUIPMENT CONTRACTS	0	0	585	38,250	11,164	5,500	5,500	
01-68190 JANITORIAL	0	0	6,502	38,500	33,784	38,500	38,500	
TOTAL REPAIRS	0	0	7,087	76,750	44,948	44,000	44,000	
UTILITIES & SUNDRY								
01-68450 TELECOM/INTERNET	0	0	3,008	23,500	20,586	23,500	23,700	
01-68465 GENERAL INSURANCE	0	0	4,454	35,000	33,070	35,000	35,000	
01-68490 UTILITIES	0	0	40,352	60,000	89,057	95,000	95,200	
TOTAL UTILITIES & SUNDRY	0	0	47,814	118,500	142,713	153,500	153,900	
TOTAL FACILITIES MAINT & OPERAT	0	0	58,332	275,250	265,340	297,500	299,900	
TOTAL EXPENDITURES	8,484,521	6,504,975	10,671,019	8,964,807	6,525,186	8,402,019	8,914,295	
REVENUE OVER/ (UNDER) EXPENDITURES	(563,546)	2,055,487	(790,321)	33,483	1,897,995	692,432	17,205	

*** END OF REPORT ***

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

04 -2021 STREET MAINT FUND

				(----- 2025-2026 -----)	(----- 2026-2027 -----)			
REVENUES	2022-2023 ACTUAL	2023-2024 ACTUAL	2024-2025 ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
TAXES								
04-40200 SALES TAX	1,350,333	1,360,063	1,430,142	1,400,000	1,318,798	1,500,000	1,500,000	
TOTAL TAXES	1,350,333	1,360,063	1,430,142	1,400,000	1,318,798	1,500,000	1,500,000	
TOTAL REVENUES	1,350,333	1,360,063	1,430,142	1,400,000	1,318,798	1,500,000	1,500,000	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

04 -2021 STREET MAINT FUND
PUBLIC WORKS

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
CONTRACT SERVICES								
04-64205 CONSULTANT FEES	113,493	111,300	475	0	0	0	0	
04-64207 ENGINEERING	0	0	21,391	0	230	0	0	
04-64210 CITY ATTORNEY	0	0	0	0	2,035	0	0	
TOTAL CONTRACT SERVICES	113,493	111,300	21,866	0	2,265	0	0	
CAPITAL OUTLAY								
04-64570 ANNUAL MAINTENANCE-FY22-23	0	135,363	35,870	0	0	0	0	
04-64571 ANNUAL MAINTENANCE-FY23-24	0	181,432	0	0	0	0	0	
04-64572 ANNUAL MAINTENANCE-FY24-25	0	0	1,333,512	0	0	0	0	
04-64573 ANNUAL MAINTENANCE-FY25-26	0	0	0	1,484,730	142,824	1,484,730	0	
04-64574 NORTH PEAK - STREET IMPROV	0	0	0	120,000	4,977	120,000	0	
04-64575 ANNUAL MAINTENANCE FY26-27	0	0	0	0	0	0	1,699,490	
TOTAL CAPITAL OUTLAY	0	316,794	1,369,382	1,604,730	147,801	1,604,730	1,699,490	
TOTAL PUBLIC WORKS	113,493	428,095	1,391,247	1,604,730	150,065	1,604,730	1,699,490	
TOTAL EXPENDITURES	113,493	428,095	1,391,247	1,604,730	150,065	1,604,730	1,699,490	
REVENUE OVER/(UNDER) EXPENDITURES	1,236,840	931,969	38,895	(204,730)	1,168,733	(104,730)	(199,490)	

*** END OF REPORT ***

06 -COURT SPECIAL REVENUE

	2022-2023	2023-2024	2024-2025	CURRENT	2025-2026	2026-2027	
REVENUES	ACTUAL	ACTUAL	ACTUAL	BUDGET	Y-T-D	PROJECTED	REQUESTED
					ACTUAL	YEAR END	BUDGET
							PB
							SELECTED
<u>FINES & WARRANTS</u>							
06-44170 LTPDF-LOCAL TRUANCY PREVENTION	7,440	6,420	6,440	6,000	8,825	8,500	7,750
06-44180 LMJF-LOCAL MUNICIPAL JURY FUND	149	128	129	100	177	175	175
06-44200 SECURITY FEES	7,447	6,464	6,408	6,000	8,719	8,100	7,500
06-44300 TECHNOLOGY FEES	6,153	5,372	4,867	5,100	7,150	6,600	6,250
TOTAL FINES & WARRANTS	21,189	18,384	17,844	17,200	24,871	23,375	21,675
<u>CHILD SAFETY REVENUE</u>							
06-45015 CHILD SAFETY & HEALTH REVENUE	12,060	8,912	9,958	9,000	11,235	11,500	10,000
TOTAL CHILD SAFETY REVENUE	12,060	8,912	9,958	9,000	11,235	11,500	10,000
TOTAL REVENUES	33,249	27,296	27,802	26,200	36,106	34,875	31,675

CITY OF WEST LAKE HILLS
 PROPOSED BUDGET WORKSHEET
 AS OF: AUGUST 31ST, 2026
 FY2026-27 PROPOSED BUDGET

06 -COURT SPECIAL REVENUE
 MUNICIPAL COURT

			(----- 2025-2026 -----)	(----- 2026-2027 -----)				
EXPENDITURES	2022-2023 ACTUAL	2023-2024 ACTUAL	2024-2025 ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
<u>CONTRACT SERVICES</u>								
06-67290 SECURITY EXPENSE	5,781	4,955	7,584	9,000	9,680	9,000	9,000	
06-67291 TECHNOLOGY EXPENSE	3,863	3,382	6,760	6,000	756	1,200	1,200	
06-67292 TRANSLATION SERVICES	923	998	166	1,000	542	1,000	1,000	
TOTAL CONTRACT SERVICES	10,567	9,335	14,510	16,000	10,978	11,200	11,200	
<u>PAYROLL</u>								
<u>CAPITAL OUTLAY</u>								
06-67560 CO - TECHNOLOGY EXPENSE	0	2,520	0	5,000	0	0	12,000	
TOTAL CAPITAL OUTLAY	0	2,520	0	5,000	0	0	12,000	
<u>TRANSFERS</u>								
06-67900 TRANSFER OUT	0	0	150,000	0	0	0	0	
TOTAL TRANSFERS	0	0	150,000	0	0	0	0	
 TOTAL MUNICIPAL COURT	 10,567	 11,855	 164,510	 21,000	 10,978	 11,200	 23,200	
 TOTAL EXPENDITURES	 10,567	 11,855	 164,510	 21,000	 10,978	 11,200	 23,200	
	=====	=====	=====	=====	=====	=====	=====	=====
REVENUE OVER/(UNDER) EXPENDITURES	22,682	15,441	(136,707)	5,200	25,128	23,675	8,475	
	=====	=====	=====	=====	=====	=====	=====	=====

*** END OF REPORT ***

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

07 -PD SPECIAL REVENUE

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)		(----- 2026-2027 -----)		
REVENUES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
PD SPECIAL REVENUE								
07-45014 POLICE TRAINING REV (LEOSE)	1,197	1,670	3,035	1,500	1,317	1,317	1,500	
TOTAL PD SPECIAL REVENUE	1,197	1,670	3,035	1,500	1,317	1,317	1,500	
TOTAL REVENUES	1,197	1,670	3,035	1,500	1,317	1,317	1,500	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

07 -PD SPECIAL REVENUE
POLICE DEPARTMENT

EXPENDITURES	2022-2023 ACTUAL	2023-2024 ACTUAL	2024-2025 ACTUAL	(----- 2025-2026 -----)		(----- 2026-2027 -----)		PROPOSED BUDGET SELECTED
				CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	
UTILITIES & SUNDRY								
07-61470 LEOSE TRAINING	1,313	1,504	3,050	1,500	0	1,500	1,500	
07-61471 SPECIAL REVENUE TRAINING	1,722	0	0	0	100	0	0	
TOTAL UTILITIES & SUNDRY	3,034	1,504	3,050	1,500	100	1,500	1,500	
CAPITAL OUTLAY								
TOTAL POLICE DEPARTMENT	3,034	1,504	3,050	1,500	100	1,500	1,500	
TOTAL EXPENDITURES	3,034	1,504	3,050	1,500	100	1,500	1,500	
REVENUE OVER/(UNDER) EXPENDITURES	(1,837)	166	(15)	0	1,217	(183)	0	

*** END OF REPORT ***

CITY OF WEST LAKE HILLS
 PROPOSED BUDGET WORKSHEET
 AS OF: AUGUST 31ST, 2026
 FY2026-27 PROPOSED BUDGET

08 -STAN GRAHAM MEM TREE FUND

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
REVENUES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
<u>REVENUE</u>								
08-40200 OAK WILT FEE	13,950	10,950	17,250	15,000	8,850	14,000	12,000	
08-40260 TREE REPLACEMENT REVENUE	79,100	157,013	101,739	0	12,500	12,500	0	
TOTAL REVENUE	93,050	167,963	118,989	15,000	21,350	26,500	12,000	
<u>DONATIONS</u>								
08-45020 DONATIONS-STAN GRAHAM	75	1,031	0	0	0	0	0	
TOTAL DONATIONS	75	1,031	0	0	0	0	0	
 TOTAL REVENUES	 93,125	 168,994	 118,989	 15,000	 21,350	 26,500	 12,000	

CITY OF WEST LAKE HILLS
 PROPOSED BUDGET WORKSHEET
 AS OF: AUGUST 31ST, 2026
 FY2026-27 PROPOSED BUDGET

08 -STAN GRAHAM MEM TREE FUND
 TREE FUND

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
MAINTENANCE								
08-60050 BEAUTIFICATION	26,863	8,886	6,440	5,000	24,641	26,000	5,000	
TOTAL MAINTENANCE	26,863	8,886	6,440	5,000	24,641	26,000	5,000	
REPAIRS								
08-60156 CITY SIGN/MEDIAN MAINT&LNDS CP	8,275	14,968	20,264	20,000	18,686	20,000	22,000	
TOTAL REPAIRS	8,275	14,968	20,264	20,000	18,686	20,000	22,000	
PAYROLL								
08-60305 CONTRACT ARBORIST	0	0	0	6,000	0	0	6,000	
TOTAL PAYROLL	0	0	0	6,000	0	0	6,000	
UTILITIES & SUNDRY								
TRANSFERS								
08-60900 TRANSFER OUT	0	0	200,000	0	0	0	0	
TOTAL TRANSFERS	0	0	200,000	0	0	0	0	
TOTAL TREE FUND	35,139	23,854	226,704	31,000	43,327	46,000	33,000	
TOTAL EXPENDITURES	35,139	23,854	226,704	31,000	43,327	46,000	33,000	
REVENUE OVER/(UNDER) EXPENDITURES	57,986	145,140	(107,716)	(16,000)	(21,977)	(19,500)	(21,000)	

*** END OF REPORT ***



AS OF 8/20/2026

CITY OF WEST LAKE HILLS

PROPOSED BUDGET SUMMARY TOTALS -WASTEWATER FY 2026-2027

WASTEWATER (WW) FUNDS				
	02	10	11	
	WW FUND	WW DEBT SERVICE FUND	WW CONSTR. FUND	TOTAL WW FUNDS
REVENUES				
REVENUE	\$ 3,045,381	\$ -	\$ -	\$ 3,045,381
INTEREST	150,000	200	23,000	173,200
	\$ 3,195,381	\$ 200	\$ 23,000	\$ 3,218,581
EXPENSES				
	\$ -	\$ -	\$ -	\$ -
EXPENSES	3,178,354	-	-	3,178,354
	\$ 3,178,354	\$ -	\$ -	\$ 3,178,354
BUDGET SURPLUS/ (SHORTFALL)				
	\$ 17,027	\$ 200	\$ 23,000	\$ 40,227

WW FUND	Audited 9/30/23	Audited 9/30/24	Audited 9/30/25	PROJ YR END BUDGET FUND BALANCE FY25-26	PROPOSED BUDGET FUND BALANCE FY26-27
WW Fund Balance	\$ 4,854,914	\$ 5,647,361	\$ 6,657,998	\$ 6,579,650	\$ 6,619,877
Less: Debt Service Reserve Fund	\$ (1,174,545)	\$ (1,174,545)	\$ (1,174,545)	\$ (1,174,545)	\$ (1,174,545)
Unrestricted WW Fund Balance	\$3,680,369.00	\$4,472,816.00	\$5,483,453.00	\$5,405,105.00	\$5,445,332.00

CITY OF WEST LAKE HILLS
 PROPOSED BUDGET WORKSHEET
 AS OF: AUGUST 31ST, 2026
 FY2026-27 PROPOSED BUDGET

02 -WASTE WATER FUND

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----) (----- 2026-2027 -----)				
REVENUES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
REVENUE								
02-50100 WASTEWATER REVENUE	2,399,673	2,559,382	2,722,571	2,700,000	1,926,042	2,700,000	2,700,000	
02-50200 WASTEWATER PENALTIES	11,371	12,774	8,588	8,000	7,049	8,000	8,000	
02-50250 INDUSTRIAL WASTE SURCHARGE REV	35,750	96,973	95,150	95,000	77,947	95,000	95,000	
02-50300 REIMBURSEMENT REVENUE	7,800	8,022	7,429	8,000	4,753	8,000	8,000	
02-50310 GRINDER PUMP MAINTENANCE FEE	0	0	129,933	144,000	100,706	144,000	223,020	
02-50400 ENGINEERING ASSESSMENT FEE	4,740	2,431	3,130	300	1,500	1,000	300	
02-50500 ADMINISTRATIVE FEES	5,059	3,965	4,654	3,400	2,895	3,400	3,400	
02-50505 CREDIT CARD FEES	(20)	0	(20)	0	0	0	0	
02-50700 IMPACT FEES	30,644	22,983	22,983	7,661	15,322	15,322	7,661	
02-50750 INTEREST INCOME	1,780	2,148	51,548	120,000	112,570	150,000	150,000	
TOTAL REVENUE	2,496,797	2,708,678	3,045,965	3,086,361	2,248,784	3,124,722	3,195,381	
TOTAL REVENUES	2,496,797	2,708,678	3,045,965	3,086,361	2,248,784	3,124,722	3,195,381	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

02 -WASTE WATER FUND
WASTEWATER DEPARTMENT

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
<u>MAINTENANCE</u>								
<u>CONTRACT SERVICES</u>								
02-60205 WASTEWATER PROJECT CONSULTANT	0	4,945	300	0	0	0	63,875	
02-60210 RATE ANALYSIS	0	0	18,625	0	0	0	33,000	
02-60220 TREATMENT CHARGES (COA)	446,520	501,882	546,161	540,000	457,029	540,000	560,000	
02-60225 TRAINING	0	250	380	3,000	0	3,000	3,000	
02-60230 BILLING FEES/AWR	57,678	62,588	64,241	65,600	52,285	65,600	68,880	
02-60240 LEGAL SERVICES	1,660	0	0	1,500	1,347	1,500	1,500	
02-60250 WW CHEMICALS	11,936	11,638	8,311	10,000	3,820	10,000	8,000	
02-60260 WW UTILITIES	7,492	9,916	10,515	9,000	7,126	9,000	11,000	
02-60266 CREDIT CARD/BANK FEES	95	161	60	120	20	120	100	
02-60270 WW M & O - FIXED/CROSSROADS	63,518	70,800	70,800	76,800	47,200	75,000	81,600	
02-60275 WW M & O - VARIABLE/CROSSROADS	290,461	333,867	145,952	200,000	150,329	205,000	200,000	
02-60280 WW GRINDER PUMP REPLACE/REPAIR	0	0	220,508	200,000	191,030	320,000	200,000	
02-60290 RECORDS STORAGE & MAINTENANCE	180	148	200	150	169	150	175	
TOTAL CONTRACT SERVICES	879,539	996,196	1,086,053	1,106,170	910,354	1,229,370	1,231,130	
<u>PAYROLL</u>								
<u>UTILITIES & SUNDRY</u>								
02-60410 ENGINEERING	36,755	124,264	173,707	120,000	292,161	390,003	205,000	
02-60465 GENERAL INSURANCE	7,549	9,326	10,401	11,000	10,187	10,187	11,000	
TOTAL UTILITIES & SUNDRY	44,304	133,590	184,108	131,000	302,348	400,190	216,000	
<u>CAPITAL OUTLAY</u>								
02-60510 DEBT PAYMENTS	210,231	193,581	174,399	1,288,995	76,997	1,288,995	1,293,224	
02-60515 DEBT PMT TO GENERAL FUND	0	0	0	150,000	0	150,000	150,000	
02-60550 CAPITAL OUTLAY-COMP & SOFTWARE	0	0	0	0	0	0	29,000	
02-60565 CAPITAL OUTLAY - WW SYSTEM	0	0	0	135,000	8,193	135,000	234,000	
02-60570 WW LIFT STATION PUMPS	0	0	0	0	22,965	22,965	25,000	
TOTAL CAPITAL OUTLAY	210,231	193,581	174,399	1,573,995	108,155	1,596,960	1,731,224	
<u>TRANSFERS</u>								
02-60998 DEPRECIATION	620,411	622,714	623,372	0	0	0	0	
TOTAL TRANSFERS	620,411	622,714	623,372	0	0	0	0	
 TOTAL WASTEWATER DEPARTMENT	 1,754,485	 1,946,081	 2,067,932	 2,811,165	 1,320,857	 3,226,520	 3,178,354	
 TOTAL EXPENDITURES	 1,754,485	 1,946,081	 2,067,932	 2,811,165	 1,320,857	 3,226,520	 3,178,354	
REVENUE OVER/(UNDER) EXPENDITURES	742,312	762,597	978,033	275,197	927,926	(101,798)	17,027	

*** END OF REPORT ***

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

10 -WASTEWATER DEBT SERVICE

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
REVENUES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
INCOME								
10-40100 INTEREST INCOME	1,270	893	482	450	115	450	200	
TOTAL INCOME	1,270	893	482	450	115	450	200	
TOTAL REVENUES	1,270	893	482	450	115	450	200	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

10 -WASTEWATER DEBT SERVICE
WW DEBT SERVICE

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
CAPITAL OUTLAY								
REVENUE OVER/ (UNDER) EXPENDITURES	1,270	893	482	450	115	450	200	
	=====	=====	=====	=====	=====	=====	=====	=====

*** END OF REPORT ***

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

11 -WASTEWATER CONSTRUCTION

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
REVENUES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
INCOME								
11-40100 INTEREST INCOME	23,995	28,957	25,243	23,000	16,781	23,000	23,000	
TOTAL INCOME	23,995	28,957	25,243	23,000	16,781	23,000	23,000	
TOTAL REVENUES	23,995	28,957	25,243	23,000	16,781	23,000	23,000	

11 -WASTEWATER CONSTRUCTION
EXPENSE

	(----- 2025-2026 -----) (----- 2026-2027 -----)							
EXPENDITURES	2022-2023 ACTUAL	2023-2024 ACTUAL	2024-2025 ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
<u>REPAIRS</u>								
<u>CONTRACT SERVICES</u>								
<u>CAPITAL OUTLAY</u>								
<u>TRANSFERS</u>								
	=====	=====	=====	=====	=====	=====	=====	=====
REVENUE OVER/ (UNDER) EXPENDITURES	23,995	28,957	25,243	23,000	16,781	23,000	23,000	
	=====	=====	=====	=====	=====	=====	=====	=====

*** END OF REPORT ***



AS OF 8/20/2026

CITY OF WEST LAKE HILLS
PROPOSED BUDGET SUMMARY TOTALS
2022 GO & 2023 CO BOND FUNDS
FY 2026-2027

BOND FUNDS			
21	22	23	
BOND I&S FUND	2022 GO BOND CAPITAL PROJ FUND	2023 CO BOND FUND	TOTAL 2022 & 2023 BOND FUNDS
REVENUES			
		\$ -	-
2,011,500			2,011,500
850	50,000		50,850
\$ 2,012,350	\$ 50,000	\$ -	\$ 2,062,350
EXPENSES			
			-
1,964,869	-	-	1,964,869
\$ 1,964,869	\$ -	\$ -	\$ 1,964,869
BUDGET SURPLUS/ (SHORTFALL)			
\$ 47,481	\$ 50,000	\$ -	\$ 97,481

2022 GO & 2023 CO BOND FUNDS	Audited 9/30/23	Audited 9/30/24	Audited 9/30/25	PROJ YR END BUDGET FUND BALANCE FY25-26	PROPOSED BUDGET FUND BALANCE FY26-27
FUND BALANCE	\$ 17,963,484	\$ 17,456,030	\$ 2,683,265	\$ 2,687,033	\$ 2,784,514
FUND BALANCE DETAIL:					
FUND 21	\$ 8,124	\$ 22,226	\$ 46,901	\$ 99,182	\$ 146,663
FUND 22	\$ 17,183,973	\$ 7,544,374	\$ 2,646,807	\$ 2,587,851	\$ 2,637,851
FUND 23	\$ 9,557,478	\$ 9,889,430	\$ (10,443)	\$ -	\$ -
	\$ 26,749,575	\$ 17,456,030	\$ 2,683,265	\$ 2,687,033	\$ 2,784,514

CLOSED OUT

CITY OF WEST LAKE HILLS
 PROPOSED BUDGET WORKSHEET
 AS OF: AUGUST 31ST, 2026
 FY2026-27 PROPOSED BUDGET

21 -BONDS I & S FUND

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
REVENUES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
<u>REVENUE</u>								
21-40100 PROPERTY TAXES I&S	1,353,156	1,978,581	1,974,222	2,000,000	1,997,573	2,000,000	2,000,000	
21-40105 PROPERTY TAX P&I	0	0	12,637	11,500	8,061	11,500	11,500	
TOTAL REVENUE	1,353,156	1,978,581	1,986,859	2,011,500	2,005,633	2,011,500	2,011,500	
<u>INTEREST & MISC</u>								
21-45000 INTEREST INCOME	518	1,071	935	850	623	850	850	
21-45105 ISSUED BONDS PREMIUM	8,007	0	0	0	0	0	0	
TOTAL INTEREST & MISC	8,525	1,071	935	850	623	850	850	
TOTAL REVENUES	1,361,681	1,979,652	1,987,793	2,012,350	2,006,256	2,012,350	2,012,350	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

21 -BONDS I & S FUND
2022 GO BOND FUND I&S

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
EXPENDITURES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
CONTRACT SERVICES								
21-60221 MEMBERSHIPS/SUBSCRIPTIONS	0	0	900	850	400	850	900	
TOTAL CONTRACT SERVICES	0	0	900	850	400	850	900	
CAPITAL OUTLAY								
21-60510 DEBT PYMT-PRINCIPAL 2022 GO	240,000	605,000	635,000	665,000	665,000	665,000	700,000	
21-60515 DEBT PYMT-INTEREST 2022 GO	1,124,139	761,344	730,344	697,844	697,844	697,844	663,719	
21-60520 DEBT PYMT-PRINCIPAL 2023 CO	0	205,000	205,000	215,000	215,000	215,000	230,000	
21-60525 DEBT PYMT-INTEREST 2023 CO	0	394,206	391,875	381,375	381,375	381,375	370,250	
TOTAL CAPITAL OUTLAY	1,364,139	1,965,550	1,962,219	1,959,219	1,959,219	1,959,219	1,963,969	
TOTAL 2022 GO BOND FUND I&S	1,364,139	1,965,550	1,963,119	1,960,069	1,959,619	1,960,069	1,964,869	
TOTAL EXPENDITURES	1,364,139	1,965,550	1,963,119	1,960,069	1,959,619	1,960,069	1,964,869	
REVENUE OVER/(UNDER) EXPENDITURES	(2,458)	14,102	24,675	52,281	46,637	52,281	47,481	

*** END OF REPORT ***

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

22 -GO & CO BOND CAPITAL PROJ

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
REVENUES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
REVENUE								
22-40900 TRANSFER IN	0	0	13,871,295	0	0	0	0	
TOTAL REVENUE	0	0	13,871,295	0	0	0	0	
INTEREST & ISSUANCE COSTS								
22-45000 INTEREST INCOME	917,874	76,213	266,065	50,000	96,249	50,000	50,000	
22-45015 REIMBURSEMENT REVENUE	0	0	37,659	0	0	0	0	
TOTAL INTEREST & ISSUANCE COSTS	917,874	76,213	303,724	50,000	96,249	50,000	50,000	
TOTAL REVENUES	917,874	76,213	14,175,018	50,000	96,249	50,000	50,000	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

22 -GO & CO BOND CAPITAL PROJ
2022 GO BOND FUND CAP PRJ

				(----- 2025-2026 -----) (----- 2026-2027 -----)				
EXPENDITURES	2022-2023 ACTUAL	2023-2024 ACTUAL	2024-2025 ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
<u>CONTRACT SERVICES</u>								
22-64221 MEMBERSHIPS/SUBSCRIPTIONS	0	350	0	0	0	0	0	_____
22-64230 OFFICE SUPPLIES/FURNISHINGS	0	0	3,730	0	0	0	0	_____
22-64265 RELOCATION EXPENSES	0	0	12,806	0	0	0	0	_____
TOTAL CONTRACT SERVICES	0	350	16,536	0	0	0	0	_____
<u>CAPITAL OUTLAY</u>								
22-64501 CITY HALL CONSTRUCTION	1,150	5,371,938	12,142,436	0	0	0	0	_____
22-64502 CITY HALL PROJECT MANAGER	146,969	220,492	183,417	0	562	562	0	_____
22-64503 CITY HALL-GEO & MATERIAL TEST	21,066	40,373	37,361	0	0	0	0	_____
22-64504 CITY HALL-ARCHITECTURE EXPENSE	708,217	1,031,059	275,182	0	37,187	89,187	0	_____
22-64505 CAMP CRAFT/EANES CREEK	128,503	677,435	3,487,406	0	2,653	2,653	0	_____
22-64510 LAUREL VALLEY RD	151,332	42,041	398,661	0	0	0	0	_____
22-64515 REDBUD TRAIL	93,992	1,105,604	965,276	0	0	0	0	_____
22-64520 TERRACE MOUNTAIN	100,424	10,414	0	0	0	0	0	_____
22-64525 WESTLAKE DRIVE	153,114	223,655	674,241	0	0	0	0	_____
22-64530 YAUPON VALLEY RD	110,459	937,919	253,091	0	0	0	0	_____
22-64535 ROADS-PROJECT MANAGEMENT	71,577	54,531	128,450	0	1,610	1,610	0	_____
22-64550 CITY HALL-FURN/FIXTURES/EQUIP	0	0	510,528	0	4,501	4,501	0	_____
TOTAL CAPITAL OUTLAY	1,686,803	9,715,462	19,056,048	0	46,514	98,513	0	_____
<u>TRANSFERS</u>								
22-64900 TRANSFER OUT	0	0	0	0	10,443	10,443	0	_____
TOTAL TRANSFERS	0	0	0	0	10,443	10,443	0	_____
TOTAL 2022 GO BOND FUND CAP PRJ	1,686,803	9,715,812	19,072,585	0	56,957	108,956	0	_____
TOTAL EXPENDITURES	1,686,803	9,715,812	19,072,585	0	56,957	108,956	0	_____
REVENUE OVER/(UNDER) EXPENDITURES	(768,929)	(9,639,600)	(4,897,566)	50,000	39,292	(58,956)	50,000	_____

*** END OF REPORT ***

CITY OF WEST LAKE HILLS
 PROPOSED BUDGET WORKSHEET
 AS OF: AUGUST 31ST, 2026
 FY2026-27 PROPOSED BUDGET

23 -2023 CO BOND I&S FUND

	2022-2023	2023-2024	2024-2025	(----- 2025-2026 -----)	(----- 2026-2027 -----)			
REVENUES	ACTUAL	ACTUAL	ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
REVENUE								
23-40900 TRANSFER IN	0	0	0	0	10,443	10,443	0	
TOTAL REVENUE	0	0	0	0	10,443	10,443	0	
INTEREST & MISC								
23-45000 INTEREST INCOME	57,478	332,452	69,562	0	0	0	0	
23-45100 ISSUED BONDS PAR VALUE	9,210,000	0	0	0	0	0	0	
23-45105 ISSUED BONDS PREMIUM	470,175	0	0	0	0	0	0	
TOTAL INTEREST & MISC	9,737,653	332,452	69,562	0	0	0	0	
TOTAL REVENUES	9,737,653	332,452	69,562	0	10,443	10,443	0	

CITY OF WEST LAKE HILLS
PROPOSED BUDGET WORKSHEET
AS OF: AUGUST 31ST, 2026
FY2026-27 PROPOSED BUDGET

23 -2023 CO BOND I&S FUND
2023 CO BOND FUND

EXPENDITURES	(----- 2025-2026 -----) (----- 2026-2027 -----)							
	2022-2023 ACTUAL	2023-2024 ACTUAL	2024-2025 ACTUAL	CURRENT BUDGET	Y-T-D ACTUAL	PROJECTED YEAR END	REQUESTED BUDGET PB	PROPOSED BUDGET SELECTED
CONTRACT SERVICES								
23-60221 MEMBERSHIPS/SUBSCRIPTIONS	0	500	0	0	0	0	0	
TOTAL CONTRACT SERVICES	0	500	0	0	0	0	0	
CAPITAL OUTLAY								
TRANSFERS								
23-60900 TRANSFER OUT	0	0	9,969,435	0	0	0	0	
23-60999 DEBT ISSUANCE COSTS	180,175	0	0	0	0	0	0	
TOTAL TRANSFERS	180,175	0	9,969,435	0	0	0	0	
TOTAL 2023 CO BOND FUND	180,175	500	9,969,435	0	0	0	0	
TOTAL EXPENDITURES	180,175	500	9,969,435	0	0	0	0	
REVENUE OVER/(UNDER) EXPENDITURES	9,557,478	331,952	(9,899,873)	0	10,443	10,443	0	

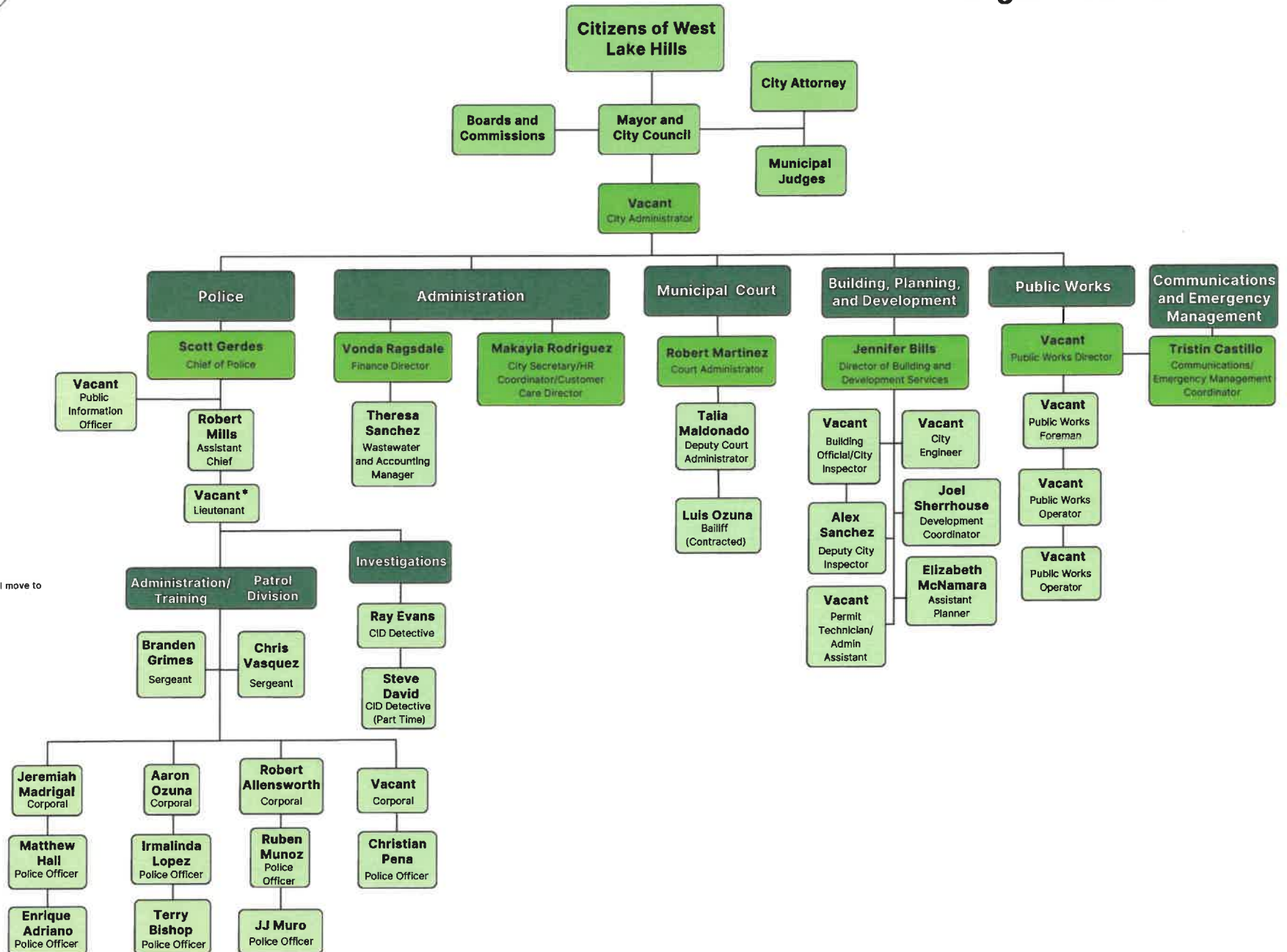
*** END OF REPORT ***

Property Tax Calculations

	2021	2022	2023	2024	2025	2026				Change 2025 to 2026
NET CERTIFIED VALUE TOTAL TAXABLE-July 25th	\$2,423,598,391	\$3,006,022,292	\$3,242,120,186	\$3,256,808,122	\$2,944,359,179	\$3,823,344,561				29.85%
VALUE UNDER PROTEST-July 25th	\$163,338,320	\$69,970,954	\$230,317,162	\$68,878,260	\$454,341,551	\$305,867,565				
TOTAL TAXABLE (at year end)	\$ 2,593,827,801	\$ 3,075,120,968	\$3,264,590,194	\$3,321,813,273	\$3,482,114,957	\$3,581,421,955	7/20/2026			2.85%
TOTAL NEW PROPERTY	\$27,109,456	\$18,465,628	\$35,497,901	\$54,399,099	\$32,140,098	\$61,174,916				
TOTAL TAXABLE W/O NEW PROPERTY	\$2,566,718,345	\$3,056,655,340	\$3,229,092,293	\$3,267,414,174	\$3,449,974,859	\$3,520,247,039				2.04%
APPRAISED VALUE	\$ 2,993,334,812	\$4,244,779,564	\$4,306,492,637	\$3,807,664,951	\$4,078,129,463	\$4,592,654,864				12.62%
AVERAGE APPRAISED RESIDENCE	\$1,639,087	\$2,584,484	\$2,604,792	\$2,233,012	\$2,449,228	\$2,487,860				1.58%
AVERAGE TAXABLE RESIDENCE W/ HOMESTEAD EXEMPTION	\$1,467,444	\$1,698,274	\$1,856,906	\$1,993,778	\$2,158,229	\$2,240,394				3.81%
VOTER-APPROVAL RATE	0.0767	0.1504	0.1667	0.1808	0.182399	0.177766				-2.54%
ADOPTED TAX RATE	0.0786	0.1504	0.1786	0.1786	0.17678	0.174896	Proposed Rate			
TOTAL TAX LEVY	\$ 2,038,748.65	\$ 4,624,981.94	\$5,830,558.09	\$5,932,758.51	\$6,155,787.28	\$6,156,779.28				
COLLECTION RATE	99%	99%	99%	99%	99%	99%				
	Rate	Maintenance & Operations Rate	Debt Rate	Average \$ Increase/Decrease (actual rate)	Average \$ Increase (No New Revenue Rate)	Tax on Average Residence	Total Estimated Tax Levy	M&O Tax Levy	Debt Tax Levy	Increase Over Last Years Tax Levy
No New Revenue Rate	0.174896	0.120033	0.054863	-\$42.27	-\$64.29	\$3,918.36	\$6,156,779	\$4,191,011	\$1,965,769	\$0
Current Rate	0.176783	0.121920	0.054863	\$0.00	\$42.27	\$3,960.64	\$6,223,198	\$4,257,430	\$1,965,769	\$66,419
Voter-Approval Rate	0.177766	0.122903	0.054863	\$22.02	\$64.29	\$3,982.66	\$6,257,801	\$4,292,032	\$1,965,769	\$101,022
Voter-Approval Rate w/Unused Increment	0.183091	0.128228	0.054863	\$141.32	\$183.59	\$4,101.96	\$6,445,254	\$4,479,485	\$1,965,769	\$187,453
De Minimis Rate*	0.187572	0.132709	0.054863	\$241.71	\$283.98	\$4,202.35	\$6,717,736	\$4,751,967	\$1,965,769	\$560,956



PROPOSED
City of West Lake Hills
Organizational Chart



*One Sergeant will move to Lieutenant



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date: August 26, 2026
Department: Building & Development
Prepared By: Jennifer Bills
Exhibits: Street Closure Map

Item Number: 7
Cost / Budget: \$620.00
Source of Funds: Building Permit Revenue

Subject

Discuss and consider action of a street use fee waiver for Brady Lane and Ridgewood Road for Halloween event.

Recommendation

Discuss and take action on the fee waiver.

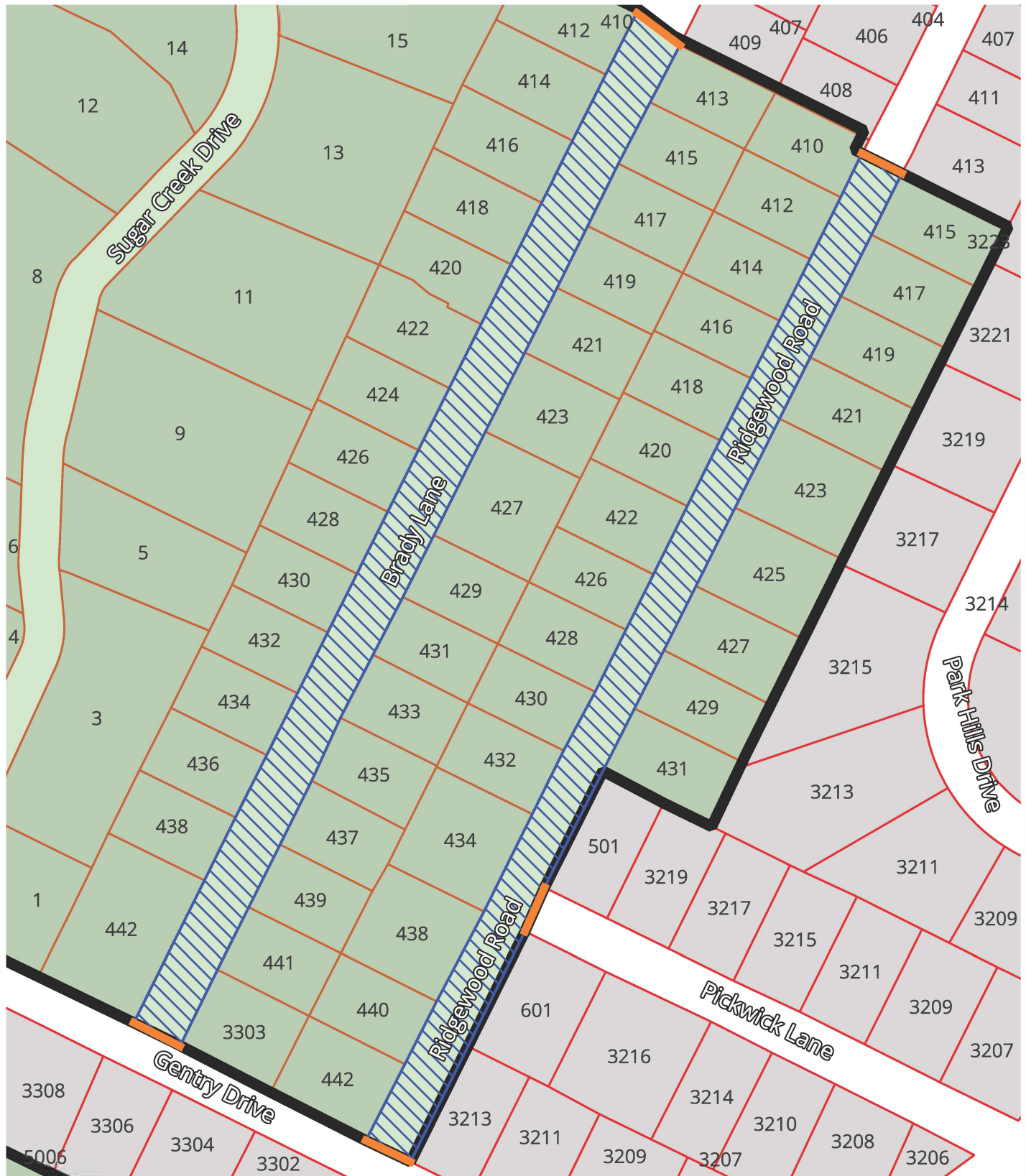
Discussion

The Brady Lane/Ridgewood Road Halloween event is requesting closure of the two streets in the West Lake Hills city limits for the third year. The neighborhood organization manages the event and has provided barricades for the street closure in West Lake Hills and Rollingwood. The West Lake Hills Police Department participates in the event. The fee requirement is adopted in [Section A7.001\(c\)](#). The fee is approximately \$620.



Street Closure Permit*

October 31, 2025 5:30-8:30pm



Issued to:
Eliza Schindler

 Street Closures

 West Lake Hills City Limits

 Barricade Locations

 Parcels

To contact police during the event, please dial 911. Non-emergency police dispatch outside of West Lake Hills business hours is handled through the 911 system.

*Street Closure and barricades on Gentry Drive are permitted separately through the City of Rollingwood



City of West Lake Hills City Council **AGENDA REPORT**

Meeting Date:	<u>August 26, 2026</u>	Item Number:	<u>8</u>
Department:	<u>Administration</u>		
Prepared By:	<u>Makayla Rodriguez</u>	Cost / Budget:	<u>N/A</u>
	<u>Ordinance 2026-009</u>		
	<u>Draft Ordinance 2026-</u>		
Exhibits:	<u>011</u>	Source of Funds:	<u>N/A</u>

Subject

Discuss and consideration on Ordinance 2026-011 amending board and commission meeting schedules, including meeting frequency, dates, and times.

Recommendation

Discuss and consider action on Ordinance No. 2026-011.

Discussion

At the previous City Council meeting, staff presented the following proposed meeting schedule, which received general consensus from City Council.

- City Council Workshop — 1st Wednesday at 12:00 p.m.
- Zoning and Planning Commission — 1st Wednesday at 6:30 p.m.
- City Council — 2nd Wednesday at 6:30 p.m.
- Board of Adjustment — 3rd Wednesday at 6:30 p.m.

On June 24, 2026, City Council approved Ordinance No. 2026-009, establishing the Board of Adjustment as a separate governing body and establishing meeting schedules for the Board of Adjustment and Zoning and Planning Commission (page 23 for BOA and Page 5 for ZAPCO within the pdf)

Draft Ordinance No. 2026-011 reflects the code amendments discussed at the previous meeting for City Council. The 4th Wednesday of each month remains available as a City Council meeting date if needed.

If the 4th Wednesday is removed from the Code, any City Council meeting needed on that date would need to be called as a Special City Council meeting. A regular City Council meeting requires a minimum quorum of three members, while a Special City Council meeting requires a minimum

quorum of four members. Retaining the 4th Wednesday in the Code would provide City Council with the flexibility to hold a meeting when needed, while allowing the meeting to be cancelled when there is no business requiring Council action. Staff are requesting City Council feedback on retaining the 4th Wednesday in the Code and consideration of action on Draft Ordinance No. 2026-011.

Boards and Commissions

The Code of Ordinances does not currently have a set day and time for ZAPCO or BOA (in the new formation). Staff recommends that we leave the scheduling of those meetings as a matter of policy. The Building & Development Department will bring the ZAPCO and BOA schedule for approval in November with the application submittal schedules.

CITY OF WEST LAKE HILLS

ORDINANCE NO. 2026-011

AN ORDINANCE OF THE CITY OF WEST LAKE HILLS, TEXAS AMENDING THE CITY OF WEST LAKE HILLS CODE OF ORDINANCES CHAPTER 2: ADMINISTRATION AND PERSONNEL, ARTICLE 2.02 CITY COUNCIL, DIVISION 2 PROCEDURES, SECTION 2.02.033 TIME, DATE AND PLACE, AND SECTION 2.02.034 AGENDAS; AND PROVIDING FOR REPEALER, SEVERABILITY, EFFECTIVE DATE, AND PROPER NOTICE & MEETING.

WHEREAS, the City of West Lake Hills desires to amend its Code of Ordinances, Chapter 2; Section 2.02.033, to clarify meeting times and procedures; and

WHEREAS, pursuant to Chapter 22 of the Texas Local Government Code, the City of West Lake Hills has the authority to establish its meeting procedures; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council held a meeting on August 26, 2026; and

WHEREAS, the City Council finds that the amendment proposed is reasonable, necessary, and proper for the good government of the City of West Lake Hills.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Lake Hills, Texas:

SECTION 1. That the findings contained in the preamble of this ordinance are incorporated herein as if fully set forth within the body of this ordinance.

SECTION 2. This ordinance is adopted under the authority of the Constitution and laws of the State of Texas, particularly Chapter 22 of the Local Government Code, pursuant to which the City has to set its meeting procedures.

SECTION 3. This ordinance is adopted under the authority of the Constitution and laws of the State of Texas, particularly Chapter 51 of the Local Government Code, pursuant to which the City has general authority to adopt an ordinance that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City.

SECTION 4. Chapter 2; Sections 2.02.033 of the City of West Lake Hills Code of Ordinances are hereby amended to read in accordance with *Attachment "A,"* which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text is new or relocated and shall be inserted into the Code of Ordinances. Any struck-through text shall be deleted from the Code, as indicated on *Attachment "A."*

SECTION 5. That this Ordinance is cumulative of all provisions of ordinances and of the

City Code of West Lake Hills, Texas, as amended.

SECTION 6. Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

SECTION 7. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 8. This Ordinance shall be effective immediately on October 1, 2026.

PASSED and APPROVED this 26th day of August, 2026.

CITY OF WEST LAKE HILLS

James Vaughan, Mayor

ATTEST:

Makayla Rodriguez, City Secretary

AMENDMENT TO THE CODE OF ORDINANCES

CHAPTER 2: ADMINISTRATION AND PERSONNEL

ARTICLE 2.02 CITY COUNCIL

§ 2.02.033. Time, date and place.

- (a) Regular date. The city council shall hold regular meetings on the 2nd and 4th Wednesday of each month, and regular workshop meetings on the 1st Wednesday of each month, with the following exceptions:
 - (1) November: The second regular meeting of the month shall be held on Monday or Tuesday instead of Wednesday when Thanksgiving Day falls on the day after the fourth Wednesday of the month.
 - (2) December: The first regular meeting of the month shall be the only regular meeting of the month.
- (b) Regular time. The city council shall commence regular meetings at approximately 6:30 p.m. 7:00 p.m. ~~The board of adjustment shall commence regular meetings before the first council meeting of each month at approximately 7:00 p.m. when it meets immediately prior to regular city council meetings.~~ The city council shall commence regular workshop meetings at noon. The time certain prescribed in this section means that the meeting may not be convened prior to the time indicated, but may be convened at a later time.
- (c) Rescheduling. When the day for any regular meeting falls on a state, federal, or city holiday, the regularly scheduled meeting for such day shall be cancelled unless otherwise specified by the city council. At other times that the mayor deems appropriate, the mayor may reschedule regular or special meetings. Public notice of such cancellation or rescheduling shall be given on the city website and by posting a notice on the door of the council chamber at city hall.
- (d) Special meetings. The mayor may call a special meeting on the mayor's own motion or on the application of three councilmembers. Each member of the city council, the city administrator, city secretary, and city attorney must be notified in writing or in person of the special meeting at least three business days prior to the meeting date, except in emergency situations.
- (e) Cancellation. The mayor may cancel regular meetings when deemed necessary. Public notice of such cancellation shall be given on the city website and by posting a notice on the door of the council chamber at city hall. Meetings for which no quorum is present shall be deemed as automatically cancelled by operation of law.
- (f) Location. Except as otherwise provided in this paragraph, the city council shall conduct all meetings in the council chamber, located at city hall. However, the city council may from time to time elect to meet at other locations and, upon such election, shall give public notice of the change of location in accordance with state law. If by reason of fire, flood or other emergency, it is unsafe to meet in the council chamber, for the duration of the emergency the council may

hold its meetings at such other place as the presiding officer shall designate.

ORDINANCE NO. 2026-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST LAKE HILLS, TEXAS, AMENDING THE CODE OF ORDINANCES PROVISIONS RELATED TO ZONING ADMINISTRATION PROCEDURES INCLUDING: CHAPTER 2 ADMINISTRATION AND PERSONNEL, CHAPTER 20 ADMINISTRATION, CHAPTER 38 ZONING; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of West Lake Hills, Texas (“City”) is a general law municipality operating under the laws of the State of Texas; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City is authorized under Texas Local Government Code Chapter 211 to exercise jurisdiction over zoning regulations of the City; and

WHEREAS, City staff has reviewed the current zoning administration procedures and recommended certain revisions and updates to the current zoning administration procedures; and

WHEREAS, the City’s Zoning and Planning Commission held a public hearing on June 17, 2026 and, following such hearing, provided its recommendation to the City Council; and

WHEREAS, in accordance with the City Council held a public hearing on June 24, 2026 and after consideration, determined that the ordinance amendment be approved as provided herein; and

WHEREAS, the City Council finds that the amendments proposed are reasonable, necessary, and proper for the good government of the City of West Lake Hills.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST LAKE HILLS, TEXAS THAT:

SECTION 1. The foregoing recitals are found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance.

SECTION 2. This Ordinance is adopted under the authority of the Constitution and laws of the State of Texas, including, but not limited to, Chapter 211 of the Local Government Code.

SECTION 3. Chapter 2 Administration and Personnel, Chapter 20 Administration, and Chapter 38 Zoning are hereby amended as set forth in **Exhibit A and B** attached hereto and incorporated into this Ordinance for all intents and purposes.

SECTION 4. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

SECTION 5. This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 6. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Local Government Code, as amended.

SECTION 8. This Ordinance shall be in full force and effect September 26, 2026 after its final passage and approval by the City Council, as duly attested by the Mayor and City Secretary, and any publication required by law.

PASSED and APPROVED this 24th day of JUNE, 2026.

CITY OF WEST LAKE HILLS, TEXAS

By:


James Vaughan, Mayor

ATTEST:


Makalya Rodriguez, City Secretary

Exhibit A**Chapter 20****ADMINISTRATION**

ARTICLE 20.01		§ 20.03.002.	Introduction.
GENERAL PROVISIONS		§ 20.03.003.	Purpose.
§ 20.01.001.	Public hearings on zoning changes—Joint hearing.	§ 20.03.004.	Scope.
§ 20.01.002.	Same—Publication of notice.	§ 20.03.005.	Policy.
		§ 20.03.006.	Presumption.
		§ 20.03.007.	Definitions.
ARTICLE 20.02		§ 20.03.008.	Administration.
ZONING AND PLANNING COMMISSION		§ 20.03.009.	Standards.
§ 20.02.001.	Definitions.	§ 20.03.010.	Applicable regulations.
§ 20.02.002.	Composition.	§ 20.03.011.	Substantial change.
§ 20.02.003.	Qualifications and terms of office.	§ 20.03.012.	Reconsideration.
§ 20.02.004.	Meetings.	§ 20.03.013.	Appeal to city administrator.
§ 20.02.005.	Duties.	§ 20.03.014.	Appeal to board of adjustment.
§ 20.02.006.	Finances.	§ 20.03.015.	Extensions.
		§ 20.03.016.	Judicial review.
ARTICLE 20.03		§ 20.03.017.	Binding nature.
UNIFORMITY OF REQUIREMENTS		§ 20.03.018.	Expirations.
§ 20.03.001.	Popular name.	§ 20.03.019.	Transferability.

ARTICLE 20.01
GENERAL PROVISIONS

§ 20.01.001. Public hearings on zoning changes—Joint hearing.

Whenever a public hearing on zoning changes has been duly scheduled and advertised, and the required notifications have been made to affected property owners, the city council may by ordinance provide that the public hearing held by the zoning and planning commission shall be a joint public hearing with the city council. Provided, however, that the council shall not take final action until the zoning and planning commission has convened to consider the issue following completion of the public hearing and has made its recommendation to the council on each zoning case.

(1996 Code, sec. 62-1)

§ 20.01.002. Same—Publication of notice.

The mayor or city secretary is authorized and directed to cause notice of each such public hearing to be published one time in a newspaper of general circulation in the city before the 15th day before the date of the proposed public hearing.

(1996 Code, sec. 62-2)

ARTICLE 20.02
ZONING AND PLANNING COMMISSION

§ 20.02.001. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ZAPCO. The zoning and planning commission.
(Ordinance 330 adopted 7/13/16)

§ 20.02.002. Composition.

The city council shall appoint by simple majority vote a zoning and planning commission consisting of a chairperson and five members, for a total of six members. The chairperson shall formally appoint a vice-chairperson from among the commission members each year. A quorum shall consist of a simple majority of the members appointed by the council. Quorum shall include the chairperson and vice-chairperson. The chairperson shall only vote in the case of a tie.
(Ordinance 2020-012 adopted 9/23/20)

§ 20.02.003. Qualifications and terms of office.

All members of the zoning and planning commission shall be bona fide residents of the city for a minimum of six months. The members of the zoning and planning commission shall serve for a staggered two-year period and may be reappointed for succeeding terms. Vacancies of the members of the commission shall be filled as determined by the city council, including any vacancies resulting from increasing the number of members on the commission.
(1996 Code, sec. 62-33)

§ 20.02.004. Meetings.

- (a) Meetings of the zoning and planning commission shall be held on a regular basis, but not less than once every two months, and such meetings shall be advertised and open to the public as required by the laws of the state. Meetings may also be called by the chairperson or at the request of two or more of the commission members.
- (b) The commission shall make a written report to the city council of its findings on each matter on its agenda that has been advertised and for which a public hearing is required. The written report on such agenda items shall clearly indicate either “for” or “against” the subject application. Such a report may be in the form of the commission’s minutes.
- (c) No continuances or postponements shall be granted, except upon the request of the applicant, on any matter on its agenda that is required by law to be advertised or is the subject of a required public hearing.
(1996 Code, sec. 62-34)

§ 20.02.005. Duties.

The duties of the zoning and planning commission shall be to:

- (1) Recommend revisions or amendments to article 28.02 of this code and the land use map associated therewith.

- (2) Review all subdivision plans, plats, replats or resubdivisions to be presented to the council and to submit the plan, plat, replat or resubdivision with ZAPCO's recommendation at a council meeting following submission to the zoning and planning commission provided that such plan, plat, replat or resubdivision was submitted by the developer or owner in proper form according to the city's ordinances and V.T.C.A., Government Code ch. 212, and provided that the plan, plat, replat or resubdivision was timely submitted to the zoning and planning commission.
- (3) Review and make recommendations to the city council on all matters and applications concerning zoning, in accordance with the city's ordinances and state law and to determine whether such zoning requests are in conformity with article 28.02 of this code.
- (4) Review permit applications for sewage facilities in all zoning districts except one-family residential (R-1) zones, and to submit recommendations at a city council meeting following the commission meeting at which such permit application was considered, provided that the application was submitted in proper form in accordance with the city's ordinances.
- (5) Cooperate with any applicant to encourage the best development for nonresidential use in a manner consistent with the low-density rural character promulgated in the master plan ordinance.
- (6) Advise the city council and work with owners on the appearance of existing or new buildings and property, either on specific assignment by the council or on its own initiative.
- (7) Consider and make recommendations to the city council ~~and the board of adjustment~~ on requests for variances to the city's ordinances; ~~however, ZAPCO shall only review permits or variances for tree removal when construction is involved.~~
- (8) Hold public hearings as may be required by the city's ordinances.
- (9) Review and ~~approve or deny~~ **make recommendations on** requests for **uniform sign agreements** ~~signs~~ in accordance with the criteria set out in the city's ordinances.
- (10) Assist in the drafting and revision of ordinances relating to any of the hereinabove mentioned duties.
- (11) **Review special use permits and submit recommendations to the city council following the commission meeting at which such permit application was considered.**
- (12) Perform such other duties as normally required of a zoning and planning commission, from time to time, by the city council.

~~(13) ZAPCO shall not review requests for special use permits (SUP).~~

(1996 Code, sec. 62-35; Ordinance 251 adopted 6/27/12; Ordinance 2024-006 adopted 6/12/2024)

§ 20.02.006. Finances.

The zoning and planning commission shall have the authority to request funds from the city council to meet ZAPCO's operating costs. Such funds shall include the cost of any special, nonrecurring item of the commission as well as routine administrative costs.

(1996 Code, sec. 62-36)

ARTICLE 20.03
UNIFORMITY OF REQUIREMENTS

§ 20.03.001. Popular name.

This article shall be commonly cited as the “grandfathered development status ordinance.”
(Ordinance 162, sec. 1.1, adopted 5/27/09)

§ 20.03.002. Introduction.

Texas Local Government Code chapter 245 (“LGC 245”), sometimes referred to as the state’s “freeze law,” H.B. 1704, provides an opportunity for landowners or developers to “lock-in” certain government regulations that apply to a particular development by filing a specific permit application. Other laws, such as sections 43.002 and 211.016 of the Texas Local Government Code, also convey certain “grandfathered” status.
(Ordinance 162, sec. 1.2, adopted 5/27/09)

§ 20.03.003. Purpose.

This article provides standards and procedures for municipal determination of the alleged grandfathered development status of development projects. Specifically, this article is enacted to:

- (1) Provide increased certainty and predictability in the city’s regulatory process;
- (2) Guarantee that all grandfathered development status determinations are made by the city only after the city is in receipt of all necessary information;
- (3) Provide a method of administrative review of grandfathered development status project decisions in accordance with LGC 245 or other applicable vesting laws; and
- (4) Ensure that the city recognizes and protects all grandfathered development status projects created by LGC 245.

(Ordinance 162, sec. 1.3, adopted 5/27/09)

§ 20.03.004. Scope.

- (a) This article applies to the city limits and the extraterritorial jurisdiction (“ETJ”).
- (b) This article shall only govern applications and permits covered by LGC 245.
- (c) This article shall not apply to permits or regulations listed as exemptions in LGC 245.004.
- (d) This article shall only govern situations involving a land use or development project for which the owner or builder requests city approval(s), yet seeks to avoid the application of current municipal regulations by asserting grandfathered development status, as provided by LGC 245.
- (e) This article shall not create any property rights in any application, project, property, or person. This article shall not enlarge or expand any property right granted by LGC 245.

(Ordinance 162, sec. 1.4, adopted 5/27/09)

§ 20.03.005. Policy.

There shall be a bias in the city against dormant or new land development projects being constructed

pursuant to outdated regulations previously repealed by the city council. It is the preferred policy of the city that all land development projects, for which municipal permits and approvals are needed, be constructed in accordance with current municipal regulations. Limited exceptions to this general rule shall only be allowed when mandated by state law, as procedurally implemented through this article. (Ordinance 162, sec. 1.5, adopted 5/27/09)

§ 20.03.006. Presumption.

It is the policy of the city that construction/development or land use permit applications filed today are presumed to be governed by today's regulations. (Ordinance 162, sec. 1.6, adopted 5/27/09)

§ 20.03.007. Definitions.

- (a) General. Words and phrases used in this article shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in this code, shall be given the meanings set forth in this code. Words and phrases not defined in this code shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.

- (b) Specific.

Applicant. A person or entity who submits an application for an approval required by the city. The term shall be restricted to include only property owner(s), or a duly authorized agent and representative of the property owner, as demonstrated in writing to the city in the form of a notarized agency letter or power of attorney.

Application for a permit. The term as referenced in Texas Local Government Code chapter 245, as may be amended. The term does not include an application to rezone property.

Board of adjustment ("BOA"). ~~Six members, who are members of the governing body of the city, form a commission to perform the functions established by Texas Local Government Code chapter 211, and other duties assigned by ordinance. As the governing body of a type A general-law municipality, the city council is statutorily authorized to perform this function and serve in this capacity. Information about the city's board of adjustment may be found in the city's zoning ordinance.~~ The board of adjustment established under section 38.02.001 of this code.

City administrator. The city's chief administrative officer, as appointed by the city council. The term also includes the city administrator's designee.

City attorney. The individual or law firm appointed by the city council to render legal services and advice in relation to the administration, interpretation, and enforcement of this article.

City engineer. The individual or entity appointed by the city council to render engineering services to the city.

City inspector. The city official, also referred to as the building inspector, appointed by the city administrator with the duty of processing all building permit applications, including inspections of construction, the duty of sanitary inspections in accordance with article 18.03, division 3, and such other duties as may be assigned.

City limits. The incorporated municipal boundaries of the city.

City planner. The individual or entity appointed by the city administrator to administer land development ordinances and advise the city in relation to the administration, interpretation, and enforcement of the city's development code.

Development review committee. A group consisting of the city inspector, city planner, city engineer, and city attorney.

ETJ. The extraterritorial jurisdiction of the city.

Grandfathered development status. A recognition by the city of an applicant's ability to process permit applications under pre-existing regulations in accordance with LGC 245.

LGC. The Texas Local Government Code.

LGC 245. Texas Local Government Code chapter 245.

New project. A land development endeavor over which the city's municipal regulatory jurisdiction exists, that has not previously been formally considered or approved by the city, and for which one or more permits are required to initiate, continue or complete the endeavor. The term can refer to substantial changes made to an otherwise prior project.

Permit. The term as defined by Texas Local Government Code chapter 245, as may be amended.

Project. The term as defined by Texas Local Government Code chapter 245, as may be amended. The term refers to a specific property use and/or improvement undertaken on a particular tract of land as documented in a manner that provides the city with fair notice.

ZAPCO. The zoning and planning commission of the city.

(Ordinance 162, sec. 2, adopted 5/27/09; Ordinance 265 adopted 1/9/13; Ordinance 307 adopted 7/22/15)

§ 20.03.008. Administration.

(a) Submission.

- (1) An applicant seeking grandfathered development status with the city in accordance with LGC 245 shall submit to the ZAPCO secretary a letter explaining the factual and legal bases upon which the applicant relies.
- (2) The ZAPCO secretary may prescribe a form application.
- (3) Applications may be sought prior or concurrent to the permitting process.
- (4) Such written submission shall include the following:
 - (A) The name, mailing address, phone number and fax number of the applicant.
 - (B) The name, mailing address, phone number and fax number of the property owner, if different than the applicant.
 - (C) Identification of the property for which the applicant claims grandfathered development status, including a clear legal description of the exact boundaries of the property encompassed by the project.
 - (D) Identification of the "project," as that term is defined in LGC section 245.001(3), as

may be amended.

- (E) Narrative description of the development/construction project or proposed land use for which a permit is being sought.
 - (F) Layout of the site, including locations of buildings, streets, utilities and drainage facilities.
 - (G) Identification of the original application for the first permit in the series of permits required for the project, as described in LGC section 245.001(1) and section 245.002(a) and (b), as may be amended.
 - (H) The date that the first permit in the series of permits required for the project was filed with the city.
 - (I) A chronology of the history of the project, with special emphasis on facts establishing that the project was in progress on or commenced after September 1, 1997, as required by LGC 245 section 245.003, as may be amended.
 - (J) Identification of each city regulation in effect at the time the original application for the permit was filed that applies to the project and:
 - (i) The applicant contends is grandfathered; and
 - (ii) The applicant contends controls the approval, disapproval, or conditional approval of an application for a permit, pursuant to LGC 245.002(a) and (b), as may be amended.
 - (K) Identification of each city regulation for which the applicant seeks an exemption due to the grandfathered development status provided the property owner by LGC 245 or other applicable vesting laws.
 - (L) Explanation of applicability of any approval expirations and related requests for extension of approvals.
 - (M) Photographs, drawings, maps, and previous approvals that would assist the development review committee in making its determination regarding the application.
 - (N) Any other information or supportive materials deemed necessary by the ZAPCO secretary and requested in writing; and
 - (O) Notwithstanding the above, an applicant may subsequently seek grandfathered development status for other regulations once an initial determination has been made by the city.
- (5) If an applicant contends that certain city regulations do not apply to the project, the applicant is expected to identify, with particularity, all requirements that the applicant contends do not apply to the current application. Global references to a particular ordinance, or set of criteria, may be deemed insufficient and the city may consider the request for grandfathered development status determination to be incomplete and, hence, not subject to a staff determination at that time.
 - (6) The applicant is responsible for demonstrating to the city that the project for which approval is sought is the same project for which grandfathered development status attached.

- (7) An application for recognition of grandfathered development status shall not be considered to have been filed with the city, for purposes of this article or LGC 245, until such time as the application is administratively complete. In order to be administratively complete, the application must:

- (A) Contain all materials required by this article;
- (B) Be presented within the time specified by this article; and
- (C) Be accompanied by a check payable to the city for the full amount of the application review fee established by the city council, as codified in the city's fee schedule.

(b) Determination.

- (1) The ZAPCO secretary shall promptly forward the application for grandfathered development status, along with any supporting information or documentation provided, to the development review committee for review.
- (2) The development review committee shall make a written response within fourteen (14) [days] after an application for determination of grandfathered development status has been filed. If the committee does not provide a written response to the applicant within fourteen (14) days after the application was filed, the application is automatically deemed to have been denied. The ZAPCO secretary may extend the time period established by this article upon receipt of a written request from the applicant.
- (3) If the development review committee requests for more information from the applicant, the fourteen-day time period will be tolled.
- (4) The committee shall issue a written administrative determination approving the application, disapproving the application, or requesting additional information from the applicant. If the application is approved, the determination shall identify, with particularity, which claims for grandfathered development status have been recognized and which claims have been rejected.
- (5) Prior to rendering a determination, the city or the applicant may request a pre-determination conference to discuss the applicant's claim and to ensure that the nature of the claim is fully and completely understood prior to a determination being rendered. The ZAPCO secretary and/or the development review committee may participate.
- (6) A determination recognizing grandfathered development status shall state the date the application for the original permit was filed, if the date can be determined with reasonable accuracy.
- (7) The ZAPCO secretary is signatory and spokesperson for the development review committee.

(Ordinance 162, secs. 3.1, 3.2, adopted 5/27/09)

§ 20.03.009. Standards.

In determining whether a project is grandfathered, the city shall consider the following:

- (1) Pre-existing: Did the improvements/use pre-date the city regulations in question?
- (2) Progress: Did construction of the improvements/use commence prior to enactment of the city

regulations in question?

- (3) Fair notice: Did the applicant give the city fair notice of what the applicant proposed to do prior to the enactment of the city regulations in question?
- (4) Health and safety: Do the rules in question protect the public's health and safety?
- (5) City code: Any other factors established by this code?
- (6) State law: Any other factors established by LGC 245?
(Ordinance 162, sec. 3.3, adopted 5/27/09)

§ 20.03.010. Applicable regulations.

The city shall consider the approval, disapproval, or conditional approval of an application for a permit covered by LGC 245 solely on the basis of any municipal regulations in effect at the time the original application for the permit is filed, with the exception of those exemptions listed in LGC 245, as may be amended.

- (1) The extent and scope of what constitutes a project for purposes of this article and LGC 245 shall be determined by the city based upon the information provided by the applicant and those documents filed among the city's records.
- (2) The city shall not bestow any form of grandfathered development status on a hypothetical undertaking that is not expressly illustrated or demonstrated to the city at the time of submission of a completed application for a permit.
- (3) Endeavors not submitted for consideration by the applicant to the city when a prior permit application for a project was filed with the city shall be considered new projects subject to the current regulations. The burden rests on the applicant to establish that the project for which approval is sought is the same project to which grandfathered development status allegedly attached.

(Ordinance 162, sec. 3.4, adopted 5/27/09)

§ 20.03.011. Substantial change.

To grandfather a project for which a substantial change is proposed would deny the city, and the public, of fair notice. Consequently, a substantial change results in a new project for which grandfathered development status shall be denied. Factors that can result in a new project determination include, but are not limited to, the following modifications:

- (1) Gross surface area or acreage;
- (2) Gross floor area;
- (3) Gross number of buildings;
- (4) Density;
- (5) Living unit equivalents;
- (6) Land use classification (rezoning or special use permit);
- (7) Impervious cover;

- (8) Drainage pattern or volumes; or
 - (9) Street layouts.
- (Ordinance 162, sec. 3.5, adopted 5/27/09)

§ 20.03.012. Reconsideration.

- (a) If any person believes that the development review committee's determination under this article is in error, the person shall have the right to request reconsideration.
 - (b) To be actionable, a request for reconsideration by the development review committee must:
 - (1) Be filed with the ZAPCO secretary in writing within fourteen (14) days of the date of the development review committee's previous determination or the date of automatic denial.
 - (2) State the reasons why the previous determination should be reversed or modified.
 - (3) Present information that has not previously been presented for consideration by the development review committee.
 - (4) Provide an explanation of the legal and factual grounds of the request; and
 - (5) Be accompanied by payment of the reconsideration fee established by the city council, as codified in the city's fee schedule.
 - (c) The development review committee shall, within fourteen (14) days of receipt of a request for reconsideration that conforms to this article, issue an administrative determination, or a statement declining reconsideration. If the development review committee fails to make a written determination within fourteen (14) days after an application has been received at city hall, the application is deemed to have automatically been denied.
 - (d) No person may appeal the development review committee's determination under this article without first seeking reconsideration.
- (Ordinance 162, sec. 3.6, adopted 5/27/09)

§ 20.03.013. Appeal to city administrator.

- (a) If any person believes that the development review committee's determination under this article is in error, the person shall have the right to appeal such determination to the city administrator.
- (b) To be actionable, an appeal must be filed with the city administrator in writing within fourteen (14) days of the date of the development review committee's determination or the date of automatic denial. The written request for an appeal must include:
 - (1) A statement that the appellant has requested reconsideration by the development review committee, and that the request for reconsideration:
 - (A) Was denied; or
 - (B) Yielded an erroneous determination regarding the project's eligibility for grandfathered development status.
 - (2) A statement of the reasons why the determination should be reversed or modified;

- (3) An explanation of the legal and factual grounds of the appeal; and
 - (4) Be accompanied by payment of the appeal fee established by the city council, as codified in the city's fee schedule.
- (c) The city administrator shall act upon an appeal within fourteen (14) days of receipt of a written request for appeal that conforms to this section. If the city administrator fails to make a written determination within fourteen (14) days after an appeal has been received, then the appeal is deemed to have automatically been denied.
- (Ordinance 162, sec. 4, adopted 5/27/09)

§ 20.03.014. Appeal to board of adjustment.

- (a) If any person believes that the city administrator's determination under this article is in error, the person shall have the right to appeal such determination to the city's board of adjustment ("BOA").
 - (b) To be actionable, an appeal must be filed with the BOA in writing within fourteen (14) days of the date of the city administrator's determination or the date of the city administrator's automatic denial. The written request for an appeal must include:
 - (1) A statement that the appellant sought an appeal from the city administrator, and that the appeal:
 - (A) Was denied; or
 - (B) Yielded an erroneous determination regarding the project's eligibility for grandfathered development status.
 - (2) A statement of the reasons why the determination should be reversed or modified;
 - (3) An explanation of the legal and factual grounds of the appeal; and
 - (4) Be accompanied by payment of the appeal fee established by the city council, as codified in the city's fee schedule.
 - (c) The applicant may also request the BOA to grant a variance from the regulations at issue under the same standards governing variances for other matters, as set forth in the city's development code, as amended.
 - (d) The BOA shall convene a meeting and act upon an appeal within thirty (30) days of receipt of a written appeal that conforms to this article. If the board of adjustment fails to make a written determination within thirty (30) days after an appeal has been received, then the appeal is deemed to have automatically been denied.
 - (e) Notice and a public hearing shall be provided for as established in the code for variance requests.
- (Ordinance 162, sec. 5, adopted 5/27/09)

§ 20.03.015. Extensions.

Any time period established under this article may be extended to a date certain, upon receipt of a written request from the applicant.

(Ordinance 162, sec. 6, adopted 5/27/09)

§ 20.03.016. Judicial review.

Should the applicant be dissatisfied with the actions of the BOA, the applicant may pursue all legal remedies to review the BOA's decision as set forth in LGC section 211.011.

(Ordinance 162, sec. 7, adopted 5/27/09)

§ 20.03.017. Binding nature.

- (a) The city's determinations under this article, if not timely appealed, shall be immediately filed in the city's files related to the project and the determination shall be considered binding upon the city, the applicant, and the property owner (if different from the applicant) for the duration of the project.
- (b) Notwithstanding the binding nature of a determination issued by the development review committee or city administrator, and any ruling by the BOA, the city and the property owner may, at any time, enter into a development agreement or negotiate the enactment of a planned development district that, to the extent authorized by law, modifies the determination and the applicable development regulations to be applied to the project. The issue of which rules apply to a permit application may be resolved by mutual agreement. The agreement may contain special terms and conditions, as deemed necessary to protect the public interest.
- (c) The city's recognition of grandfathered development status does not prevent the city from requiring the submission of updated engineering reports, site plans, or landscape plans, as may be applicable under current regulations.

(Ordinance 162, sec. 8, adopted 5/27/09)

§ 20.03.018. Expirations.

- (a) Permits issued by the city that are subject to LGC 245, but do not expressly contain an expiration date, shall expire by operation of law two (2) years after issuance. This section shall not apply to permits pursuant to which progress has been made toward the completion of the project, as determined by LGC 245.005(c), as may be amended.
- (b) Projects subject to LGC 245 shall expire by operation of law five (5) years after an application was filed for the first permit necessary for the project. This section shall not apply to permits for which progress has been made toward the completion of the project, as determined by LGC 245.005(c), as may be amended.

(Ordinance 162, sec. 9, adopted 5/27/09)

§ 20.03.019. Transferability.

Grandfathered development status, as recognized by the city pursuant to this article, runs with the land. Thus, grandfathered development status is transferable to subsequent owners/occupants.

(Ordinance 162, sec. 10, adopted 5/27/09)

Chapter 38

ZONING

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**ARTICLE 38.01
GENERAL PROVISIONS¹**

§ 38.01.001. Short title.

This chapter shall be known and may be cited as the Zoning Ordinance of the city.
(Ordinance 362 adopted 3/28/18)

§ 38.01.002. Purpose of chapter.

The provisions of this chapter are deemed to be necessary to promote the health, safety, property and general welfare of the residents of the city.
(Ordinance 362 adopted 3/28/18)

1. Editor's Note--This Chapter Consists Of The Zoning Ordinance, Ordinance 362, Adopted By The City On March 28, 2018. This Ordinance Amends And Replaces What Was Originally Published As Chapter 94 In The 1996 Code Of Ordinances As Subsequently Amended. Due To The Nature Of The Ordinance And The Technicalities Involved In Adopting Or Amending It, Such Ordinance Is Printed Herein As Enacted, With Only Nonsubstantive Formatting And Style Changes. The Numbering System Has Been Changed To Be Consistent With The Remainder Of The Code. Capitalization In The Section And Subsection Catchlines Has Been Changed To Be Consistent With The Remainder Of The Code. Capitalization And Punctuation Within The Text Have Been Retained As Enacted. Obviously Misspelled Words Have Been Corrected Without Notation. Any Other Material Added For Purposes Of Clarification Is Enclosed In Brackets.

ARTICLE 38.02

**BOARD OF
ADJUSTMENT**

§ 38.02.001. Creation of board of adjustment.

- ~~(a) There is hereby created a board of adjustment of six members who are members of the governing body of the City of West Lake Hills.~~
- (a) There is hereby created a board of adjustment, as authorized in Local Government Code Chapter 211, consisting of six (6) members appointed by the city council. Members of the board of adjustment shall not be members of the governing body of the city or employees of the city, and shall be residents of the city.
- (b) Each of the six members of the board shall be entitled to one vote in all deliberations of the board.
- ~~(c) There shall be alternate members of the board of adjustment. Alternate board of adjustment members shall be appointed by the governing body. The city administrator may designate alternate board of adjustment members to participate in a particular board of adjustment meeting in the absence of members of the board of adjustment. Alternate board of adjustment members shall count toward the establishment of a quorum, and have full voting rights during the meeting for which the alternate is designated.~~
- (c) The city council shall appoint four (4) alternate members of the board of adjustment. The presiding officer of the board may request an alternate to serve in the absence or recusal of a regular member. An alternate serving under this subsection shall have full voting rights for the duration of the meeting at which the alternate is designated.

(Ordinance 379 adopted 9/25/19)

§ 38.02.002. ~~Terms.~~ Qualifications and terms of office.

~~Each member of the board shall serve a two-year term, to run concurrently with his/her term of office as members of the governing body of the city.~~

- (a) All members and alternates of the board of adjustment shall be bona fide residents of the city for a minimum of six months.
- (b) Each member of the board shall serve a two-year staggered term and may be reappointed for succeeding terms. Vacancies shall be filled by the city council for the unexpired term.
- (c) An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members.
- (d) A member may be removed for cause by the city council on a written charge and after a public hearing, pursuant to LGC § 211.008(b).

(Ordinance 379 adopted 9/25/19)

§ 38.02.003. Organization.

- ~~(a) The chairperson of the board shall be the mayor of the city and shall preside over all board meetings. The board shall elect a vice chairperson from the board's membership.~~
- (a) The city council shall elect a chairperson and the board shall elect a vice-chairperson annually from its membership. The chairperson shall preside over all board meetings. The chairperson shall have full voting rights. Officers serve one-year terms and may be re-elected.
- ~~(b) The chairperson shall serve a term of two years concurrent with the term as mayor of the city.~~
- (b) Notice of each application considered by the board shall be made by the applicant in the manner

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~~set forth in section 38.05.094(c) of the Code.~~

(Ordinance 379 adopted 9/25/19)

§ 38.02.004. Meetings.

- (a) Meetings of the board of adjustment shall be held on a regular basis, but not less than once every two months, and such meetings shall be advertised and open to the public as required by the laws of the state.
- (b) Each case before the board of adjustment must be heard by at least 75 percent of the members.
- (c) The board shall keep minutes of its proceedings that indicate the vote of each member on each question or the fact that a member is absent or fails to vote. The board shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the board's office and are public records.
- (d) All meetings of the board shall be open to the public and shall be subject to the Texas Open Meeting Act as set forth in chapter 551 of the Texas Government Code.

~~Meetings of the board shall commence at 7:00 p.m., or shall be held at the call of the chairperson and at such other times as the board may determine.~~

- (b) ~~All meetings of the board shall be open to the public and shall be subject to the Texas Open Meeting Act as set forth in chapter 551 of the Texas Government Code.~~

(Ordinance 379 adopted 9/25/19)

§ 38.02.005. Rules and regulations.

- (a) The board shall adopt ~~rules and~~ maintain rules of procedure necessary to conduct its affairs, and shall furnish a copy of such rules to the city secretary building official and city administrator. Rules adopted by the board shall be consistent with the provisions of state law, the City's Code of Ordinances, and this chapter.
- (b) All orders and other enactments adopted by the board shall be in accordance with this chapter and its rules and regulations.
- (c) The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. The office of the board shall be in the office of the city secretary where such records shall repose.
- (d) ~~Each case shall be heard by at least 5 board members.~~ The concurring vote of five **75 percent of the members** of the board shall be necessary to:
 - (1) Reverse an order, requirement, decision, or determination of an administrative official;
 - (2) Decide in favor of an applicant on a matter on which the board is required to pass under a zoning ordinance; or
 - (3) Authorize a variation from the terms of a zoning ordinance.

(Ordinance 379 adopted 9/25/19)

§ 38.02.006. Appeals to Authority of the board of adjustment.

- (a) The board shall have the power to subpoena witnesses, administer oaths, and require the production of documents under regulations it may establish.
- (b) The board shall have the power to:
 - (1) Hear and decide an appeal where it is alleged that there is an error in any order,

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requirements, decision or determination made by an administrative official in the enforcement of chapters 22, 32, 36, and 38 of the Code; and

(2) Hear and decide special exceptions to the terms of a zoning ordinance when the ordinance requires the board to do so; and,

(23) Authorize, in specific cases, variances from the terms of a zoning ordinance if the variance is not from the Code that will not be contrary to the public interest; in these specific cases, owing to due to special conditions, literal enforcement of the provisions of the Code provisions will result in unnecessary hardship, and so that the spirit of the Code shall be observed and substantial justice done. A variance shall not be granted, however, to authorize a change of use.

(3) Consider and take action concerning applications for special use permits made pursuant to article 38.04, division 2 of the Code.

(3) (4) References to chapter 38 in this section shall include all provisions in the Code which emanated from Ordinance 155-I, as amended.

(c) In exercising its authority under section 38.02.005(d)(3), the board may also consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(1) The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the city under section 26.01, Tax Code;

(2) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;

(3) Compliance would result in the structure not being in compliance with a requirement of a city ordinance, building code, or other requirement;

(4) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or

(5) The city considers the structure to be a nonconforming structure.

(Ordinance 379 adopted 9/25/19)

§ 38.02.007. Interpretive criteria for the granting of variances.

(a) The board, in performing its respective duties in reference to applications for variances, shall be guided by the interpretative criteria set forth in section 38.05.033 of the code.

(b) In exercising its authority under section 38.02.005(d)(3), the board may also consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(1) The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the city under section 26.01, Tax Code;

(2) Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;

(3) Compliance would result in the structure not being in compliance with a requirement of a city ordinance, building code, or other requirement;

(4) Compliance would result in the unreasonable encroachment on an adjacent property or

~~easement; or~~

~~(5) The city considers the structure to be a nonconforming structure.~~
(Ordinance 2022-001 adopted 2/9/22)

§ 38.02.0078. Procedure for appeals to the board.

~~(a) Appeal to board under section 38.02.006.~~

- (a) Appeal of administrative official's decisions or actions. In exercising its authority under section 38.02.006, the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.
- (b) Any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is not related to a specific application, address, or project under any chapter of this Code:
 - (1) A person aggrieved by the decision; or
 - (2) Any officer, department, board, or bureau of the municipality affected by the decision.
- (c) Any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is related to a specific application, address, or project under chapter 38 of the Code:
 - (1) A person who filed the application that is the subject of the decision;
 - (2) A person who is the owner or representative of the owner of the property that is the subject of the decision; or
 - (3) Any person who is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or
 - (4) Any officer, department, or board of the city affected by the decision.
- (d) Any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is related to a specific application, address, or project under chapters 22, 32, and 36 of the Code:
 - (1) A person who filed the application that is the subject of the decision; or
 - (2) A person is the owner or representative of the owner of the property that is the subject of the decision.
- (e) The appellant must file with the secretary of the board and the official from whom the appeal is taken a notice of appeal specifying the grounds for the appeal and pay a filing fee as may be prescribed by the city council. An appeal by a person aggrieved by an action of an administrative or building official in the enforcement of this chapter shall be filed with the secretary of the board not later than the 20th day after the date the decision is made. On receiving the notice, the secretary of the board shall immediately transmit to the board all the papers constituting the record of the action that is appealed.
- (f) An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by a court of record.

- (g) The board shall give public notice of the hearing and due notice to the parties in interest for the appeal hearing for the next meeting for which notice can be provided, but not later than the 60th day after the date the appeal is filed. A party may appear at the appeal hearing in person or by agent or attorney.

§ 38.02.008 Procedure for special exceptions.

- (a) **Applicability.** In accordance with the provisions of the Texas Local Government Code Chapter 211, the Board of Adjustment, in appropriate cases and subject to appropriate conditions and safeguards, may make special exceptions to the terms of the zoning ordinance that are consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules contained in the ordinance.
- (b) **Approval for Criteria.** The Board of Adjustment may grant the requested special exception in accordance with Article 38.05 under specific circumstances therein established.
- (c) **Expiration.** A special exception shall expire six (6) months from the date of Board of Adjustment approval, unless a certificate of occupancy has been issued.

§ 38.02.009 Procedure for (zoning) variances.

- (a) ~~Generally. Appeals p-~~ **Applications** pursuant to section 38.02.006(b)(32)-and-38.02.006(b)(3) shall be made in writing in a form provided by the city administrator and shall be accompanied by a site plan and additional information as may be requested in order to properly review the application. Such ~~appeals~~ **requests** shall be filed with the ~~board-secretary~~ **city secretary** who shall transmit ~~the~~ same as soon as possible to the ~~chairperson~~ **man** of the board. Such information may include, but is not limited to, ~~plat plans~~ **survey**, site and building plans, and contour maps. If applicant is not the legal owner(s) of the property, a statement from the owner that the applicant is the authorized agent of the owner should be provided with the application. Applications for ~~appeals~~ **a variance** to the board under this section shall be accompanied with the payment of the filing fee. When applications are made for variances to the terms of this chapter under section 38.02.006(b)(2), either the city administrator ~~or the city inspector~~ shall visit the site where the proposed variance will apply and the surrounding area and shall report ~~his findings~~ to the board. ~~Applications for special use permits shall be made in accordance with the procedures set forth in section 38.04.032 of this chapter.~~
- (b) **Review by board of adjustment at public hearings.** The board shall review each application filed pursuant to section 38.02.006(b) after a public hearing and shall make a final written finding. Notice of **a variance** ~~an appeal~~ under section 38.02.006 shall be ~~given in the same manner as required for notice of a public hearing to consider a special use application~~ provided per ~~under~~ section 38.05.0364.032(e) of the Code.
- (c) **Requirements for approving applications for variances.** The board shall not approve a variance unless it finds, based on competent evidence, that each of the conditions in section 38.05.032 has been established. The burden of establishing such conditions is on the applicant. An approval may be conditioned on the applicant's adoption of specified changes, conditions, limitations, or safeguards deemed appropriate by the board. A violation of any such condition, limitation or safeguard shall constitute a violation of the Code.
- (d) **Any rights authorized by a variance which are not exercised within one year from the date of granting such variance shall lapse and may be reestablished only after notice and a new hearing pursuant to this article. The board may waive the requirement for the payment of fees for such variance renewal application if there has been no material change of**

conditions pertaining to the property since the granting of the first variance. Variances originally granted concurrently and in connection with a change of a zoning designation as set forth in section 38.05.097 hearings shall expire when and if the zoning designation is changed or the site plan approved with variance(s) expires.

- ~~(4) Requirements for approving applications for special use permits. The board shall not approve a special use permit application unless it finds, based on competent evidence, that each of the conditions in section 38.04.033 and the criteria applicable to individual special uses under section 38.04.034 of this chapter have been established. The burden of establishing such conditions and criteria is on the applicant. An approval may be conditioned on the applicant's adoption of specified changes, conditions, limitations, or safeguards deemed appropriate by the board. A violation of any such condition, limitation or safeguard shall constitute a violation of this Code.~~
- ~~(4) (5) Appeal of administrative official's decisions or actions. In exercising its authority under section 38.02.006, the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.~~
- ~~(5) (6) Board of adjustment findings.~~
 - ~~(A) The final decision of the board shall be in writing and shall concisely state all pertinent and material facts upon which its findings are based and references to applicable sections of the chapter or rules that the board relied upon in reaching its decision. The final decision shall be verified by the city secretary.~~
 - ~~(B) The board shall forward its findings to the city to the city council, to the applicant in writing, and the secretary of the board of adjustment.~~
 - ~~(C) The board's final decision shall be immediately filed with the board of adjustment office, which shall be maintained by the board's secretary. The time and date that the board's final decision is filed with the board's office shall be stamped on the face of the decision.~~

(Ordinance 379 adopted 9/25/19)

§ 38.02.010. Board of adjustment findings.

- (A) The final decision of the board shall be in writing and shall concisely state all pertinent and material facts upon which its findings are based and references to applicable sections of the chapter or rules that the board relied upon in reaching its decision. The final decision shall be verified by the city secretary.
- (B) The board shall forward its findings to the city secretary to the city council, to the applicant in writing, and the secretary of the board of adjustment.
- (C) The board's final decision shall be immediately filed with the board of adjustment office, which shall be maintained by the board's secretary. The time and date that the board's final decision is filed with the board's office shall be stamped on the face of the decision.

Any rights authorized by a variance which are not exercised within one year from the date of granting such variance shall lapse and may be reestablished only after notice and a new hearing pursuant to this article. The board may waive the requirement for the payment of fees for such variance renewal application if there has been no material change of conditions pertaining to the property since the

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~~granting of the first variance. Variances originally granted concurrently and in connection with a change of a zoning designation as set forth in section 38.05.097 hearings shall expire when and if the zoning designation is changed or the site plan approved with variance(s) expires.~~

(Ordinance 379 adopted 9/25/19)

§ 38.02.011. Limitations.

- (a) ~~No appeal under section 38.02.006~~ **re-application** may be filed by the same applicant within 365 days of the date upon which the board denied such ~~appeal, request or application~~, unless other property in the immediate vicinity has, within the 365-day period, been changed or acted on by the board so as to alter the facts and conditions upon which the previous board action was based. Such change of circumstances shall permit the rehearing of an ~~appeal, request or application~~ by the board prior to the expiration of the 365-day period, but such conditions shall in no way have any force in law to compel the board to reconsider the ~~appeal, request or application~~. Such subsequent rehearing shall be considered entirely on its merits and the peculiar and specific conditions related to the property with reference to which such proceeding is brought.
- ~~(b) Any appeal, request or application approved by the board, either under the provision of this chapter or under the authority granted to the board under the statutes of the State of Texas, shall authorize the issuance of a building permit or a certificate of occupancy, as the case may be, for a period of 90 days from the date of the favorable action on the part of the board unless the board in its minutes shall, at the same time, approve a longer period. If an application for such building permit or certificate of occupancy is not filed within the 90-day period or such extended period as the board may specifically approve, then the approval of the appeal or variance shall be deemed waived and all rights thereunder terminated. Such termination and waiver shall be without prejudice to a subsequent appeal, request or application to the board in accordance with the rules and regulations herein contained.~~

(Ordinance 379 adopted 9/25/19)

§ 38.02.012. Review of board of adjustment's decision.

- (a) Appeal. Any person or persons, jointly or severally, aggrieved by any decision of the board or any taxpayer, or any officer, department, or board of the city may present any such matter to a court of competent jurisdiction for review after the final action of the board thereon and in the manner and upon the terms provided by the laws of the state.
- ~~(b) Reconsideration. Any board of adjustment decision that fails by a vote of 4 to 1 may be appealed to all 6 members of the board of adjustment. The board of adjustment may reverse such recommendations or findings by supermajority vote of those present. This appeal must be filed in writing within 30 calendar days after the rendering of board of adjustment's recommendation.~~

(Ordinance 379 adopted 9/25/19)

§ 38.02.013. Enforcement.

If the variance application(s) are denied or withdrawn prior to approval, the applicant has ten (10) days to bring the property into compliance. If the deviation(s) are not corrected within the ten (10) days or timeframe agreed to, in writing, by the city administrator, immediate enforcement action described by section 2.02.041 of this code may be taken to bring the property into compliance.

(Ordinance 2021-004, att. F, adopted 6/23/21)

**ARTICLE 38.03
ZONING DISTRICTS**

DIVISION 1

Generally

§ 38.03.001. Classification of districts.

The city is hereby divided into the following zoning districts:

Abbreviated Designation	Zoning District
R-1	One-Family Residential
R-2	Two-Family Residential
R-3	Transitional Residential
O	Professional and Business Office
B-1	Business 1
B-2	Business 2
B-3	Business 3
GUI	Governmental, Utility and Institutional
MU-1	Mixed Use 1
CO	Conditional Overlay
PDD #1	Planned Development District Number 1
PDD #2	Planned Development District Number 2
PDD #3	Planned Development District Number 3
PDD #4	Planned Development District Number 4
PDD #5	Planned Development District Number 5
PDD #6	Planned Development District Number 6

(Ordinance 2020-216 adopted 12/9/20)

§ 38.03.002. Continuation of prior zoning classification; amendments to designation of districts.

Those portions of Ordinance No. 54 of the city, and the amendments thereto, that specify the zoning district classification for particular parcels or areas of land in the city are continued in full force and effect and are hereby amended to the extent necessary to comply with the district designation set out in section 38.03.001 as follows:

- (1) All references to “A Residential” district are amended to read “R-1 One-Family Residential”;
- (2) All references to “C Duplex Only” district are amended to read “R-2 Two-Family Residential”;
- (3) All references to “B Public Building and Small Business in the Home” district are amended to read “GUI Governmental, Utility and Institutional” for such lawfully existing uses on August 24, 1980;
- (4) References to “C Commercial” district are amended to read “B-1 Business 1” district; except, when a parcel of land in a C commercial district lawfully contained, on August 28, 1980, a use permitted or authorized in a B-2 business 2 district, that portion of the C commercial district where such parcel is located is redesignated as a B-2 business 2 district;
- (5) All references to “D Commercial” district are amended to read “B-2 Business 2”;
- (6) All references to “O Professional and Business Office District” shall be continued to read “O Professional and Business Office District.”

(Ordinance 362 adopted 3/28/18)

§ 38.03.003. Official zoning map.

- (a) The locations and boundaries of zoning districts established by ordinance shall be recorded on an

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official zoning map to be adopted by a resolution of the city council and identified and amended in the manner specified in this section. Recording on the official map is not a prerequisite to the effectiveness of a zoning ordinance.

- (b) The official zoning map shall be identified by the signature of the mayor attested by the city administrator under the following words: "This is to certify that this is the Official Zoning Map of the City of West Lake Hills, Texas."
- (c) Changes in the zoning classification of particular parcels or areas of land, approved by the city council in accordance with the provisions of this chapter, shall be noted promptly on the official zoning map with the following entry: "On (date), by official action of the City Council, the following changes were made in the Official Zoning Map: (brief description of the nature of the changes)", which entry shall be signed by the mayor and attested by the city administrator.
- (d) No changes of any nature shall be made in the official zoning map except in conformity with the procedures in this chapter.
- (e) If the official zoning map becomes damaged, destroyed, lost or difficult to interpret, the city council may by resolution adopt a new official zoning map, which shall exactly duplicate the original except for corrections of errors or omissions.

(Ordinance 362 adopted 3/28/18)

§ 38.03.004. Interpretation of district boundaries.

Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules shall apply:

- (1) Boundaries which appear to follow streets, roads or streams shall be construed to follow the centers thereof;
- (2) Boundaries which appear to follow the lines of lots or other parcels of record shall be construed as following such lines;
- (3) Boundaries which appear to follow city limit lines shall be construed as following such lines; and
- (4) In case of uncertainty as to the true location of a district boundary line not covered by the rules set out in subsections (1) through (3) of this section, the city council shall make a determination of the true location of such line.

(Ordinance 362 adopted 3/28/18)

§ 38.03.005. Newly annexed areas.

- (a) Any land hereafter annexed to the city shall immediately and automatically upon such annexation be temporarily classified as in the R-1 district. At the time of the final annexation hearing, or as soon thereafter as practicable, the city shall hold a public hearing to enact a temporary zoning ordinance for all newly annexed areas. The temporary zoning hearing shall fully comply with the requirements provided by law (V.T.C.A., Local Government Code sections 211.006, 211.007).
- (b) Temporary classifications originating upon annexation shall be noted on the official zoning map in accordance with section 38.03.003.
- (c) The city zoning and planning commission shall, as soon as practicable after the annexation of any territory to the city, institute proceedings on its own motion to give the newly annexed territory a permanent zoning classification. The procedure to be followed is provided in article 38.05, division 4, of this chapter.

(Ordinance 362 adopted 3/28/18)

§ 38.03.006. through § 38.03.030. (Reserved)

DIVISION 2

Use Regulations**§ 38.03.031. Compliance with chapter required.**

No structure or land shall be used, and no structure shall be constructed, erected, placed, enlarged, altered or continued, except as authorized by this chapter.

(Ordinance 362 adopted 3/28/18)

§ 38.03.032. R-1 one-family residential district.

- (a) Purpose. The R-1 district is intended to establish and preserve peaceful, attractive and safe low-density residential neighborhoods of single-family detached dwelling units and to protect the integrity of such areas by prohibiting the intermixture of residential and incompatible nonresidential uses.
- (b) Permitted uses. Permitted uses are as follows:
 - (1) One-family dwelling, limited to no more than one such building per lot occupied by no more than one family.
 - (2) Accessory structures and uses customarily incidental to the uses permitted under this subsection.
 - (3) Short-term rentals with an STR permit issued by the city administrator.
- (c) Special uses. Special uses permitted upon authorization of the city council ~~or city administrator~~ are as follows:
 - (1) Guest or domestic employee quarters.
 - ~~(2) Home Occupation.~~
 - (2) ~~(3)~~ Riding stable.

(Ordinance 2021-013, att. B, adopted 12/8/21)

§ 38.03.033. R-2 two-family residential district.

- (a) Purpose. The R-2 district is intended to recognize and is limited to preexisting properties and annexed areas where such one-family residential and two-family residential units previously existed. Vacant land is not eligible for this zoning district designation.
- (b) Permitted uses. Permitted uses are as follows:
 - (1) Two-family dwellings, limited to no more than one such building per lot and occupied by no more than a total of two families.
 - (2) Condominium regimes. The city council shall review the condominium regime.
 - (3) Accessory structures and uses customarily incidental to the uses permitted under this subsection.
 - (4) Short-term rentals with an STR permit issued by the city administrator.
- (c) Parking requirements. Parking requirements are as follows:
 - (1) At least two parking spaces are required for each family dwelling unit.
 - (2) All unenclosed parking spaces shall be at the rear of the structure.
 - (3) Garage doors shall face either the side or rear yard property lines.
 - (4) Garages shall not be located beyond the street facing elevation.

(5) Parking shall not be permitted under any portion of the dwelling unit.

- (d) Special uses. The following special uses are permitted upon authorization of the city council ~~or city administrator~~, special uses permitted in the R-1 district upon authorization of the city council.
- (e) Note: All duplexes shall go through the same approval process as commercial projects (i.e., ZAPCO and city council).

(Ordinance 2021-013, att. B, adopted 12/8/21)

§ 38.03.034. R-3 transitional residential district.

- (a) Purpose. The R-3 district is intended to provide a transitional zone between nonresidential districts and R-1 one-family residential districts where structures may be clustered to better utilize property topography and to better provide buffering greenbelts between traffic thoroughfares and to the adjacent R-1 one-family residential districts.
- (b) Definitions.
- Clustered single-family dwelling. One (1) family home unit attached to one (1) or more family home units (e.g., duplex or fourplex).
- Detached single-family dwelling. One (1) home unit for one family, not attached to any other home unit.
- (c) Permitted uses. Permitted uses are as follows:
- (1) Clustered or detached single-family (one) dwellings, provided:
 - (A) Structures are limited to no more than an average of two single-family dwelling units per acre; and
 - (B) The tract is adjacent to any nonresidential zoning district; and
 - (C) Not less than 15% of the total perimeter measure of the proposed R-3 tract shall share a common boundary line with the nonresidential district; and
 - (D) Centralized municipal wastewater facilities and capacity are available to serve the proposed development.
 - (2) Apartment dwelling units, limited to a minimum of ten and a maximum of 30 dwelling units to a single structure with disposal of effluent into the City of Austin public central sewage system. This apartment permitted use is intended to recognize, and is limited to, preexisting properties and annexed areas where such use previously existed. Vacant land is not eligible for this permitted use.
 - (3) Accessory structures and uses customarily incidental to the uses permitted under this subsection.
 - (4) Short-term rentals with an STR permit issued by the city administrator.
- (d) Special uses. Special uses permitted upon authorization of the city council ~~or city administrator~~ are as follows:
- (1) ~~Home Occupation.~~
 - (2) Guest or domestic employee quarters.

(Ordinance 2021-013, att. B, adopted 12/8/21)

§ 38.03.035. O professional and business office district.

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- (a) Purpose.The O district is intended to provide sites for quiet low-density commercial office uses.
- (b) Permitted uses.The following uses are permitted, provided that there is no nuisance factor:
 - (1) Office of an accountant, architect, attorney, engineer, physician, broker, consultant, insurance agent, real estate agent, massage therapy clinic, or similar professional or semiprofessional occupation.
 - (2) The business office of a publishing or printing firm not involving the production or distribution of printing materials. For purposes of this subsection, production or distribution of printing materials means the printing, manufacture, assembly, cutting, folding, binding, packaging or sorting of finished copies or portions thereof, for purposes of distribution or mailing. Printing includes plate production and offset printing, as well as other high-speed photocopying techniques. The discharge of chemicals associated with a photographic process, plate production or offset printing, as well as any other type of photocopying techniques, into a private sewage facility will be in accordance with chapter 18, article 18.03.
 - (3) Business offices where no sales of merchandise stored on the premises and money exchange occurs.
 - (4) Accessory structures and uses customarily incidental to any of the uses permitted under this subsection provided they are specifically requested by the applicant and approved by city council.
- (c) Special uses.Special uses permitted upon approval of the ~~board of adjustment~~ **city council** are:
 - (1) Assembly and testing of electronic components.
 - (2) Child day care facility provided the use is in a separate structure on the lot and will not adversely affect other tenants.
 - (3) Employee dining facility (private dining facility for employees only) without drive-in service, and excluding establishments serving food for consumption off-premises, commonly referred to as fast food establishments. No intoxicating liquors may be sold for on-premises consumption unless authorized by a special use permit.
 - (4) Bank or savings and loan association permitted prior to May 1, 2005.

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- (5) Churches, excluding areas devoted to the residential housing of persons employed or associated with the church and areas devoted to a day care center for the care of children not during hours of regular worship unless otherwise authorized by this chapter.
- (6) Massage therapy school.
- (7) Charter school or private school provided the use is in a separate structure on the lot and will not adversely affect other tenants.
- (8) Wireless telecommunication facilities.

(Ordinance 362 adopted 3/28/18)

§ 38.03.036. B-1 business 1 district.

- (a) Purpose.The B-1 district is intended to provide sites for quiet, low-density retail businesses providing goods and services (with merchandise contained within the building or enclosure approved for such use, except for florist or garden shops and nurseries or greenhouses, where live vegetation may be kept outdoors) to meet the needs of the residents of the city in a manner and on a scale that is in harmony with the semi-rural character of the community.

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(b) Permitted uses. The following uses are permitted, provided that there is no nuisance factor:

- (1) Those uses permitted in O districts.
- (2) Antique shop.
- (3) Arts and crafts supply store.
- (4) Bakery.
- (5) Barbershop or beauty shop.
- (6) Book or stationery store.
- (7) Carpeting, floor covering and rug store.
- (8) China or glassware shop.
- (9) Clothing or shoe store.
- (10) Confectionary store.
- (11) Delicatessen or catering service.
- (12) Fine arts and crafts gallery.
- (13) Florist or garden shop.
- (14) Gift shop.
- (15) Ice cream parlor.
- (16) Jewelry shop.
- (17) Laundry and dry cleaning substation, with no actual cleaning work being performed on the premises except by special use permit in the B-3 district only.

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- (18) Nursery or greenhouse.
- (19) Optical goods store.
- (20) Pool supply and service.
- (21) Seamstress, dressmaker or tailor shop.
- (22) Studio for art, dance, drama, music, martial arts, photography or interior decorating.
- (23) Tobacco shop.
- (24) Toy store (5,000 square feet maximum floor area).
- (25) Accessory structures and uses customarily incidental to any of the uses permitted under this subsection provided they are specifically requested by the applicant and approved by city council.

(c) Special uses. Special uses permitted upon approval of the ~~board of adjustment~~ **city council** are:

- (1) Other quiet, low-density retail business uses to serve the needs of residents of the city, which may be permitted as special uses in accordance with the procedure for granting such uses

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upon findings made in writing that the proposed use is of the same general character as those listed in subsection (b) of this section, is not attended by nuisance factors, and will not be detrimental to the other uses within the district or to the adjoining land uses.

(2) Child day care facility.

(3) Hospital.

(4) Rehabilitation/wellness center.

(5) Special uses permitted in O professional and business office districts.

(Ordinance 362 adopted 3/28/18)

§ 38.03.037. B-2 business 2 district.

(a) Purpose. The purpose of the B-2 district is the same as for the B-1 district. District B-2 allows a more intense use, however, than is permitted in district B-1. The B-2 district should be reserved for areas where the anticipated impact of the permitted commercial uses is unlikely to have an adverse effect on residential uses or other elements of the community. All merchandise shall be contained under or within buildings or enclosures approved for such use.

(b) Permitted uses. The following uses are permitted, provided there is no nuisance factor:

(1) Those uses permitted in O and B-1 districts.

(2) Auto parts store.

(3) Furniture store.

(4) Grocery store.

(5) Health food store.

(6) Specialty food store.

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(7) Hardware store.

(8) Pet shop and pet grooming shop.

(9) Pharmacy.

(10) Photocopying, typing or printing service.

(11) Restaurant without drive-in service. No intoxicating liquor may be sold for on- or off-premises consumption unless authorized by a special use permit. Drive-in/drive-through service authorized by a special use permit only.

(12) Sporting goods store, excluding the sale or servicing of boats, boat motors and motor vehicles.

(13) Variety store.

(14) Veterinary clinic.

(15) Health or athletic club.

(16) Accessory structures and uses customarily incidental to any of the uses permitted under this subsection provided they are specifically requested by the applicant and approved by city council.

(17) ~~Alcoholic beverages sold in a restaurant for on- or off-premises consumption.~~

(18) ~~Alcoholic beverages sold in grocery stores for off-premises consumption~~

(c) Special uses. Special uses permitted upon approval of the city council are:

(1) Other quiet, low-density retail business uses providing goods and services to meet the needs of the residents of the city, which may be permitted as special uses in accordance with the procedure for granting such uses upon findings made in writing that the proposed use is of the same general character as those listed in subsection (b) of this section, is not attended by nuisance factors, and will not be detrimental to the other uses within the district or the adjoining land uses.

(2) Commercial kennel.

~~(3) Alcoholic beverages sold in a restaurant for on- or off-premises consumption.~~

~~(4) Alcoholic beverages sold in grocery stores for off-premises consumption.~~

(3) Research, development or clinical laboratory.

(4) Liquor store.

(5) Publishing business.

(6) Restaurants with drive-in/drive-through facilities.

(7) Special uses permitted in O professional office and B-1 business 1 districts. (Ordinance 362 adopted 3/28/18)

§ 38.03.038. B-3 business 3 district.

(a) Purpose. The B-3 district is intended to provide a more intense mixed use retail facility with frontage on a state-maintained highway. This zoning classification is limited to those tracts of land for which, prior to June 24, 1992, were issued by the city a building permit and a certificate of occupancy for buildings located on the subject property. This zoning district classification is no longer an extant zoning district classification except for those tracts of land which have been designated as B-3 business zoning districts in accordance with this section. The regulations set forth in this section shall apply to only those tracts of land which have heretofore been designated as a B-3 business zoning classification and have been developed or are being developed pursuant to such zoning classification.

(b) Permitted uses. The following uses are permitted, provided that there is no nuisance factor:

(1) Those uses permitted in O, B-1 and B-2 districts, except that only one stand-alone bank or savings and loan facility shall be permitted in any B-3 district, unless another bank or savings and loan facility applied for a permit prior to May 1, 2005, and subsequently received approval for such permit.

(2) Alcoholic beverages sold in grocery stores for off-premises consumption.

(3) Appliance store.

(4) Bicycle shop.

(5) Electronic equipment store.

(6) Camera store.

(7) Clothing store.

(8) Department store.

(9) Fabric store.

(10) Financial services.

(11) Hobby shop.

(12) Import store.

(13) Liquor store.

(14) Movie theaters.

(15) Record shop.

(16) Research, development or clinical laboratory.

(17) Restaurant.

(18) Shoe store or shoe repair.

(19) Accessory structures and uses customarily incidental to any of the uses permitted under this subsection provided they are specifically requested by the applicant and approved by city council.

(c) Special uses. Special uses permitted upon approval of the ~~board of adjustment~~ **city council** are:

(1) Alcoholic beverages sold in a restaurant for on- or off-premises consumption.

(2) Cocktail lounge.

(3) Other retail business uses providing goods and services to meet the needs of the region, which may be permitted as special uses in accordance with the procedure for granting such uses upon findings made in writing that the proposed use is of the same general character as those listed in subsection (b) of this section, is not attended by nuisance factors, and will not be detrimental to the other uses within the district or the adjoining uses.

(4) Special uses permitted in O, B-1 and B-2 districts, except that a bank or savings and loan facility shall not be allowed in any B-3 district by way of a special use permit.

(5) Laundry and dry cleaning plant operation.

(Ordinance 362 adopted 3/28/18)

§ 38.03.039. GUI governmental, utility and institutional district.

(a) Purpose. The GUI district is intended to provide appropriate areas for uses that provide important community services often requiring large amounts of land. Uses permitted in the GUI district generate a large amount of traffic. Only land abutting a collector or arterial street that can be used for access shall be considered appropriate for GUI classification. An appropriate site should also contain adequate space for required off-street parking and buffering.

(b) Permitted uses. The following uses are permitted, provided that there is no nuisance factor:

(1) Church.

(2) Facility owned and operated by the federal government, the state or a political subdivisions thereof.

(3) Fire station.

(4) School, either public, private or nonprofit.

- (5) Uses required by public utilities.
 - (6) Philanthropic or fraternal associations.
 - (7) Accessory uses customarily incidental to any of the uses permitted under this subsection.
 - (8) The renting for profit or nonprofit of heated and air conditioned space, used for conventions, art and craft shows, antique/collectible shows, weddings, private parties, seminars and other similar events. Maximum rental time limit for any one event shall be three days. No simultaneous scheduling of events shall be allowed.
- (c) Special uses. Special uses permitted upon authorization of the city council are as follows:
- (1) Child day care facility.
- (Ordinance 362 adopted 3/28/18)

§ 38.03.040. Mixed use 1 district.

(a) Purpose.

- (1) The MU-1 district is intended to establish and preserve a peaceful, attractive, medium-density residential single-family dwelling to better utilize property topography, together with a mixture of compatible and complementary nonresidential uses. This district is intended to provide for well-designed and site-sensitive mixed facilities established on larger tracts of land of not less than 30 acres in size. Due to a more diverse and intense use, this district shall be limited to tracts near the outer city limits and with a minimum of 1,500 feet of frontage on a state-maintained highway.
- (2) Sewage disposal for tracts designated MU-1 shall be processed through an off-site public sewage disposal system. Residential zoned lots, MUR-4 only, may utilize on-site private sewage disposal (septic) systems as approved by the city.
- (3) The residential and nonresidential uses shall be separated. The integrity of these areas shall be preserved, utilizing topography and architectural features to achieve this effect. The residential and nonresidential areas shall have a separate ingress and egress to major thoroughfares bordering the zoned tract of land. There shall be no vehicular traffic allowed between the residential and nonresidential areas of the zoned tract. There shall be maintained a continuous 50-foot buffer zone that separates the residential and nonresidential districts that has a total of at least 4.5 acres of land, which is fully and thickly landscaped with plants and trees indigenous to the area.
- (4) There is hereby created for exclusive use in a MU-1 zoning district, which has a minimum lot area of 30 acres, the following category zoning districts:
 - (A) MUB-4: Mixed Use Business 4 District.
 - (B) MUR-4: Mixed Use One-Family Residential District.
 - (C) MUGB: Mixed Use Conservation District.
- (5) The categories described in subsection (4) of this subsection shall apply only to those tracts of land that have an overall zoning district designation of MU-1.
- (6) The mix of land uses will be restricted as follows: 20 percent maximum office/business/governmental (MUB-4), 59 percent minimum one-family residential (MUR-4), and 21 percent minimum conservation (MUGB).
- (7) The average impervious cover percentage for the total area zoned MU-1, which shall include MUB-4, MUR-4 and MUGB, shall not exceed a maximum of 30 percent.

(b) Nonresidential areas (MUB-4 district).

- (1) Permitted uses. Permitted uses for the MUB-4 district are all uses permitted in the O, B-1, B-2, B-3 and GUI zoning districts.
- (2) Special uses. Special uses for the MUB-4 district are all those special uses permitted in the O, B-1, B-2 and B-3 zoning districts.
- (3) Site development requirements. Site development requirements for the MUB-4 district are as follows:
 - (A) Site area. The total cumulative land area devoted to nonresidential uses as permitted in the MUB-4 mixed use district combination of uses (O, B-1, B-2, B-3 and GUI) shall not exceed 20 percent of the total land area contained within the MU-1 zoned tract of land. The minimum lot size is six acres.
 - (B) Building area. Building square footage shall not exceed 60,000 gross square feet for each single business/commercial/governmental use.
 - (C) Buffer. A minimum 50-foot-wide densely planted buffer zone shall be provided on the rear and side property lines which abut any residential zoning district, which must total at least 1.80 acres of area, and be approved by the city council.
 - (D) Impervious cover.
 - (i) A maximum of 55 percent of the total site area (MUB-4) shall be permitted to be impervious cover. A developer may be permitted to increase the maximum impervious cover to 64 percent, as approved by the city council, by selecting from the following weighted incentives:

Incentive Items		Increase in Impervious Cover
a.	The developer may increase landscaping or setbacks (front and one side or rear) by more than 50 percent of requirements. Landscaping should provide for using predominantly native plants and grasses to minimize the use and impact of pesticides, herbicides and fertilizers.	Up to 3%
b.	The developer may construct detention basins with sedimentation/filtration basins in addition to required detention basins.	2%
c.	The developer may provide primarily ten feet or greater landscaped separations between parking aisles.	5%
Incentive Items		Increase in Impervious Cover

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d.	Based on the evaluation by the zoning and planning commission and the city council, an increase in allowable impervious cover ranging from one percent to five percent may be approved for a project that demonstrates highly innovative architecture, site planning and land use techniques of a caliber not previously utilized in the city's area or of such a quality as to set an excellent example for subsequent developments.	Up to 5%
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(ii) The criteria for evaluation shall include but not be limited to the following:

- a. Reduction of building mass by breaking up buildings.
- b. Techniques to enhance the pedestrian scale of the project, including sidewalks and covered walkways.
- c. Measurable efforts to preserve greenbelts at the expense of street visibility.
- d. Construction of berms to block off-street visibility of pavement and parking areas.
- e. Noise abatement efforts to adjoining sites by providing solid walls and dense planting.
- f. Other provisions to lessen the visual impact of the project on surrounding properties.
- g. Revegetation of strategic, previously open setback areas with mature, indigenous landscaping. Other unscheduled project design elements may be considered in this incentive item.

(E) Setbacks. Building setbacks shall be 75 feet from state-maintained roadways and from any residential zoning district. All other front, side and rear side setback requirements shall conform to the dimensional regulations of this chapter. All nonresidential uses shall be designed according to the O, B-1, B-2 or GUI site requirements per this chapter.

(F) Building height. Building heights are restricted per section 22.03.281(b).

(G) Access. All vehicles, including truck and commercial vehicular traffic, shall have ingress and egress from a state-maintained highway not being utilized by the residential MUR-4 district for ingress and egress.

(H) Loading areas. Loading and unloading services for all businesses will be only at the rear of buildings and shall be visually and acoustically shielded from the residential areas.

(c) Residential areas (MUR-4 district).

- (1) Permitted uses. Permitted uses for the MUR-4 district are all uses permitted for the R-1 zoning district.
- (2) Special uses. Special uses for the MUR-4 district are special use numbers 1 and 2 as permitted for the R-1 zoning district.
- (3) Site development requirements. Site development requirements for the MUR-4 district are as follows:
 - (A) Minimum area. A minimum of 59 percent of the total area zoned MU-1 shall be developed under the MUR-4 option.
 - (B) Lot area. Minimum dwelling unit lot size is one acre (43,560 square feet).
 - (C) Lot dimensions. Minimum dwelling unit lot dimensions are as follows: at least 150 feet wide by at least 150 feet deep, as measured according to the requirements in section 22.03.274. These dimensions shall not be construed to decrease the required minimum lot size as indicated in subsection b of this subsection.
 - (D) Setbacks. Minimum dwelling unit building setbacks shall be 50 feet front and 30 feet rear, and 25 feet on each side, measured according to section 22.03.275.
 - (E) Impervious cover. Impervious cover inside the boundaries of a dwelling unit lot shall not exceed 25 percent on each lot.
 - (F) Building height. Maximum building height shall not exceed 30 feet, measured according to section 22.03.279.
 - (G) Building floor area. The minimum floor area is 3,000 square feet of living area (with heat and air conditioning).
 - (H) Construction on individual lots. Lots under the MUR-4 designation may be built out by the individual property owner or a designated developer approved by the city.
 - (I) Exterior cover. Exterior cover shall be at least 80 percent masonry or brick construction.
 - (J) Access. Ingress and egress shall be from a state-maintained highway not being utilized by the commercial MUB-4 district for ingress and egress.
 - (K) Buffer. A minimum 50-foot-wide densely planted buffer zone shall be provided, which must total at least 1.12 acres of area, between residential and nonresidential areas.
 - (L) Additional requirements. The residential area in the MU-1 zoning district shall be designated as MUR-4 and shall be governed by the applicable requirements pertaining to all residential zoning districts outlined elsewhere in this chapter.
- (d) Mixed use conservation areas (MUGB district).
 - (1) Generally. A mixed use conservation area is defined as land not open to the public, which shall remain closed, undisturbed and in its natural state and in which no building, parking lot, private sewage facility or other structure or improvement shall be constructed or maintained; provided, however, that stormwater detention ponds and vehicular access may be constructed and maintained on such land where necessary for the prevention of flooding and to facilitate drainage and to provide access to the residential development as approved by the city council. The city council may grant approval for the use of conservation areas for supervised civic or educational activities and to restore designated areas to their natural

state.

(2) Site development requirements.

- (A) A minimum of 21 percent of the total areas zoned MU-1 shall be designated as MUGB, with a minimum of one lot being at least 10.5 acres.
- (B) No construction is to occur within the greenbelt area except for sedimentation and filtration ponds and ingress/egress street access as approved by the city. Tree and bush trimming or clearing may be permitted upon approval by the city council.
- (C) Conservation district area shall be utilized in computing the total MU-1 tract maximum impervious coverage percentage for mixed use residential, nonresidential and conservation areas.
- (D) The area comprising the land contained in the MUGB district must be set forth in a restrictive covenant dedicating the tract of land as a greenbelt area, as approved by the city.

(e) General site development requirements; site plan.

(1) Development standards. General site development requirements for the MU-1 district are as follows:

- (A) Street layout, landscaping, parking and lighting. Internal street layout, landscaping, parking and lighting requirements shall be those as required by this chapter, chapter 36, or other provisions of this Code.
- (B) Signs. Signage will comply with chapter 32.
- (C) Stormwater drainage. Stormwater drainage shall be in compliance with the current drainage and erosion control design manual available from the city.
- (D) Sidewalks. Sidewalk construction, if required by the city council, shall comply with City of Austin standards.
- (E) Right-of-way requirements. Minimum public right-of-way requirements are as follows: 40-foot right-of-way, and 27-foot pavement width, plus an 18-inch concrete ribbon curbing on each side of the roadway.
- (F) Sewage disposal. The developer shall obtain City of Austin written approval to furnish the required living unit equivalents (LUEs) of wastewater service for the applicant's planned residential and nonresidential development. Residential one-acre lots may have on-site private sewage disposal (septic) systems.
- (G) Water service. The developer shall obtain Water Control and Improvement District (WCID) No. 10 written approval to furnish the required water service for the planned residential and nonresidential development.
- (H) Site plan. The site plans for development of MUB-4 and MUR-4 zoning districts shall be an integral part of the zoning change approval process by the city council as outlined in section 38.05.095.

(2) Site plan information. Specific site plan submittal information is as follows:

- (A) Per city ordinances. All information to be provided for city approval shall be in accordance with all city ordinances as they apply to specific zoning district regulations as set forth in this chapter. The checklist is available from the city.

- (B) Additional information. The following additional information must be shown on submitted site plans. The plans shall:
- (i) Show building coverage, building height and building square footages, and specify each use in each building by zoning district.
 - (ii) Show proposed development phasing, if applicable.
- (C) Approval of site plan. Site plan approval by the city is required before any building permit can be issued. The city will approve a site plan which reflects a design which is most sensitive to the natural terrain of the tract, which lessens the environmental impact of the development to the greatest extent possible, and which attempts to mitigate traffic congestion with adequate roadway design and traffic roadway improvements on public streets surrounding the site.
- (D) Expiration of site plan; extensions; modifications. The site plan connected to any MU-1 district shall be valid for a period of three years from its approval by the city. If necessary, it can be extended by the city for a period of two years if the request is submitted before the site plan expiration date. The city can approve an extension if it finds that the request is in good faith, and that it substantially meets the conditions of current ordinances in effect at the time of the extension request. Any significant modifications to the site plan must be approved by the city council.
- (3) Other requirements. Applicable requirements pertaining to parking, landscaping, lighting, signs and street networks shall apply in accordance with all city ordinances and with specific corresponding zoning district regulations as set forth in this chapter.
- (f) Application for MU-1 designation. Application for a MU-1 zoning designation shall be accompanied by a site plan. Such site plan shall set forth the segregated nonresidential, residential and greenbelt areas and specify zoning designations for each area so that the regulations pertaining to the specific zoning districts shall be applied to each area in the tract.

(Ordinance 362 adopted 3/28/18)

§ 38.03.041. Conditional overlay district.

- (a) Purpose.
- (1) The conditional overlay district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties. The conditional overlay district is appropriate to insure compatibility among competing or potentially incompatible uses, in order to ease the transition from one base district to another. This zoning designation is intended to address land uses or sites with special requirements, and to guide development in unusual situations or unique circumstances to ensure adequate mitigation of potentially unfavorable impacts. A conditional overlay district addresses special situations that are not appropriate to a specific zoning district.
 - (2) The conditional overlay district may be applied in combination with the basic zoning districts of “O” Professional and Business Office District, “B-1” Business 1 District, “B-2” Business 2 District, “B-3” Business 3 District, and “GUI” Governmental, Utility and Institutional District as set forth in section 38.03.001 of the Code.
- (b) Use and site development regulations in the conditional overlay district. The conditional overlay district designation modifies and restricts the use and site development regulations otherwise applicable to basic zoning districts of “O” Professional and Business Office District, “B-1” Business 1 District, “B-2” Business 2 District, “B-3” Business 3 District, and “GUI” Governmental, Utility and Institutional District as set forth in section 38.03.001 of the Code. All requirements of a conditional overlay district are in addition to and supplement all other

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applicable requirements of the Code applicable to the basic zoning district. Terms that may be imposed by the conditional overlay district shall include, but not limited to, the following:

- (1) Prohibiting permitted uses, special uses and accessory uses otherwise authorized in the base district, or making a permitted use a conditional use;
- (2) Decreasing the number or average density of dwelling units which may be constructed on the property;
- (3) Increasing minimum lot size or minimum lot width requirements;
- (4) Decreasing maximum floor area per building;
- (5) Decreasing the maximum height permitted;
- (6) Increasing the setback requirements;
- (7) Decreasing the maximum building or impervious coverage permitted;
- (8) Restrictions on access to abutting and nearby roadways, including specific design features intended to ameliorate potentially adverse traffic impacts;
- (9) Alleviate the need for variances on the site; and
- (10) Any other specific site development or subdivision regulations required or authorized by this code.

(c) Method of adoption.

- (1) An applicant, as described by section 38.05.092 of this Code, for zoning, rezoning, or requesting a conditional overlay to be imposed on a parcel of land shall provide notice of the zoning and planning commission meeting and the city council meeting to consider such an application in accordance with the provisions of sections 38.05.094 and 38.05.095 of the Code, respectively. Such notice shall include a description of the restrictions requested by the applicant and a statement that additional notice will be provided if the council proposes to require fewer restrictions than requested by the applicant or to zone or rezone the property without the requested conditional overlay.
- (2) The zoning and planning commission may recommend a conditional overlay designation for any application to establish zoning designation or a change of zoning without notice as required in section 38.03.041(c)(1).
- (3) The city council may impose a conditional overlay designation to any requested zoning or rezoning of a parcel of land without the notice requirement set forth in section 38.03.041(c)(1) of this Code under the following conditions:
 - (A) Such conditional overlay designation requires the same or greater restrictions imposed by the zoning district sought by the applicant; and
 - (B) The owner of the property or his authorized agent or representative consents to the designation of the conditional overlay.
- (4) Restrictions imposed by the conditional overlay ("CO") designation district shall be included in the ordinance effecting the zoning or rezoning of the property as a conditional overlay zoning district. All property included in a conditional overlay zoning district shall be identified on the zoning map by adding the letters "CO" to the base district symbol. The ordinance effecting the zoning or rezoning of property as a conditional zoning district shall specifically state the modifications imposed pursuant to section 38.03.041(b). The restrictions shall be considered a part of the text of this Code, and a violation of the

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restrictions shall be a violation of this Code. The restrictions shall continue in full force and effect until repealed or modified by the council by amendment to the Code. The procedure to establish or modify a conditional overlay zoning district for a particular parcel of land shall be the same as the procedures set forth in article 38.05, division 4 of this chapter of the Code.

(Ordinance 362 adopted 3/28/18)

§ 38.03.042. PDD #1: Planned development district number one.

(a) Applicability. This section shall apply solely to the following parcels, which shall herein be referred to collectively as the property:

(1) Parcel 1: 12.481 acres of land, consisting of the following two tracts:

(A) Tract 1: 1.554 acres: Lot 3, Resubdivision of Lots 1, 2 and 3 of Summit Oaks, a subdivision of Travis County, Texas, according to the map or plat thereof recorded in Volume 79, Page 251 of the Plat Records of Travis County, Texas, more particularly described in exhibit A to Ordinance 388; and

(B) Tract 2: 10.927 acres out of Lots 25, 26, 27 and 28 Barton Springs Estates, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 3, Page 192 of the Plat Records of Travis County, Texas, Texas, more particularly described in exhibit A to Ordinance 388; and

(2) Parcel 2: 0.913 acres: Lot 1, Jay Counts Confirming Plat, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 80, Page 320 of the Plat Records of Travis County, Texas, more particularly described in exhibit B to Ordinance 388.

(b) Development approvals.

(1) Applications for permits for the project (including but not limited to building permits, site

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plan, plats) shall be submitted in conformance with the Code of Ordinances, and this section (PDD #1). If there is a conflict between this section and any other rule or regulation of the city, and the conflicting rules or regulations cannot be harmonized so that both be given effect, the provisions of this section shall govern.

(2) Applications for permits for stages of development that require related approvals from other regulatory agencies with jurisdiction must be processed concurrently with the applications to the other regulatory agencies. No development activity that requires approval by another regulatory agency in addition to city approval may be commenced until the approval of that other regulatory agency is obtained, and evidence of the approval provided to the city.

(3) The city will not issue any permits for the project until the city has been provided with evidence of the approval of the following permits for the project from other regulatory agencies:

(A) Texas Department of Transportation (TxDOT), or a successor agency, authorization for driveway accessing Bee Cave Road.

(B) Texas Commission on Environmental Quality (TCEQ), or a successor agency, authorization for construction of an on-site sewage facility (if required in accordance with subsection (d)(17)(C)(i) below.

(c) Base zoning district. The property is hereby zoned office district (O), and shall hereafter be

governed by the rules applying in that zoning district.

- (d) Development standards for parcel 1. The development regulations for parcel 1 will be consistent with those applicable to the base districts (see subsection (b) above), except as otherwise provided in these development standards.

- (1) Land use. The sole approved use of the property is an assisted living facility with memory care. "Assisted living facility" means a senior living community licensed by the state that is designed to serve the needs of adults aged 55 and older who need assistance with the activities of daily life such as bathing, grooming, dressing, and meals. The residents of an assisted living facility live in individual apartments and are provided with three meals per day, housekeeping, transportation, and planned activities, with a trained staff, including a licensed nurse who provides personal care services for residents whose individual health needs include medication management and support for diabetes and incontinence, but do not require the 24-hour medical care of a nursing home. "Memory care" means care for residents of the assisted living facility who have mild to moderate memory loss and/or Alzheimer's disease.
- (2) Units. The maximum number of individual living units that may be constructed in the primary structure is 141.
- (3) Mass. The total building footprint square footage is limited to 45,000 square feet. The total building square footage is limited to 101,900 square feet.
- (4) Building design.
 - (A) Exterior design. The architectural features of the primary structure shall be consistent with the preliminary project elevation, included herein as exhibit E to Ordinance 388.
 - (B) Roof pitch. The roof line of the primary structure on parcel 1 will be varied in height

and width in order to prevent the appearance of a single plane monolithic roof line as seen from the properties of the contiguous residential property owners.

- (C) Roof-mounted equipment. Any rooftop equipment, which would otherwise be visible from the properties of the contiguous residential property owners, will either be located in roof wells concealed in roof valleys or otherwise screened from view by means of screening walls.
- (5) Building height. The primary structure is limited to 3 stories, and a maximum height of:
 - (A) 30 feet above the average existing natural grade; or
 - (B) 901 feet above sea level.
- (6) Building construction. The primary structure will be constructed of non-combustible materials (steel and concrete).
- (7) Cut and fill. Up to a maximum of 50 feet of cut, and 25 feet of fill is permitted.
- (8) Steep slopes. Construction is permitted on slopes in excess of 25%, up to 1.5 acres, as shown on the PD master plan.
- (9) Driveway slopes. Driveway slopes will not exceed 15%. Vehicular access to the Property is limited to Bee Cave Road.
- (10) Roadway buffer. A driveway, a retaining wall and landscape improvements may be constructed in the roadway buffer area for Bee Cave Road, as shown on the PD Master Plan.

- (11) Parking. The minimum parking ratio is at least 1 space per 4 beds, plus 1 space per 2 employees during the day shift. The maximum number of parking spaces is 71.
- (12) Right-of-way. Approximately 0.49 acres of right-of-way for the future widening of Bee Cave Road are reserved for public dedication, as shown on the PD Master Plan, to be dedicated to the city by plat upon the recordation of the final plat of parcel 1, and deeded at that time to the city, subject to the reservation of an easement for the retaining wall and signage depicted on the PD Master Plan. This easement will terminate at such time as the widening of Bee Cave Road within the right-of-way is commenced.
- (13) Water quality protection. Permanent water quality controls will be provided based on the Texas Commission on Environmental Quality's contributing zone requirements for the Edwards Aquifer. Stormwater detention facilities shall be constructed underground, as indicated on the PD Master Plan.
- (14) Lighting. The lighting for the Project will comply with the non-residential lighting standards for Lighting Zone 2 under the model ordinance developed jointly by the Illuminating Engineering Society and The International Dark-Sky Association dated June 14, 2011.
- (15) Trees and vegetation.
 - (A) Clearing vegetation and removal of trees (including trees 14-inches and greater) is permitted:
 - (i) Within the site development footprint shown on the PD Master Plan; and
 - (ii) Within the geotech paths described on exhibit D-1 to Ordinance 388 consistent with the agreement for tree removal and replacement between the city, the applicant and the owner (dated January 31, 2012); and
 - (iii) In accordance with the tree removal and replacement plan attached as exhibit D-4 to Ordinance 388.
 - (B) The calculations for trees removed and trees to be replaced set forth on exhibit D-4 to Ordinance 388 are approved. The tree removal to tree replacement ratio under exhibit D-4 is 35%, which the city agrees will fully satisfy the tree mitigation requirements for the project. In addition to the tree replacement provided for in exhibit D-4 to Ordinance 388,
 - (C) It is an offense under the City's Code of Ordinances to remove trees or vegetation except in accordance with this subsection (15), or as otherwise approved by the city.
- (16) Signage. The project's signage must receive permits prior to construction and conform to the Code of Ordinances.
- (17) Sewage.
 - (A) Centralized sewer. Applicant must use good faith efforts to secure the City of Austin's approval of the extension of centralized sewer service for the Project, and in conjunction with such approval, an opportunity for the owners of residential properties adjacent to the project on lower Buckeye Trail to obtain sewer service from the line serving the project, at their expense. The applicant's support for and request for a vote by the city council of the City of Austin on its application for such extension will constitute conclusive evidence of its good faith efforts.
 - (B) Lift station. If the project obtains centralized sewer service, a lift station may only be

constructed in the approximate location shown on the PD Master Plan. If the project uses an on-site sewage system there will not be a lift station and the proposed lift station area will be landscaped accordingly.

(C) OSSF.

- (i) If the City of Austin does not approve the extension of centralized sewer service to the Project on or before July 31, 2012, the applicant's obligation to pursue approval of such service under subsection (17)(A), above, will terminate and the Applicant may install an on-site sewage system to serve the project. Any such on-site sewage system will be located substantially in accordance with the preliminary location plan attached as exhibit D-2 to Ordinance 388. Nothing herein shall be construed to preclude the city from fully participating in the TCEQ permitting process.
 - (ii) If the project receives service through an on-site sewage system, the applicant will install a four-inch wastewater line, only (without a lift station), to which owners of the residential properties adjacent to the project on lower Buckeye Trail could connect, at their expense, in order to obtain centralized sewer service if it is made available in the future. This wastewater line would be located substantially in accordance with the preliminary location plan attached as exhibit D-3 to Ordinance 388.
- (e) Development standards for parcel 2. The development regulations for parcel 2 will be consistent with those applicable to the base district (see subsection (b) above), except as otherwise provided in these development standards.
- (1) Regulations. The development regulations will be those applicable to city's residential (R-1) zoning district, except as otherwise provided below.
 - (2) Transferable credits. Certain development rights, including buffer space and impervious cover, from parcel 2 may be transferred to parcel 1. Although separately platted lots, parcels 1 and 2 will be considered as one platted lot for purposes of calculating transferable credits for buffer space and impervious cover.
 - (3) Driveway slopes. Driveway slopes will not exceed 15%. Vehicular access to the property is limited to Bee Cave Road.
 - (4) Right-of-way. Approximately 0.12 acres of right-of-way for the future widening of Bee Cave Road are reserved for public dedication, as shown on the PD Master Plan, to be dedicated to the city by plat upon the recordation of the final plat of parcel 2, and deeded at that time to the city, subject to the reservation of an easement for the retaining wall and signage depicted on the PD Master Plan. This easement will terminate at such time as the widening of Bee Cave Road within the right-of-way is commenced.
 - (5) Water quality protection. Permanent water quality controls will be provided based on the Texas Commission on Environmental Quality's contributing zone requirements for the Edwards Aquifer. Stormwater detention facilities shall be constructed underground, as indicated on the PD Master Plan.

(Ordinance 388 adopted 3/8/12)

§ 38.03.043. PDD #2: Planned development district number two.

- (a) Applicability. This section shall apply solely to the following tracts, which shall herein be referred to collectively as the property:
 - (1) Tract 1: Lot 1B, Replat of Lot 1 Bee Cave Corners Subdivision, according to plat recorded

at 201300127, Official Public Records, Travis County Texas.

- (2) Tract 2:Lot 2C, Replat of Lot 2, Bee Cave Corners Subdivision, according to plat recorded at 200900007, Official Public Records, Travis County Texas.
- (3) Tract 3:Being 0.4152 acres of 18,084 square foot tract out of Lot 1B, amended plat of the amended plat of Tract 2, resubdivision of part of lot 15, Barton Springs Estates and Lot 1. M. McClure Subdivision and the remaining portion of Tract 1, Lamplighter Subdivision, City of West Lake Hills, Travis County, A Subdivision in Travis County, Texas, According to the map or plat of record in document No. 200300009, Official Public Records, Travis County Texas.
- (b) Development approvals.Applications for permits for the project (including but not limited to building permits, site plan, plats) shall be submitted in conformance with the Code of Ordinances, and this PDD #2 section. If there is a conflict between this PDD #2 section, and any other rule or regulation of the city, and the conflicting rules or regulations cannot be harmonized so that both be given effect, the provisions of this PDD #2 section, shall govern.
- (c) Base zoning districts.The property is hereby zoned government, utility, institutional (GUI), and shall hereafter be governed by the rules applying in that zoning district.
- (d) Development standards.The development regulations for the project shall be consistent with those applicable to the base districts (see subsection (c) above), except as otherwise provided in these development standards.
 - (1) Parking.Any and all parking for the sports field by participants and visitors shall be located on the Austin Trinity School Campus.
 - (2) Tree fund payment.In addition to tree replacement requirements set forth in subsection (d)(6)(E) of this section, applicant will remit to the city a one-time payment of fifty thousand dollars (\$50,000.00) for deposit into the city's landscape fund prior to commencement of construction.
 - (3) Exterior lighting.No exterior lighting on the sports field shall be allowed.
 - (4) Outdoor amplified sound.No outdoor mechanically or electronically amplified sound on the sports field shall be allowed.
 - (5) UDA and First Amendment to the UDA.Portions of the property are subject to the UDA and First Amendment to the UDA, attached as exhibits F and G to Ordinance 401.
 - (6) Variances.The following specific, enumerated provisions ("variances") set forth in this subsection (d)(6) vary from the requirements for the GUI base zoning district. Through this agreement and the PDD #2 section, they have been approved by all required city boards and commissions and the city council and are granted by the city with respect to the development of the project. This section shall serve as guidance for the review and approval of any additional waivers, variances, exceptions, or other municipal authorizations not specifically included in this section.
 - (A) Setbacks along common lot lines.The city hereby removes the requirement for twenty-five foot (25') side setbacks between: (i) tracts 1 and 2; and (ii) tracts 2 and 3 to allow the sports field to overlap common lot lines as depicted on the master plan. This provision would otherwise require a variance from city code section 22.03.281.
 - (B) Retaining wall.The city hereby allows the retaining wall for the sports field to be constructed and exist in the setback as depicted on the master plan. This provision would otherwise require a variance from city code section 22.03.276.

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- (C) Cut and fill in setbacks. The city hereby allows cut and fill to be located within the setbacks as depicted on the master plan. This provision would otherwise require a variance from city code section 22.03.210.
- (D) Maximum cut and fill. The city hereby allows up to a maximum of eight (8) feet of cut, and twenty (20) feet of fill for the sports field as depicted on the grading & drainage plan (exhibit D to Ordinance 401). This provision would otherwise require a variance from city code section 22.03.210.
- (E) Tree mitigation/tree removal and replacement plan. The city hereby approves the tree mitigation/tree removal and replacement plan as depicted in exhibit E to Ordinance 401, which allows the following:
 - (i) The removal of the following twenty nine (29) trees, which are fourteen (14) inches or greater:
 - a. 8 Cedars
 - b. 1 Elm
 - c. 16 Oak
 - d. 4 Unknown

This provision would otherwise require a variance from city code section 22.03.210(a)(4).

- (ii) Replacement of 452 inches of the 1,742 inches of trees removed and the 1,692 inches required to be replaced, which is twenty-seven percent (27%) of the total number of replacement inches required. This provision would otherwise require a variance from city code section 22.03.304(c)(3).

The city agrees that the: (1) foregoing twenty-seven percent (27%) for tree replacement; and (2) the fifty thousand dollars (\$50,000.00) deposit into the city's landscape fund set forth in subsection (d)(2) of this section is deemed to fully satisfy the tree mitigation requirements for the project.

(Ordinance 401 adopted 9/28/13)

§ 38.03.044. PDD #3: Planned development district number three.

- (a) Applicability. This section shall apply solely to the following parcels, which shall herein be referred to individually as lot 2 and lot 3 and collectively as the property:

Lots 2 and 3, Westwood Villas, section 1, A Subdivision in Travis County, Texas, according to the map or plat recorded in volume 32, page 19, plat records, Travis County, Texas.
- (b) Development approvals. Applications for permits for the project (including but not limited to building permits, site plan, plats) shall be submitted in conformance with the Code of Ordinances, and this section (PDD #3). If there is a conflict between this section and any other rule or regulation of the city, and the conflicting rules or regulations cannot be harmonized so that both be given effect, the provisions of this ordinance shall govern.
- (c) Base zoning district. The property is hereby zoned office district (O), and shall hereafter be governed by the rules applying in that zoning district.
- (d) Development standards for property. The development regulations for property will be consistent with those applicable to the base districts (see subsection (c) above), except as otherwise provided in these development standards.

- (1) Land use. The approved use of the property is an existing 2 story building with 4 X 1 bedroom/1 bathroom units upstairs and 3 X 1 bedroom/1 bathroom units, a laundry room and an office downstairs and a planned 2 story apartment building next door with the following use: Six new similar individual units will be built, each a two-bedroom and two-bath type, with living/dining space, a kitchen, entry area, storage/closets, including related mechanical/electrical/plumbing supporting systems, and each will have an associated private patio or deck. There will be three units above and three units below in this two-story building design. They will be accessed, along the west side of the building, by a perimeter covered walkway system (ground floor) and covered balcony access, at the second floor, served by flanking metal/concrete stairways. Each apartment will be approximately 1,095 gross square feet in size (984 gross square feet of habitable area/ storage and 111 square feet of patio or deck, as combined)
- (2) Units. The number of additional units that may be constructed is 6 X 2 bedroom/2 bathroom units.
- (3) Mass. The new two-story building (lot 3 development) has a ground footprint of approximately 3,286 gross square feet (including the individual unit patios) overall, but excluding the freestanding stairways, the perimeter walkways/concrete pads, and the existing balconies that serve as entrance/exiting along the building's western face. The overall built building gross square footage (excluding stairs/walkways and exiting balconies) of the first and second story apartment units themselves, as combined, and their respective eastern private balconies/patios included, is 6,572 gross square feet.
- (4) Building design.
 - (A) Exterior design. The architectural features of the primary structure shall be consistent with the preliminary project elevation, included herein as exhibit C to Ordinance 415. The proposed building's exteriors will generally consist of various combinations of the following: 2 different profiles of cement-board horizontal embossed and painted siding used in combination, stone accent veneer -clad wainscots and screen walls to various extents and locations, exposed-to-view stained cedar/pine timber columns/ beams/joists/trim elements, composition or hard-wood decking at second floor balconies/decks, aggregate, reinforced concrete walkways/steps/ramps at ground levels, and painted or stained trim/fascias/eaves. See exhibit for a typical exterior elevation (front "west" side shown). Other elevations will utilize same materials/ finishes detailed above, but in different combinations and extents. Windows/door sidelites will be low-tint, double-insulated glazed types, set in metal or PVC frames, with perimeter painted trim. Exterior doors will be solid-core wood and painted, in wood frames/trim.
 - (B) Roof pitch. Roofing will consist of "timberline" varying profile-type composition shingles, set over underlayment and plywood decking, with wood trusses or roof/ ceiling joists framing supports beneath. Roof slopes will be a maximum of 5 in 12 pitch. Gutters, rain chains, and/or downspouts will be applied for rainwater collection and transference to grade drainage direct ion and/or collection/filtration systems, per exhibit B to Ordinance 415.
- (5) Building construction. General apartment building framing construction will be out of wood components, per type 5-B (non-rated construction) code standards, except for demising walls, and floor/ceiling assemblies, between units, which will be fire-rated to industry-recognized one-hour fire-rated standards. The proposed development (on lot 3) shares parking and drives, fire lanes, and the street access approach point with an existing two-story apartment development to the west (lot 2 and part of lot 3) and its related parking.

- (6) Parking. New parking shown for the new 6-unit building on lot 3 is provided at a rate of 2 spaces per apartment unit, for a total of 12 overall added to the overall site, per the exhibits. The current existing driveway adjacent to the new proposed parking will be modified to serve the spaces as shown, per exhibit B to Ordinance 415. No other modifications to current existing parking (8 spaces), existing building use requirements or zoning, or access drives that served the original apartment building (lot 2) are required, or mandated, at this time. The new parking shown, as directly-attributable and part of the new 6-Unit building development, is allowed to extend to within minimum building setback zones, as shown.
- (7) Right-of-way. Approximately .052 acres of right-of-way for the future widening of Bee Cave Road (parcel 42) shall be reserved for public dedication, and in fact be conveyed to the city by execution of a donation deed within 10 calendar days of the passage of this section.
- (8) Setbacks. The building, and serving stairways/balconies/patios/walkways will be setback from neighboring property lines per the exhibits and the standards set as herein: front property line minimum setback is 30 feet; side property line (with residential lot to east) minimum setback is 15 feet; and rear property line (with commercial lot to the north, specifically a detention pond facility) minimum setback is 9 feet. The new building's overhangs, eaves, and/or support beam outriggers may extend up to 36 inches past the finished surfaces of the exterior walls, and are allowed to extend within the aforementioned setback zones to the same extent, where applicable. Site retaining walls, as required, may occur within the side and rear building setback zones. HVAC site-located condenser units and support pads may occur within the side or rear setback zones, but will be properly screened from view by use of buffering landscaping or low masonry walls, from street-side viewpoints along Blueridge Trail. The required water-quality detention ponds and related structures/appurtenances may occur within the front setback zones, as shown on Exhibits.
- (9) Water quality protection. Permanent water quality controls will be provided based on the Texas Commission on Environmental Quality's recharge zone requirements for the Edwards Aquifer. Storm water detention facilities shall be constructed as required by the TCEQ.
- (10) Trees and vegetation. The clearing of vegetation and removal of trees shall be permitted in accordance with the landscape plan attached as exhibit D to Ordinance 415.

(Ordinance 415 adopted 10/22/14)

§ 38.03.045. PDD #4: Planned development district number four.

- (a) Applicability. This section shall apply solely to the parcel:

Approximately 5.68 acres of land, more or less, out of the Alexander Eanes Survey No. 507, in Travis County, Texas, being the same property conveyed to Ben Hur Temple by deed of record in Volume 5144, Page 1087, Deed Records, Travis County, Texas. (See exhibit A to Ordinance 419)

- (b) Development approvals. Applications for permits for the project (including but not limited to building permits, site plan, plats) shall be submitted in conformance with the PD Master Plan, Code of Ordinances, and this section. If there is a conflict between this section and any other rule or regulation of the city, and the conflicting rules or regulations cannot be harmonized so that both be given effect, the provisions of this section shall govern.
- (c) Base zoning district. The Parcel is hereby zoned PDD #4, base district GUI, and shall hereafter be governed by the rules applying in that zoning district, as may be modified by this section.

(d) Development standards for parcel. The development regulations for parcel will be consistent with those applicable to the base district (see subsection (c) above), except as otherwise provided in these development standards.

(1) Land use. The approved use of the parcel is described as follows: Development of a multi-purpose indoor athletic and community center, which shall include court facilities, turf fields, physical therapy, athletic training, and storage, as well as an outdoor area on the southwest side of the building for lacrosse wall ball. Alcohol possession and sales are prohibited as primary and accessory uses.

(2) Mass. The building shall have a ground footprint of approximately 66,650 gross square feet.

(3) Height. The building shall have a maximum height of 38'-0" above current grade.

(4) Building design.

(A) Exterior design.

(i) The architectural features of the primary structure shall be consistent with the preliminary project elevation, included herein as exhibit C to Ordinance 419. The proposed building's exteriors will consist of various combinations of the following: Masonry (split face concrete masonry units) that has a limestone color, stucco (earth tone color) and metal panels (earth tone colors) with exterior metal brackets that act as roof supports and downspouts. Windows for natural light and overhead doors for ventilation will be used. Exterior HVAC units will be incorporated into the exterior design and will be screened as per the Code of Ordinances.

(ii) See exhibit C to Ordinance 419 for a typical exterior elevation. Other elevations will utilize the same materials/finishes detailed above, but in different combinations and extents. Windows/door sidelites will be low-tint, double-insulated glazed types, set in metal or PVC frames, with perimeter painted trim. Exterior doors will be painted solid metal or storefront style set in aluminum frames.

(iii) The north side of the building, facing the residential properties on Konstanty Circle, will consist of all metal panel siding.

(B) Roof pitch. Roofing will consist of metal panels (light color/non-reflective) to resist heat gain. Roof slopes will be a maximum of 1/12 pitch. Gutters, rain chains, and/or downspouts will be applied for rainwater collection and transference to grade drainage direct ion and/or collection/filtration systems, per exhibit B to Ordinance 419.

(5) Building construction. General building framing construction will be a concrete foundation on grade with a pre-engineered metal building super structure. This consists of steel frames (bents) at about 23'-0"+ on center, steel wall girts and steel roof purlins. Building insulation will be R-13 minimum in the walls and R-30 minimum in the roof.

(6) Parking. Parking is provided at a rate of one (1) space per 551 square feet as per the exhibits. Parking at Westlake High School will be used for overflow parking when available. The currently existing driveway will continue to be utilized, per exhibit B to Ordinance 419.

(7) Wall and fencing.

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- (A) Existing nonconforming front yard fencing will remain. Security (chain link) fencing that is 8 feet high and covered with green screening material will be erected at or near the property line prior to construction as a condition of the issuance of building permits and will remain in place until the certificate of occupancy is obtained. A wall comprised of earth tone concrete masonry units (CPMs) between 8 and 10 feet high will be erected north of the structure abutting the fire lane and running down to the hammerhead separating the site from neighboring residential lots, as illustrated on exhibit E to Ordinance 419.
- (B) Earth tone is a color scheme that draws from a color palette of browns, tans, warm grays, and greens. The colors in an earth tone scheme are muted and flat in an emulation of the natural colors found in dirt, moss, trees and rocks. The CPM wall mandated by this section will be landscaped with green fig ivy on the north side, which shall be irrigated by the project owner.
- (C) A fence comprised of cedar pickets 10 feet high will be erected commencing at the Northwest corner of the CMU wall and extending to the northwest corner of the property as illustrated in exhibit E to Ordinance 419.
- (8) Setbacks.Setbacks from the property line to the building are established at 220 feet from the front, 75 feet from the rear and 50 feet from the side. Water quality pond wall setbacks are established at 3 feet from the property line.
- (9) Water quality protection.Permanent water quality controls will be provided in accordance with the current development guidelines of the City of West Lake Hills and the Texas Commission on Environmental Quality.
- (10) Trees and vegetation.
 - (A) Clearing vegetation and removal of trees (including trees 14-inches and greater) is permitted:
 - (i) Within the site development footprint shown on the PD Master Plan; and
 - (ii) In accordance with the landscape plan attached as exhibit D to Ordinance 419.
 - (iii) All vegetation will have irrigation and is the responsibility of the record owner and parcel owner to maintain in perpetuity. Dead vegetation must be replaced and maintained.
 - (B) Vegetation will primarily be used to screen residential properties abutting the Parcel and Westbank Drive.
 - (C) Six feet of blacktop (asphalt) will be removed and replaced with 2 evergreen trees in accordance with exhibit D to Ordinance 419.
- (11) Signage.The project's signage must receive permits prior to installation and conform to the Code of Ordinances.
- (12) Noise.Noise generated by the project will be mitigated and reduced through the following measures: (A) use of 2-layers of 5/8 inch thick drywall (sheetrock) on the north wall of the building; and (B) restricting the athletic and community center to primarily an indoor facility. No outdoor speakers will be installed. Outdoor activities are limited to the lacrosse wall, which will be placed near the southwest corner of the building, away from the surrounding residential properties on Konstanty Circle, and will only occur between the hours of 8:00 a.m.–8:30 p.m.

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- (13) Access.Issues of vehicular access will be addressed as follows: Primary site access will be achieved by utilizing the existing driveway location providing connection to Westbank Drive. Emergency gated access will be provided at or near the northeast property corner of the tract. No parking will be allowed in the fire lane, and a gate with a KNOX device (approved by Emergency Services District No. 9) will be installed to allow emergency access.
- (14) Impervious cover.A maximum of 54.9% of the total site area shall be permitted to be impervious cover. Impervious cover is defined by the current city code.
- (15) On-site parking.No minimum separation between rows or aisles in parking areas is required.
- (16) Site disturbance.Cut depths and fill heights on the site are limited to 18 feet.
- (17) Lighting.All proposed lighting will comply with the City of West Lake Hills Lighting Ordinance and be Dark Sky compliant. There will be motion-sensing lighting north of the building for security. Appropriate light shielding will be used to reduce light trespass to residences abutting the parcel.
- (18) Operating hours.The facility may operate from 6:00 a.m. to 11:00 p.m. Monday through Friday and from 8:00 a.m. to 11:00 p.m. Saturday, Sunday, and federal holidays recognized by the Eanes Independent School District.

(Ordinance 419 adopted 3/25/15)

§ 38.03.046. PDD #5: Planned development district number five.

- (a) Applicability.This section shall apply solely to the following parcel, which shall herein be referred to individually as Lot 1, E. Shelton Land, Wilkinson Sparks Survey No. 4, A Subdivision in Travis County, Texas, according to the map or plat recorded in volume 90, page 236, plat records, Travis County, Texas.
- (b) Development approvals.Applications for permits for the project (including but not limited to building permits, site plan, plats) shall be submitted in conformance with the Code of Ordinances, and this section (PDD #5). If there is a conflict between this section and any other rule or regulation of the city, and the conflicting rules or regulations cannot be harmonized so that both be given effect, the provisions of this ordinance shall govern.
- (c) Base zoning district.The property is hereby zoned commercial, and shall hereafter be governed by the rules applying in that zoning district.
- (d) Development standards for property.The development regulations for property will be consistent with those applicable to the base districts (see subsection (c) above), except as otherwise provided in these development standards.
 - (1) Land use.The approved use of the property is an existing one story stone & concrete service station with approximately 1,632 square feet and an existing one story stone grocery store with approximately 2,106 square feet.
 - (2) Building design.The exterior of the existing one story service station is stone and concrete and the grocery store is stone.
 - (3) Building construction.Existing service station and grocery store building framing construction are constructed out of cinder blocks and steel beams and concrete.
 - (4) Parking.Existing parking shown for the service station and the grocery store will remain the same.
 - (5) Setbacks.The building, and patio and walkways are setback from neighboring property

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lines per the exhibits and the standards set as herein: Front property line minimum setback is 50 feet; side property line (with Westlake Drive) minimum setback is 50 feet; and rear property line (with commercial lot to the north) minimum setback is 30 feet.

- (6) Outdoor lighting. All new lighting must conform to article 23.04 of the Code of Ordinances. All existing lighting must be brought into conformance with article 23.04 within six (6) months of the passage of this section.

(Ordinance 438 adopted 3/8/17)

§ 38.03.047. PDD #6: Planned development district number six.

- (a) Applicability. This section shall apply solely to the following tracts, which shall herein be referred to collectively as the property:

Tract 1: Lot 1 of Westlake Cove Addition, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 82, Page 41 of the Plat Records of Travis County, Texas. Said plat corrected as to surveyor's notes by instrument recorded in Volume 13020, Page 284 of the real property records of Travis County, Texas.

Tract 2: Being all of that certain 0.4 acre tract of land, more or less, out of the Wilkenson Sparks Survey No. 4 situated in Travis County, Texas, being the same tract of land described by metes and bounds under "second tract" in deed dated July 24, 2002, to Robert E. Price, Trustee of the Westlake Cove Apartments Trust recorded under Document No. 2002152483, of the official public records of Travis County, Texas.

- (b) Development approvals. Applications for permits for the project (including but not limited to building permits, site plan, plats) shall be submitted in conformance with the Code of Ordinances, and this section (PDD #6). If there is a conflict between this section and any other rule or regulation of the city, and the conflicting rules or regulations cannot be harmonized so that both be given effect, the provisions of this section shall govern.
- (c) Base zoning district. The property is hereby zoned PDD #6, base district transitional residential (R-3), and shall hereafter be governed by the rules applying in that zoning district, as may be modified by this section.
- (d) Development standards for property. The development regulations for property will be consistent with those applicable to the base districts (see subsection (c) above), except as otherwise provided in these development standards.
- (1) Land use. The approved use of the property is a new 18-unit condominium project described as follows:
- (A) Building 1: A 3-story building with 3 x 2-bedroom units and 8 x 3-bedroom units. Each 2 bedroom unit will not exceed 2,200 square feet of floor area and each 3-bedroom unit will not exceed a floor area of 2,575 square feet.
- (B) Building 2: A 3-story building with 2 x 2-bedroom and 5 x 3-bedroom units. Each 2-bedroom unit will not exceed a floor area of 2,200 square feet and each 3-bedroom unit will not exceed a floor area of 2,575 square feet.
- (2) Height. The maximum roof height of building 1 will be 35 feet, and the maximum roof height of building 2 will be 35 feet.
- (3) Density. The maximum number of units will be 18 units: 11 units in building 1 and 7 units in building 2.
- (4) Mass. The entire project will have a ground footprint of 20,465 square feet: 12,675 square feet in building 1 and 7,790 square feet in building 2.

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- (5) Parking and access. Access shall include a fire truck access lane and turnaround; 22 covered parking spaces for residents in building 1 (2 spaces per unit); 14 covered parking spaces in building 2 (2 spaces per unit); and 5 uncovered parking spaces for guests which will include 2 handicap parking spaces, one of which will be van accessible.
- (6) Impervious cover. The maximum impervious cover will be 30,653 square feet (29.55%).
- (7) Setbacks. The footprint of the two buildings will have the following setback lines: Front street setback is 40 feet; rear setback is 40 feet along the creek; 25 feet on the south side; and 40 feet on the north side property line.
- (8) Building design and construction. All building construction will conform to the applicable code provisions of the International Building Code as adopted by the city. The building will likely be steel or concrete structure with primarily glass curtain walls. Both buildings will have a flat roof with a gravel or turf finish.
- (9) Condominium management. A condominium declaration will be recorded; a condominium owners association will be formed; and the association's board will manage assessments, maintenance over general common areas, and review and approval of all repairs or remodeling to any units. A copy of the declaration will be made available for final approval by the city council.

(Ordinance 2020-216 adopted 12/9/20)

§ 38.03.048. through § 38.03.060. (Reserved)

DIVISION 3

General Regulations**§ 38.03.061. Prohibited uses.**

All uses not expressly permitted or authorized by this chapter are prohibited in the city, including, but not by way of limitation, the following:

- (1) The operation of activities or facilities between 11:00 p.m. and 6:00 a.m., except for those in B-3 zoning districts, bank automatic teller machines (ATMs), and any other activities or facilities in nonresidential zoning districts specifically authorized by the city council by way of a special use permit or a zoning change ordinance.
- (2) Commercial kennels, except by special use permit in district B-2.
- (3) Open air commercial amusements, except those in place for one week or less for which a permit has been issued by the city.
- (4) Junkyards, salvage yards and all open air storage of junk, waste products and salvage materials.
- (5) All open air storage of building materials, equipment and merchandise (except live vegetation), except that necessary to a construction project, provided that the materials and equipment are located on the site of the construction and are removed immediately upon completion or discontinuance of work.
- (6) Outside display of products for sale. The open air (outside of a building) display of any product, materials, vehicles or equipment for sale, lease or rent (except approved nursery live vegetation) is prohibited throughout all districts; however, the city administrator is authorized to approve display of seasonal products or materials for sale upon written request.
- (7) Landing or take-off of aircraft. No person shall ascend or land with any aircraft, or permit the ascending or landing of any aircraft, within the city limits. This proscription shall not apply to any medical helicopter nor shall it apply to emergency landings or to military or National Guard aircraft.

- (8) Placing, locating or erecting a mobile home.
- (9) Mobile home or recreational vehicle parks.
- (10) All signs except as expressly permitted in this chapter and in chapter 32.
- (11) Quarrying.
- (12) Hotel and motels (this prohibition does not apply to properly permitted short-term rentals as defined by article 6.04).
- (13) The sale or rental of automobiles and other motor vehicles, mobile homes, recreational vehicles and boats.
- (14) Storage warehouses and building material storage yards.
- (15) Activities or facilities with a drive-in/drive-through facility except for bank ATM facilities and any activities or facilities located in B-2 or B-3 zoning districts.
- (16) Industrial, mining or extractive uses of all descriptions.
- (17) Taverns, bars or cocktail lounges, except in the B-3 business 3 district.
- (18) Amusement centers or parlors.
- (19) Automobile wash services.
- (20) Sexually oriented businesses, as defined in V.T.C.A., Local Government Code section 243.002, as amended.
- (21) The sale of fireworks.
- (22) Automobile service stations.
- (23) Cemetery, graveyard or burial ground, for the interment of dead persons and domestic farm animals.
- (24) Uses attended by substantial nuisance factors.
(Ordinance 2021-013, att. B, adopted 12/8/21)

§ 38.03.062. Accessory uses.

The uses of land, buildings and other structures permitted in each of the districts established in this chapter are designated by listing the principal uses. In addition to such principal uses, accessory uses are also permitted in each district. Each accessory use shall:

- (1) Be customarily incidental to the principal use established on the same lot;
 - (2) Be subordinate to and serve such principal use;
 - (3) Be intended for the comfort, convenience or necessity of users of such principal use;
 - (4) Not be designed or used for human habitation except for guest and domestic quarters as provided in this chapter;
 - (5) Not be attended by nuisance factors; and
 - (6) Not be permitted on lots upon which a principal use has not been established.
- (Ordinance 362 adopted 3/28/18)

**ARTICLE 38.04
SUPPLEMENTARY REGULATIONS**

DIVISION 1

Generally**§ 38.04.001. through § 38.04.030. (Reserved)**

DIVISION 2

Special Uses**§ 38.04.031. Criteria for establishment of special use categories; uses allowed in specific districts.**

(a) General criteria for establishment of a special use category are as follows:

- (1) Special and associated expenses for regulatory oversight;
- (2) Higher probability of chance of nuisance to the surrounding areas;
- (3) Greater impact on surrounding properties with respect to the following:
 - (A) Parking;
 - (B) Waste products and disposal methods;
 - (C) Noise (peace and quiet of the neighborhood);
 - (D) Light or glare;
 - (E) Smell, fumes, dust and odor;
 - (F) Traffic; and
 - (G) Infectious or contagious diseases;
- (4) Activities which increase potentially objectionable sensory responses for surrounding areas;
- (5) Greater adverse impact on appraised valuations of surrounding properties;
- (6) Higher level of impediment to development of surrounding properties;
- (7) Increase in traffic congestion and reduction of pedestrian safety to a significant degree;
- (8) Regulatory control for number and type of animals to prevent menace or disturbing of neighbors;
- (9) Regulatory control for selective activities in other than permitted zoning districts;
- (10) Regulatory control for activities that have a potential to harm the environment; and
- (11) Regulatory control for continuance of activity.

(b) Specific special uses authorized by zoning district are as follows:

Special Use	District Allowed
~~Alcoholic beverages sold in grocery stores for off-premises consumption~~	~~B-2, B-3~~
~~Alcoholic beverages sold in restaurants for on--or off-premises consumption~~	~~B-2, B-3~~
Assembly and testing of electronic components	O
Special Use	District Allowed

Bank or savings and loan association	B-2
Charter school or private school	O
Child day care facility	O, GUI, B-1, B-2, B-3
Church	O, B-1, B-2, B-3
Cocktail lounge	B-3
Commercial coach	All (temporary during construction)
Commercial kennel	B-2, B-3
Employee dining facility	O, B-1, B-2, B-3
Guest or domestic employee quarters	R-1, R-2, R-3
~~Home occupation~~	~~R-1, R-2, R-3~~
Hospital	B-1, B-2, B-3
Laundry and dry cleaning plant	B-3
Massage therapy school	O, B-1
Private horse stable	R-1, R-2
Publishing business	B-2, B-3
Rehabilitation/wellness center	B-1, B-2, B-3
Research, development or clinical laboratory	B-2, B-3
Restaurant with drive-in/drive-through facilities	B-2
Retail liquor store	B-2
Riding stable	R-1, R-2
Wireless telecommunication facilities	O, B-1, B-2, B-3, GUI

(Ordinance 2021-013, att. B, adopted 12/8/21)

§ 38.04.032. Special use permit.

- (a) Required. No special use shall be established, operated or maintained except as authorized by a special use permit issued in accordance with the requirements of this section.
- (b) Issuance by ~~board of adjustment~~ city council. A special use permit may be issued only for the special uses specified in this division, and only for the district where it is authorized. A special use permit may only be issued by the **city council upon recommendation of the zoning and planning commission** ~~board of adjustment~~ acting after a public hearing. In considering any application for a special use permit, the ~~board of adjustment~~ **zoning and planning commission in their recommendation and city council in their final action** shall give due regard to the nature and condition of all adjacent land, uses, and structures. The ~~board of adjustment~~ **city council** may disapprove an application for a special use permit, or approve same subject to such requirements and conditions, in addition to the regulations of the district in which the particular use is located, as it may deem necessary for the protection of adjacent properties and the public interest.
- (c) Application. An application for a special use permit shall be made in writing in a form prescribed by the city administrator and shall be accompanied by such information as may be requested, including a site plan, if required, in order to properly review the proposed use. Such information may include but is not limited to site and building plans, drawings and elevations, and

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operational data. All applicants for a special use permit for a nonresidential use in a residential district shall provide the city with a signed letter from a licensed attorney verifying that the proposed use will not be violating deed restrictions.

- (d) Report by city administrator or city-inspector designee. Either the city administrator or the ~~city-inspector~~ **designee** shall visit the site of the proposed special use and the surrounding area and shall prepare findings to be delivered to the ~~board of adjustment~~ **zoning and planning commission and city council.**
- (e) Notice of public hearing before ~~board of adjustment~~ **zoning and planning commission and city council.**
 - (1) The ~~board~~ **zoning and planning commission and city council** shall each hold a public hearing on each application for a special use permit.
 - (2) Written notice of such hearing shall be given to the owners of all real property located within 300 feet in all directions of the property that is the subject of the hearing, regardless of whether the neighboring property is within the city limits or ETJ. For nonresidential special uses, written notice of the hearing shall be given to the owners of all real property located within 300 feet in all directions of the property that is the subject of the hearing, regardless of whether the neighboring property is within the city limits or ETJ. Notice shall be given not less than sixteen (16) days prior to the date of the hearing by depositing a copy of the notice in the mail addressed to each owner at the owner's address shown in the Travis Central Appraisal District database, with postage paid.
 - (3) Such notice shall state the purpose, date, time and place of the hearing and shall contain a brief description of the proposed development, including its nature, scope and location. The notice shall also describe any variances the applicant has requested and shall state the location and times at which the applications and supporting documents are available for public inspection. The time and place of the public hearing to be held before the city council shall also be included if known at the time the notice is given and, if it is not known at such time, a telephone number shall be provided where information on the hearing before the city council will be available at a later date.
 - (4) City staff shall be responsible for drafting the notice and serving it after it has been approved by the city administrator for form and content.
 - (5) ~~s~~**Sign(s)** shall be posted per section 38.05.002.
- (f) Review and approval by ~~board of adjustment~~ **zoning and planning commission and city council.**
 - (1) The ~~board~~ **commission** shall review the application for a special use permit to determine whether the proposed special use complies with each of the general criteria in section 38.04.033 and with each of the specific criteria in section 38.04.034 applicable to the proposed use, and shall make a separate finding thereon for each criterion.
 - (2) The ~~board~~ **commission** shall not **make a recommendation** to approve an application unless it finds that the proposed special use as presented complies with each of the general and applicable specific criteria.
 - (3) ~~The board shall make a written finding of its decision in accordance with section. -~~**The commission shall forward their recommendation to city council for review and final action.**
 - (4) The ~~board~~ **city council** may condition its approval of an application on the applicant's adoption of specified changes, additions, limitations, safeguards or effective time periods designed to ensure compliance with the criteria.

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- (5) The ~~board~~ **city council** shall not grant a special use permit unless it finds that the proposed special use complies with each of the applicable general and specific criteria; otherwise, it shall deny the application.

(Ordinance 2021-013, att. B, adopted 12/8/21; Ordinance 2025-005 adopted 6/25/2025)

§ 38.04.033. General criteria applicable to all special uses.

A proposed special use permit must comply with all the following criteria:

- (1) The appearance, size, density and operating characteristics of the proposed special use are compatible with the surrounding neighborhood and uses;
- (2) The proposed use will not have an adverse effect on the value of surrounding properties or impede their proper development;
- (3) The proposed use will not create a nuisance factor or otherwise interfere with a neighbor's enjoyment of the neighbor's property or operation of the neighbor's business;
- (4) The traffic that the proposed use can reasonably be expected to generate on existing streets will not create or add significantly to congestion, a safety hazard, or a parking problem in the area, nor will it disturb the peace and quiet of the neighborhood; and
- (5) The proposed use shall comply with all other applicable ordinances and regulations.

(Ordinance 2021-013, att. B, adopted 12/8/21)

§ 38.04.034. Criteria applicable to individual special uses.

~~(a) Home-based business. A proposed home-based business in a single-family or two-family residential district must comply with all the following specific criteria as well as the general criteria in section 38.04.033:~~

- ~~(1) External evidence of the business shall not be detectable at any lot line. The interior/exterior of the dwelling shall not be structurally altered to comply with nonresidential construction codes, nor additional structures built on the property to accommodate the home-based business.~~
- ~~(2) The business shall not change the residential character of the lot and dwelling, nor alter the exterior appearance of the principal building from that of a dwelling for human habitation, nor require the installation of machinery or equipment other than that customary to domestic, hobby, standard office, or ordinary household activities.~~
- ~~(3) The business shall be carried on entirely within a dwelling unit or within only one accessory building (not to include a carport) by a bona fide resident(s) of the premises and not more than one nonresident assistant.~~
- ~~(4) The business shall be operated by a permanent full-time resident (or residents) of the dwelling unit, and no other persons.~~
- ~~(5) There shall be no in-person contact at the premises with customers or clients except that music lessons may be given to one pupil at a time, and cultural, art, or dance instruction may be given to four or less pupils at one time.~~
- ~~(6) The business shall be conducted as an accessory use that is clearly incidental and secondary to the residential use of the premises, shall not use an area exceeding 20 percent of the gross under roof floor areas of the dwelling, nor cause a substantial increase in any utility usage.~~
- ~~(7) Adequate off-street parking shall be available on the property where the use is located without exceeding the impervious cover limits for residential property. Business guests or invitees parking shall be restricted to on-site use of the driveway and parking areas wholly~~

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~~contained within the property. All vehicular traffic to and from the home-based business shall be limited in volume, type, and frequency to what is normally associated with other residential uses in the residential neighborhood and not to exceed 10 average daily trips.~~

- ~~(8) Merchandise, materials and equipment associated with the business shall not be displayed or stored where visible from any location off the premises. The direct sale of merchandise on the premises is prohibited. In other words, no on-site retail in-person sales; however, sales via internet, telephone, or mail is permitted as long as no sales are made in-person.~~
- ~~(9) There shall be no signage or advertising, linking the residential property with the home-based business including, but not limited to, any billboard, internet, pamphlets, newspaper, radio, television, phone directory, sign, or vehicle advertising.~~
- ~~(10) The home-based business shall not be detrimental or injurious to adjoining property by the creation of dust, electrical interference, fumes, gas, glare, heat, light, noise, vibration, waste runoff, or other objectionable or obnoxious conditions.~~
- ~~(11) A home-based business shall not create any ultra-hazardous risk or condition on the premises or to surrounding neighbors or their property, or any other health or fire hazard, whether regulated by statute or rule promulgated by any administrative body of the federal government, State of Texas, City of West Lake Hills, or which would constitute a common law nuisance.~~
- ~~(12) Nothing herein shall be construed to allow animal breeding, animal hospitals, pet grooming, commercial kennels, commercial stables, veterinary offices, clinics, hospitals, barber shops, beauty parlors, contractor's yards, junk yards, lodging houses, "bed and breakfast" lodges, short-term rentals, massage parlors/therapy clinics, restaurants, rental outlets, or vehicle repairs shops as home-based businesses.~~

(b) Churches. A proposed church sanctuary or parsonage to be located in a residential district shall comply with all the following specific criteria as well as the general criteria in section 38.04.033:

- (1) Hours of operation shall not begin before 10:00 a.m. and shall end by 3:30 p.m., weekdays and weekends.
- (2) Noise shall not exceed 60 decibels as measured from any of the church's lot lines.
- (3) Lighting shall conform to all Code requirements for the residential district in which the structure is located. All lighting shall be shielded with zero (0) footcandle spillover across property lines.
- (4) No signage is permitted. Land use notice shall be limited to address only. Name, graphic representation, and any signage is prohibited.
- (5) The total number of car trips per hour entering or leaving the church sanctuary or parsonage, whether the same or different cars, shall not exceed 10, unless fronted on a collector street.
- (6) The structure and development should be situated on the lot in such a way that their visibility is minimized. The use of natural materials and unobtrusive colors is required.
- (7) A buffer zone of tree growth is required between roads and building improvements to preserve the wooded, rural character of the hills. A buffer zone is required as well, on each of the other property lines, to preserve the wooded, rural character of the hills and to protect individuals' privacy. Trees must be from the City's approved tree list, and planted in accordance with a landscaping plan approved by the City.

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- (8) Churches shall provide on all property lines, a fifty (50) foot undisturbed conservation easement for all subdivisions. Churches shall comply with all tree requirements in the city's code, including protection and preservation.
- (9) Driveway entrances must be laid as inconspicuously as possible in order to maintain the look of unbroken, undisturbed landscape along the right-of-way.
- (10) Surfacing.
 - (A) The color of church parking lot surface asphalt and/or concrete shall be dark (e.g. asphalt or dark colored concrete) in order to blend with the natural landscape of the neighborhoods.
 - (B) All off-street driveway, parking, and loading areas shall be well drained and maintained with a durable and dustless all-weather surface approved by the city inspector and shall be kept in a state of good repair.
- (11) Parking. All parking spaces shall comply with the following requirements:
 - (A) The minimum number of off-street parking spaces provided shall be the more restrictive of either:
 - (i) 1 space for each 4 people normally expected on the premises at the time of maximum use; or
 - (ii) 1 space for each 200 square feet of floor area.
 - (B) Adequate aisles and driveways shall also be provided to permit proper maneuvering within the parking area and for safe and orderly entry and exit. Parking area design is included as an integral part of the site plan development.
 - (C) Handicap parking requirements are a minimum of one percent of total parking spaces. Dimensional requirements are 12-foot width and 18-foot depth per handicap space.
 - (D) Parking dimensional and design regulations shall conform to section 22.03.242 of this code.
 - (E) On-site parking and circulation regulations. The location, width and layout of interior drives shall be appropriate for the proposed interior circulation. The location and layout of accessory off-street parking and loading spaces shall provide for efficient circulation and the safety of pedestrians and vehicles. Separate rows or aisles in parking areas shall be divided by a five-foot wide region of trees, shrubbery and other

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- landscaping devices. The location of parking areas shall not detract from the design of proposed buildings and structures or from the appearance of the existing neighboring buildings, structures and landscape. Provision shall be made for access by police, fire and emergency vehicles. All parking facilities or structures shall be on one level.
- (F) Off-street loading space. Property owners shall ensure adequate off-street space exists on the lot for loading and unloading vehicles receiving or distributing materials or merchandise.
- (G) Required parking spaces shall be maintained. Required parking and loading areas shall not be encroached upon, reduced in any manner, or devoted to any other use. A maximum of 25 percent of the parking spaces shall be allocated to compact cars.

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- (H) Drainage. No off-street driveway, parking or loading area may be drained onto or across a public right-of-way or walkway, or onto any adjacent property except into a natural watercourse or drainage easement. Drainage facilities for each parking area shall be designed and constructed in accordance with the drainage and erosion control design manual.
- (I) Driveway, parking, and loading area setbacks.
 - (i) It is the policy of the city to encourage adjoining lot owners to share a common driveway. A variance to the side setback stipulations is required by both adjoining lot owners; however, variance fees may be waived by the city administrator or the board of adjustment.
 - (ii) Off-street parking and loading shall be located no closer to the street right-of-way lines and to lot boundary lines than the applicable minimum distances prescribed in the following schedules:
 - a. The minimum setback distance for driveways, parking areas, and loading areas from street right-of-way shall be 50 feet.
 - b. The minimum setback distance for driveways, parking areas, and loading areas from the boundary lines of the R-1 and R-2 lot is 50 feet.
 - c. The term “driveways” includes those areas used for required vehicle turnaround or other maneuvering. Where nonresidential driveways adjoin R-1, R-2 and R-3 districts, the 50-foot setback shall preserve existing landscape vegetation and natural features as provided in article 22.03.
 - d. All driveways are limited to undeveloped slopes below 25 percent gradient. They shall not exceed a maximum of 15 percent grade after construction.
- (12) Fire safety standards required for a church to receive a special use permit:
 - (A) The church must be within 200 feet of a fire hydrant that provides adequate fire flow for fire protection.
 - (B) The driveway must provide adequate space for all appropriate fire equipment to access property and turnaround to exit in order to provide protection to large groups of people.
- (13) Churches shall be located with frontage on collector or arterial streets.
- (14) Setbacks. Setbacks for proposed structures, if the proposed structure has an R-1 or R-2 property adjacent to or immediately in front of the proposed property, are:
 - (A) A minimum front setback of 100 feet;
 - (B) A minimum rear setback of 50 feet;
 - (C) Minimum side setbacks of 50 feet each.
- (15) Lot size. Dimensional minimums of lots:
 - (A) 2 acres;
 - (B) Depth of 200 feet; and
 - (C) 150 feet wide.
- (16) Height of structure. Maximum 30 feet.

- (17) All other requirements shall conform to the regulations of the residential district in which the structure is located as stated in this code.
- (18) A sanctuary shall be defined as a congregating meeting place of worship for sermons, ceremonies, prayers, etc., and not to include instruction rooms, the place of residence for ministers, priests, rabbis, teachers, clergy, directors of the premises, etc.; or accessory uses on the same site, including child care facilities operated during services/events sponsored by the organization. A sanctuary authorized by special use permit issued under this section may not exceed 2,000 square feet for total building area.
- (19) No accessory structures or uses may be authorized by special use permit. This includes schools, recreational facilities, offices, and child day care unless operation occurs during regular service, etc.
- (c) Riding stable. A proposed riding stable must comply with the following specific criteria, as well as the general criteria in section 38.04.033:
- (1) The parcel on which the use is conducted shall contain a minimum of three acres of land.
 - (2) The stable shall not be located any closer than 150 feet to a residence on an adjoining lot.
 - (3) The operations of a riding stable shall be limited to providing riding lessons and the boarding, training and renting of horses. No horse racing shall be permitted on the premises.
 - (4) A limit on the number of horses permitted to be stabled on the lot shall be set by the city council applying the general criteria in section 38.04.033; provided that the number of horses permitted on the premises used for a riding stable shall never exceed one horse for every acre of land, except for riding stables located on ten or more acres where the number of horses permitted on the premises shall never exceed one horse for every three-fourths acre of undeveloped land.
 - (5) The following facilities shall be provided and properly maintained:
 - (A) Adequate enclosures to keep the horses from running at large;
 - (B) Adequate space within each enclosure for proper exercise;
 - (C) Adequate shelter from the elements;
 - (D) Enclosures that properly drain; and
 - (E) Facilities and program for proper waste disposal and for eliminating odor.
 - (6) An applicant shall maintain the horse stable in a sanitary condition at all times and keep odor to a minimum.
 - (7) All horses brought into or maintained in the city shall be free of all infectious or contagious diseases that the state animal health commission has determined to be dangerous.
- (d) Kennel, commercial. A proposed commercial kennel must comply with the following specific criteria and conditions, as well as the general criteria in section 38.04.033:
- (1) The operations of a commercial kennel, unless otherwise limited by the city council, shall be limited to boarding, training, breeding, selling, veterinary treatment, care and grooming of dogs and cats, and may include the sale of dog and cat accessories and supplies.
 - (2) The following facilities shall be provided and properly maintained:
 - (A) Adequate enclosures to keep animals from running at large;

- (B) Adequate space within each enclosure for proper exercise;
 - (C) Adequate shelter from the elements;
 - (D) Enclosures that drain properly; and
 - (E) Facilities and program for proper waste disposal and for eliminating odor.
- (3) An applicant shall maintain animal enclosures in a sanitary condition at all times and shall keep odor from being detectable from off the premises.
 - (4) All dogs and cats brought into or maintained in the city shall be free of infectious or contagious diseases and shall be effectively inoculated against rabies at all times.
 - (5) An applicant shall provide and maintain an effective means to prevent barking sounds from being audible off the premises.
 - (6) The number of animals on the premises at any one time shall be no greater than authorized in the permit issued by the city council.
- (e) ~~Alcoholic beverages sold in a restaurant for on- or off-premises consumption. A proposal to sell alcoholic beverages in a restaurant for on- or off-premises consumption must comply with the following specific criteria and conditions, as well as the general criteria in section 38.04.033:~~
- (1) ~~The restaurant where the alcoholic beverage is proposed to be sold shall not be located within 300 feet of a church or school as measured by state law.~~
 - (2) ~~The restaurant where the alcoholic beverage is proposed to be sold shall not be located on property, two or more sides of which abut property in a residential zoning district.~~
 - (3) ~~The gross receipts derived from the sale of alcoholic beverages shall not exceed the gross receipts derived from the sale of food.~~
 - (4) ~~The permit shall be reviewed annually by the city administrator and, if reissued, reissued at the end of the calendar year.~~
 - (5) ~~Additional fees are to be collected after three years' operation in accordance with the alcoholic beverage commission permit rules.~~
 - (6) ~~Special offers to the public promoting the sale of alcoholic beverages commonly known as "happy hour" shall be conducted only at times when the permittee offers full food service and only during the period of time from 4:00 p.m. through 7:00 p.m. during the days of Monday through Friday inclusive except as indicated in this subsection. The permittee may select a period of time not to exceed three hours per each day to conduct a happy hour promotion for the days of Saturday and Sunday. The permittee shall give written notification to the city administrator of the hour selected for such a happy hour and any changes thereto. The permittee shall give a 72-hour notice to the city administrator of changes to any happy hour designation.~~
 - (7) ~~Live entertainment utilizing electronically amplified musical instruments or an associated sound system shall not be permitted. Live entertainment is permitted as follows:~~
 - (A) ~~The group of performers is limited to not more than four persons;~~
 - (B) ~~The entertainment must be located within the confines of the restaurant interior;~~
 - (C) ~~The sound is not to be heard outside the restaurant premises; and~~
 - (D) ~~All performances must end at 10:30 p.m. daily.~~

(e) Alcoholic beverages sold in liquor or grocery stores for off-premises consumption.

- (8) The liquor or grocery store where the alcoholic beverage is proposed to be sold shall not be located within 300 feet of a church or school as measured by state law.
- (9) The liquor or grocery store where the alcoholic beverage is proposed to be sold shall not be located on property, two or more sides of which abut property in a residential zoning district.
- (10) The permit shall be reviewed annually by the city administrator, and, if reissued, reissued at the end of the calendar year.
- (11) Additional fees are to be collected after three years' operation in accordance with the alcoholic beverage commission permit rules.
- (12) A permit shall only be granted if the applicant agrees that all litter associated with off-premises consumption of alcoholic beverages within 200 feet of the applicant's premises is presumed to be the applicant's. In addition, the applicant agrees to collect and dispose of all litter within 200 feet of the boundary line of the premises from which alcoholic beverages are sold.
- (13) Wine or beer tasting is permitted on-site by prospective purchasers provided required state permits are obtained.

(f) Employee dining facilities.

- (1) The employee dining facility must be operated within the office buildings and only in projects that total over 100,000 total surface feet of building floor area within one lot.
- (2) The employee dining facility shall be limited in size so as to serve the employee population of the office complex. No advertising of the facility shall be permitted outside the complex.
- (3) The employee dining facility shall not serve meals after 6:00 p.m.
- (4) The employee dining facility shall have a separate wastewater system approved in advance by the city.
- (5) The permit shall be reviewed annually.

(g) Banking or savings and loan establishments. A proposed bank or savings and loan association in a B-2 district or must comply with the following specific criteria and conditions, as well as the general criteria in section 38.04.033:

- (1) The parcel must have direct access to Bee Cave Road or the Capital of Texas Highway.
- (2) The remodeling of a financial facility in existence prior to May 1, 2005, located within a B-2 district shall be limited to a maximum floor area of the lesser of the existing area or 2,000 square feet, excluding any drive-in facility area.
- (3) The building, if located within a B-2 district shall be a minimum of 200 feet from any major thoroughfare is limited to two lanes of drive-in windows.
- (4) The site plan must provide adequate anticipated stack space for automobile drive-in needs within the facility complex.
- (5) The anticipated traffic load from the banking facility shall not interfere with residential traffic.
- (6) The site plan shall provide for adequate landscaping, and the maintenance of landscaped areas shall be the subject of restrictive covenants which are enforceable by the city.

- (7) There shall be no more than one curb cut for access to the office complex unless otherwise approved by the city council.
- (h) Hospital in B-1 district. A proposed hospital must comply with the following specific criteria and conditions, as well as the general criteria in section 38.04.033:
- (1) The parcel of land shall have a minimum of 500 feet frontage on either the Capital of Texas Highway or Bee Cave Road.
 - (2) The parcel must have direct access to Bee Cave Road or the Capital of Texas Highway.
 - (3) The anticipated traffic load from the hospital shall not interfere with traffic from residential streets.
 - (4) There shall be no more than one curb cut unless otherwise approved by the city council.
 - (5) The hospital shall be operated by a physician licensed to practice medicine in the state and currently in good standing with the state board of medical examiners.
 - (6) The disposal system for the hospital shall be specifically designed by a licensed engineer for water consumption or capacity typically associated with hospitals.
- (i) Laundry and dry cleaning plant operation in B-3 district.
- (1) Dry cleaning machines shall be an EPA-approved nonvent unit and have an enclosed trough to accommodate any solvent spill.
 - (2) Solvent use shall be PERC, which is nonflammable perchloroethylene, and which is limited to 50 gallons on-site at any one time.
 - (3) No fumes, odor or noise shall be detectable beyond the premises of the business.
 - (4) No chemical discharge shall be allowed into an organized central sewer system or private septic disposal system.
 - (5) There shall be a maximum of 1,800 square feet for the gross area of the business.
 - (6) Dry clean processing is limited to on-site business, not trucked-in processing.
 - (7) Used chemicals and filters shall be disposed of weekly or after every 8,000 pounds of processing and be transported by a state-licensed disposal company.
- (j) Massage therapy school in O district. A proposed massage therapy school shall comply with the following specific criteria and conditions, as well as the general criteria in section 38.04.033:
- (1) The owner and instructors shall be registered massage therapists pursuant to Vernon's Ann. Civ. St. art. 4512k (V.T.C.A. Occupations Code, chapter 455).
 - (2) The massage therapy school shall have at least two registered instructors that teach the course of instruction required for registration as a massage therapist, as specified by the provisions of Vernon's Ann. Civ. St. art. 4512k (V.T.C.A. Occupations Code, chapter 455).
 - (3) The hours of operations are limited to 6:00 a.m. to 10:00 p.m.
 - (4) Hazardous chemicals as defined by Ordinance No. 240, as amended, shall not be discharged into a private sewage disposal system or into an organized central sewer system.
 - (5) The parcel of land on which the school is located shall have direct ingress and egress to Bee Cave Road or Capital of Texas Highway.

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- (6) Employee and student parking spaces shall be allocated on a one-to-one ratio. The number may be reduced upon presentation of evidence that the provided parking is adequate due to shared parking between retail facility users.
- (7) The anticipated traffic load from the school shall not interfere with traffic within the multitenant complex.
- (k) Charter school or private school in O district. A proposed charter school or private school shall comply with the following specific criteria and conditions, as well as the general criteria in section 38.04.033:
 - (1) The charter school or private school presents to the city proper credentials, licenses or certifications to operate as provided by the Texas Education Code.
 - (2) Outdoor recreational activities are permissible so long as the noise from the activity does not interfere with the other tenants or neighbors.
 - (3) A fence must be constructed surrounding any outdoor recreational activity area at a height of at least four (4) feet but no higher than six (6) feet.
 - (4) The hours of operations are limited to 8:00 a.m. to 5:00 p.m.
 - (5) Employee parking spaces shall be allocated on a one-to-one ratio. Additional parking must be provided for transportation of students, unless documentation is provided that the available parking is adequate due to shared parking between other tenants.
 - (6) The anticipated traffic load from the school, including loading and unloading, shall not interfere with other traffic within a multi-tenant complex.
 - (7) As part of the operation of a private or charter school, food and drink may be provided for on-premises consumption by the students and staff without having to obtain a food establishment permit under Chapter 10 provided that: (A) the provision of food or drink, and disposal of refuse, does not create a nuisance for other tenants or neighbors; (B) the food or drink is provided as a part of the educational services being provided, and not primarily for retail sale; and (C) the food is pre-packaged, nonperishable, and does not require cooking or other preparation. The terms in this subsection have the meaning assigned to them by chapter 10 of this code.
 - (8) The private or charter school must meet the minimum ratio of classroom size per student as required by the Texas Education Agency and the number of persons occupying the space may not violate the occupancy limits set by the fire code.
- (l) Wireless telecommunication facilities. For the purposes of special use permits, the term “wireless telecommunication facilities” includes antennae, satellite dishes, mounts, power cabinets, platforms, and any other equipment or fixtures necessary for the provision of cellular or wireless internet service. A property owner within an O, B-1, B-2, B-3, or GUI district may obtain permission to install, or permit to be installed, wireless telecommunication facilities in compliance with the general criteria in section 38.04.033, any other section of this code, and the following:
 - (1) The installation and use of such facilities may not inhibit or otherwise interfere with an existing, lawful wireless telecommunication facility within the city limits.
 - (2) The facilities will be installed in the least visually intrusive manner practicable, using paint colors to make the facilities blend in, screening of structures at ground level, and other measures to reduce the visual impact.
 - (3) Facilities may not be constructed within the setback from the property line.

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(m) Restaurant with drive-in/drive-through facilities. A proposed restaurant with drive-in/drive-through facilities must comply with the general criteria in section 38.04.033.

(Ordinance 2021-013, att. B, adopted 12/8/21)

§ 38.04.035. General conditions for all special uses.

- (a) Adherence to approved plans and limitations. A special use shall be established, operated and maintained in accordance with the plans, terms, conditions and limitations contained in the permit approved by the ~~BOA~~ city council.
- (b) Duration of permit; renewal. Special use permits shall be granted for a definite period of time, not to exceed two years. Upon the special use permit's expiration, renewals may be granted at the discretion of the city administrator provided no written complaints were received during the use period. If there is a record of complaints or if the city administrator opts not to approve the renewal, the applicant can seek renewal from the ~~BOA~~ city council. If the ~~BOA~~ city council declines the renewal, the applicant can reapply for the special use permit. The applicant shall pay new fees.
- (c) Revocation of permit. The ~~BOA~~ city council, after notice and a public hearing, may revoke any special use permit for one or more of the following reasons:
 - (1) A substantial violation of any of the plans, terms, conditions and limitations applicable to the special use;
 - (2) A substantial violation of any applicable ordinance or regulation;
 - (3) Operation or maintenance of the special use in a manner that is detrimental to the public's health or safety, or so as to constitute a nuisance; or
 - (4) Discontinuance of the use.
- (d) Lapse of permit. A special use permit shall lapse if the use has not been commenced, or, in the case of construction, if construction has not been commenced, within one year of the date the permit was issued.
- (e) Transfer of permit. A special use permit is not transferable and shall cease upon transfer of the property or business.

(Ordinance 2021-013, att. B, adopted 12/8/21)

§ 38.04.036. through § 38.04.060. (Reserved)

DIVISION 3

Nonconforming Uses and Structures

§ 38.04.061. Nonconforming uses of land and structures.

Any use of land or structures lawfully existing on the effective date of the ordinance from which this chapter is derived, or the effective date of any amendment to this chapter, that is not permitted in the district in which the use is located may be continued, subject to the following conditions:

- (1) No nonconforming use of land shall be extended to occupy a greater area of land than was occupied on April 15, 1990, or on the effective date of the ordinance from which this chapter is derived or the effective date of an amendment of this chapter.
- (2) No nonconforming use of land shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of the ordinance from which this chapter is derived or the effective date of an amendment of this chapter.
- (3) When a nonconforming use of land is discontinued for a period of more than 90 consecutive days, it shall be deemed to be abandoned and subsequent use of such land shall conform to the regulations specified by this chapter for the district in which the land is located.

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- (4) No existing structure devoted to a use not permitted by this chapter in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
- (5) Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this chapter, but no such use shall be extended to occupy any land outside such building.
- (6) Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed.
- (7) When a nonconforming use of a structure, or structure and premises in combination, is discontinued for three consecutive months, except for repairs covered by an approved building permit, not exceeding six months, it shall be deemed to be abandoned, and the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
- (8) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 50 percent of the replacement cost at the time of destruction.
- (9) The city council, after notice and hearing, may require that a nonconforming use be screened from view of the street or surrounding property, or may require the elimination of any nuisance factor caused by a nonconforming use.
- (10) The following nonconforming uses of land shall be entirely discontinued in all districts within one year from April 15, 1990, or the effective date of the ordinance from which this chapter is derived or the effective date of an amendment of this chapter, or from the date of annexation of land containing such uses:
 - (A) Wrecking, junk, scrap or salvage yards.
 - (B) Automotive and other sales lots, and outdoor storage yards for lumber, building materials and contractor's equipment.
 - (C) Extraction or removal of stone, sand, gravel, caliche, minerals, earth, topsoil or other natural material for commercial purposes.
 - (D) Shooting ranges.
- (11) The following nonconforming uses of structures, or of structures and land in combination, shall be entirely discontinued within eight years after their inception, or within five years after becoming nonconforming under this chapter, or an amendment to this chapter, whichever is later:
 - (A) All commercial uses in R districts; and
 - (B) All industrial uses in any district.

(Ordinance 362 adopted 3/28/18)

ARTICLE 38.05

ADMINISTRATION AND ENFORCEMENT

DIVISION 1

Generally

§ 38.05.001. Joint/combined hearings.

Applications for special use permits, variances, zoning changes and subdivision approvals which involve the same development may be considered together, before either the zoning and planning

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commission, the board of adjustments **adjustment**, the city council, or all of the above, at a single hearing, rather than at a separate hearing for each related application. Amendments to this chapter may be heard and acted upon at joint meetings of the zoning and planning commission and the city council. (Ordinance 362 adopted 3/28/18)

§ 38.05.002. Posting of signs on property being considered for special use permit, variance or zoning change.

The city shall cause one or more weather resistant signs to be erected in conspicuous locations on property for which a special use permit, variance, or zoning change approval has been requested. The sign shall state the purpose, date, time and place of the hearing before the commission. Signs placed on the property involved must be within 10 feet of any property line paralleling any established or proposed street, and must be visible from that street. Such signs shall be erected no later than sixteen

(16) days before the request is to be considered at a public hearing before the zoning and planning commission or board of adjustment, whichever is earlier, and shall remain until final disposition of the request by the city council. The applicant shall remove all such signs within 24 hours after the council's final decision

(Ordinance 362 adopted 3/28/18; Ordinance 2025-005 adopted 6/25/2025)

§ 38.05.003. Reapplication after denial of special use permit or change of zoning classification.

No application made by a property owner for a special use permit or changed zoning classification shall be accepted if the same or similar application on the same property has been denied by the city council within the preceding 12-month period.

(Ordinance 362 adopted 3/28/18)

§ 38.05.004. Fees.

All applications and submissions required by this chapter are to be accompanied by such fees and costs as may be required pursuant to such schedule of fees as may be adopted and amended from time to time by resolution of the city council. Fees are not refundable.

(Ordinance 362 adopted 3/28/18)

§ 38.05.005. Provisions of chapter are minimum requirements; conflicting provisions; private restrictions.

The provisions of this chapter shall be held to be minimum requirements adopted for the promotion of the public health, safety and general welfare. Wherever the requirements of any other applicable law are in conflict with the requirements of this chapter, the most restrictive requirement, or that imposing the higher standard, shall apply. The provisions of this chapter are not intended to repeal or interfere with private restrictions placed upon property by covenant, deed, easement or other private agreement.

(Ordinance 362 adopted 3/28/18)

§ 38.05.006. through § 38.05.030. (Reserved)

DIVISION 2

Variances

§ 38.05.031. Provisions subject to variance.

Variances may be granted by the board of adjustment to the provisions of this chapter in accordance with the rules and conditions of this division. A variance may not be granted, however, to authorize a change of use. Variances run with the land, but each variance is specific to the project for which it was granted.

(Ordinance 2021-004, att. G, adopted 6/23/21; Ordinance 379 adopted 9/25/19)

§ 38.05.032. Conditions required for granting variance.

No variance shall be granted unless the following conditions are fulfilled:

(1) The applicant has established by competent evidence that:

(A) The strict or literal enforcement of the terms of this chapter, because of special conditions,

will result in unnecessary hardship to the applicant.

- (B) There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
 - (C) There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
 - (D) The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
- (2) The ~~recommendation~~ **action** of ~~zoning and planning commission~~ **the board of adjustment** shall include an ~~a~~ **analysis consideration** of whether:
- (A) The variance may violate the intent of this chapter or the goals of the city's comprehensive plan.
 - (B) (Reserved).
 - (C) (Reserved).
 - (D) The variance may have an adverse effect on neighborhood properties, or interfere with the respective owners' enjoyment thereof.

- (3) *Alternative grounds for existing structures. In determining whether the condition described in subsection (a)(1) has been established with respect to a structure that is the subject of the application, the board may also consider the grounds set forth in section 38.02.006(c).*

(Ordinance 2021-004, att. G, adopted 6/23/21; Ordinance 379 adopted 9/25/19)

§ 38.05.033. Interpretative criteria.

The board of adjustment ~~and the zoning and planning commission~~, in performing their ~~respective~~ duties in reference to applications for variances, may be guided by these interpretative criteria:

- (1) Variances from the terms of this chapter should be granted sparingly.
- (2) Deviations from the requirements of this chapter are justified only where the hardship resulting from their application is substantial.
- (3) Usually, the granting of a variance must be predicated on a finding that the applicant's hardship arises from unusual conditions or circumstances, such as exceptional irregularity of shape or topography, which are peculiar to the parcel of land involved and not shared generally by other parcels in the neighborhood or district, or because no other reasonable alternative is available that will alleviate the unnecessary hardship complained of.
- (4) Normally, a variance is to be denied if conditions or circumstances relied on for a variance were self-created by the person having an interest in the property in disregard of city regulations.
- (5) The variance shall not violate the goals of the master plan for the city.
- (6) The variance shall not have an adverse effect on neighborhood properties or unreasonably interfere with the respective owners' enjoyment thereof.
- (7) The fact that lots, structures, uses or dimensional conditions on properties or structures within 200 feet of the property involved are, because they are nonconforming or because of previously granted variances, similar to the condition which would be created by the variance requested shall be relevant to, but not determinative of, the granting of the requested variance.
- (8) See section 22.03.009(c) for variances to enable the efficient use of solar energy devices.

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- (9) When considering variance requests for nonresidential projects, whether granting the variance furthers achievement of the land planning principles set forth in the City's Master Plan, Attachment "B," as codified in the Code of Ordinances.

(Ordinance 2021-004, att. G, adopted 6/23/21; Ordinance 379 adopted 9/25/19)

§ 38.05.034. Procedure.

- (a) Application. An application for a variance shall be made in writing in a form prescribed by the city administrator and shall be accompanied by a site plan and additional information as may be requested in order to properly review the application. Such information may include but is not limited to ~~plat plans~~ **survey**, site and building plans, and contour maps. If the applicant is not the legal owner of the property, a statement from the owner that the applicant is the authorized agent of the owner should be provided with the application.
- (b) Report by city administrator or designee. Either the city administrator or the city administrator's representative may visit the site where the proposed variance will apply and the surrounding area and shall report any findings to the ~~zoning and planning commission and city council~~ **board of adjustment**.
- ~~(c) Review by zoning and planning commission. The commission shall review each application for a variance after a public hearing and shall make a recommendation to the board of adjustment. Upon request of applicant, the commission may allow one postponement of the variance request(s) to the following regular meeting of the commission, at which meeting the commission must either make a recommendation or forward the variance request(s) to the board of adjustment without a recommendation.~~
- ~~(d) Requirements for recommending approval. The commission shall not recommend approval of a variance unless it finds, based on competent evidence, that each of the conditions in section 38.05.032 has been established. The burden of establishing such conditions is on the applicant.~~
- ~~(e) Conditional recommendation of approval. A recommendation of approval may be conditioned on the applicant's adoption of specified changes, conditions, limitations or safeguards deemed appropriate by the commission.~~
- ~~(f) Findings and recommendations to be in writing. The commission shall forward its findings and recommendations to the board in writing. The commission's report shall show that each of the conditions in section 38.05.032 has or has not been satisfied. The report may be in the form of minutes of the commission's meeting.~~
- (c) Review by board of adjustment.** The board shall review each application for a variance at a public hearing after receiving findings and a ~~recommendation from the zoning and planning commission~~ **any information from staff**.
- (d) Action by board of adjustment.** The board shall not grant a variance unless it finds, based on competent evidence, that each of the conditions in section 38.05.032 has been established. ~~The board may adopt the findings made by the commission.~~ The board shall make its findings and recommendations in writing and shall follow the requirements of section 38.02.009.
- (e) Imposition of conditions by board of adjustment.** The board of adjustment may impose such conditions, limitations and safeguards as it deems appropriate upon the grant of any variance. Violation of any such condition, limitation or safeguard shall constitute a violation of this chapter.
- (f) Lapse of variance.** Any rights authorized by a variance which are not exercised within one year from the date of granting such variance shall lapse and may be reestablished only after notice and a new hearing pursuant to this division. The city ~~council~~ **administrator** may waive the requirement for the payment of fees for such variance renewal application if there has been no

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material change of conditions pertaining to the property since the granting of the first variance. Variances originally granted concurrently and in connection with a change of a zoning designation as set forth in section 38.05.097 shall expire when and if the zoning designation expires.

- (g) Proceeding without a variance. If work requiring a variance is begun or completed before obtaining approval of the variance, the city administrator shall investigate the circumstances of the failure to obtain such a variance and make the report a part of the variance request application. A stop-work order shall be in effect until a decision on approval or denial is made. Approval of such variance by the board of adjustment shall not preclude the responsible party from being cited for a violation of this chapter and being prosecuted in municipal court pursuant to section 38.05.064. If the variance application(s) are denied or withdrawn prior to approval, the applicant has ten (10) days to bring the property into compliance. If the deviation(s) are not corrected within the ten (10) days or timeframe agreed to, in writing, by the city administrator, immediate enforcement action described by section 2.02.041 of this code may be taken to bring the property into compliance. A resulting conviction in municipal court shall not relieve any person from fully complying with any other requirement of this chapter.

- (h) Waivers from the drainage and erosion control design manual shall follow the procedure included in section 22.03.511(d).

(Ordinance 2021-004, att. G, adopted 6/23/21; Ordinance 379 adopted 9/25/19)

(Ordinance 362 adopted 3/28/18)

§ 38.05.035. Conditions.

The city council ~~board~~ can impose, and the zoning and planning commission can recommend ~~imposition of~~ reasonable conditions upon granting a variance if the conditions are related to the subject of the variance. When considering variance requests for nonresidential projects, whether, the City can recommend the imposition of reasonable conditions that are necessary to achieve one or more of the land planning principles set forth in the City's Master Plan, Attachment "B", as codified in chapter 28 of the Code of Ordinances.

§ 38.05.036. Notice of public hearing before the zoning and planning commission ~~board of adjustment.~~

- (a) The ~~commission~~ **board** shall hold a public hearing on ~~certain~~ applications for a variance.
- (b) Written notice of such hearing shall be given to the owners of all real property located within three hundred (300) feet in all directions of the property that is the subject of the hearing, regardless of whether the neighboring property is within the city limits or ETJ. For nonresidential variances, written notice of the hearing shall be given to the owners of all real property located within 300 feet in all directions of the property that is the subject of the hearing, regardless of whether the neighboring property is within the city limits or ETJ. Notice shall be given not less than sixteen (16) days prior to the date of the hearing by depositing a copy of the notice in the mail addressed to each owner at the owner's address shown on in the Travis Central Appraisal District database, with postage paid.
- (c) Such notice shall state the purpose, date, time and place of the hearing and shall contain a brief description of the proposed development, including its nature, scope and location. The notice shall also describe any variances the applicant has requested and shall state the location and times at which the applications and supporting documents are available for public inspection. ~~The time and place of the public hearing to be held before the city council shall also be included if known at the time the notice is given and, if it is not known at such time, a telephone number shall be provided where information on the hearing before the board of adjustment will be available at a later date.~~

- (d) The city shall be responsible for drafting the notice and serving it after it has been approved by the city administrator for form and content.
- (e) A sign shall be posted per Section 38.05.002.
- (f) Notice shall not be sent out until a city official (e.g., city inspector or city engineer) has reviewed the submitted and completed application for a variance.

(Ordinance 362 adopted 3/28/18; Ordinance 2025-005 adopted 6/25/2025)

§ 38.05.037. Regulatory authority of board of adjustments ~~adjustment~~ and city council over variances.

Types of Variances	Code of Ordinances Section	Recommendation	Approved By
Board of Adjustment Action			
Swimming pools	22.03.168, 22.03.207	N/A	BOA
Site disturbance	22.03.171, 22.03.210	N/A	BOA
Off-street parking	22.03.241 through 22.03.251	N/A	BOA
Minimum lot dimensions	22.03.272	N/A	BOA
Building setbacks	38.03.040, 22.03.275	N/A	BOA
Setbacks for accessory structures	22.03.276	N/A	BOA
Lot coverage	22.03.278	N/A	BOA
Height of structures	22.03.279, 38.03.040	N/A	BOA
Trees and vegetation	22.03.304, 22.03.305, 36.01.009	N/A	BOA
Impervious cover	22.03.059 and 22.03.281	N/A	BOA
ZAPCO Recommendation and City Council Action			
Water use	18.06.043	N/A	City Council
Visibility along streets and at street corners	22.03.007	ZAPCO	City Council
Screening of nonresidential uses from residential district or use	22.03.008	ZAPCO	City Council
Solar energy devices	22.03.009	ZAPCO	City Council
Solid waste containers in setback area	22.03.010	ZAPCO	City Council
Satellite dish antennas	22.03.011	ZAPCO	City Council
Reflective exterior building materials	22.03.012	ZAPCO	City Council

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International Codes	22.03.091 through 22.03.098	ZAPCO	City Council
Fences	22.03.173, 22.03.216	ZAPCO	City Council
Flood hazard areas	26.02.064	ZAPCO	City Council
Signs	All of chapter 32, 38.03.040	ZAPCO	City Council
Special provisions (for subdivision approval)	36.01.004	ZAPCO	City Council
General rules and regulations (plat approval)	36.01.009, Table 36-1, Table 36-2	ZAPCO	City Council
Residential subdivisions of five acres or greater	36.01.010	ZAPCO	City Council
Private sewage facilities	36.01.011	ZAPCO	City Council

Types of Variances	Code of Ordinances Section	Recommendation	Approved By
Signs	All of chapter 32, 38.03.040	ZAPCO	City Council
Site disturbance	22.03.171, 22.03.210	N/A	BOA
Swimming pools	22.03.168, 22.03.207	N/A	BOA
Fences	22.03.173, 22.03.216	ZAPCO	-City Council
Trees	22.03.304, 22.03.305, 36.01.008	N/A	BOA City Council
Landscaping	22.03.300	N/A	BOA City Council
Off-street parking	22.03.241 through 22.03.251	N/A	BOA
Minimum lot dimensions	22.03.272	N/A	BOA
Setbacks for accessory structures	22.03.276	N/A	BOA
Impervious cover	38.03.040 and Table 36-1	N/A	BOA
International and Uniform Codes	22.03.091 through 22.03.098	ZAPCO	City Council
Visibility along streets and at street corners	22.03.007	ZAPCO	-City Council
Screening of nonresidential uses from residential district or use	22.03.008	ZAPCO	-City Council
Solar energy devices	22.03.009	ZAPCO	-City Council
Solid waste containers in setback area	22.03.010	ZAPCO	-City Council
Satellite dish antennas	22.03.011	ZAPCO	-City Council
Reflective exterior building materials	22.03.012	ZAPCO	-City Council

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Special provisions (for subdivision approval)	36.01.004	ZAPCO City Council
General rules and regulations (plat approval)	36.01.008, Table 36-1, Table 36-2	ZAPCO City Council
Residential subdivisions of five acres or greater	36.01.009	ZAPCO City Council
Private sewage facilities	36.01.010	ZAPCO City Council
Building setbacks	38.03.040, 22.03.275	N/A BOA
Lot coverage	22.03.278	N/A BOA
Height of structures	22.03.279, 38.03.040	N/A BOA
Water use	18.06.043	N/A City Council
Flood hazard areas	26.02.064	ZAPCO City Council

BOA = Board of Adjustment

Table: Regulatory Authority of Board of Adjustment and City Council of Certain Types of Variances

(Ordinance 362 adopted 3/28/18)

§ 38.05.038. through § 38.05.060. (Reserved)

DIVISION 3

Enforcement and Penalties

§ 38.05.061. Stop-work orders.

The city inspector or the city administrator may order all work, including site clearing or other site preparation, stopped on any site where a significant violation of this chapter or a final site plan is found. Any person, including a workman on the site, who fails to comply with a stop-work order shall be guilty of a misdemeanor, punishable as provided in section 38.05.064.

(Ordinance 362 adopted 3/28/18)

§ 38.05.062. Revocation of final site plan approval.

If the city council finds, after notice and hearing, that a significant violation of the final site plan has occurred, the council may revoke its approval of such site plan. It shall be unlawful for any person to do any work on the site covered by the site plan unless and until a new application for site plan approval has been filed and processed in accordance with the provisions of this chapter and the city council grants approval to a new final site plan which corrects the violations of the original site plan.

(Ordinance 362 adopted 3/28/18)

§ 38.05.063. Injunction and other remedies.

Any structure erected or used, or any work done, contrary to any of the provisions of this chapter or to any of the details contained in the final site plan approved by the city council is hereby declared to be unlawful and shall constitute a violation of this chapter. The city council may initiate injunction, mandamus, abatement or any other action available in law or equity to prevent, enjoin, abate, correct or remove such unlawful structure, use or work.

(Ordinance 362 adopted 3/28/18)

§ 38.05.064. Penalties.

- (a) Any person who violates any provision of this chapter or any order made under the authority of this chapter, or who causes or permits any such violation, or who fails to perform any act required under this chapter, or who does any prohibited act or takes any action contrary to the final site plans approved by the city council or fails to take any action required by such site plan, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more

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than \$2,000.00. Each and every day on which any violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

- (b) Any person who violates any provision of this chapter is subject to a civil penalty of not less than \$100.00, or more as permitted by law, for each act of violation and for each day of violation.
- (c) The owner or tenant of any building, structure or premises and any architect, builder, contractor, agent or other person who knowingly commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense and suffer the penalties provided in this section, and shall likewise be subject to civil penalties as provided in this section.

(Ordinance 362 adopted 3/28/18)

§ 38.05.065. through § 38.05.090. (Reserved)

DIVISION 4

Amendments

§ 38.05.091. Generally.

- (a) Amendments to this chapter shall be made by the city council in accordance with the provisions of this section.
- (b) The city council shall not enact any amendment to this chapter without first having received a report and recommendation from the zoning and planning commission and having held a public hearing on the proposed amendment.
- (c) Amendments to this chapter shall be of two types:
 - (1) Those that change the zoning classification of a particular parcel of land; and
 - (2) All others, which include amendments that supplement, change or repeal general provisions of this chapter.
- (d) All amendments shall conform to the goals and standards and the land use map of the comprehensive plan of the city. Zoning classification changes that do not conform to the land use map in the comprehensive plan of the city are permitted only under the circumstances and conditions specified in this division.

(Ordinance 362 adopted 3/28/18)

§ 38.05.092. Procedure for changing zoning classification of particular parcels of land.

- (a) Persons who may initiate request. A request to change the zoning classification of a particular parcel of land may be initiated by the owner of such parcel or the zoning and planning commission. The city council, however, may initiate a proposed change on its own motion without such request.
- (b) Manner of initiating request.
 - (1) Application by property owner. A property owner may file an application with the city administrator requesting the city council to consider changing the zoning classification of such person's property. Such application shall be accompanied by a fee set by the city council and shall contain the following information:
 - (A) Legal description and address of the parcel affected.
 - (B) Present zoning classification of the parcel and of all contiguous parcels around it.
 - (C) Present use of the parcel and of all contiguous parcels around it.
 - (D) Type and location of any structures on the applicant's parcel and on adjoining land.
 - (E) Appropriate evidence of any significant changes that have occurred in the area affected

which support the requested rezoning in accordance with the comprehensive plan.

- (F) The zoning change requested and the proposed use;
 - (G) A traffic impact analysis, where development is proposed which would generate 200 or more trips per day with access to a collector street with less than 40 feet of pavement width and 400 or more trips per day with access to an arterial street with 40 feet or more of pavement width. Submittal shall occur simultaneously with the applications for zoning, special use permits or building permits; and
 - (H) Any other relevant information requested by the city administrator.
- (2) Resolution from zoning and planning commission. The zoning and planning commission, by resolution directed to the city council, may request a change in the zoning classification of particular parcels of land in order that such parcels will conform to the classification specified on the land use map of the comprehensive plan of the city.
 - (3) Initiation on city council's own motion. The city council, by motion, may initiate a proposal to change the zoning district classification of a particular parcel of land.
- (c) City administrator report. The city administrator shall review each application for a zoning change and prepare a brief report on whether the requested change conforms to the classification specified in the land use map of the comprehensive plan of the city for such parcel. If the requested change does not conform to the comprehensive plan, the city administrator's report may indicate whether any significant and unanticipated changes have occurred in the area of the affected parcel since the classification on the land use map was adopted which make it unlikely that such parcel can be developed or used for any use permitted under the zoning classification indicated for such parcel in the comprehensive plan. The report shall also indicate whether the requested zoning classification is the most appropriate classification for the area affected. The report shall also make a determination as to whether the zoning classification is designed to promote those values set forth in section 38.05.094(d) of the Code.

(Ordinance 362 adopted 3/28/18)

§ 38.05.093. Procedure for amending general zoning provisions.

- (a) Initiation by zoning and planning commission.
 - (1) The zoning and planning commission, by resolution directed to the city council, may request that certain general provisions of this chapter be amended. The resolution shall contain the reasons for such request and indicate whether the proposed amendment conforms to the comprehensive plan of the city.
 - (2) The city council may approve the request, deny the request, or return it to the zoning and planning commission for additional consideration.
- (b) Initiation on city council's own motion. The city council, by motion, may initiate a proposal to amend the general provisions of this chapter.

(Ordinance 362 adopted 3/28/18)

§ 38.05.094. Report and recommendation from zoning and planning commission.

- (a) Required. No amendment to this chapter shall be enacted without a report and recommendation from the zoning and planning commission.
- (b) Changing a zoning regulation or boundary. Changes to the zoning ordinance, including zoning regulations, restrictions, and boundaries, may from time to time be adopted at the request of a property owner (or the owner's designated agent, tenant, or a prospective buyer), or initiated by the zoning and planning commission, city council, or city staff.

- (c) Public hearing required. The zoning and planning commission shall hold a public hearing on its preliminary report prepared by the city administrator/staff for all zoning changes or general amendments to this chapter proposed.
- (d) Notice of public hearing.
- (1) Publication. Notice of a public hearing before the commission to consider a proposed zoning classification change or a proposed general amendment to this chapter shall be published in the official newspaper of the city and on the city's official website before the 15th day before the hearing. The notice shall state the time and place of the hearing and contain a description of the matter to be considered, in accordance with Texas Local Government Code Chapter 211.
 - (2) Written notice to property owners. When the public hearing is to consider a proposed zoning district classification change, written notice of such hearing shall be sent to the property owner(s) of the tract which is the subject of the zoning district classification change and to the owners of all real property located within 300 feet of the property on which the change in classification is proposed at least sixteen (16) days before the hearing, in accordance with Texas Local Government Code Chapter 211.
 - (3) A sign shall be posted per Section 38.05.002.
- (e) Action by zoning and planning commission.
- (1) Recommendation. After all public input has been received and the public hearing is closed, the zoning and planning commission shall make its final report to the city council on the proposed zoning request and state its findings, its overall evaluation of the request, and its assessment regarding how the request relates to the comprehensive plan. The zoning and planning commission may recommend:
 - (A) Approval of the request as submitted by the applicant;
 - (B) Approval of the request subject to specified conditions; or
 - (C) Disapproval of the request.
 - (2) Commission recommendation of zoning change or amendment. The commission may recommend enactment of such zoning change or amendment if it finds that the change or amendment is in the public interest, conforms to the provisions of this chapter and the comprehensive plan, and is designed to:
 - (A) Lessen congestion in the streets;
 - (B) Secure safety from fire, panic, and other dangers;
 - (C) Promote health and the general welfare;
 - (D) Provide adequate light and air;
 - (E) Prevent the overcrowding of land;
 - (F) Avoid undue concentration of population; or
 - (G) Facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.
 - (3) Hearing deferral. The zoning and planning commission may, on its own motion or at the applicant's request, defer its decision to make a recommendation until it has had an opportunity to consider other information or proposed modifications to the request which

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may have a direct bearing thereon to the next regular meeting. The zoning and planning commission may elect to defer its decision on the request to its next regular meeting, and the request will reappear on the next zoning and planning commission's agenda. After review at these meetings, the commission shall forward the amendment to the city council with or without a recommendation.

(Ordinance 379 adopted 9/25/19; Ordinance 2025-005 adopted 6/25/2025)

§ 38.05.095. Review and action by city council.

- (a) Public hearing required. The city council shall hold a public hearing on all proposed zoning classification changes and general amendments to this chapter before acting thereon. This hearing shall not be held until a final report is received from the zoning and planning commission.
- (b) Notice of public hearing.
 - (1) Notice of a public hearing before the city council to consider an amendment to this chapter shall be given in the same manner as required for notice of a public hearing before the zoning and planning commission to consider a similar amendment.
 - (2) Notice of the hearing before the city council may be combined with the notice given for the hearing on the same matter before the zoning and planning commission.
- (c) Council action.
 - (1) Generally. The city council may enact a proposed general amendment or zoning change if it finds that such amendment or change is in the public interest, conforms to the provisions of this chapter and the comprehensive plan of the city, and meets the criteria set forth in section 38.05.094(e)(2).
 - (2) Denial by zoning and planning commission.
 - (A) An application recommended for denial by the zoning and planning commission shall not be forwarded to city council unless the applicant files a written appeal with the city secretary within ten (10) business days after the zoning and planning commission's decision. Said appeal will, in that instance, be forwarded to the city council along with the zoning and planning commission's final report.
 - (B) The appeal shall be scheduled for the next possible city council agenda, following appropriate public notification as prescribed in section 38.05.095(b).
 - (C) Approval of a request for a zoning amendment will require a simple majority vote of the city council present and voting, unless the zoning and planning commission unanimously recommends denial. In that case, the approval by the city council shall require an affirmative vote of three-fourths of all members of the city council.
 - (D) No zoning change shall become effective until after the adoption of an ordinance for same.
 - (E) An applicant will be timely informed in writing of the applicant's right to appeal to the city council upon denial by the zoning and planning commission.
 - (F) An applicant will be timely informed in writing of the applicant's right, when appearing before the city council, to discuss or contest any conditions for approval recommended by the commission.
 - (3) Approved by zoning and planning commission. Every application which is recommended for approval or approval with conditions by the zoning and planning commission shall be

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automatically forwarded, along with the written recommendation of the zoning and planning commission, to the city council for setting and holding of a public hearing thereon following appropriate public hearing notification, as prescribed in section 38.05.095(b). The city council may then approve the request, approve it with conditions, or disapprove it by a simple majority vote of the city council members present and voting.

- (4) Protests. If a written protest is submitted against a proposed change of zoning classification signed by all the owners of 20 percent or more either of the area of the lots or land included in such proposed change, or of the lots or land immediately adjoining the lots or land included in such proposed change or extending 200 feet therefrom, such proposed change of zoning classification shall not become effective except by the favorable vote of three-fourths of all the members of the city council
- (5) Representations by applicant. All representations, whether oral or written, made by the applicant or the applicant's agent on behalf of the zoning change become a condition upon which the zoning change is granted. It shall be unlawful for the applicant to vary from any such representations unless the applicant first obtains the approval of the city council.
- (6) Parcel of land. As used in this section, "parcel of land" shall mean that area designated by the applicant, even though such parcel of land may contain more than one lot subdivided in compliance with the subdivision ordinance of the city (chapter 36).
- (7) Postponement. The city council may postpone any action proposed under the provisions of this chapter.
- (d) Factual findings. Within 45 days of approving or denying a zoning change, the city council shall, in writing, explain its factual findings for the decision to approve or deny the request for rezoning. The written factual findings shall be filed in the office of the city secretary. The city council shall send a letter containing the factual findings to the applicant.

(Ordinance 362 adopted 3/28/18)

§ 38.05.096. Suspension of issuance of permits pending amendments.

No application shall be accepted for filing or be processed, and no building, site clearance or grading permit shall be issued for any work, other than in connection with a single-family residential use, for a period not to exceed 90 days, on land which is being considered for a change in zoning classification, with such 90-day period to begin on the date the city council submits the proposed zoning change to the zoning and planning commission for a report and recommendation.

(Ordinance 362 adopted 3/28/18)

§ 38.05.097. Undeveloped parcels zoned before July 24, 1996.

Undeveloped parcels (zoned property/lots without building permits) for which zoning was approved before July 24, 1996, shall retain such zoning until another zoning classification is requested and approved in accordance with the procedures in this chapter, as amended. All zoning expiration/due dates and zoning extension expiration/due dates are rescinded. Site plans, which were approved when the zoning for such parcels was granted, shall expire on the next zoning expiration/due date or zoning extension expiration/due date of the parcel for which each of these site plans was submitted and approved.

(Ordinance 362 adopted 3/28/18)

DIVISION 5

Administrative Exceptions

§ 38.05.098. Eligibility.

An administrative exception may be granted by the City Administrator subject to the provisions of this chapter in accordance with the rules and conditions of this division. Administrative exceptions run with the land, but each exception is specific to the project for which it was granted. Only those

administrative exceptions listed below are eligible for approval by the City Administrator:

- (1) Up to a maximum of 5% relief from any numerical standard for permitted work with identified "after-the-fact" construction errors. This relief is not available at the building permit stage, but only to correct construction errors.

§ 38.05.099. Conditions required for granting administrative exception.

- (1) That granting the administrative exception serves an obvious and needed purpose.
- (2) That granting the administrative exception will ensure an equal or better level of design or land use compatibility as the otherwise applicable standards.
- (3) That granting the administrative exception will not materially and adversely affect adjacent land uses and the physical character of development in the immediate vicinity of the proposed project.
- (4) That granting the administrative exception will be consistent with the purposes and intent of the zoning ordinance and comprehensive plan.

§ 38.05.100. Interpretive criteria.

- (1) The condition is not intentionally self-created.
- (2) The condition does not result from a disregard of the approved plans, specifications, or applicable code requirements.

§ 38.05.101. Procedure.

- (1) **Application.** An application for an administrative exception must be made in writing in a form prescribed by the city administrator, accompanied by a site plan and additional information as may be requested in order to properly review the application. Such information may include but is not limited to survey, site and building plans, and contour maps. If the applicant is not the legal owner of the property, a statement from the owner that the applicant is the authorized agent of the owner should be provided with the application.
- (2) **Report by city administrator or designee.** Either the city administrator or the city administrator's representative may visit the site where the proposed administrative exception will apply and the surrounding area and prepare a site report on the conditions affecting the request for administrative exception.
- (3) **Review by city administrator.** The city administrator will review each application for an administrative exception and the accompanying site report.
- (4) **Requirements for recommending approval.** The city administrator must not recommend approval of an administrative exception unless they find, based on competent evidence, that each of the interpretive criteria herein has been established. The burden of establishing such conditions is on the applicant.

- (5) **Findings and recommendations to be in writing.** The city administrator must make their findings and recommendations in writing. The report must show that the conditions herein have or have not been satisfied.
- (6) **Imposition of conditions by city administrator.** The city administrator may impose such conditions, limitations and safeguards as they deem appropriate upon the grant of any administrative exception. Violation of any such condition, limitation or safeguard shall constitute a violation of this chapter.
- (7) **Lapse of administrative exception.** Any rights authorized by an administrative exception that are not exercised within one year from the date of granting such exception will lapse and may be reestablished only through re-application and approval of a new administrative exception. The city administrator may waive the requirement for the payment of fees for such renewal application if there has been no material change of conditions pertaining to the property since the granting of the first administrative exception.
- (8) **Proceeding without an administrative exception.** If work requiring an administrative exception is begun or completed before obtaining approval of the exception, the city administrator will investigate the circumstances of the failure to obtain the administrative exception. A stop-work order will be in effect until a decision on approval or denial is made. Approval of such administrative exception by the city administrator does not preclude the responsible party from being cited for a violation of this chapter and being prosecuted in municipal court pursuant to section 38.05.064. If the administrative exception application is denied or withdrawn prior to approval, the applicant has 10 days to bring the property into compliance. If the deviations are not corrected within the 10 days or timeframe agreed to, in writing, by the city administrator, immediate enforcement action described by section 2.02.041 of this code may be taken to bring the property into compliance. A resulting conviction in municipal court will not relieve any person from fully complying with any other requirement of this chapter.

ARTICLE 38.06
PLANNED DEVELOPMENT DISTRICTS
DIVISION 1
Generally

§ 38.06.001. Popular name.

This article shall be commonly cited as the “planned development district ordinance.”
 (Ordinance 362 adopted 3/28/18)

§ 38.06.002. Scope.

This article applies to all property within the incorporated municipal boundaries (i.e., “city limits”), and may also extend to the extraterritorial jurisdiction (“ETJ”) to the extent property owners are willing to be voluntarily annexed into the city concurrently with the adoption of the planned development district. This chapter applies solely to projects that are not single-family residential projects.
 (Ordinance 362 adopted 3/28/18)

§ 38.06.003. Definitions.

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- (a) General. Words and phrases used in this article shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the code. Words and phrases not defined in the Code of Ordinances shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word “shall” is always mandatory, while the word “may” is merely directory. Headings and captions are for reference purposes only.

- (b) Specific.

City. The City of West Lake Hills, an incorporated municipality located in Travis County, Texas.

City administrator. The chief administrative officer of the City of West Lake Hills. The term may also include the deputy city administrator, development coordinator, or any other agent of the city specifically designated by the city council to perform the duties of the city administrator, as set out in this article.

PD district. Planned development district.

PD master plan. A development plan that serves as the basis for the enactment of a planned development district. The plan may be for one or more lots. The plan depicts the existing and proposed conditions of the lot, including: water features; landscaping and open spaces; walkways, means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; screening devices; and any other information required by this article. A PD master plan is not required to have an engineer’s seal.

Site plan. See section 1.01.003.

(Ordinance 362 adopted 3/28/18)

§ 38.06.004. Purpose.

- (a) This article provides standards and procedures for the legislative creation of specialized zoning districts that are crafted specifically for certain land endeavors. Planned development districts are intended to allow flexibility and encourage creative land use and site development while providing natural resource preservation and protecting adjoining properties. Through planned development districts the city is better able to give developers the flexibility they need for complicated projects, while protecting the public interest by mitigating externalities related to traffic, noise, aesthetics, lighting and drainage.
- (b) Planned development districts are established by ordinance and, thus, are not agreements, although often they are developed through negotiations between the city and property owners.
- (c) Unless clearly stated in the ordinance creating the PD district, the development project must comply with all applicable city regulations. PD districts are intended to implement generally the goals and objectives of the city’s comprehensive plan. PD districts are also intended to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:
- (1) To designate a town center(s) and “main street” area as the commercial or mixed use area but still protect and preserve City of West Lake Hill’s rural appeal.
 - (2) To protect or preserve native natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes, hills, viewscapes, and wildlife habitats.
 - (3) To provide streets to accommodate bikes and pedestrians[.]
 - (4) To encourage environmentally-friendly construction and construction of energy efficient buildings[.]

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- (5) To protect or preserve existing historical buildings, structures, features or places.
- (6) To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services; and,
- (7) To meet or exceed the present standards of this article.

(Ordinance 362 adopted 3/28/18)

§ 38.06.005. Nature of district.

Each PD district shall be a free-standing zoning district in which land uses and intensities of land use may be tailored to fit the physical features of the site and to achieve compatibility with existing and planned adjacent uses.

(Ordinance 362 adopted 3/28/18)

§ 38.06.006. through § 38.06.030. (Reserved)

DIVISION 2

Minimum Standards**§ 38.06.031. Standards by ordinance.**

Minimum standards proposed for the PD district must be incorporated within an ordinance adopted by the city council. In the adopting ordinance, the city council may incorporate minimum standards by making reference to a standard zoning district. In considering whether a PD district is appropriate and in the public interest, the city council shall consider the principles outlined in attachment “B” of the city’s master plan.

(Ordinance 362 adopted 3/28/18)

§ 38.06.032. Land use.

- (a) Principles. When proposing that the city creating a PD district and confer that status on a particular tract of property, the applicant shall provide specific information to the city explaining in detail how the proposed pdd addresses the principles established in attachment “B” of the city’s master plan.
- (b) Uses. An application for a PD district shall specify the use or the combination of uses proposed, particularly if any of the proposed uses are not allowed by right in the base zoning district.
- (c) Base district. In the PD district, uses shall conform to the standards and regulations of the base zoning district to which it is most similar. The particular zoning district must be stated in the granting ordinance.
- (d) Variances. All applications to the city shall list all requested variances from the standard requirements set forth throughout this article (applications without this list will be considered incomplete).
- (e) Conditional uses. Conditional use permits allowed in a base zoning district may be allowed in a PD only if specifically identified at the time of PD approval, and if specifically cited as an “additional use” in the ordinance establishing the PD. Additional uses included in the PD ordinance shall then be allowed by right in the PD district.
- (f) Location. The location of all authorized uses shall be consistent with the PD master plan and the PD site plan.
- (g) Residential uses. Unless otherwise provided by the PD ordinance, the following standards shall apply to all residential uses within a PD district:
 - (1) Density. Except on the basis of exceptional design and provision of enhanced open space, residential density shall be no smaller than the lot sizes allowed in the base zoning district for each type of housing except for minor changes in a small percentage of the lots in order to provide improved design or flexibility in the layout of the subdivision.

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- (2) Drainage. Drainage features shall be in accordance with the drainage and erosion control design manual.

(Ordinance 362 adopted 3/28/18)

§ 38.06.033. Open space standards.

- (a) Public or private. Unless otherwise provided by the PD ordinance, a site-appropriate area or areas within the entire PD district shall be devoted to open space. Open space for PD districts may be satisfied by space that can be classified as public, such as a central gathering space, or by a combination of public and private open space. Open space requirements specified in this subsection are in addition to the city's general requirements for landscaping and buffering. Public open space shall be dedicated to the city.
- (b) Preservation of natural features. Unless otherwise provided by the PD ordinance or PD master plan:
- (1) Floodplain areas shall be preserved and maintained as open space; and
 - (2) Significant stands of native trees and other natural features of the City of West Lake Hills shall be preserved and protected from destruction or alteration. Applicant shall submit a nature preservation plan to the city.
- (c) Open space allocation and preservation. Open space requirements shall be satisfied for each phase of a multi-phased development. If open space is not to be provided proportionally among phases of development, the applicant must execute a reservation of open space in a form that will assure the city that such open space will be provided. The city may require that all open space within the PD district must be provided prior to completion of development within the PD district.

(Ordinance 362 adopted 3/28/18)

§ 38.06.034. Height regulations.

Unless otherwise provided by the PD ordinance, height regulations for uses shall be those established within the city's zoning regulations for the base zoning district.

(Ordinance 362 adopted 3/28/18)

§ 38.06.035. Area regulations.

Unless otherwise provided by the PD ordinance, area regulations for uses shall be those established within the city's zoning regulations for the base zoning district. There is no minimal allowable size.

(Ordinance 362 adopted 3/28/18)

§ 38.06.036. through § 38.06.090. (Reserved)

DIVISION 3

Master Plan**§ 38.06.091. Mandatory.**

The PD master plan is the mandatory first step in the creation of a PD district. It establishes general guidelines for the PD district by identifying the proposed land uses and intensities, building locations, building footprints, thoroughfare locations, and open space boundaries, including any proposed public trail systems. The PD master plan, as incorporated in the PD ordinance and together with the text of the ordinance, establishes the development standards for the PD district. The PD master plan shall incorporate (to the extent reasonably possible) the principles set forth in attachment "B" of the city's master plan.

(Ordinance 362 adopted 3/28/18)

§ 38.06.092. Compliance with approved plans.

Except as otherwise provided by the city's subdivision regulations, no development shall begin and no building permit shall be issued for any land within a PD district until a PD site plan that is substantially consistent with the PD master plan has been approved. Each PD district shall be developed, used, and

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maintained in compliance with the approved PD master plan, and conform to site plans for the PD district.

(Ordinance 362 adopted 3/28/18)

§ 38.06.093. Establishment of district.

- (a) Zoning Amendment. The procedures for establishing a PD district shall be the same as for any other type of zoning request, except that more information is typically needed along with the request, and a PD master plan shall be submitted along with the request.
- (b) Application. An application for the establishment of a PD district shall be submitted in accordance with this article. The application shall include:
 - (1) A PD master plan.
 - (2) A list of proposed PD district development standards.
 - (3) Identification of a zoning district, if any, which shall apply to the extent not otherwise provided by the PD master plan or by the proposed PD district development standards.
 - (4) A PD master plan informational statement, and
 - (5) A traffic impact analysis, unless waived by the city council.

(Ordinance 362 adopted 3/28/18)

§ 38.06.094. Governing regulations.

Except to the extent provided by the PD master plan and the PD ordinance, development within the PD district shall be governed by all of the city's ordinances, rules, and regulations in effect at the time of such development, including the standards of the zoning district identified in the application. Of particular importance when deliberating approval and implementation of PD master plans and PD districts are the principles contained in attachment "B" of the city's master plan.

(Ordinance 362 adopted 3/28/18)

§ 38.06.095. Conflict.

In the event of any conflict between the PD master plan, the PD ordinance, and/or the ordinances, rules, and regulations of the city in effect at the time of the establishment of the PD, the terms, provisions, and intent of the PD master plan and PD ordinance shall control.

(Ordinance 362 adopted 3/28/18)

§ 38.06.096. PD master plan requirements.

- (a) A PD master plan shall be submitted along with a PD zoning request, and shall be processed simultaneously with the PD zoning request. The PD master plan shall be reviewed by the city's building design committee and zoning and planning commission. If the PD zoning application is approved, the PD master plan shall be incorporated and made a part of the PD ordinance.
- (b) Development standards. Proposed PD district development standards shall be processed simultaneously with the PD zoning application, and if the PD zoning application is approved, such standards shall be incorporated as part of the PD ordinance. Such proposed development standards may include, but shall not be limited to, uses; density; lot size; building size; lot dimensions; setbacks; coverage; height; landscaping; lighting; screening; fencing; parking and loading; signage; open space; drainage; and utility and street standards. Any graphic depictions used to illustrate such standards, unless otherwise provided in the PD ordinance, shall be considered as regulatory standards. In the event of any conflict, the more stringent standards shall apply. At the city administrator's discretion, the city administrator may waive any of items listed in this subsection. The city council may require submission of the above information or any other item deemed necessary by the council for creation of a PD district. In weighing the standards and regulations to apply to the PD master plan and PD district, the city administrator

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shall principles contained in attachment “B” of the city’s master plan.

- (c) Informational statement. A PD master plan shall be accompanied by an informational statement containing the information set forth below. If the PD zoning application is approved, the informational statement shall be binding on the applicant or the land owner, but shall not be considered part of the PD master plan or the PD ordinance. If the PD master plan and the PD ordinance conflict in any way, the PD ordinance shall be considered the controlling document. Informational statements shall be updated concurrently with any amendment to the PD master plan. Each statement shall include the following:
- (1) A general statement setting forth how the proposed PD district will relate to the city’s comprehensive plan.
 - (2) The total acreage within the proposed PD district.
 - (3) If the development is to occur in phases, a conceptual phasing plan that identifies the currently anticipated general sequence of development, including the currently anticipated general sequence for installation of major capital improvements to serve the development; and
 - (4) An aerial photograph with the boundaries of the PD master plan clearly delineated.

(Ordinance 362 adopted 3/28/18)

§ 38.06.097. Master plan amendments.

- (a) PD master plans. PD master plans, excluding informational statements, are considered part of the PD ordinance. Any substantive amendment to a PD master plan, as determined by the city administrator, shall be considered a zoning change. Nonsubstantive modifications may be approved by the city administrator.
- (b) PD site plans. PD site plans are not considered part of a PD ordinance. Except as otherwise provided within this subsection, any amendment/revision to an approved site plan shall be in accordance with the city’s site development ordinance.

(Ordinance 362 adopted 3/28/18)

§ 38.06.098. Lapse of master plan.

A PD master plan shall be effective for a period of one year (365 calendar days).

(Ordinance 362 adopted 3/28/18)

§ 38.06.099. Extension and reinstatement.

Extension of a PD master plan or site plan shall be in accordance with the following:

- (1) Prior to the lapse of approval for a PD master plan, the applicant may request in writing that the city extend the plan approval. Such request shall be considered at a public meeting before the zoning and planning commission and the city council, and an extension may be granted by city council at such meeting. Two (2) extensions of six (6) months each in length may be granted, unless otherwise specified by ordinance. If no petition for extension of PD master plan approval is submitted, then the plan shall be deemed to have automatically expired by operation of law and shall become null and void.
- (2) Determination of extension. In determining whether to grant a request for extension, the city council shall take into account the reasons for the lapse, the ability of the applicant to comply with any conditions attached to the original approval, and the extent to which development regulations would apply to the concept plan or site plan at that point in time. The city council shall either extend the PD master plan or deny the request, in which instance the originally approved plan shall be deemed null and void. However, the two (2) aforementioned extensions shall not be unreasonably withheld without due cause.

(Ordinance 362 adopted 3/28/18)

§ 38.06.100. Contents of master plans.

- (a) Objective. A PD application and the master plan must include enough information to allow the city to plan for infrastructure and to demonstrate that the plan will be an enhancement to the city, while allowing for flexible and creative planning.
- (b) Scale. The master plan shall be prepared at a scale no smaller than one inch equals two hundred feet (1" = 200') and on sheets twenty-four inches by thirty-six inches (24" x 36") [.]
- (c) Contents. The master plan shall show the following:
 - (1) A title block within the lower right hand corner of the concept plan with the proposed name of the project or subdivision, the name and address of the owner and the land planner, engineer architect or surveyor responsible for the design or survey, the scale of the drawing, both written and graphic scale, the date the drawing was prepared, total site acreage, and the location of the property according to the abstract and survey records of Travis County, Texas.
 - (2) A vicinity or location map that shows the location of the proposed development within the City or its extraterritorial jurisdiction and in relationship to existing roadways.
 - (3) The boundary survey limits of the tract and scale distances with north clearly indicated.
 - (4) The names of adjacent additions or subdivisions, or the name of the owners of record and recording information for adjacent parcels of unplatted land, including parcels on the other sides of roads and creeks. The concept plan shall include a depiction of all contiguous holdings of the property owners, the existing and proposed uses of the subject property, a general arrangement of future land uses, including the approximate number of lots and any residential uses anticipated, and a generalized circulation plan for the subject property.
 - (5) The existing zoning and existing and proposed uses on adjacent land; the location, width and names of all existing or platted streets or other public ways within or adjacent to the tract; any existing easements with recording information; existing buildings; railroad rights-of-way; topography, including contours at two-foot intervals with existing drainage channels or creeks, including the 100-year floodplain, if applicable; any other important natural features (such as rock outcroppings, wildlife habitats, etc.); all substantial natural vegetation; and adjacent political subdivisions, corporate limits, and/or school district boundaries.
 - (6) Proposed strategies for tree preservation, which may include showing individual trees or tree masses that will be preserved, and the techniques that will be used to protect them during construction.
 - (7) The layout and width, including right-of-way lines and curb lines, of existing and proposed thoroughfares, collector streets and/or intersections, and a general configuration of proposed streets, lots and blocks, including proposed median openings and left turn lanes on future divided roadways. Existing and planned driveways on the opposite side of divided roadways must also be shown for coordination and sharing of future median openings.
 - (8) A general arrangement of land uses and buildings, including but not limited to proposed nonresidential and residential densities; building heights, square footages, massing, orientation, loading and service areas, recycling containers, compactors and dumpster enclosures, pedestrian walkways, and parking areas; any proposed sites for parks, schools, public facilities, public or private open space; floodplains and drainage ways; and other pertinent development related features; and
 - (9) The phasing scheduled for the development.

(Ordinance 362 adopted 3/28/18)

§ 38.06.101. through § 38.06.120. (Reserved)**DIVISION 4****Submission and Review Process****§ 38.06.121. Submission of complete application.**

- (a) For the purpose of this article, the “official submission date” shall be the date that a complete application for approval of a PD master plan is first submitted to the city administrator. No application shall be deemed officially submitted until the city administrator determines that the application is administratively complete and a fee receipt is issued by the city.
- (b) PD master plan applications which do not include all required information and materials will be considered incomplete, shall not be accepted for official submission by the city, and shall not be scheduled on a P&Z agenda until the proper information is provided to city staff.

(Ordinance 362 adopted 3/28/18)

§ 38.06.122. Additional information.

The city’s staff may require information and data other than that set out in this section for specific PD master plans. This information data may include but is not limited to: geologic information, water yields, flood data and hydrological studies, environmental information, traffic impact analysis, road capacities, market information, historic structure(s) and/or land, economic data for the proposed development, hours of operation, elevations and perspective drawings, lighting, and similar information. Approval of a PD may establish conditions for construction based upon such information.

(Ordinance 362 adopted 3/28/18)

§ 38.06.123. Principles and standards for review.

The following criteria have been set forth as a guide for evaluating the adequacy of proposed development within the City of West Lake Hills, and to ensure that all developments are, to the best extent possible, constructed according to the city’s codes and ordinances.

- (1) Compliance with the spirit and intent of the principles contained in attachment “b” of the city’s master plan.
- (2) The city administrator shall review the PD master plan for compliance with all applicable city ordinances and with the comprehensive plan; for harmony with surrounding uses and with long-range plans for the future development of west lake hills; for the promotion of the health, safety, order, efficiency, and economy of the city; and for the maintenance of property values and the general welfare.
- (3) PD master plan review and evaluation by the city administrator shall be performed with respect to the following:
 - (A) The plan’s compliance with all provisions of the zoning ordinance and other ordinances of the City of West Lake Hills.
 - (B) The impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.
 - (C) The relationship of the development to adjacent uses in terms of harmonious design, facade treatment, setbacks, building materials, maintenance of property values, and any possible negative impacts.
 - (D) The provision of a safe and efficient vehicular and pedestrian circulation system.
 - (E) The general design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.

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- (F) The sufficient width and suitable grade and location of streets designed to accommodate prospective traffic and to provide access for fire fighting and emergency equipment to buildings.
- (G) The coordination of streets so as to arrange a convenient system consistent with the transportation plan of the City of West Lake Hills.
- (H) The use of landscaping and screening to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary, and to complement and integrate the design and location of buildings into the overall site design.
- (I) Exterior lighting to ensure safe movement and for security purposes, which shall be arranged so as to minimize glare and reflection upon adjacent properties.
- (J) The location, size, accessibility, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.
- (K) Protection and conservation of soils from erosion by wind or water or from excavation or grading.
- (L) Protection and conservation of watercourses and areas subject to flooding.
- (M) The adequacy of water, drainage, sewerage facilities, solid waste disposal, and other utilities necessary for essential services to residents and occupants.
- (N) Consistency with the comprehensive plan.

(Ordinance 362 adopted 3/28/18)

§ 38.06.124. Approval process.

- (a) Pre-application conference. The applicant(s) shall consult with the city administrator and/or other designated administrative officers before preparing a concept plan in order to save time, to save money and to avoid potential unnecessary delays.
- (b) Prior to formal application for approval of any PD master plan, the applicant(s) shall request and attend a pre-application conference with the city administrator, and any other pertinent city official(s) in order to become familiar with the city's development regulations and the development process.

(Ordinance 2020-014 adopted 10/14/20)

§ 38.06.125. City staff review.

Upon official submission of a complete application for PD master plan approval, the city shall commence technical review of the development proposal by forwarding a copy of the application to development review team members, such as the city administrator, and any other pertinent city official(s). Development review team members shall review the application and shall ascertain its compliance with these and other applicable city regulations.

(Ordinance 362 adopted 3/28/18)

§ 38.06.126. Supplementation and corrections.

Following city staff review of the plan and supporting documents, and following with the applicant on any revisions deemed advisable and the kind and extent of improvements to be installed, the applicant shall resubmit additional copies of the corrected or supplemented plan to the city administrator within sixty (60) calendar days following the date on which the applicant received official notification of the completion of the review by the city administrator.

(Ordinance 362 adopted 3/28/18)

§ 38.06.127. Approval by administrator.

Prior to consideration by the zoning and planning commission or city council, all PD proposals must

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be reviewed by the city administrator. At the city administrator's discretion, the city administrator may forward a planned development proposal to the zoning and planning commission, and city council with or without a recommendation.

(Ordinance 2020-014 adopted 10/14/20)

§ 38.06.128. Action by ZAPCO/city council.

- (a) The zoning and planning commission shall review the planned development application and shall recommend approval, approval subject to certain conditions, or disapproval of the planned development application. If the zoning and planning commission recommends approval, with or without conditions, of the plan, then it will be forwarded to the city council for consideration. Upon request of applicant, the commission may allow one postponement of the planned development application to the following regular meeting of the commission, at which meeting the commission must either make a recommendation or forward the planned development application to the city council without a recommendation.
- (b) The city council shall consider the PD application at a public meeting following receipt of a determination by the zoning and planning commission. The city council may also, where appropriate, remand the planned development application back to the zoning and planning commission for reconsideration if it believes that there is a compelling reason to do so, such as the introduction of significant new facts or testimony.

(Ordinance 2020-014 adopted 10/14/20)

§ 38.06.129. Public hearing and notice.

- (a) Public hearing and notice will follow the same procedure in Section 38.05.094.

(Ordinance 362 adopted 3/28/18; Ordinance 2025-005 adopted 6/25/2025)

§ 38.06.130. Administrative fees.

The city shall impose its standard fees for the negotiation, preparation and implementation of PD districts. These fees shall be established by the city council in accordance with the city's rate schedule. The city may also recoup from applicants any out-of-pocket expenses related to professional services the city requires in order to design the PD district.

(Ordinance 362 adopted 3/28/18)

§ 38.06.131. Grandfathering.

PD districts are an option available to developers and the city. PD districts do not constitute a permit required by law. For purposes of Texas Local Government Code chapter 245, the "project" shall be the endeavor described in an approved PD master plan for an approved PD district.

(Ordinance 362 adopted 3/28/18)



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	August 26, 2026	Item Number:	9
	Building & Development		
Department:	Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	Resolution 2026-08-01	Source of Funds:	N/A

Subject

Discuss and consider action of Resolution 2026-08-01 to approve signatories for the General Land Office Resilient Communities Grant Program.

Recommendation

Take action of the proposed resolution.

Discussion

The City has been awarded \$300,000 through the Texas General Land Office (GLO) Resilient Communities Program (RCP), which provides Community Development Block Grant Mitigation (CDBG-MIT) funds to help communities improve long-term resilience and reduce risks from natural hazards. The funding includes \$200,000 for an update to the City's Comprehensive Plan and \$100,000 for an update to the City's Zoning Ordinance. The projects will include studies and policies addressing land use, housing, infrastructure, wildfire, flooding, and other community resilience needs.

The City anticipates issuing a Request for Proposals (RFP) in early fall 2026 to select a qualified consultant to complete the Comprehensive Plan and Zoning Ordinance updates. The project schedule anticipates adoption of the updated Comprehensive Plan and Zoning Ordinance by May 2029, with all grant-related activities and closeout requirements completed by the GLO program deadline of October 31, 2029.

As part of the grant administration requirements, the City Council must formally designate authorized signatories who may execute grant documents, submit requests for funds, and complete other required actions on behalf of the City.

Contractual Documents:

- Mayor
- Mayor Pro Tem
- City Administrator

Any one of the officials designated above is authorized to execute contractual documents associated with the City's RCP grant, subject to any limitations imposed by applicable law, City policy, the grant agreement, or prior action of the City Council.

Requests for Funds and Grant Administration Documents:

- City Administrator
- Building & Development Director
- Finance Director

Any one of the officials designated above is authorized to execute requests for payment, reimbursement requests, financial documents, reports, certifications, and other administrative documents required for implementation and administration of the RCP grant.

The City Administrator is authorized to provide a certified copy of this Resolution and any other documentation required by the GLO to establish or update the City's authorized signatories.

RESOLUTION NO. 2026-08-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST LAKE HILLS, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR THE TEXAS GENERAL LAND OFFICE RESILIENT COMMUNITIES PROGRAM GRANT; ESTABLISHING AUTHORITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of West Lake Hills, Texas (the “City”), has applied for and/or received funding through the Texas General Land Office (“GLO”) Resilient Communities Program (“RCP”) for the purpose of undertaking eligible planning and resiliency activities; and

WHEREAS, the City is required to designate by resolution the officials authorized to execute contractual documents and other documents necessary for the administration of the RCP grant; and

WHEREAS, the City Council desires to establish authorized signatories to ensure the timely and efficient administration of the grant and compliance with applicable GLO requirements.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF WEST LAKE HILLS, TEXAS THAT:

Section 1. Authorized Signatories. The City Council hereby designates the following officials as authorized signatories for documents related to the Texas General Land Office Resilient Communities Program:

Contractual Documents:

- Mayor
- Mayor Pro Tem
- City Administrator

Any one of the officials designated above is authorized to execute contractual documents associated with the City's RCP grant, subject to any limitations imposed by applicable law, City policy, the grant agreement, or prior action of the City Council.

Requests for Funds and Grant Administration Documents:

- City Administrator
- Building & Development Director
- Finance Director

Any one of the officials designated above is authorized to execute requests for payment, reimbursement requests, financial documents, reports, certifications, and other administrative documents required for implementation and administration of the RCP grant.

The City Administrator is authorized to provide a certified copy of this Resolution and any other documentation required by the GLO to establish or update the City's authorized signatories.

Section 2. Authority. The officials designated by this Resolution are authorized to execute documents and take administrative actions on behalf of the City as necessary to implement the RCP grant, provided that such actions are consistent with the approved grant agreement, applicable GLO requirements, the City's adopted policies, and applicable federal and state law. Nothing in this Resolution shall authorize a designated signatory to approve a contract, expenditure, amendment, or other action that otherwise requires approval of the City Council under applicable law or City policy.

Section 3. Superseding Authority. This Resolution supersedes any prior resolution or designation of authorized signatories for the City's Resilient Communities Program grant to the extent of any conflict.

Section 4. Severability. If any provision of this Resolution or the attached policy is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions are declared severable.

Section 5. Effective Date. This resolution shall be effective immediately upon adoption.

PASSED AND APPROVED on this 26th day of August 2026.

James Vaughan, Mayor

ATTEST:

Makayla Rodriguez,
City Secretary



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	<u>August 26, 2026</u>	Item Number:	<u>10</u>
Department:	<u>Administration</u>		
Prepared By:	<u>Mayor James Vaughan</u>	Cost / Budget:	<u>TBD</u>
	<u>AI Policy</u>		
	<u>Experimenting with AI</u>		
Exhibits:	<u>Research HYBRID</u>	Source of Funds:	<u>TBD</u>

Subject

Discuss and consider action on City use of AI technology.

Recommendation

Discuss and consider the potential use of artificial intelligence technology by the City.

Discussion

At the previous City Council meeting, staff presented an overview of artificial intelligence processes and potential pros and cons for the City. Mayor Vaughan has prepared the attached document outlining potential uses of artificial intelligence in City operations and policy development, including considerations related to its use, oversight, and implementation.

Leading off - last meeting was illuminating. Pending staff agreement, it seems to me the simplest avenue for AI adoption is to only use AI at the city to do work that already involves public information. Hopefully the state updates the rules around what is and is not requestable - but until it does, this seems to be the safe route. I believe that still allows staff to deploy AI for routine work and high-level work as they see fit. Some examples off the top of my head, that in no way create an obligation to use AI for these purposes:

- Compiling the meeting packets, creating a table of comments.
- Running a comprehensive spelling/grammar check on presentations going to Council.
- Transcribing meeting minutes.
- Testing communications before sending - i.e., when responding to a resident, ask an AI system what it understands the ask or message to be and how it would be received.
- Recording meetings and automatically creating summaries and action items.
- Creating automated reminders of statutory deadlines.
- Reconciling invoices.

Mid-Tier Tasks this unfortunately may block, again off the top of my head:

- Have AI organize email (some of the info in it may need to be redacted).
- Respond to public records requests themselves (some of the info may need to be redacted).
- Scan all of our permit applications/records for research (presuming there's some identifying information that would need to be redacted). Questions like - over the last five years what was the average square footage of a new construction house on an over-an-acre lot? Would, with AI, now be relatively easy. Maybe there's a workaround and a directory of permit information that's already anonymized.

Now, there is a higher level that I would like to bring to Council's attention, one that does not require city data beyond our code and already public material. Over the last five months, I have developed systems to get us from idea to ordinance, preserving human judgment from the appropriate body at every step, while minimizing our dependence on consultants. Note that, unlike any other time in the computing era, the systems are just plain english instructions. When I say system, all I mean are sets of rules. Some examples: rules around fact verification, writing styles, and appendix development. If staff prefers Claude, ChatGPT, Gemini, or whomever - these rules can be used.

Any question staff or Council has which is related to local government can be answered. Staff and Council can be confident that while the answer may not be entirely optimal - aforementioned human judgment is required to take any answer from okay to great - the answer is legally defensible and based on real, verified evidence. Put simply, it's a top-notch rough draft subject to legal, staff, and Council confirmation. I'm a big fan of working off rough drafts rather than blank pages.

Why is such a system necessary? The full public process for any initiative looks like this. Note, not all changes involve ZAPCO:

1. City Council provides policy direction
2. Staff provides research and technical analysis
3. Have public workshops available to the public with ZAPCO/City Council
4. Draft code changes
5. Revisions based on stakeholder feedback
6. ZAPCO recommendation
7. City Council deliberation and adoption

Without AI, the portions highlighted in red will require consultants, contractors, or simply not occur. First, to set the stage, most of our policy direction will involve the building department and public works. Second, the building department is fully occupied with day-to-day business. Third, the building department and public works do not stay fully staffed. This is a national problem. We are not unique. Fourth, every avenue to research traditionally is dead. Normal Google searches, clicking on the top webpages, no longer yield anything resembling productive information. In summary, any policy direction we provide falls on a department that will find no avenue other than hiring an outside consultant to research the issue.

To hire an outside consultant, in many cases, staff will have to draft and issue an RFP. More staff work. Staff will then need to narrow down the applicants and present the contract to Council. Even if there isn't an RFP and the contract falls under the monetary limit that requires an RFP, the scope of work still creates difficulties. It is impossible to correctly define a scope of work. The entire point of the public process is receptivity to feedback and an ability to adjust. Any real changes due to stakeholder or public feedback in the process add scope, time, and money. If they didn't add those things, the contract over-accounted for changes from the beginning. It's a no-win scenario.

Furthermore, staff must manage the consultant. Consultants create work too. Time passes. The realistic timeline for revisions stretches - due not to lack of direction from Council, staff effort, public participation, human judgment, or reception to stakeholder feedback - simply due to consultant management.

I highlighted City Council provides policy direction in yellow as the systems are not necessary for policy direction, but they are helpful. If we were to take an item from the strategic plan as a verified policy direction and then bring it to Council, instead of reiterating broadly that we want that item worked on, the matter can be presented with examples, alternatives, and context from the first meeting on the topic. The key to getting this right is nailing what we want and what we don't as early as possible. The systems are helpful for doing that.

A brief summary of how these systems run, more detail to come in further meetings. For any inquiry Council or staff has - how to design a construction parking ordinance for general-law type A cities, analyzing an engineering contract's scope and hours, best web design practices

for government, how to design an attractive job description - the system runs a comparable cities search, then a Texas search, then a national search, then a global search. All research is verified, validated, and crosschecked. Presuming the user is looking at an ordinance change, the research is then run by legal, and legal blocks anything illegal. If an illegal finding is returned, research begins again to find a different solution (in tech terminology, this back-and-forth is called a loop). The system gets three tries. If three rounds cannot produce a legal solution, it stops and hands the problem back to the user - with its closest lawful attempt and a plain statement of what blocked it. The user, not the system, decides whether to keep working on the idea or drop it. If the system finds a legal solution, it stops. At this point, a report can be returned. On a basic question, this is as far as needed, research plus legal. If you choose to continue, the system then deploys three characters to test the solution: the good neighbor, the dastardly mogul, and the staffer. Each reacts to the change, once again looping it through research and legal, attempting to make the rule intelligible and just for the neighbor, simple to implement for the staffer, and difficult to circumvent for the mogul. Obviously, there is no rule design available to us mere mortals that perfectly fits each character; this is a loop to get as close as possible. Once the system has optimized for those three characters and confirmed legality, it stops and locks the fact set. This locked fact set provides the guide by which the rest of the system measures itself (in technical terms, this is called trust architecture). Every other deliverable returned is validated against that fact set.

If the system continues, it creates a number of follow-up guides. Any guide can be created independently from the full flow. Flow simply means process or system - but I've used system quite a bit and I have an aversion to the word process. First, an implementation guide showing the differences between current code, how it's enforced, the changes, and how they will be enforced. Second, a plain language description of the changes. Third, an affirmative legal defense of the changes. Fourth, a record of human judgment deployed in its creation. Every substantive decision can be tracked back to its human origin - whether that is a Council, ZAPCO, staff, or public call. Fifth, this part is still in development, a PowerPoint deck explaining the changes that aligns with our branding guide. Sixth, the ordinance itself. Seventh, the redline of our existing code that can be sent to codifiers for adoption.

All of the above may seem dauntingly autonomous, but having built it over months, I can assure you that it is not. Every single run requires numerous decisions and a metric ton of debate. But, once the decisions are made, the nuances discovered, the expertise administered, the system does all of the grunt work. More importantly, at every step, if the relevant body or staffer changes their mind, has a new idea, or wants an adjustment, that adjustment is a matter of hours. No change in scope of work, no call to the consultant, no five-person chain email. If all of Council decides that instead of figuring out off-site construction parking, they want all construction workers to park in front of the Mayor's house, that's a quick pivot.

Why haven't I involved anyone else in the development of this system? Frankly, because for most of May, June, and July, the system was terrible. I have spent an inordinate amount of time chasing dead ends, producing bad results, refining, refining, refining, improving usability, and optimizing token spend (token spend is the financial cost of using AI - this is all useless if it

blows out the budget). It's my view that the worst way to introduce a new technology is to push something broken. No need to healthcare.gov this. Now, updates are relatively simple.

I put the homework you gave me through this system of rules. As you might imagine, the best results came from the most specific questions. I think we have the most thoroughly researched construction trailer ordinance ever envisioned. The quality declines as the breadth of the questions increases. The worst result was from the missing-middle research. It's simply too long and imprecise. Everything is too long, writing is still convoluted, the rules I've written aren't being consistently applied. Lots and lots of fixes based on the work you gave me. But, this is the first time I've attempted to manage a multitude of disparate research topics on one week's token budget and not fine tune the results. I'm still an unfortunate few weeks or a month away from being able to share the system with confidence.

Ultimately, I want anyone who's curious, cares, can read, and can write to be able to solve any problem their community agrees upon after a few long, rewarding work sessions. I'm hoping to give this system to our older residents and every bureaucratic nightmare associated with aging melts away. I want us to be the most responsive, fastest city and community in the United States building an impossibly hopeful future together. It's just not there yet.

James

P.S. No AI was used in the drafting of this message.

Experimenting With AI Research

All content AI (Claude) generated and for demonstration purposes only. All questions were entirely hypothetical to test what Claude results look like. None represent an initiative or consensus of Council or staff.

Assembled 20 August 2026

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ORDINANCE NO. 2026-__ (DRAFT v3)

AN ORDINANCE OF THE CITY OF WEST LAKE HILLS, TEXAS, PROVIDING FOR THE ADMINISTRATIVE AUTHORIZATION OF CONSTRUCTION SUPERVISION TRAILERS AS PART OF THE BUILDING PERMIT; AMENDING SECTION 1.01.003 OF THE CODE OF ORDINANCES TO REPLACE THE DEFINITION OF "COMMERCIAL TRAILER"; ADDING SECTION 22.03.062; AMENDING SECTIONS 22.03.166 AND 22.03.206; AMENDING THE TABLE IN SECTION 38.03.043; PROVIDING PENALTIES, SEVERABILITY, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.

1. WHEREAS, the City of West Lake Hills is a Type A general-law municipality under Chapter 6 of the Texas Local Government Code, acting under its general authority for the government, interest, welfare, and good order of the City under Section 51.012 of the Texas Local Government Code, its building-code and permitting authority under Sections 214.212 and 214.216 of the Texas Local Government Code, and its zoning authority under Section 211.003(a) of the Texas Local Government Code; and

2. WHEREAS, the City Council finds that requiring a special use permit for a trailer used solely to supervise permitted construction imposes a hearing process on a routine, temporary accessory of construction the City already reviews through the building permit;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST LAKE HILLS, TEXAS:

SECTION 1. Definition replaced.

In section 1.01.003 of the Code of Ordinances, the definition "Commercial trailer" is repealed and replaced with the following definition, placed in alphabetical order:

Construction Supervision Trailer. A trailer or other portable unit, with or without motive power, occupied solely as an office for the supervision of construction on the project site on which it is placed. A Construction Supervision Trailer is authorized as provided in section 22.03.062 and does not require a special use permit when so authorized. Any other occupancy of a trailer, coach, or portable unit as an office, including any use formerly described in this code as a commercial coach, requires a special use permit under section 38.04.031 et seq.

SECTION 2. New section added.

A new section 22.03.062 is added to chapter 22, article 22.03, of the Code of Ordinances (occupying the first section of the reserved range, sections 22.03.062 through 22.03.090) to read:

§ 22.03.062. Construction Supervision Trailers.

(1) *Authorization.* One Construction Supervision Trailer, as defined in section 1.01.003, is authorized per project site in the city as part of a building permit, without a special use permit, if the trailer and its location are shown on the site plan submitted with the building permit application. In this section, "project site" means the land shown inside

the site plan's project boundary, regardless of the number of lots or permits it covers. The city inspector must review and approve the trailer as part of building permit review under section 22.03.052.

(2) *Trailer added after permit issuance.* The holder of an issued building permit may add a Construction Supervision Trailer by filing a supplemental site plan showing the trailer's location for the city inspector's review and approval.

(3) *Placement.* The trailer must be placed within the setbacks applicable to a principal building on the lot and outside any protected-vegetation barrier required by section 22.03.126. If the lot's configuration or topography makes placement within setbacks impracticable, the city inspector may approve the workable location farthest from any occupied neighboring dwelling; the reason must be noted on the site plan.

(4) *Occupancy.* The trailer must be occupied solely as an office for the supervision of construction on the project site. It must not be used as an office for any other business or purpose, as a sales office, or for storage offered to others, and no person may use it as a dwelling or for sleeping.

(5) *Utilities.* The city inspector may authorize temporary utility service to the trailer for the construction period as provided in sections 22.03.166 and 22.03.206. A generator may power the trailer only during the construction hours stated in section 22.03.056.

(6) *Notice on placard.* The permit placard for the project must note the authorized trailer and its removal deadline, and must be posted where it is visible from the street or, where that is impracticable, at the nearest workable vantage the city inspector may approve; the reason must be noted on the site plan.

(7) *Removal.* The trailer must be removed: (A) within 30 days after the final inspection or the issuance of a certificate of occupancy, whichever comes first; (B) upon expiration of the building permit; or (C) if construction is suspended or abandoned for 180 days. The removal deadline under subsection (7)(A) must be written on the final-inspection record, which governs, and the placard must be updated at that inspection.

(8) *Pending extension.* If the permit holder has filed a timely request to extend the building permit under section 22.03.137, the trailer may remain while the city decides the request, not to exceed 60 days from the filing.

(9) *Violation; revocation.*

(A) A trailer that remains past a removal deadline in subsection (7), and is not covered by subsection (8), is on the site without authorization, and each day is a separate offense under section 1.01.013.

(B) The city inspector may revoke a trailer's authorization for violation of this section after written notice and 7 days to cure; no cure period applies to a violation of subsection (4)'s prohibition on dwelling or sleeping occupancy.

(10) *Classification.* A Construction Supervision Trailer authorized under this section is not a mobile home, and is not a structure of mobile home, modular, preconstructed, or prefabricated construction, for purposes of sections 22.03.165, 22.03.204, and 38.03.061(8).

(11) *Other uses.* A trailer, coach, or portable office unit that is not authorized under this section, including one on a site without an active building permit, one remaining beyond the deadlines of this section, or one occupied for any purpose other than supervision of construction on the site, requires a special use permit under section 38.04.031 et seq.

SECTION 3. Temporary utility service.

Sections 22.03.166 and 22.03.206 of the Code of Ordinances are each amended by adding the following sentence at the end:

Notwithstanding the limitation to permanent service, the city inspector may authorize temporary utility service to a Construction Supervision Trailer for the construction period as provided in section 22.03.062.

SECTION 4. Special-use table amended.

In the table in section 38.03.043 of the Code of Ordinances, the row reading "Commercial coach | All (temporary during construction)" is amended to read:

Construction Supervision Trailer or other commercial coach use not authorized under section 22.03.062	All (see section 22.03.062; a Construction Supervision Trailer authorized under that section does not require a special use permit)
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SECTION 5. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of the conflict.

SECTION 6. Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 7. Savings.

This ordinance does not affect a permit application filed before the effective date, which continues under the ordinance in effect when filed (Tex. Loc. Gov't Code ch. 245). A special use permit for a commercial coach issued before the effective date remains valid according to its terms. Its holder may instead elect the authorization of section 22.03.062 for the same project by written notice filed with the city inspector; the election is irrevocable and must be noted on the building-permit record, and on its filing the special use permit terminates and the deadlines of section 22.03.062 govern.

SECTION 8. Effective date.

This ordinance takes effect immediately upon adoption and publication as provided by law.

Drafting Notes (not part of the ordinance)

R# map: SECTION 1 → R1; § 22.03.062(1)-(2) → R2, R3a (rules 3-5); (3) → R3b (rules 6-7); (4) → R1/R3c (rules 1-2, 8); (5) → R3d (rule 9); (6) → notice (rule 10); (7) → R3e (rules 11-12); (8) → toll (rule 13); (9) → enforcement (rules 12, 14); (10) → R3f (rule 15); (11) → R4 (rule 16); SECTION 3 → R3d; SECTION 4 → R4.

Gate-round disposition (v1 → v2): authority recital added (scaffold: authority recital first); ordaining clause conformed to the verbatim § 52.002 string; new-section register conformed to the house must/may ruling (never “shall” in new text; the SECTION 3 edge amendment matches its host's form); defined term Capitalized in operative text per the ruling; em dashes removed from operative text; (9) enumerated (A)/(B); savings clause conformed to the settled verbatim string, with the SUP-election transition sentence retained as a separate sentence (reviewed at the persona end check); boilerplate order Repealer→Severability→Savings→Effective VERIFIED correct against the scaffold (the gate's reorder flag was mistaken — scaffold reads “repealer · severability · savings clause · fee/appendix · effective date”). Reserved-range claim VERIFIED by the session lead against the code text (“§ 22.03.062. through § 22.03.090. (Reserved)”, ch. 22 as converted, line 1922).

Strict liability note: offenses under this ordinance carry fines within \$500 and therefore no culpable mental state, per § 1.01.013(3) — the code's standing rule, deliberately retained by the deciding official (standing decision on culpable-mental-state, 2026-08-06 record); not a new flag.

Formalization departures: “project site” defined inline in (1) (defined-term demand); “fenced-off natural vegetation areas” formalized to the § 22.03.126 cross-reference (cross-reference demand); per-day offense grounded expressly in § 1.01.013 (penalty-basis demand); final-inspection-record precedence stated as “which governs” (precedence demand); savings transition sentence added (transition demand — persona end check reviews).

Persona end-check disposition (v2 → v3): DRIFT 1 restored (“any occupied neighboring dwelling” — the sealed N2 scope); F-S2/DRIFT-RISK 2 fixed (SECTION 4 row no longer gates the SUP fallback on “temporary during construction”); F-M1/F-N1/F-S1 fixed with one mechanism (written, filed, irrevocable election noted on the building-permit record; SUP terminates on filing; § 22.03.062 deadlines govern). “In the city” bounding added to (1) at the legal end check (mechanics ruling conformance).

Legal appendix (question described / decision made / justification):

1. *Authority to replace the SUP with administrative approval.* Decision: proceed. Justification: building-permit administration sits on §§ 214.212/.216 (adopt and enforce building codes in-city) and the use regulation on the § 211.003(a) closed list (“the use and location of buildings”); relaxing a discretionary process to an

administrative one raises no new power — the City regulates less, through grants it already exercises. Full analysis at ⑥.

2. *Uniformity* (§ 211.005). Decision: proceed. Justification: identical authorization in every district (“All”), with one-way relief valves (placement and placard vantage can only relax, never tighten); no per-lot toggling of the standard.

3. *Ch. 245 vested rights*. Decision: verbatim settled savings string plus a one-way election for in-flight SUP holders. Justification: purely prospective; the election confers an option, not a burden.

4. *Discretion-cost screen*. Decision: the inspector's two valves are bounded (“farthest from any occupied dwelling”; “nearest workable vantage”) with recorded reasons. Justification: bright-line default plus one-way relief, per the house screen.

LEGAL DEFENSE — Why we believe this ordinance is lawful

This report addresses Ordinance No. 2026-___ (Draft v3), providing for the administrative authorization of construction supervision trailers, amending section 1.01.003 of the Code of Ordinances, adding section 22.03.062, amending sections 22.03.166 and 22.03.206, and amending the table in section 38.03.043.

Prepared for review by the city attorney.

A. The affirmative case

The City of West Lake Hills has authority to let a construction supervision trailer sit on a building site without a special use permit hearing, because the ordinance does not create a new power — it relaxes how an existing power is used.

West Lake Hills is a Type A general-law municipality.¹ A general-law city holds only the powers the State has given it, plus the powers needed to use them; if real doubt exists about whether a power exists, the doubt is resolved against the city.² Two grants carry this ordinance. The first is the City's zoning authority over "the use and location of buildings."³ The trailer's current treatment — as a listed special use requiring a hearing before the board of adjustment — already rests on that grant. The second is the City's authority to adopt and enforce building codes and administer building permits inside the city.⁴ The new section places the trailer's authorization inside building-permit review, which already rests on that grant too.

Because both grants already support the City's present, more burdensome treatment of the trailer (a public hearing with fixed criteria), they support the lighter treatment this ordinance adopts. A city that may condition and hear an application may authorize the same activity subject to fixed standards, without a hearing, under the same grants. The ordinance regulates less than the current code does, not more, so it raises no question of a new or expanded power.

The sections below answer, in the order the ordinance itself proceeds, each question a careful reader would ask about that authority and about the specific standards the ordinance sets.

B. The questions, answered

1. What authority does the City rely on to authorize a construction supervision trailer administratively, without a special use permit hearing?

Section 22.03.062 places the trailer's authorization inside the building permit, reviewed by the city inspector under the existing building-permit review section, section 22.03.052. The City's authority to adopt and enforce building codes and to administer building permits inside the city supports this placement directly.⁴ The trailer's status as a land use — an office use on the site during construction — also sits within the City's zoning authority over "the use and location of buildings."³ Two separate grants support the ordinance, so no single grant carries the whole instrument. The City's general-welfare authority⁵ was checked as a backstop before any conclusion that the City may not act; no such conclusion is drawn here, so the general-welfare grant plays no load-bearing role. The ordinance's operative clause is bounded "in the city," and chapter 22 applies inside the city only, so no extraterritorial reach is claimed.

2. Does authorizing the trailer administratively conflict with the City's duty to apply its zoning rules uniformly?

No. Section 211.005 of the Local Government Code requires zoning regulations to be uniform for each class of use within a district.⁶ Section 22.03.062 authorizes one construction supervision trailer under the same standards in every district ("All"). The two places where the city inspector has discretion — the alternate placement standard in subsection (3) and the alternate placard location in subsection (6) — work only one way: they can relax the default standard for a difficult lot, never tighten it, and the inspector must record the reason on the site plan. Nothing in the ordinance lets a trailer be approved under a stricter or looser standard than another trailer in the same district.

3. How does the placement standard in subsection (3) satisfy that uniformity requirement while still letting the inspector adjust for difficult lots?

Subsection (3) sets one default for every lot: the trailer must sit within the setbacks that apply to a principal building, and outside any protected-vegetation barrier required by section 22.03.126. Only where a lot's configuration or topography makes that default impracticable may the inspector approve the workable location farthest from any⁸ occupied neighboring dwelling, and only if the reason is written on the site plan. The default is the rule; the inspector's role is limited to finding the closest available substitute for a lot that cannot meet it, and the record requirement makes that substitution checkable district-wide. This is a bright-line default with a bounded, one-way, reasoned exception — not

a case-by-case standard that could vary between similarly situated lots.

4. How does the ordinance keep a construction supervision trailer out of the rules that govern mobile homes and manufactured housing?

Subsection (10) states directly that a trailer authorized under section 22.03.062 is not a mobile home, and is not a structure of mobile home, modular, preconstructed, or prefabricated construction, for purposes of the three sections that regulate those categories: sections 22.03.165, 22.03.204, and 38.03.061(8). This definitional carve-out is the City's own drafting choice inside its zoning and building-code authority,^{3 4} and it does the same work Texas Occupations Code chapter 1201 already does for a unit that is not designed or occupied as a dwelling: because subsection (4) limits the trailer to office use and bars any dwelling or sleeping occupancy, and subsection (10) keeps it outside the mobile-home category, chapter 1201's manufactured-housing rules are not implicated.⁷

5. Does subsection (10)'s classification say anything about the City's separate, existing rules against modular and manufactured construction?

No, and it is not meant to. Sections 22.03.165 and 22.03.204 are existing provisions of the Code of Ordinances that bar modular, preconstructed, prefabricated, or mobile-home construction, and moved-in or used structures, from being built in the city. This ordinance adds an exception to those sections for a construction supervision trailer only; it neither restates, defends, nor narrows those sections for any other purpose, and it does not readopt them. Texas Government Code chapter 3000 addresses state preemption of certain building-material and construction-method regulation.⁸ Whether chapter 3000 bears on sections 22.03.165 and 22.03.204 generally is a question about those pre-existing sections, not about this ordinance, which only carves the trailer out of their reach. This ordinance takes no position on that separate question and does not need to, because it neither strengthens nor relies on those sections for its own authority — its authority comes from sections 211.003(a), 214.212, and 214.216, addressed above.

6. What authority supports the temporary-utility-service standard in subsection (5) and Section 3?

The existing utility-connection sections, 22.03.166 and 22.03.206, authorize connection to "any structure for permanent service" once the city inspector and the utility supplier approve it, but say nothing about a temporary, construction-period connection. Section 3 adds one sentence to each section, making clear that the city inspector may authorize temporary utility service to a construction supervision trailer for the construction period, as provided in section 22.03.062. This closes a gap in the existing text rather than creating a new category of regulation, and it rests on the same building-code and building-permit authority that supports the rest of the ordinance.⁴ Subsection (5) further limits any generator to the construction hours already set by section 22.03.056, so the temporary-power standard does not loosen an existing noise or hours control.

7. How does the removal and violation scheme in subsections (7) through (9) fit within the City's penalty authority?

Every fine under this ordinance runs through section 1.01.013 of the Code of Ordinances, the City's standing general penalty provision.⁹ That section sets a fine of up to \$500 and states that each day a violation continues is a separate offense. The ordinance sets three removal triggers — 30 days after final inspection or a certificate of occupancy, whichever comes first; upon expiration of the building permit; or after 180 days of suspended or abandoned construction — and a trailer that stays past any of those deadlines, without being covered by the pending-extension toll in subsection (8), is on the site without authorization and subject to the per-day offense. This fits within the fine ceiling the Legislature has authorized general-law municipalities to set for code violations.¹⁰ Because the maximum fine falls within the range that carries no required culpable mental state under section 1.01.013, the ordinance does not need to state a mental-state element for the removal violation, and it does not do so; this is the City's own standing rule, applied here as it is applied to every other offense under that section, not a new departure this ordinance introduces.

8. Does the ordinance's notice-and-cure process for revocation satisfy due process?

Yes. Subsection (9)(B) requires the city inspector to give written notice and seven days to cure before revoking a trailer's authorization, except that no cure period applies to a violation of subsection (4)'s bar on dwelling or sleeping occupancy — a use the ordinance never authorizes in the first place, so there is nothing to cure into compliance. A holder aggrieved by an administrative zoning decision has the appeal path to the board of adjustment that the Local Government Code already provides,¹¹ and any citation for the per-day offense proceeds through the ordinary municipal-court process. Nothing in the ordinance permits the City to remove a trailer itself or otherwise act against the property without going through that notice, cure, and appeal or court process.

9. Does the ordinance create an exaction that would trigger heightened judicial scrutiny?

No. The ordinance does not require a permit applicant to dedicate property, pay a fee, or perform work as a condition of receiving the trailer authorization; it only sets placement, occupancy, utility, and removal standards for a use the

applicant is already undertaking. Because no dedication or fee is exacted in exchange for the authorization, the individualized-nexus-and-proportionality line of cases does not apply.¹²

10. Does this ordinance regulate in a field the Legislature has occupied under House Bill 2127?

No. The ordinance is framed entirely within the City's Local Government Code land-use and building-permit authority — the same authority that already governs the trailer's current, more burdensome treatment. It does not touch the subject areas that House Bill 2127 lists as fields the State has occupied.¹³ Confirming the current litigation status of House Bill 2127 at the time of adoption is the kind of time-sensitive check that properly belongs to the city attorney's review before adoption, and this report does not purport to substitute for that check.

11. How does the savings clause in Section 7 protect permits already filed, and comply with Chapter 245?

Chapter 245 of the Local Government Code protects a permit application from having new rules applied to it once it is filed.¹⁴ Section 7 states that this ordinance does not affect a permit application filed before the effective date, which continues under the ordinance in effect when it was filed, using the same savings language the City uses elsewhere for this purpose. It further provides that a special use permit for a commercial coach issued before the effective date remains valid according to its terms, unless its holder chooses, by a written, filed, and irrevocable notice to the city inspector, to elect the new section 22.03.062 authorization for the same project instead — at which point the special use permit terminates and the new section's deadlines govern. Because the election is the holder's own one-way choice, made in writing and recorded on the building-permit record, it grants an option without imposing any new burden on anyone who does not choose to use it, so it raises no vested-rights question of its own.

12. What adoption procedure governs this ordinance, given that Sections 1 and 4 amend zoning-side text?

Sections 1 and 4 of this ordinance amend the definition in section 1.01.003 and the special-use table in section 38.03.043 — both zoning-side text. Because of that, adoption of this ordinance runs the chapter 211 zoning-amendment process: consideration by the zoning and planning commission, published notice, and a public hearing under sections 211.006 and 211.007 of the Local Government Code, rather than a plain ordinance reading.¹⁵ This is a procedural step for the City to carry out at adoption; it is not a defect in the ordinance's drafting, and satisfying it is how the ordinance properly becomes law.

13. Does the special use permit path remain available for trailers the new section doesn't cover?

Yes. Subsection (11) states that a trailer, coach, or portable office unit not authorized under section 22.03.062 — including one on a site without an active building permit, one that has stayed past the removal deadlines, or one used for any purpose other than supervising construction on the site — still requires a special use permit under section 38.04.031 et seq. Section 4 amends the special-use table to carry this fallback expressly, without limiting it to only the construction period, so the fallback reaches every case the new section does not cover, including a trailer whose construction has finished or whose permit has lapsed. The existing special use permit procedure and its criteria continue to apply, unchanged, to every use outside the new section's scope.

APPENDIX — AUTHORITIES

The entries below list every authority relied on for a load-bearing point above, and every authority a question above addresses because an adverse reading of it was considered and answered. Each entry carries the verified/preliminary label given to it in the sealed legal review this report renders. Where the sealed legal review captured a directly quoted fragment of the source text, that fragment is reproduced verbatim below. Where the sealed legal review recorded only the citation and its role in the analysis, without capturing the underlying statutory or case text itself, the entry says so plainly rather than supplying wording that was not part of the record this report draws from; the city attorney's own review should pull the full primary text for any entry so marked.

1. **Tex. Loc. Gov't Code ch. 6** — governs the powers of a Type A general-law municipality. Cited for: the City's status as a Type A general-law municipality. [Citation only — statutory text not captured in the sealed record this report draws from.] [verified]
2. ***Town of Lakewood Village v. Bizios*, 493 S.W.3d 527 (Tex. 2016), quoting *Foster v. City of Waco***. Cited for: a general-law municipality holds only the powers the State has expressly granted, plus those indispensable to them, and genuine doubt about a power resolves against the city. [Citation only — case text not captured in the sealed record this report draws from.] [verified]
3. **Tex. Loc. Gov't Code § 211.003(a)**. Cited for: the City's zoning authority over "the use and location of buildings."

4. **Tex. Loc. Gov't Code §§ 214.212, 214.216.** Cited for: the City's authority to adopt and enforce building codes and administer building permits inside the city. [Citation only — statutory text not captured in the sealed record this report draws from.] [verified]
5. **Tex. Loc. Gov't Code § 51.012** (general-welfare authority; considered together with *Comeau*). Cited for: the general backstop checked before any conclusion that the City lacks authority to act; not load-bearing for any conclusion in this report, since no "may not" conclusion is drawn. [Citation only — statutory text not captured in the sealed record this report draws from.] [verified]
6. **Tex. Loc. Gov't Code § 211.005.** Cited for: the requirement that zoning regulations be uniform for each class of use within a district. [Citation only — statutory text not captured in the sealed record this report draws from.] [verified]
7. **Tex. Occ. Code ch. 1201** (manufactured housing). Cited for: the reason chapter 1201's rules are not implicated by a unit that is defined as a non-dwelling office and kept out of the mobile-home category. [Citation only — statutory text not captured in the sealed record this report draws from.] [verified]
8. **Tex. Gov't Code ch. 3000** (building materials and methods preemption). Cited for: an adjacency this ordinance is expressly not taking a position on — it bears, if at all, on the City's pre-existing modular-construction rules at sections 22.03.165 and 22.03.204, not on this ordinance's own exception to them. [Citation only — statutory text not captured in the sealed record this report draws from.] [verified as to the adjacency being noted, not as to chapter 3000's application to the pre-existing sections, which this report does not resolve]
9. **WLH Code of Ordinances § 1.01.013.** Cited for: the general penalty provision every fine under this ordinance runs through, including the \$500 fine ceiling (subsection (3) range), the each-day-a-separate-offense rule (subsection (5)), and the standing rule on culpable mental state for fines within that range. [Citation only — code text not independently reproduced in this appendix; the sealed legal review states the \$500 figure and each-day rule were verified against the code text this session.] [verified]
10. **Tex. Loc. Gov't Code § 54.001.** Cited for: the statutory authority within which a general-law municipality's code-violation fine ceiling must fall. [Citation only — statutory text not captured in the sealed record this report draws from.] [verified]
11. **Tex. Loc. Gov't Code § 211.010.** Cited for: the appeal path to the board of adjustment available to a person aggrieved by an administrative zoning decision. [Citation only — statutory text not captured in the sealed record this report draws from.] [verified]
12. **Exactions line of authority** — *Nollan v. California Coastal Comm'n*; *Dolan v. City of Tigard*; *Sheetz v. County of El Dorado*; and the *Stafford Estates* line, as cited in the sealed legal review. Cited for: the individualized-nexus-and-proportionality test for exactions, and the conclusion that it is not implicated because this ordinance creates no dedication or fee requirement. [Citation only — full case citations and case text not captured in the sealed record this report draws from.] [verified]
13. **House Bill 2127** (state preemption of certain municipal regulation), as cited in the sealed legal review. Cited for: the framing rule used to conclude this ordinance is not framed in an occupied field. [Citation only — bill/session-law citation and text not captured in the sealed record this report draws from; the sealed review flags the bill's current litigation status as a time-sensitive item for the city attorney to confirm before adoption.] [preliminary]
14. **Tex. Loc. Gov't Code ch. 245** (vested rights / permit continuation). Cited for: the rule that a permit application is governed by the regulations in effect when it was filed, and the basis for Section 7's savings clause. [Citation only — statutory text not captured in the sealed record this report draws from.] [verified]
15. **Tex. Loc. Gov't Code §§ 211.006, 211.007.** Cited for: the published-notice-and-hearing sequence that governs adoption of a zoning-amendment ordinance. [Citation only — statutory text not captured in the sealed record this report draws from; the sealed review flags the section numbers themselves as pending confirmation against the primary text at packaging.] [preliminary]
16. **Self-help removal authority, cited in the sealed legal review as "Stewart/Stockwell."** Cited for: the principle that the City may not remove a trailer itself outside the notice, cure, and hearing or court process the ordinance provides. [Citation only — full case names, citations, and case text not captured in the sealed record this report draws from.] [verified]
17. **Authority cited in the sealed legal review as "Builder Recovery."** Cited for: a further point in the exactions

and-fees screen, alongside entry 12, supporting the conclusion that no exaction is created. [Citation only — full case name, citation, and case text not captured in the sealed record this report draws from.] [verified]

Legal review, not legal advice; this report and the ordinance it defends route to the city attorney.

RESEARCH REPORT — Construction Supervision Trailers: the problem, and why this solves it

A. The problem

Today, a builder who wants to put a supervision trailer on a West Lake Hills construction site must get a special use permit (SUP) — a permit type that, in this city, only the board of adjustment can grant, after a public hearing.¹

The only route the Code of Ordinances provides works like this. The term the code actually defines is "Commercial trailer," but the code's own definition, and the special-use table, both refer to the same thing as a "commercial coach" — a second term the code never separately defines.² Whichever name is used, the occupancy "requires a special use permit,"² and the only special use permit procedure in the code sends every application to the board of adjustment, not to any staff official.³ Getting one means: a written application with a site plan; a site visit and written findings prepared by the city administrator or city inspector; mailed notice to every owner within 300 feet, and a sign posted on the property, at least 16 days before the hearing; a public hearing before the board; and a decision measured against five general criteria that apply to every special use in the code — appearance and compatibility, effect on property values, nuisance, traffic, and general compliance.⁴ No criteria written specifically for a trailer exist, unlike 13 other listed special uses that each get their own tailored criteria section.⁵ If granted, the permit is capped at two years, lapses if construction has not begun within one year, cannot be transferred if the property changes hands, and renewal past two years needs either the city administrator's discretion (only if no complaints were filed) or a second hearing.⁶

Nothing in the building-permit chapter offers a shortcut. Approving an ordinary building permit is a routine job for the city inspector,⁷ but the code keeps that track and the special-use-permit track completely separate — there is no cross-reference from the building-permit sections to the trailer entry in the special-use table, and no way for the building permit itself to carry or trigger the trailer's authorization.⁸

This is not simply a heavier process than it needs to be. It sits on top of gaps and mismatches elsewhere in the code that a hearing does not fix. The code's utility-connection sections authorize a hookup only for "permanent service" to a structure — they say nothing about a temporary, construction-period connection, so a trailer's power and water needs fall into an unaddressed category.⁹ The code's mobile-home and modular-construction bans do not carve out a supervision trailer, even though the trailer definition itself calls it "a vehicle" rather than a structure of that kind — the carve-out exists only inside the definition, not inside the sections that actually prohibit that kind of construction.¹⁰ And the special-use table's own qualifier — "(temporary during construction)" — already shows that the code understands the trailer's presence as tied to the construction period, even while running it through a permit type built for uses with an indefinite life span, a two-year cap, and its own renewal machinery, on a clock that is never cross-referenced to the building permit's own 180-day-commence, 24-month-complete timeline.¹¹

B. The proposal

The draft ordinance, as proposed at Draft v3, lets one construction supervision trailer per project site ride the building permit administratively — reviewed and approved by the city inspector as part of ordinary building-permit review, with fixed standards for placement, occupancy, utilities, notice, and removal, and no special use permit hearing required.¹² The special use permit stays in place as the fallback for every trailer or coach use the new section does not cover.¹²

C. Why it is a valid solution

Comparator evidence

Twenty peer jurisdictions were researched for how they handle a construction supervision trailer or temporary construction office on a residential lot: 16 with a verbatim, on-point provision captured; three with a confirmed absence of any such provision; one where the zoning ordinance's format prevented full verification.¹³

Across all 16 jurisdictions with an on-point provision, a single pattern dominates, and West Lake Hills' current approach sits outside it. In every one of those 16 cities, the trailer is authorized either as an outright permitted use of the district itself, with no approval body named at all, or through a permit issued by a named staff official — most often a building official, sometimes a zoning or development-services director. In no verbatim-captured city does the base, first-instance authorization require a public hearing before a planning commission or council.¹⁴ West Lake Hills' routing of this use through a board-level special use permit has no real counterpart among the 16 jurisdictions where an on-point provision was found — it is a structural outlier, not a variant within the norm.¹⁵

The peer cities also converge on generous, fixed duration caps rather than open-ended discretionary terms: roughly

six months to two years is the common base term, long enough to cover most custom-home builds, and even a long project typically stays administrative through staff-level renewal rather than a return trip to a public body. Only two of the 20 cities researched — Westlake, Texas (Tarrant County) and Ewing, New Jersey — require a discretionary body for renewal, and even then, only for an extension beyond an already-generous administrative base term, never for the initial trailer itself.¹⁶ Removal is nearly always self-executing, tied to construction completion or the issuance of the project's own certificate of occupancy, rather than to a separate enforcement or re-approval step.¹⁷

What the draft's standards borrow from that norm

The draft's core structural choice — the trailer rides the building permit, reviewed by the city inspector, with no hearing — matches the dominant model found in all 16 on-point jurisdictions.¹⁴ Its removal triggers — 30 days after final inspection or a certificate of occupancy, whichever comes first, or upon permit expiration, or after 180 days of suspended construction — track the same self-executing, completion-tied removal pattern the comparator cities use, rather than inventing an unprecedented mechanism.¹⁷ Its 60-day toll for a timely-filed permit-extension request mirrors the peer pattern of keeping renewal administrative rather than escalating it to a public body, for the ordinary case.¹⁶ Where the draft goes further than most peers — a fixed one-trailer-per-site cap, a placement standard tied to setbacks, and an explicit no-dwelling occupancy limit — it is filling gaps the research packet notes are simply silent topics in most peer codes, not departing from a peer norm that says otherwise.¹⁸

The persona loop's contribution

Before the draft reached this form, it was tested from three angles — the standpoint of a builder looking for an advantage the standards did not intend, the standpoint of a neighbor affected by the trailer's presence, and the standpoint of the staff who administer it. That testing found and fixed six problems in the first pass: it closed the possibility of running the authorization indefinitely through clock-gaming and paper extensions, it defined "project site" so that splitting one project across several permits could not multiply the trailer count, it restored a notice mechanism (the permit placard now names the trailer and its removal deadline) once the SUP's public-hearing notice was no longer part of the process, it set a placement standard protecting any occupied neighboring home rather than leaving the trailer's location unconstrained, it tied any generator to the city's existing construction-hours limit, and it added a removal deadline written on the final-inspection record together with a per-day-offense enforcement hook and a revocation process with notice and a cure period.¹⁹

A second, narrower check — run only on what the drafting stage had added beyond the tested standards, principally the transition language for permit holders and special-use-permit holders already in the pipeline when the ordinance takes effect — found that the transition sentence, as first drafted, gave a good-faith SUP holder no clear way to know which set of deadlines applied to him once he tried to switch to the new administrative path, and gave staff no way to reliably track which regime governed a given trailer. Requiring the election to be written, filed, and irrevocable, and noted on the building-permit record, closed that gap for the builder, the neighbor, and staff at once, with a single fix.²⁰ The same check confirmed that the final placement standard uses the same protective scope — any occupied neighboring dwelling — that the original standard-setting round had settled on, correcting a narrower "adjacent lot" wording that had crept into an intermediate draft.²¹

C2. The approaches considered, and the choices made

The research surfaced five distinguishable structural models among the 16 on-point peer jurisdictions: an outright permitted use with no approval body named; a building-official-administered permit under the building code; a dedicated "temporary uses" zoning article with its own application and renewal procedure; folding the trailer into a general construction-site conduct standard with no separate permit; and a short administrative base term with a discretionary body reserved only for extensions beyond that term.²² The draft's structure — the trailer rides the building permit, administered by the city inspector — most closely follows the building-official-administered-permit model, adapted to fit inside West Lake Hills' existing building-permit review rather than creating a new permit type.

Three items were surfaced during testing and not adopted into the draft, each for a stated reason:

- **A mandatory screening requirement was not adopted.** The persona testing raised that an unscreened trailer stays visible to a neighbor for the life of the build. A mandatory screening duty was considered and left out, because it would burden every short build — including a four-month remodel — for a temporary condition; the draft relies on the placement standard (setbacks, or the farthest workable spot from any occupied neighboring home) as the mitigation instead. This is a recorded tradeoff, not an oversight: the option to require screening within a set distance of an occupied home remains available if a decision-maker later wants it.²³
- **The administrative path was not widened to cover permits other than the building permit.** A project running only on a site-clearance or grading permit still needs a special use permit for a trailer under the draft.

Widening eligibility to the full seven-permit list the code recognizes was considered and set aside, to keep the scope matched to the original request — supervision of building construction — rather than broadening it past what was asked.²⁴

- **Stacking of separately defined temporary storage units beside the trailer was not addressed.** Testing noted that a builder can already place PODS-type storage containers on a site today, under a different, uncapped code category, regardless of this draft. That is a pre-existing feature of the code, not a gap this ordinance creates or enlarges, so it was not carried into this draft; it was noted as a distinct, smaller matter a future ordinance could take up on its own.²⁵

What the evidence does not establish

The research record itself names its own limits. One jurisdiction, Southlake, Texas, could not be fully verified — its zoning ordinance is hosted in a format that prevented full-text search, so its absence from the list of on-point provisions is a confirmed access gap, not a confirmed absence of a rule.²⁶ Three jurisdictions — Lakeway, Sunset Valley, and Bunker Hill Village, all in Texas — were confirmed to have no on-point provision after a full search of their codes.²⁷ And across nearly all 20 jurisdictions researched, utilities, screening, and deposits or bonds for the trailer itself are simply silent topics in the peer codes — meaning the draft's silence or light touch on deposits and bonds does not depart from peer practice, even though its placement standard and utility provision go further than most peers do.²⁸

APPENDIX — SOURCES

Search scope: 20 jurisdictions researched (19 in Texas and neighboring states, plus New Jersey and Pennsylvania comparators), retrieved 2026-08-17. Sources were not re-checked after that date except as noted. The verbatim per-jurisdiction ordinance text underlying the matrix below is held in this run's per-jurisdiction source files; those files were not part of the substrate provided for this report, so this appendix reproduces, verbatim, the research packet's own summary and synthesis text that this report's claims rely on, and cites each peer provision by section number so its full text can be pulled from the source file by that citation.

1. **Current code — the trailer's defined term and permit trigger, WLH Code of Ordinances § 1.01.003:** "Commercial trailer. A vehicle, with or without motive power, occupied as an office or for a similar permitted construction use, on a temporary basis during and for the purpose of supervising building construction. The occupancy of a commercial coach requires a special use permit." [verified]
2. **Current code — the definitional mismatch, as captured in the code inventory:** "the defined term is 'Commercial trailer,' but the second sentence of its own definition — and the use table in § 38.03.043 — call the same thing a 'commercial coach.' The code never defines 'commercial coach' as its own term." [verified]
3. **Current code — the special use permit procedure, WLH Code of Ordinances § 38.04.032(2):** "A special use permit may only be issued by the board of adjustment acting after a public hearing." [verified]
4. **Current code — notice and hearing requirements, WLH Code of Ordinances § 38.04.032(5) and § 38.05.002:** mailed notice "to owners of all real property located within 300 feet in all directions... not less than sixteen (16) days prior to the date of the hearing"; a posted sign "erected no later than sixteen (16) days before the request is to be considered at a public hearing." [verified]
5. **Current code — general special-use criteria, WLH Code of Ordinances § 38.04.033:** the five general criteria (compatibility, property values, nuisance, traffic, and compliance with other ordinances); and the code inventory's observation that "§ 38.04.034 governs criteria for specific listed special uses... it is silent on 'commercial coach' — no individual criteria are written for it, unlike the other 13 enumerated special uses." [verified]
6. **Current code — permit duration and renewal, WLH Code of Ordinances § 38.04.035(2), (4), (5):** "Special use permits shall be granted for a definite period of time, not to exceed two years"; lapse "if the use has not been commenced... within one year"; "A special use permit is not transferable and shall cease upon transfer of the property or business." [verified]
7. **Current code — building permit approval authority, WLH Code of Ordinances § 22.03.052:** "The city inspector shall review all applications and approve building permits that comply with all required codes." [verified]
8. **Current code — the gap statement, as captured in the code inventory:** "No provision that lets the building-permit application... itself carry, incorporate, or trigger authorization for a jobsite trailer... the code keeps these two approval tracks structurally and procedurally separate, with no cross-reference from the building-permit sections to the coach/trailer entry in the special-use table." [verified]

9. **Current code — the utility-connection gap, WLH Code of Ordinances § 22.03.166 (identical text at § 22.03.206):** "It shall be unlawful to serve or connect any public utility to any structure for permanent service until authorized by the city inspector and the public utility supplier." [verified]
10. **Current code — the mobile-home/modular gap, WLH Code of Ordinances § 22.03.165(1):** "No residential structure shall be of a modular, preconstructed, prefabricated or mobile home construction, nor shall such structure be a used structure, or a move-in structure." [verified]
11. **Current code — the special-use table entry, WLH Code of Ordinances § 38.03.043:** "Commercial coach | All (temporary during construction)"; and the code inventory's observation that "Nothing in §§ 38.04.032-.035... shortens, modifies, or ties the... SUP machinery to the building permit's own 180-day-commence / 24-month-complete timeline... the two tracks run on separately numbered clocks that are not cross-referenced." [verified]
12. **The draft ordinance, Ordinance No. 2026-__ (Draft v3), section 22.03.062(1) and (11):** "One Construction Supervision Trailer... is authorized per project site in the city as part of a building permit, without a special use permit, if the trailer and its location are shown on the site plan"; "A trailer, coach, or portable office unit that is not authorized under this section... requires a special use permit under section 38.04.031 et seq." [verified]
13. **Research packet, coverage summary:** "Verbatim provision captured: 16... Verified absence: 3... UNVERIFIED: 1... Total jurisdictions researched: 20." [verified]
14. **Research packet, the dominant model, point 1:** "In every single verbatim-captured city, the construction trailer/office is authorized either (a) as an outright enumerated permitted use of the residential district itself (no approval body named)... or (b) via a permit issued by a named staff official... In no verbatim-captured city does the base, first-instance authorization require a public hearing before a planning commission or city council." [verified]
15. **Research packet, three-sentence summary:** "West Lake Hills' practice of requiring a council-level special use permit for this use has no real analog among the 16 jurisdictions where an on-point provision was found — it is a structural outlier, not a 'middle of the pack' approach." [verified]
16. **Research packet, the dominant model, point 2:** "Only two cities in the survey (Westlake TX and Ewing NJ) require a discretionary body (Town Council) for renewal — and even then, only for extensions beyond an already-generous 1-year administrative base term, not for the initial trailer itself." [verified]
17. **Research packet, the dominant model, point 3:** "The most common drafting pattern ties removal to 'completion or abandonment of construction'... or to issuance of the project's own certificate of occupancy... This makes the trailer's authorization genuinely accessory and temporary without requiring the city to separately track or re-approve anything." [verified]
18. **Research packet, named gaps, general gap across nearly all cities:** "almost none of the verbatim-captured provisions address utilities/hooksups, screening... or deposits/bonds for the trailer itself — these are simply silent topics in the overwhelming majority of peer codes, suggesting WLH would not be an outlier for leaving them unaddressed, only for the council-approval requirement itself." [verified]
19. **Persona loop log, round 1 disposition table:** the six round-1 fixes (clock-gaming close, project-site definition, placard notice restored, placement/setback standard, generator-hours tie-in, removal ticker and per-day-offense enforcement hook), as recorded against findings M1, M2, N1, N2, N4, S1, and S2. [verified]
20. **Persona end check, disposition note:** "All three personas: NOT CLEAR, but on a shared root cause — the SUP-election sentence lacks a filing/notation mechanism. One drafting fix... closes F-M1, F-N1, and F-S1 together." [verified]
21. **Persona end check, fidelity verdict item 1:** "DRIFT — rule 7 → (3), the setback-relief standard. Sealed rule 7: the inspector's alternate-placement standard runs to 'any occupied neighboring home.' Draft (3): 'any occupied dwelling on an adjacent lot'... Cheapest fix: replace 'on an adjacent lot' with 'on a neighboring lot.'" [verified — the drafting notes confirm this fix was carried into Draft v3]
22. **Research packet, section 4, the five structural models (A through E), as summarized in this report's text above.** [verified]
23. **Persona loop log, tradeoff ledger, screening:** "Mandatory screening burdens every short build for a temporary condition; placement standard (rule 7) is the mitigation. Deciding official may add it." [verified]
24. **Persona loop log, round 1, finding S6 and decision packet item 3:** "Non-building permits (grading-only)

excluded... Scope is James's stated ask (building construction supervision); SUP fallback remains." [verified]

25. **Persona loop log, round 1, finding M3 and decision packet item 4:** "Storage-container stacking beside the trailer... Pre-existing, separately defined category (§ 22.03.001 temporary storage units); not a regression of this draft." [verified]
26. **Research packet, named gaps, Southlake:** "UNVERIFIED, not a confirmed absence... This file should be treated as an access gap requiring a human researcher with direct PDF access, not as evidence that Southlake lacks a provision." [verified]
27. **Research packet, named gaps, Lakeway/Sunset Valley/Bunker Hill Village:** the three confirmed-absence entries, each searched across the full code text as described in the packet. [verified]
28. **Research packet, named gaps, general gap statement** (same passage as source 18 above, cited here for the deposits/bonds point specifically). [verified]

IMPLEMENTATION GUIDE — Construction Supervision Trailers

Prepared for city staff and the public, describing Ordinance No. 2026-___ (Draft v3). Next step: the ordinance goes to the city attorney for review, then to adoption under the chapter 211 zoning-amendment process, because it amends zoning-side text.

BOTTOM LINE: today, a builder needs a special use permit and a board of adjustment hearing to put a supervision trailer on a construction site; under the proposed ordinance, one trailer per project site is approved as part of the ordinary building permit, with no hearing, subject to fixed placement, occupancy, utility, and removal rules.

Known open questions in the ordinance text

These are points that still need a decision before or at adoption. Each is stated with its recommendation and its basis, so the reader can see the reasoning, not just the outcome.

1. **Whether to require screening around the trailer.** The draft does not require it; it relies instead on the placement standard (the trailer must sit within setbacks, or at the workable spot farthest from any occupied neighboring home) to limit what a neighbor sees. The reasoning against a screening requirement: it would add a cost to every short build, including a four-month remodel, for a temporary condition. Options on the table: leave the draft as it is; require screening only when the trailer sits within a set distance of an occupied home; or always require it.
 2. **Whether to widen the administrative path beyond building-permit projects.** As drafted, a project running only on a site-clearance or grading permit still needs a special use permit for a trailer. The reasoning for leaving it narrow: the request that started this ordinance was specifically about supervising building construction, not every kind of permitted site work. The alternative — widening the path to the full list of seven permit types the code recognizes — would be simpler for staff to apply but broader than what was asked.
 3. **Whether the ordinance's verb choices and capitalization should fully match the surrounding chapter's style.** The new section follows the drafting convention used for new code text (avoiding "shall," capitalizing the defined term), while the existing chapter around it uses "shall" throughout. The recommendation is to leave this as drafted, matching the convention used for new sections; full conformance to the surrounding chapter's older style is available if wanted instead.
 4. **Whether to address stacking of separately defined storage containers next to the trailer.** This ordinance does not touch it. A builder can already place portable storage containers (the code's separately defined "temporary storage unit" category) on a site today, under a different, uncapped rule, regardless of this draft. If this is a concern, it would need its own, separate ordinance — it is not a gap this draft creates.
 5. **The adoption procedure itself.** Because the ordinance amends zoning-side text (the definition in section 1.01.003 and the special-use table in section 38.03.043), it must be adopted through the chapter 211 zoning-amendment process — consideration by the zoning and planning commission, published notice, and a public hearing — rather than a plain ordinance reading. This is a scheduling step for staff to carry out, not an open question about what the ordinance says.
 6. **Confirming section numbers before the ordinance is finalized.** The legal review names sections 211.006 and 211.007 of the Local Government Code as governing the notice-and-hearing sequence for the adoption process in item 5, but flags those section numbers as still needing confirmation against the primary statutory text before the package is finalized.
-

A. How it works today (current rule, assumed enforcement)

The rule. Occupying a trailer as a construction-supervision office requires a special use permit, under the current definition of "commercial trailer" at section 1.01.003 and the special-use table at section 38.03.043. The only procedure for granting one is section 38.04.032: a written application with a site plan; a site visit and written findings from the city administrator or city inspector; mailed notice to owners within 300 feet and a posted sign, both at least 16 days before the hearing; a public hearing before the board of adjustment; and a decision measured against the five general special-use criteria in section 38.04.033, since no trailer-specific criteria exist. A granted permit is capped at two years, lapses if construction has not started within one year, and cannot transfer if the property is sold.

As written, we assume staff currently route every construction-trailer request to the board of adjustment, because no other approval path for this use is named anywhere in the code.

As written, we assume staff measure every application against only the five general criteria in section 38.04.033, because section 38.04.034, which gives 13 other special uses their own tailored criteria, is silent on the trailer.

As written, we assume staff do not track a single, standing removal date once a trailer's special use permit is granted, because the code sets only an outer two-year cap and a one-year commence-by lapse — neither is tied to when construction on the underlying project actually finishes.

As written, we assume a trailer's power and water connection is handled outside the formal utility-connection rule, because sections 22.03.166 and 22.03.206 authorize a connection only for "permanent service" to a structure, and say nothing about a temporary, construction-period hookup.

B. How it would work under the proposed ordinance

The rule. One construction supervision trailer per project site is authorized as part of the building permit if it is shown on the site plan; the city inspector reviews and approves it as part of ordinary building-permit review (section 22.03.052). No special use permit and no hearing are required for this use. The trailer must sit within the setbacks that apply to a principal building and outside any protected-vegetation barrier, unless the lot's shape or slope makes that impracticable, in which case the inspector may approve the workable spot farthest from any occupied neighboring dwelling, with the reason noted on the site plan. It may be used only as a construction-supervision office — never for dwelling, sleeping, another business, sales, or paid storage. Temporary utility service and a construction-hours-limited generator are both allowed with the inspector's approval. The permit placard must note the trailer and its removal deadline. The trailer must come out within 30 days of final inspection or a certificate of occupancy, whichever is first, or when the permit expires, or after 180 days of suspended construction — extendable only while a timely permit-extension request is pending, and only up to 60 days. A trailer that overstays any deadline is there without authorization and subject to a fine of up to \$500 for each day the violation continues; the inspector may revoke authorization after written notice and seven days to cure, except that living or sleeping in the trailer has no cure period. This removes the special use permit and board hearing that section A describes, and replaces them with the inspector's review; it also adds the temporary-utility-service authorization and the mobile-home carve-out that section A shows are missing today.

As written, we assume staff would treat the site-plan review for the trailer as part of the same building-permit review already done for the rest of the project, since subsection (1) directs it to the existing section 22.03.052 process rather than creating a separate application.

As written, we assume staff would record the removal deadline on the final-inspection record and update the placard at that same visit, since subsection (7) states that the deadline "must be written on the final-inspection record, which governs."

As written, we assume staff would run the 60-day pending-extension toll from the date of a timely-filed permit-extension request under section 22.03.137, since that is the only filing subsection (8) ties the toll to.

As written, we assume staff would process a pre-effective-date special-use-permit holder's election to switch to the new path only on receipt of the written, filed notice subsection (7) of Section 7 requires, and would treat that filing date, not any earlier informal request, as the point the special use permit terminates and the new deadlines begin to govern.

C. Who is affected

Easier or clearer for the honest resident

- No public hearing, no 16-day notice period, and no board of adjustment appearance to get a supervision trailer approved — it is reviewed with the rest of the building permit.
- A clear, written removal deadline appears on the final-inspection record and the permit placard, instead of an open-ended two-year permit term with no completion-based removal date.
- Temporary power and water for the trailer are explicitly authorized, closing a gap in the current utility-connection rule that left this unaddressed.
- A definitional mismatch in the current code — the trailer is defined as a "commercial trailer" but referred to as a "commercial coach" everywhere else — is repaired, so the rule that applies to a project is easier to find and read.

New steps for residents

- The trailer's location must be shown on the site plan submitted with the building permit application; a builder adding a

trailer after the permit has already issued must file a supplemental site plan for the inspector's review. This closes the gap that let a trailer's presence go unrecorded on the building-permit file.

- The trailer must be placed within setbacks, or at an inspector-approved alternate spot with the reason recorded — a builder can no longer place it wherever is most convenient on the lot.
- Only one trailer is authorized per project site, regardless of how many lots or permits the project covers, and it may be used only to supervise construction on that site — closing the gap that would otherwise let one project run several trailers, or one trailer serve unrelated purposes.
- A pre-effective-date special-use-permit holder who wants to switch to the new, simpler path must file a written, irrevocable election with the city inspector, noted on the building-permit record — this is a new filing step, but it exists so the holder (and staff) always know which set of deadlines currently applies to that trailer.
- The trailer must be removed within a fixed set of deadlines (30 days after final inspection or a certificate of occupancy, upon permit expiration, or after 180 days of suspended construction), rather than simply running until an open-ended permit term expires — a builder now has firm dates to plan around and meet.

Simpler for staff

- One review track instead of two: the trailer is reviewed as part of the ordinary building-permit process staff already run, instead of being scheduled as a separate board of adjustment hearing with its own notice, site visit, and written-findings requirements.
- No coach-specific criteria to apply and no separate renewal decision to track against a complaint history — the fixed standards in the new section replace the five general special-use criteria and the two-year renewal process for this use.

New duties for staff

- The inspector must review and approve the site plan showing the trailer (or a supplemental site plan, if added later), and must confirm placement meets the setback standard or record the reason for an approved alternate location.
- The inspector must write the removal deadline on the final-inspection record and update the placard at that inspection — a new record-keeping step that did not exist under the special-use-permit process.
- The inspector must track the 180-day suspended-construction trigger and the 60-day pending-extension toll for every authorized trailer, and must determine, for any trailer that overstays, whether the per-day offense applies.
- Before revoking a trailer's authorization, the inspector must issue written notice and administer the seven-day cure period (except for a dwelling-or-sleeping violation, which has none) — a due-process step the current special-use-permit revocation process handles differently, through the board of adjustment after notice and a hearing.
- For every pre-effective-date special-use permit that might overlap this ordinance, staff must process and record any written election a holder files, note it on the building-permit record, and treat the special use permit as terminated from that filing date forward.
- Because Sections 1 and 4 of the ordinance amend zoning-side text, staff must schedule adoption through the chapter 211 zoning-amendment process — commission consideration, published notice, and a hearing — rather than a plain ordinance reading, which is itself a new one-time scheduling task tied to this ordinance's adoption.

APPENDIX — CODE, VERBATIM

Current text amended by Section 1 (definition)

§ 1.01.003, General Provisions — "Commercial trailer" (before):

Commercial trailer. A vehicle, with or without motive power, occupied as an office or for a similar permitted construction use, on a temporary basis during and for the purpose of supervising building construction. The occupancy of a commercial coach requires a special use permit.

(Section 1 of the ordinance repeals this definition and replaces it with "Construction Supervision Trailer," reproduced in the ordinance itself.)

Current text amended by Section 3 (temporary utility service)

§ 22.03.166, Building Regulations (residential); identical text at § 22.03.206 (nonresidential) (before):

It shall be unlawful to serve or connect any public utility to any structure for permanent service until authorized by the city inspector and the public utility supplier. All internal electrical wiring will be copper. Aluminum wiring is prohibited.

(Section 3 of the ordinance adds one sentence to the end of each section, authorizing temporary utility service to a Construction Supervision Trailer.)

Current text amended by Section 4 (special-use table)

§ 38.03.043, Zoning — special-use table row (before):

Commercial coach | All (temporary during construction)

(Section 4 of the ordinance replaces this row with one naming the Construction Supervision Trailer and cross-referencing new section 22.03.062, reproduced in the ordinance itself.)

Related current text, unchanged by this ordinance, cited above for context

§ 38.04.032(2), Zoning — special use permit issuance:

A special use permit may be issued only for the special uses specified in this division, and only for the district where it is authorized. A special use permit may only be issued by the board of adjustment acting after a public hearing.

§ 38.04.035(2), (4), (5), Zoning — duration, lapse, and transfer:

Special use permits shall be granted for a definite period of time, not to exceed two years. Upon the special use permit's expiration, renewals may be granted at the discretion of the city administrator provided no written complaints were received during the use period... A special use permit shall lapse if the use has not been commenced, or, in the case of construction, if construction has not been commenced, within one year of the date the permit was issued... A special use permit is not transferable and shall cease upon transfer of the property or business.

§ 22.03.165(1), Building Regulations — modular/mobile-home construction bar (unaffected outside the new carve-out at ordinance subsection (10)):

No residential structure shall be of a modular, preconstructed, prefabricated or mobile home construction, nor shall such structure be a used structure, or a move-in structure.

How Peers Regulate Private Driveway Bridges, and How to Keep the Exception Honest

For: Gordon, Council Member **From:** James Vaughan **Date:** 18 August 2026

You asked how other places let a driveway bridge exceed the 6-foot height limit where a lot cannot get safe access without one, without letting that exception become routine or a workaround. This sets out what peer cities do and recommends an approach. It is research and a recommendation, not an ordinance.

Executive summary

West Lake Hills should adopt a defined, engineered exception to the 6-foot driveway height limit for the few lots that cannot get safe access without a bridge, rather than sending each one through a variance hearing (case-by-case hardship relief from a board). The exception is safe to adopt: it rests on the city's existing authority over building and driveway standards, narrows what that authority already allows rather than expanding it, and keeps the necessity decision with the city's own engineer. Every element is drawn from a peer standard we confirmed at the source, apart from a few details left for the drafting stage, such as the exact fire-code load figure and the city's adopted fire-code edition. It is sized so it cannot be used as a route to oversized vehicle storage.

The mechanism has six parts. The 6-foot rule stays for every lot. A bridge may exceed it only when the city engineer finds in writing that no practicable alternative gives the lot safe access for an ordinary garage; necessity is measured against that standard, not against the owner's plans. It is capped at the minimum necessary: one lane, one crossing per lot. Fixed conditions apply: engineer seal, fire-apparatus load rating, flood conveyance (the structure passes the design storm without raising flood levels), and a recorded maintenance duty. The approval is recorded against the property, so storage beyond the ordinary cap needs a variance after the bridge is built. Staff approves against these conditions, with no hearing, because the criteria are objective. A bridge can also fall under the flood rules and the state's aquifer-protection rules, which limit building over the region's underground water supply, so the exception is written to apply alongside those, not replace them (section 7).

Two decisions come back to you: the vehicle-storage number that defines a "normal garage" (recommended at 4 spaces or 1,000 square feet, whichever is less; anywhere from 2 to 5 spaces holds up on the evidence, and the exact number is yours to set), and whether to have the ordinance drafted. Everything else stays on the ordinary variance path.

1. The answer, in six lines

Some West Lake Hills lots cannot get a safe driveway without a bridge, and the driveway height limit is a flat 6 feet. The best-drafted peer codes solve this with a defined, engineered exception, not a variance (case-by-case hardship relief from a board). The pattern, shaped to a clear goal (a bridge when necessary for a normal garage, never for a show-car museum), has six parts:

1. The 6-foot rule stands for every lot. Our code already states its measurement point: no part of a driveway may rise more than 6 feet "above natural ground grade directly below" (§ 22.03.175).
2. A bridge may exceed it only where the city engineer finds, in writing, that no practicable alternative gives the lot safe access to a single-family dwelling with an ordinary residential garage. Necessity is measured against that ordinary need, written as a number in the code, never against whatever the owner chose to design.
3. The bridge itself is capped at the minimum necessary: a single lane (12 to 16 feet), the least encroachment the finding supports, and one crossing per lot (our one-driveway rule already guarantees this).
4. The exceedance, meaning the part of the bridge above the 6-foot limit, carries fixed conditions set in the code: engineer-sealed design, a fire-apparatus load rating, flood conveyance through the existing floodplain permit, and a recorded maintenance duty with periodic recertification.
5. The approval is recorded against the property. As long as the lot's access depends on the bridge, vehicle storage beyond the ordinary cap needs a variance, where the burden is the applicant's. That is what stops "build the normal bridge now, add the museum later."
6. Staff approves against those conditions, no hearing, because the criteria are objective. Everything else stays on the ordinary variance path.

One point is separate from these six: a bridge in the floodplain or over the aquifer still needs its own flood and aquifer approvals, and this exception does not change that (section 7).

2. The problem

Some West Lake Hills lots sit across a creek, gully or steep drop from the road. For those lots, the only way to reach a required safe driveway is to build up and over, a bridge or elevated driveway structure, rather than grade a ramp down to creek level and back up.

The city's driveway rules cap height at 6 feet. That cap does real work: it stops driveways from turning into unregulated fill projects or informal bridges built without engineering. Applied without any exception, though, it can leave a handful of lots with no lawful way to build the driveway they need.

The wrong fix is to treat every one of these lots as a variance case. A variance is meant for hardship that is genuinely one-off. If a defined class of lots routinely needs the same relief for the same reason, running it through variance hearings every time is not hardship review; it is an admission that the rule is missing a case.

The second wrong fix is an exception with no size limit. If the rule lets the owner's own plans decide what counts as necessary, the owner can just plan something bigger. Nobody should be able to say, "I must have a bridge for my 20-car luxury car museum." The exception below is sized so that claim fails on the rule's own wording, not on a staff member's nerve.

3. What Texas peers do

Mostly nothing. Of the seventeen Texas hill-country and creek-cut jurisdictions surveyed (Austin included, for context), most have no standard aimed at a private lot's own bridge or creek crossing at all. Rollingwood, Bee Cave, Lakeway, Dripping Springs, Fair Oaks Ranch, Grey Forest, Bunker Hill Village and West University Place all show a confirmed absence: each code was checked directly, not assumed. Where these cities touch the topic, it is only through the standard Texas Water Development Board (TWDB) model floodplain ordinance: a generic "no adverse impact on flood carrying capacity" permit that applies to any structure or fill in a mapped floodplain, with no bridge-specific design, load or height standard on top. Boerne, Shavano Park, Hill Country Village and Helotes share a regional "all-weather crossing" template built for subdivision streets, not private lots; it carries the H-20/HS-20 truck-loading family (AASHTO, the American Association of State Highway and Transportation Officials, sets these design-truck weight classes; H-20 is a 40,000-pound design truck, HS-20 a 72,000-pound one). The only Texas jurisdiction with a genuinely substantive private-driveway crossing standard is Travis County, and even there the strong requirements attach to joint-use driveways serving several homes. Hunters Creek and Piney Point regulate the topic only thinly, through ditch-crossing specifications and plat covenants (recorded promises that bind future owners of the land).

Wimberley is the partial case: its steep-slope article caps driveway grades at 15 percent on steep lots and requires written sign-off from every emergency service, but contains nothing bridge-specific.

That absence is itself telling. West Lake Hills would not be copying a Texas neighbor; it would be writing the state's most complete residential standard, assembled from pieces that each already exist in a peer code somewhere.

For context, Austin is the restrictive outlier: its Critical Water Quality Zone rule generally disallows a private driveway from crossing a creek buffer at all, except inside designated growth corridors. Austin's drainage manual requires any culvert to pass the 100-year storm (a storm with about a 1-in-100 chance in any year) with capped headwater rises, and contains no gentler rule for private residential crossings. A West Lake Hills exception provision would still be more restrictive than most peers and roughly in line with Austin's engineering bar.

4. What the resort peers do

Where the mountain and coastal resort peers address this topic, they split it into two layers worth keeping separate:

- **A baseline engineering standard** for any driveway or bridge: a grade cap (commonly 8 to 15 percent, tighter near the road), a minimum width (10 to 16 feet for single residences), a 13-foot-6-inch vertical clearance in several jurisdictions, and a load standard pegged to fire apparatus (40,000 pounds and up) or a named design vehicle (HS-20).
- **A separate chapter for the stream and its riparian buffer** (the protected strip of land along a waterway), which treats any crossing as an intrusion needing justification.

Most codes never join the layers. Blaine County (Idaho), Whitefish (Montana), Sevier County (Tennessee) and Vail (Colorado) are confirmed absences: each was checked for a necessity-gated crossing exception and none has one.

Three provisions join the layers, and they are the template worth copying.

Tahoe Regional Planning Agency, Code § 30.5.2.A (exception to the stream environment zone prohibition), quoted from the code:

"There is no reasonable alternative, including relocation, that avoids or reduces the extent of encroachment in the stream environment zone, or that encroachment shall be necessary to reach the building site recommended by IPES"

[IPES: Tahoe's Individual Parcel Evaluation System.] It is paired with mandatory mitigation: the impact must be "fully mitigated," with restoration applied to the affected stream-zone land.

Teton County, Wyoming, Land Development Regulations § 5.1.1.E.3.a (essential-crossings exception to the waterbody and wetland buffers), quoted from the regulations:

"Infrastructure that is deemed essential may be located in, across, or adjacent to a water body if there is not practicable alternative."

The same section requires encroachments to be minimized to the greatest extent possible, and the county separately requires an HS-20 design vehicle for bridges and a fire marshal sign-off for grades over 10 percent.

Monterey County, California, Big Sur Coast Land Use Plan § 3.3 (certified 1986), quoted from the plan:

"Essential roads are permitted in environmentally sensitive habitats provided that in each case there be a finding that no reasonable alternative exists"

The same plan considers new access roads "only where it has been demonstrated that the use of existing roads is not feasible" (§ 3.2.4.A.6).

All three are administered by staff or agency review against the finding, not referred to a board as a discretionary variance. That is the structural feature to copy.

Two more provisions supply what the necessity findings leave out:

- **Ross Valley Fire Department Standard 210** (Marin County, California): residential driveway bridges need at least 16 feet of clear width and 14 feet of vertical clearance, must be engineered to at least 40,000 pounds gross vehicle weight, must post the engineered load limit at both approaches, and must be "load tested and certified once every ten (10) years... by an approved and California licensed structural engineer." The neighboring Marin County fire code requires every bridge to be evaluated by a California licensed civil engineer for safety and weight rating under the AASHTO manual. Nothing else surveyed covers residential bridge engineering as completely.
- **Aspen, Colorado § 26.435.040(b)** allows the community development director to exempt "pedestrian or automobile bridges" from stream margin review where plans show the structure "is engineered to prevent blockage of drainage channels during peak flows." A staff-level exemption, gated on engineering rather than on necessity.

One lead we could not confirm. Pitkin County's Land Use Code § 7-20-80 ("River and Stream Corridors and Wetlands") is described by a Colorado state guidance page as exempting bridges and roads from setbacks "if it is demonstrated that there is no alternative placement and disturbance to the buffer zone will be appropriately mitigated." We confirmed the section exists at the county's own document, but could not read its actual wording at the source. Treat it as a lead, not a confirmed peer standard.

5. The scale limit: defining "normal" so the exception cannot be gamed

The test case: nobody gets to say "I must have a bridge for my 20-car luxury car museum." The design answer has three pieces, each grounded in real code text.

First, the yardstick is ordinary residential need, written as a number. The code, not the applicant's plans, defines what the bridge must be necessary for: safe access to a single-family dwelling whose vehicle storage (attached or detached) does not exceed a stated cap. The evidence brackets the number:

Source	Figure
WLH's own parking schedule (§ 22.03.241 area)	2 spaces required per one-family dwelling
WLH's own garage definition (§ 22.03.004)	a private garage holds "not more than that number of vehicles as may be required in connection with the permitted use of the principal building"
Hunters Creek Village § 44-161	200 sq ft garage minimum; 600 sq ft is the small-detached-garage threshold
Bunker Hill Village App. A § 7.04	not more than 5 motor vehicles kept on a residential property
Lakeway § 24.02.245	2-car garage minimum, no maximum
Minnesota model rule 2400.2605	all accessory buildings capped at 1,000 sq ft and at the house's own footprint

The recommendation carries a number for you to set: 4 spaces or 1,000 square feet of vehicle-storage floor area, whichever is less. That is double the required minimum, inside the peer band, and generous enough that no ordinary household ever meets the cap. Anywhere from 2 to 5 spaces is defensible on this evidence; the exact number is a policy call, and it is yours. Two drafting points matter more than the number: the cap must count attached and detached storage together (otherwise the museum moves into the house), and it must appear in the code as a number, not as a judgment left to staff.

Second, the bridge is capped at the minimum necessary, independent of what it serves. Single lane: at least 12 feet of surface width (already required for every residential driveway by § 22.03.175) and at most 16 feet (Ross Valley's residential bridge clearance; West Virginia's DOT design rule keeps one-lane bridges below 16 feet precisely so a structure is unambiguously one lane). The least encroachment the finding supports, borrowing the Tahoe wording "avoids or reduces the extent of encroachment." One crossing per lot is already covered: our code already allows only one driveway per primary dwelling unit "regardless of the number of lots, frontage on more than one roadway, or character of accessory structures," and the bridge is part of the driveway. No surveyed jurisdiction anywhere codifies a one-crossing-per-lot rule; WLH's existing one-driveway rule already does that work.

Third, and this is the piece the 20-car hypothetical actually tests: the cap applies to what the bridge serves, for as long as the bridge stands, not just on approval day. A single-lane bridge physically serves a 20-car museum perfectly well, because cars cross one at a time, so the bridge's size never shows how many vehicles it will serve. A scale test applied only when the bridge is approved therefore fails against the obvious dodge: build the normal bridge now, add the museum later. The fix is to record the exceedance approval against the property as a condition: while the lot's access relies on a structure exceeding the 6-foot limit, no permit may issue for vehicle storage beyond the cap except through the variance path, where the burden is the applicant's. Every later building permit on that lot is the enforcement point. Recorded conditions that run with the land, meaning they stay attached to the property even after it is sold, have real ancestors in the peer set: Travis County's plat-note maintenance dedication and Piney Point's plat covenants.

We stress-tested the mechanism against a determined, well-resourced applicant: the museum claim itself, the quieter dodge of building a normal bridge now and adding the museum later, folding the garage into the house, oversizing the bridge in the name of fire safety, and splitting the vehicle storage across lots. Each fails on the written text, not on a staff member's judgment. One case is outside the mechanism by design: an owner who needs no bridge can still store cars under the city's general zoning rules. This exception limits what necessity pays for, not garages citywide.

6. The recommended mechanism, element by element

Each element is drawn from a real source, not assembled from first principles.

Element	What it does	Based on (source noted)
Datum statement (the fixed point a height is measured from)	The 6-foot limit keeps its stated measurement point so the rule cannot be gamed by picking a favorable reference.	Already in WLH's code: "above natural ground grade directly below" (§ 22.03.175). Hunters Creek states its own modest datum (8 inches above the ditch flow line). Peer codes that fail here state no datum at all.
Finding requirement	Exceedance only on the city engineer's written finding that no practicable alternative gives the lot safe access to a dwelling with an ordinary residential	Tahoe § 30.5.2.A ("no reasonable alternative"); Teton County § 5.1.1.E.3.a ("not practicable alternative"); Big Sur Land Use Plan § 3.3 ("no reasonable alternative")

	garage.	exists").
Scale yardstick	The code states the number the finding measures against: vehicle storage, attached plus detached, capped at 4 spaces / 1,000 sq ft.	WLH § 22.03.004 and the 2-space schedule; Hunters Creek § 44-161; Bunker Hill § 7.04; Minnesota rule 2400.2605. Number set by council.
Minimum-necessary bridge	Single lane, 12 to 16 feet, least encroachment, one crossing per lot.	WLH § 22.03.175 (12-foot minimum; one driveway per dwelling unit); Ross Valley Std 210 (16-foot clearance); WV DOT DD-601 (one-lane bridges kept under 16 feet); Tahoe (least-encroachment wording); NRCS Standard 578 (minimize the number of crossings).
Engineer seal	Licensed-engineer design before permit issuance.	Mountain Village § 17.6.6 (Colorado PE for all bridges); El Dorado County Design Manual § B.5.C (civil engineer, structural and hydraulic adequacy); Marin County fire code § 503.2.6.1; Travis County § 482.302(d)(10)(B).
Fire-apparatus load standard	The structure carries the load the fire code requires for apparatus access, with the limit posted.	International Fire Code (IFC) § 503.2.6 (AASHTO reference, posting requirement). The number is the fire marshal's call inside the confirmed band: 40,000 lb (Ross Valley; Nevada County; Mountain Village's 20 tons) to HS-20 = 72,000 lb (Eastern Summit County, Utah; Teton County) to 75,000 lb (IFC App. D § D102.1). Note: West Lake Hills appears to have adopted the 2012 IFC with Appendix B only, so no local number exists today; confirm the city's adopted fire-code edition before a figure is drafted.
No-rise conveyance	The structure passes the design storm without raising flood levels.	Austin Drainage Criteria Manual § 7.1.0 and § 1.2.4.C (100-year storm, capped headwater); Travis County's named design storms; the TWDB-model no-rise hook underlying WLH's own ch. 26, run through the existing floodplain permit.
Edwards Aquifer authorization	Where the lot is in the Edwards Recharge or Contributing Zone and the state rules require a plan, that authorization must be obtained before the city permit issues.	The state's aquifer-protection rules (30 TAC, the Texas Administrative Code, ch. 213); the city's own duty to confirm other agencies' permits before its floodplain permit (§ 26.02.062) and to apply the strictest of the overlapping city, state and federal rules (§ 22.03.059).
Maintenance covenant + recertification	The owner, not the city, maintains the structure; the duty is recorded; the load rating is re-proven on a cycle.	Ross Valley Std 210 (10-year load test and certification by a licensed structural engineer; posted limits); Travis County plat-note maintenance dedication; Piney Point's recorded plat covenants as the recording ancestor.
Recorded scale condition	The approval runs with the land: vehicle storage past the cap needs a variance while the bridge stands.	The recording mechanics above; the variance side carries the National Flood Insurance Program (NFIP) "minimum necessary... to afford relief" standard (44 CFR § 60.6(a)(4), adopted verbatim by Texas cities such as Kaufman § 4.05.034(j) (1)).
Staff approval	Finding and conditions noted on the permit, approved administratively, no hearing.	Tahoe and Teton County (staff/agency administration); Aspen § 26.435.040(b) (director-level exemption); Hunters Creek § 34-155 (city engineer); Travis County (permit process).

Anything that does not clear the finding and its conditions stays on the ordinary variance path, unchanged, with the burden on the applicant. That covers a bridge for convenience, a structure larger than the finding supports, or storage past the cap.

7. How this fits the flood and aquifer rules

A driveway bridge is usually subject to three sets of rules: the city's own height limit, the flood rules the city already runs, and the state's Edwards Aquifer rules. The Edwards Aquifer is the region's groundwater source, and the state, through the Texas Commission on Environmental Quality (TCEQ), limits building over it. The exception does not change the flood rules or the aquifer rules. A single creek-cut lot can fall under all three at once.

The city runs its own floodplain program under chapter 26, which is the local form of the federal flood insurance rules. A bridge in the mapped floodplain needs a floodplain development permit. In a floodway (the high-hazard core of the floodplain), the bridge may not raise flood levels at all, and a design that would raise them needs a federal map change, not a city variance. The report's no-rise condition already routes the bridge through this permit.

The aquifer rules are the part the rest of this report does not yet cover. West Lake Hills is not in one aquifer zone. It straddles two. The southern and eastern part of the city, including City Hall, is in the Recharge Zone, the most protected zone. The northern and western part is in the Contributing Zone. Which state rule applies is therefore a lot-by-lot question, checked on TCEQ's own aquifer map. A creek-cut lot in the Recharge Zone whose house, driveway and bridge together cover more than 20 percent of the lot needs a state aquifer plan approved before any construction. A lot in the Contributing Zone rarely does, because that plan only starts at five acres of disturbance.

These are three separate approvals from three authorities, and they stack. None replaces another, and the strictest rule wins. Where the state aquifer plan is required, it must be approved before construction, and the city cannot issue its own permits until it has confirmed the other approvals are in hand. The state approval comes first, then the city's.

The exception is built to work alongside these rules, not around them. It relaxes only the city's own six-foot height limit. It names the floodplain permit and, where the aquifer rules require one, the state aquifer authorization as conditions of the city's approval, and it says plainly that it does not relieve anyone of any state or federal requirement.

8. Why this is lawful for a Type A city

West Lake Hills is a Type A general-law city: its powers over building and driveway standards come from specific state grants, not a general home-rule authority. The exception fits comfortably inside that authority, for three reasons.

It relies on the same legal hooks, more tightly. Driveway and access standards are building standards Type A cities may set inside city limits. The exception changes no land use, so the state rule protecting certain uses from being regulated away stays untouched. The safety justification (fire-apparatus access, flood conveyance) supports the city's general police-power authority. The flood-conveyance condition rides the floodplain permit program the city already runs. The scale cap is a further limit on an exception, not a new power: it narrows what the exception already allows, and narrowing is the direction that needs no new authority.

It respects the rule that a private engineer's report is evidence, not a decision. The applicant's engineer supplies the structural design and the storm analysis; only the city's own engineer makes the no-practicable-alternative finding; and that finding measures against a codified number rather than anything the applicant asserts. The cap replaces judgment with arithmetic. The recorded condition reaches a later permit as a condition of the owner's own earlier approval, accepted in exchange for the exceedance and running with the land, not as a rule imposed after the fact.

The cap is uniform and one-way. Every lot in West Lake Hills faces the same rule, the same finding, the same number, the same conditions. The exception only ever relaxes the height limit for the necessity case; it never tightens anything for a lot that stays out of it.

The exception also leaves the flood and aquifer rules untouched. It relaxes only the city's own six-foot height limit, so the state and federal approvals still apply in full and the exception adds no new power.

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Two details belong to the drafting stage, not to this recommendation: the exact load figure (a fire marshal's call within the 40,000 to 75,000 pound band the fire codes already use, once the city's adopted fire-code edition is confirmed), and how any crossing near FM 2244 fits with the state highway department's requirements.

Sources

Every citation below was read at its primary source unless noted. Quotations in the report are verbatim from these texts.

West Lake Hills, Code of Ordinances, chapter 22 (Building Regulations):

- § 22.03.175 driveway standards: the 6-foot height limit measured "above natural ground grade directly below"; 12-foot minimum surface width; one driveway per primary dwelling unit; 20 percent maximum grade.
- § 22.03.004 definition of a private garage.
- § 22.03.241 area parking schedule: 2 spaces per one-family dwelling.
- Chapter 26 (Flood Damage Prevention) is the city's existing floodplain permit program; chapter 8 (Fire Prevention) holds the adopted fire-code edition, which should be confirmed before a load figure is drafted.

Texas peers:

- Travis County Code § 482.302 (Street and Drainage Design).
- Hunters Creek Village Code §§ 34-154 and 34-155 (driveway access across open ditches); § 44-161 (garage minimums).
- Piney Point Village Code § 50-161 (owner's acknowledgment / plat certificate).
- Wimberley Code Article 4.06 (Steep Slope Regulations).
- Bunker Hill Village Code Appendix A § 7.04 (five-vehicle limit); Lakeway Code § 24.02.245 (garage minimum).
- Austin Drainage Criteria Manual §§ 7.1.0 and 1.2.4.C (100-year storm, capped headwater).

Resort peers:

- Tahoe Regional Planning Agency Code § 30.5.2.A.
- Teton County, Wyoming, Land Development Regulations § 5.1.1.E.3.a.
- Monterey County, California, Big Sur Coast Land Use Plan §§ 3.3 and 3.2.4.A.6 (certified 1986).
- Ross Valley Fire Department Standard 210; Marin County Fire Code § 503.2.6.1.
- Aspen, Colorado, Municipal Code § 26.435.040(b); Mountain Village, Colorado, Municipal Code § 17.6.6.
- El Dorado County Design and Improvement Standards Manual § B.5.C.
- Pitkin County, Colorado, Land Use Code § 7-20-80 (a lead only; the section exists at the county's own document, but its wording could not be confirmed at the source).

Model and reference standards:

- International Fire Code § 503.2.6 (bridges on fire-apparatus access roads) and Appendix D § D102.1 (75,000-pound apparatus figure).
- AASHTO design-truck loads (H-20 = 40,000 lb; HS-20 = 72,000 lb).
- 44 CFR § 60.6(a)(4) (NFIP variance standard), adopted verbatim by Texas cities such as Kaufman (§ 4.05.034(j)(1)).
- Minnesota Administrative Rules § 2400.2605 (accessory-building floor-area cap).
- USDA NRCS Conservation Practice Standard 578 (minimize the number of crossings).
- West Virginia DOT one-lane bridge design (DD-601).

Flood and aquifer overlays (added 2026-08-19):

- TCEQ Edwards Aquifer Map Viewer (the state's official aquifer-zone map), checked 2026-08-19 for West Lake Hills: the city straddles the Recharge Zone and the Contributing Zone.
- Texas Administrative Code, title 30, chapter 213 (the state Edwards Aquifer rules); TCEQ's Edwards Aquifer private-residences guidance.
- 44 CFR 60.3 (the federal floodplain rules the city's chapter 26 program follows).
- West Lake Hills Code §§ 26.02.062, 26.02.006, and 22.03.059 (the city's permit-coordination and more-stringent-rule provisions).

This is research and a recommendation. Two things come back to you: the number in the "normal garage" definition²⁸ (the evidence puts it between 2 and 5 spaces; this report recommends 4 spaces or 1,000 square feet, whichever is less), and whether to have the ordinance drafted. An ordinance, if you want one, is a separate drafting job on this material.

DRAFT: Standing Up a Police Motorcycle Unit From Scratch

An exploratory decision guide for the Chief, West Lake Hills PD

Prepared: August 2026 Status: DRAFT, exploratory (see Section 1)

Executive summary

West Lake Hills PD has no motorcycle unit today, and this guide recommends neither starting one nor skipping it. It lays out what a unit would involve so the Chief can decide with the facts in hand.

Motor units at comparable small agencies serve targeted traffic enforcement, collision analysis, and event or escort coverage, never as a patrol-fleet replacement (Section 2). Lakeway PD, the closest confirmed peer, runs a 3-officer unit 13 miles away (Sections 2 and 3). The risk is clear. An officer on a motorcycle is roughly ten times more likely to die in a collision than an officer in a patrol car, and three times more likely to be seriously injured (source 9). One outfitted motorcycle costs about \$45,000 in 2026, plus \$600 to \$2,400 a year in repairs over a four-year service life (sources 31, 33). None of the grant doors checked buys the bike: they came back overtime-only, closed to WLH, or unresolved for equipment (Section 5). Forfeiture funds could cover the purchase once, never ongoing staffing, and whether the city's own police foundation would fund equipment is an untested question (Section 8, item 7). Staffing is the reason small motor units most often fold (Section 2).

The open question is what specific mission one or two WLH motorcycles would serve, and whether it is big enough to justify a standing unit over mutual aid from a neighbor like Lakeway (Section 2). Training, cost, legal exposure, and staffing should be sized against that answer. WLH's staffing count and other open legal and funding questions still need direct confirmation in Section 8.

1. What this guide is, and what it is not

This is a decision guide, not a proposal. Its job is to help the Chief think clearly about a motorcycle unit before any money, time, or political capital is spent on one. It does not recommend for or against standing one up. It is not a business case, a budget request, or a pitch to Council.

This guide is exploratory because West Lake Hills PD does not currently have a motor unit, and this document is a first look at what having one would actually involve.

The research behind this guide was done in stages during August 2026. Statements of fact end with a pointer, like (source 31), to the numbered source list in Section 9; a claim with a pointer was checked against that source. A plain (Section N) pointer simply says where in this guide the supporting detail lives. Anything not yet confirmed is gathered in Section 8, Needs human confirmation, and the text points there where it matters; some of those items need a phone call or a records request, one is answered inside city hall, and the rest need one more document pulled. Where the guide reaches its own conclusion rather than reporting a sourced fact, it says so in plain words. The full working record, with every quote, source address, and retrieval date, is in `MotorUnit_Capture.md` in this folder.

Treat this guide as a map of what is known and what is missing, not as the answer.

2. The decision, in plain terms

What a motor unit is actually for

Across the agencies checked, a consistent pattern emerges: motorcycle units exist for targeted traffic enforcement, collision analysis, and event or escort duty. That is work that benefits from a vehicle that is small, maneuverable, and visible. Lakeway PD, the closest confirmed peer to West Lake Hills, describes its own 3-officer Motors Unit's mission in exactly those terms: targeted traffic enforcement, collision analysis projects, and coverage of public-safety events. Corinth PD (Denton County), a second confirmed small-agency peer, frames its revived 2-officer unit entirely around traffic-fatality reduction on specific corridors: "It's 100 percent about [traffic law] compliance and dropping that fatality number and injury accidents." Highland Park DPS (that town's combined public-safety department, in the Dallas Park Cities) built its motor division (established 2015, two officers by the end of 2017) around traffic-fatality investigation and violations, and reported traffic accidents down 8 percent over a three-year period (sources 1, 2, 4, 54).

What the people who run them say

The research also looked for named officials at comparable agencies speaking on the record about whether these units earn their keep. The speakers who exist sell them on three grounds, and none of the three is citation counts:

- Approachability. Highland Park DPS's first motor officer, Peter Gardner, on why the town doubled the unit: "They are the best customer relations platform you're ever going to get. If I park this thing at any store driving through the Village, people stop, talk to me." He added: "If I drive up in a squad car nobody's gonna come up to me, because nobody wants to talk to me through a car. I am totally accessible [to] the public." Corinth PD's Capt. Jimmie Gregg, on the same theme: "It's easier to break a barrier between the public and us," and, on the citation-mill perception, "A lot of times they get a bad rap because people think it's all about citations." Corinth's Officer Jeremy Reyna: "nine times out of 10, that contact ends with them thanking me." (sources 3, 4)
- Visibility and congestion. Reyna: "It's not so much just to stop people from speeding but to be visible out there," and "Sometimes there's such congestion that cars can't move. It's a lot easier for a motorcycle to squeeze through." (source 4)
- The risk side, in a practitioner's words. Fort Worth PD motor instructor Mike Richey (not a size peer; quoted for the risk and demand points): "We're working the most dangerous areas you can — in roadways, sometimes on the freeways, where a car is speeding 100 miles per hour plus." He also notes the assignment is sought after: "We always have more applicants than we have openings." (source 5)

Two caveats. First, Highland Park's quantified claims (response times cut about 30 seconds; accidents down 8 percent over three years) are attributed by the 2017 People Newspapers article to Lt. Lance Koppa but reported rather than quoted verbatim, and nothing newer than 2017 was found (source 3). Second, and worth knowing before leaning on the closest peer: Lakeway produced no public commentary at all. The search found only the city's boilerplate unit page and a 2020 council briefing that lists "1 motor" in a staffing tally (source 6). If the Chief wants the Lakeway view, it is a phone call to their chief (Section 8, item 5).

What a motor unit is bad at

Motorcycles carry one officer, minimal cargo, no prisoner transport, and no weather protection. They are not a patrol-car replacement. Every agency example found treats motors as a specialized add-on to a patrol fleet, not a substitute for it. This is the overall pattern across the agencies checked, not a single cited statistic, and nothing found contradicts it.

How these units end, in the documented cases

The research found four documented disbandments or suspensions, each with a stated reason, all from news reporting (sources 13-16):

- Michigan State Police, 2023: safety. The entire unit was disbanded after trooper deaths on motorcycles. (Coverage suggests a later restart; that needs confirmation, Section 8, item 18.)
- Austin PD, 2021 to at least mid-2022: staffing. The Motors Unit was suspended and officers moved to patrol when the department could not fill patrol shifts. This is the closest case to home: the region's anchor agency parked its motors.
- Toledo PD, 2018: budget, staffing, safety, and climate together. Replacing the bikes and training would have cost nearly \$200,000, attrition had left five riders, and motorcycle officers could not pursue or run emergency response.
- St. Paul PD, 2019: officer injuries, rising over four years.

The pattern worth the Chief's attention: for small units, staffing is what most often ends them. Corinth's earlier program also lapsed in 2018 "due to lack of officer interest" before its 2024 revival (source 4). A unit of one or two riders is one retirement, one injury, or one transfer away from not existing (this conclusion follows from the cases above; it is not itself a documented case).

The question the Chief has to answer first

West Lake Hills is a small force (an estimated 15 sworn officers; this is still an estimate, and WLH's actual staffing count has not been confirmed against a primary source) in a small, hilly city. Before any of the operational, legal, or budget questions below are worth answering in detail, the Chief needs to answer one question the data cannot answer for him:

What specific mission would one or two WLH motorcycles actually serve here (targeted enforcement on a particular corridor, event and escort coverage, collision reconstruction capacity, something else), and is that mission big enough and recurring enough to justify a standing unit, rather than, say, mutual-aid borrowing from a neighbor like Lakeway for the occasions when that need comes up?

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Everything downstream (training pathway, cost, legal exposure, staffing) should be sized against the answer to that question, not the other way around.

3. The path to standing one up

The one confirmed nearby example is Lakeway PD (Travis County, roughly 13 miles from West Lake Hills), which runs a named 3-officer "Motors Unit." It is staffed in-house: one listed member is described as a "certified motorcycle instructor," and another as an instructor certified by TCOLE (the Texas Commission on Law Enforcement, the state's licensing and training-standards body for peace officers) who also holds an Advanced Certificate in Collision Investigation. The unit's stated mission is targeted traffic enforcement, collision analysis projects, and public-safety-event coverage (source 54). The page has one gap worth naming: it confirms instructor credentials on staff, but does not document how Lakeway actually trains a new motor officer, in-house from scratch or a school first (Section 8, item 6).

The training course numbers exist: TCOLE's own course-reporting lists include #3359 "Police Motorcycle" (1 to 120 hours), plus #6018 "Motorcycle Operators Course," #3405 "Motorcycle Safety and Enforcement Training (MSET)," and #3406 "MSET Train the Trainer" (source 21).

Texas also has a named training path: TEEX (the Texas A&M Engineering Extension Service) runs a sequential police-motorcycle track open to any commissioned Texas peace officer with an agency approval letter (source 22):

- MSP201 Basic Police Motorcycle Operator, TCOLE course #667374. The current TEEX page says 56 hours over 9 days; TEEX's 2022 catalog said 80 hours. The discrepancy is flagged, not resolved (Section 8, item 2). Prerequisite: a driver's license with full motorcycle endorsement.
- MSP202 Advanced Police Motorcycle Operator, reporting under TCOLE #3359, 24 hours.
- MSP203 Police Motorcycle Instructor Certification, TCOLE #667375, 80 hours (a two-week intensive per the current page; the 2022 catalog said 120).

Northwestern University's Center for Public Safety is the other named instructor pathway, and trade press reports a free Texas-standardized curriculum, the Law Enforcement Motor Standard (LEMS), first delivered at the Florence training facility of DPS (the Texas Department of Public Safety) in May 2022. LEMS is reported by trade press only; no DPS or TCOLE primary page for it was reached, so treat it as a lead to confirm, not a settled fact (source 23; Section 8, item 12).

Putting this together, as a conclusion rather than a sourced fact: a small agency has a realistic path, priced in hours: send an officer with a Class M endorsement (the state motorcycle license classification; detail in Section 6) through TEEX's basic course, add the advanced course, and later grow an in-house instructor via MSP203. Lakeway's roster, with certified instructors on staff, is consistent with that route, though how Lakeway actually trained them is not confirmed (Section 8, item 6). The Chief should still confirm current hours and seat availability with TEEX directly.

4. Safety

One study isolates motorcycle risk from general vehicle risk, and its numbers should be read slowly.

The decision-relevant numbers come from Wolfe et al. (2015), "Characteristics of officer-involved vehicle collisions in California," *Policing: An International Journal*, 38(3), 458-477, which analyzed 35,840 California law-enforcement vehicle collisions from 2000 to 2009 (source 9):

- Motorcycles accounted for 6% of officers involved in collisions, but for 15 of the 39 officer deaths (38.5%).
- "Officers are nearly ten times more likely to die in a traffic collision if they are driving a motorcycle compared to a car (prevalence ratio = 9.786, $p < 0.01$)."
- "About 18 percent of officers are injured when they are in a car whereas over 60 percent of officers on a motorcycle are injured when involved in a collision."
- Officers on motorcycles were roughly three times more likely than those in cars to be seriously injured or killed (prevalence ratio 3.342, $p < 0.01$).

Independent corroboration comes from the companion study in the same journal issue (Latourrette 2015, a national sample of 854 officer-involved crashes across 16 agencies), which concludes, per its official abstract, that agencies should "carefully weigh the benefit of motorcycles against the vastly increased risk of injury they present," and recommends restricting motorcycle use to situations where other vehicles are not feasible (source 10). The abstract was published by NIJ, the National Institute of Justice.

The national count: NLEOMF (the National Law Enforcement Officers Memorial Fund) documents 28 fatal law-enforcement motorcycle crashes from 2015 to 2019 (source 11). Two details matter for WLH: 18 of the 28 were city or municipal officers, and 7 of the 28 died during funeral, parade, or escort duty. Escort work, the very mission a small city most often imagines for a motor unit, is where a quarter of these deaths happened.

For wider context, NIOSH (part of the CDC, the federal Centers for Disease Control and Prevention) reports that from 2014 to 2023, 496 officers died in motor-vehicle-related incidents, 29% of all line-of-duty deaths in that period (source 7). That figure covers all vehicle types and establishes the base rate; the Wolfe ratios above are what separate the motorcycle from the patrol car.

One gap worth recording: FBI LEOKA (the Bureau's Law Enforcement Officers Killed and Assaulted data program), expected to be the authoritative source, does not publish a motorcycle-specific breakout in its public topic pages; its motor-vehicle-crash deaths are categorized by officer activity, not vehicle type (source 12). ODMP (the Officer Down Memorial Page) could not be reached (Section 8, item 18). Neither gap changes the picture: the peer-reviewed comparative figure is the one that carries the decision, and it is available.

This is the number the decision turns on. On the best available evidence, putting an officer on a police motorcycle makes a fatal collision roughly ten times more likely, and serious injury roughly three times more likely, than the same collision exposure in a patrol car. Michigan State Police disbanded its unit over exactly this, and St. Paul over rising injuries. Any WLH deliberation should start from that number, not discover it later.

5. Money

The figures here are current and from government sources; where one is older or directional only, the text says so.

The current price anchor: Corpus Christi's city council approved \$181,405 for four new Harley-Davidson police motorcycles in 2026, about \$45,351 per outfitted, pursuit-rated bike, with the higher cost attributed partly to "tariffs and inflation." The purchase replaced 2018 units that had "exceeded their four-year service life" (source 31). An older corroborating point: Highland Park DPS's 2017 motor (a Honda ST1300 with radar and cameras) was reported at roughly \$48,000 (source 2). A realistic 2026 planning figure for one outfitted police motorcycle is therefore in the mid-\$40,000s, before training, gear, and insurance.

The platform market is two vendors. Harley-Davidson is still in the police business in 2026; its fleet page is live and the 2026 model year introduces a purpose-built Police Road Glide (FLTRXP) (source 28). BMW's current police platform (its "Authorities" product line) is the R1300RT-P, successor to the R1250RT-P (about 3,500 of which were in service with U.S. agencies as of mid-2024, per BMW's press office) (source 29). Indian Motorcycle markets no police-spec model; its official site shows civilian lines and a first-responder discount only (source 30). Whether Harley's legacy Road King Police and Electra Glide Police models are formally discontinued is not yet confirmed (Section 8, item 11). No published government price for the BMW R1300RT-P was found; an active Conroe, TX bid for an R1250RT-P with 37 equipment line items exists but its dollar figure was not reachable (Section 8, item 10).

Leasing is a real option. Harley-Davidson's own fleet page advertises leasing through Harley-Davidson Financial Services (source 28). A "Flex Financing Program" launched in February 2024 (existence confirmed, terms not), and the independent leasing company Sparta Commercial Services leases police motorcycles to departments in Canton, OH and Raleigh, NC, with no dollar terms disclosed; both points come from the fuller research record rather than a numbered source in this guide. The one quantified example found: Port Orange, FL's 2019 bid tabulation for seven leased Harley Electra Glides came to \$169,823.64 over the six-year term, roughly \$24,000 per bike. That is a 2019 Florida number; directional only (source 32).

Maintenance and service life: Corpus Christi treats four years as a motor's practical service life (source 31). Henderson, NV budgets \$12,000 to \$50,000 a year in repairs for a 21-bike mixed fleet (roughly \$600 to \$2,400 per bike per year, a derived estimate), with its officials noting costs swing on whether service is in-house or at an outside specialist shop (source 33). Trade press for the prior BMW generation cites 6,000-mile oil-change intervals and a 3-year/60,000-mile warranty (source 34). A 2005 Texas law-enforcement management paper (structure only; its dollars are twenty years stale) found Harley cheaper to buy and costlier to service, BMW the reverse, with near-parity over three years (source 35).

Outside money, in detail

Two real doors exist for outside money, and neither buys the motorcycle outright. The one funding source that clearly can buy the bike sits inside city hall.

The in-house source: Chapter 59 forfeiture funds (Texas Code of Criminal Procedure, art. 59.06) permit spending on vehicles and equipment but cannot offset regular salaries (source 36). Forfeiture money is a plausible one-time source for bikes and gear, never for ongoing staffing. Confirm WLH's actual fund balance before relying on this (Section 8, item 7).

The overtime door: STEP. TxDOT (the Texas Department of Transportation) runs STEP, the Selective Traffic

Enforcement Program. STEP grants fund enforcement overtime only, never equipment; TxDOT's own program text says so twice ("STEP projects reimburse for overtime activities by local law enforcement..."). Any size of city may apply ("All jurisdictions are eligible for yearlong STEP grants regardless of population"). The application, from TxDOT's own request for proposals (RFP) and program manual, works like this. It runs on TxDOT's Traffic Safety eGrants portal. The city maps specific high-crash Enforcement Zones. TxDOT caps the fundable amount using a three-year rolling average of the city's fatal-and-serious-injury crash data (called KA data), so a small, low-crash city's ceiling will be correspondingly small. For a yearlong grant, the city puts up 20% of the budget as local match. Funded officers must average 2.5 vehicle stops per enforcement hour. The paperwork is heavy: monthly performance reports, plus a daily per-officer activity log carrying a federal false-statement warning ("False statements on this form may be prosecutable under 18 U.S.C. §1001"). The grant reimburses rather than pays up front: the city fronts the overtime and claims it back with documentation. (sources 37, 40, 41)

The STEP money: Texas's federal pot for behavioral traffic safety is \$56.7 million for federal fiscal year 2026 (FY2026); \$31.9 million of that is Section 402 money (a federal highway-safety program, described just below) (source 42). The short statewide mobilization waves average about \$15,000 per subgrant (source 43). The one named yearlong award found is Garland's \$120,573.76, and Garland has roughly 240,000 residents (source 44). No yearlong award figure for a genuinely small agency was found; that number is still missing (Section 8, item 14). Timing: the FY2027 application window (November 14, 2025 to January 16, 2026) has closed (source 41). The FY2028 window likely opens around November 2026, unconfirmed until the RFP posts (Section 8, item 15). On balance: the door is real, but the take would be modest. The administrative load lands hard on a department with no grants staff. None of this money buys equipment. STEP fits as a way to fund a motor officer's enforcement hours after a unit exists, not as a way to stand one up.

The Section 402 route: federal Section 402 highway-safety money reaches Texas locals through TxDOT, and its operative local delivery mechanism is STEP itself, which is overtime-only. No affirmative equipment-eligibility clause was found (source 38).

The equipment door, with a catch: JAG (the federal Justice Assistance Grant program). Start with the closed door. Direct federal "Local JAG" from the federal Bureau of Justice Assistance is not available to WLH. The FY25 federal allocation list for Texas does not include West Lake Hills at any amount. The smallest listed cities get about \$10,000, and WLH falls below the crime-formula threshold entirely; its share folds into the state pool (source 45). The only JAG route is therefore the state pass-through: the Criminal Justice Grant Program. The city applies on the Governor's office eGrants portal, and CAPCOG (the Capital Area Council of Governments, the Austin region's council of local governments) scores applications regionally before the Governor's Criminal Justice Division makes awards (sources 39, 48).

What the JAG application involves. The city, not the police department, applies, with an authorizing council resolution, an eGrants account, and current registration in SAM.gov (the federal System for Award Management). The agency must already be current on monthly crime reporting to DPS, participate in the state's sexual-assault evidence tracking system, and certify annual cybersecurity training; these are standing compliance items worth confirming with staff (Section 8, item 7). CAPCOG's regional layer has its own calendar and scoring: attending its workshop earns 5 points, its summary sheet on time earns 10, and missing a regional requirement can make the application ineligible. The terms are favorable: no matching funds required, a \$10,000 minimum request, and a 12-month project period (sources 46, 48). The money: the most recent published cycle distributed \$15.3 million across 231 awards statewide, about \$66,000 per award (source 47). A neighboring region's published small-city equipment awards ran roughly \$14,000 to \$154,000 (radios, cameras, traffic-safety equipment) (source 49). A \$45,000 motorcycle fits comfortably inside that range.

The catch is that whether the program would actually fund a motorcycle is unresolved, in three ways. First, the state's own documents conflict: one bars "non-law enforcement vehicles or equipment... for general agency use" (which reads as allowing law-enforcement vehicles), while the other bars "vehicles or equipment for government agencies that are for general agency use" (which can be read as barring vehicles outright) (source 46). Second, no example of a Texas JAG award buying a motorcycle or any patrol vehicle was found anywhere; not proof it never happens, but it is unproven. Third, CAPCOG's own equipment priority list (body cameras, in-car video, in-car computers, radios, and so on) includes no vehicles of any kind, and applications are scored against those priorities (source 48). The practical move, if this door interests the Chief: one call to the CAPCOG criminal justice program manager asking whether a motor-unit motorcycle is an eligible and competitive ask, before anyone spends staff time on an application (Section 8, item 4). Timing: the FY2027 cycle is closed; the FY2028 regional application round is expected around December 2026, unconfirmed until posted (Section 8, item 15).

Doors checked and closed. The federal COPS office (the U.S. Justice Department's Community Oriented Policing Services office) offers two programs, and neither fits. Its Technology and Equipment Program is invitational only: an agency must be named in Congress's appropriations explanatory statement. Its Hiring Program funds positions, not equipment (source 50). The State Homeland Security Program requires a link to terrorism or all-hazards preparedness,

the wrong shape for a traffic unit. The state's December 2024 public-safety package has no vehicle category; the parts a WLH-sized agency could touch are body cameras, ballistic shields and vests, and cybersecurity. A separate state program funds bullet-resistant components for existing law-enforcement vehicles, retrofits only; noted in case it is ever useful for the patrol fleet (source 51).

The donation pattern: police foundations bought or donated motors in Evesham Township, NJ (two 2024 Road Kings) and Philadelphia (twelve, 2022) (source 52). Directly on point: West Lake Hills has its own police foundation (the West Lake Hills Police Benevolent Foundation), whose published mission covers officer and family support, education, morale, and safety, and does not currently mention equipment or vehicles (source 53). Whether it could or would fund a motorcycle is a conversation, not a research finding (Section 8, item 7).

The full application mechanics, dollar figures, and source addresses behind this section are in `Funding_Avenues_Brief_2026-08-17.md` in this folder.

6. Legal and policy

The licensing rules below are settled points of Texas law. Each was checked against the current statute and the Department of Public Safety's own guidance. What remains here is confirmation work, not a legal question: a few calls to state agencies and one records pull, listed in Section 8.

The licensing baseline, verbatim from the state statutes site (source 24):

- The Class M provision is Transportation Code §521.084: "A Class M driver's license authorizes the holder of the license to operate a motorcycle as defined by Section 541.201."
- §521.021 requires a license of anyone operating a motor vehicle on a Texas highway, "other than a person expressly exempted under this chapter."
- §521.027, the chapter's exemption section, contains four exemption categories: military personnel operating official vehicles, road machines and farm tractors, nonresident active-duty military, and their spouses and dependents. No peace-officer or police-motorcycle exemption appears there, and none appears in the chapter's later sections or in Chapter 662, which were read as well.
- §521.148 requires an applicant for a Class M license to show DPS proof of completing an approved motorcycle operator training course under Chapter 662 (source 24).
- Texas DPS requires an approved motorcycle safety course certificate (valid 24 months) to obtain the Class M, and completing that course lets DPS waive the riding skills test for an adult who already holds a regular Texas license (source 25).

What this means in practice: a West Lake Hills motor officer needs a Class M license like any other rider, and nothing in the statute exempts officers. The officer earns it the ordinary way, by completing a DPS-approved motorcycle safety course. The police motor schools sit on top of this, not in place of it: TEEX's basic police course already requires a full motorcycle endorsement to enroll, so an officer earns the Class M first and takes the police school after. The licensing path is settled, with no legal surprises for the City.

A few things in this area still need confirming. None is a legal judgment; each is a phone call or a records pull:

- Whether motor-unit operation is a TCOLE-regulated specialty beyond the course numbers above, or left to agency policy (Section 8, item 3).
- National pursuit-policy guidance for motors. Most agency model policies are understood to restrict or bar motor officers from pursuits (Toledo's chief cited exactly this limitation when disbanding, source 15); no primary policy document was found to cite (Section 8, item 9).
- How the TML (Texas Municipal League) Intergovernmental Risk Pool would classify and price a motor unit. WLH is very likely already a TML IRP member; this is a direct question for TML IRP, not something to guess at (Section 8, item 1).
- Documented liability cases or settlements involving motor officers: still none found. A dedicated legal-research pull (Westlaw or Lexis) is the right way to close it; the guide includes no placeholder cases (Section 8, item 8).

7. Benefits and drawbacks

Point	Where it stands
Fits targeted traffic enforcement and collision-analysis missions	Confirmed at the named peers: Lakeway's and Corinth's actual missions, Highland Park's accident reduction (sources 2, 4, 54)
Useful for event, escort, and procession coverage in crowded or narrow-street settings	A real mission at the agencies checked (source 1); note that 7 of the 28 motorcycle line-of-duty deaths from 2015 to 2019 occurred on escort or parade duty (source 11)
Close, small, in-house-trainable peer models exist	Confirmed: Lakeway, 13 miles away; Corinth; Highland Park DPS historically (sources 2, 4, 54)
A defined Texas training path with TCOLE course numbers exists	Confirmed: TEEX MSP201/202/203, TCOLE #3359 (sources 21, 22); the course-hour figures conflict (Section 8, item 2)
Forfeiture funds can plausibly pay for the bike(s) and gear as a one-time purchase	Confirmed as an eligible use (source 36); WLH's own fund balance still to confirm (Section 8, item 7)
How much riskier a motor assignment is than a patrol-car assignment	Roughly 10x the fatality risk and 3x the serious-injury risk per collision, independently echoed by the companion study (sources 9, 10)
What one outfitted motorcycle costs in 2026	About \$45,000 (source 31; Highland Park's 2017 figure corroborates, source 2)
Ongoing cost per bike	Roughly \$600 to \$2,400/year in repairs (derived) and a four-year practical service life (sources 31, 33); no current-generation factory service schedule found
Whether Harley-Davidson or BMW currently sell police motorcycles	Both do: the 2026 Police Road Glide and the BMW R1300RT-P; Indian does not (sources 28-30)
Whether outside money could buy the bikes	Mostly no: STEP is overtime-only (source 37); direct federal JAG is a dead end for WLH (source 45); the state JAG pass-through is the one equipment-shaped door (no match, about \$66,000 average award) but motorcycle eligibility is unresolved three ways (Section 5; Section 8, item 4); foundation donations are documented elsewhere (source 52) and WLH's own foundation does not currently list equipment in its mission (source 53)
Whether an on-duty officer needs a Class M	Yes, and there is no peace-officer exemption; the officer earns the Class M through a DPS-approved course, which also waives the riding skills test for an already-licensed adult (sources 24, 25). Settled
How TML IRP would price or cover the unit	Needs confirmation; a phone call, not a search (Section 8, item 1)
Documented pursuit-policy restrictions for motors	Needs confirmation at primary source (Section 8, item 9); Toledo's stated limitation corroborates the pattern (source 15)
Whether comparable agencies have disbanded motor units, and why	Four documented cases: safety, staffing, budget/climate, injuries (sources 13-16); staffing is the recurring reason small units fold
Peer status nearby	Bee Cave and Fredericksburg checked, no motor unit at either (sources 55, 56); Highland Park ran one historically (source 2; 2026 status: Section 8, item 16); University Park could not be checked (Section 8, item 16)
What officials who run these units say they are for	On-the-record commentary: approachability, visibility, congestion work, not citations (sources 3-5); Lakeway has said nothing publicly (source 6)
Citation productivity and weather downtime for motor officers	Not found anywhere (Section 8, item 17)

8. Needs human confirmation

Everything still unconfirmed lives in this one list. Items marked (call) need a phone call or a records request. The item marked (staff) is answered inside city hall. The unmarked items need one more document pulled.

1. (call) TML IRP classification and premium treatment: 512-491-2300 / TMLRiskPool@tmlirp.org.
2. (call) TEEX: confirm current MSP201/203 hours (the 56-vs-80 and 80-vs-120 discrepancies), seats, and cost.
3. (call) TCOLE (512-936-7700): confirm #3359 course details against the live catalog, and whether motor operation carries any specialty-certification requirement beyond course reporting.

4. (call) The CAPCOG criminal justice program manager: is a police motorcycle an eligible and competitive equipment ask under the Criminal Justice Grant Program? This one call resolves the open JAG-eligibility question in Section 5.
5. (call) Lakeway's own read on its motors unit: no public commentary exists; their chief, or a records request for budget-workshop minutes, closes it.
6. (call) How Lakeway actually trains a new motor officer (in-house from scratch, or a school first): the unit's page confirms instructor credentials on staff, not the training pipeline. Same call as item 5.
7. (staff) WLH's own facts: sworn staffing count (the ~15 figure is an estimate), forfeiture fund balance, whether the WLH Police Benevolent Foundation would consider equipment funding, and whether WLH currently meets the JAG prerequisites (monthly crime reporting to DPS, evidence-tracking participation, cybersecurity training certification).
8. Liability cases and settlements involving motor officers: a Westlaw or Lexis pull.
9. Pursuit-policy primary text for motor units (Lexipol or IACP model policy; IACP access may require membership).
10. BMW R1300RT-P per-unit government price: pull Conroe's 2026PD bid documents (that bid is for the predecessor R1250RT-P, so it prices the older model) or a comparable agency's agenda packet.
11. Harley legacy police models (Road King Police, Electra Glide Police): discontinued or not; an official Harley-Davidson statement.
12. The LEMS curriculum at a primary source (DPS or TCOLE); so far it is reported by trade press only.
13. A cooperative purchasing contract (BuyBoard, HGAC, or Sourcewell) covering police motorcycles: none located.
14. A named yearlong STEP award figure for a small agency (under 25,000 population), to size WLH's realistic take: a records request or the eGrants award list closes it.
15. Watch the FY2028 application windows: the STEP RFP (from about November 2026) and the CAPCOG regional application round (about December 2026). Two TxDOT source conflicts stay flagged, not resolved: TxDOT's own documents give the short mobilization waves' local match as 15 percent in one place and 20 in another, and two documents disagree on one application deadline. Read the live RFP before quoting either figure.
16. University Park PD motor status (its website could not be reached) and Highland Park DPS's current unit status (nothing newer than 2017 found).
17. Comparative citation-productivity and weather-downtime data for motor officers: not found.
18. Low priority now that the key comparative number is confirmed: ODMP's motorcycle-crash list (its site could not be accessed) and Michigan State Police's reported unit restart.

9. Sources

The body's (source N) pointers reference this list. Each numbered entry is one source item, even where it covers several pages or agencies. Everything not yet confirmed is in Section 8 (Needs human confirmation), not here.

The mission, and the people who run these units

1. Wikipedia, "Motorcycle police": general mission-fit framing.
2. People Newspapers (2017), "HPDPS To Expand Motorcycle Patrol": Highland Park DPS unit history, size, results, and the ~\$48,000 Honda ST1300.
3. People Newspapers (2017), Officer Peter Gardner verbatim quotes and Lt. Koppa's reported figures (extends item 2 with the actual commentary).
4. Denton Record-Chronicle: Corinth PD's revived 2-officer unit, 2018 lapse, corridor mission; Capt. Gregg and Officer Reyna usefulness quotes.
5. NBC 5 DFW, "Freedom, Machines, and Mustaches": Fort Worth PD motor instructor Mike Richey on risk and applicant demand.
6. Lakeway City Council briefing "Policing in Lakeway" (2020-07-06, then-Chief Radford): staffing tally naming "1 motor"; supports the point that no Lakeway official commentary on the unit's value is public.

Officer safety

7. CDC/NIOSH, Law Enforcement Officer motor vehicle safety topic page: 2014 to 2023 vehicle-related line-of-duty-death statistics. [cdc.gov/niosh/topics/leo](https://www.cdc.gov/niosh/topics/leo)
8. PubMed listing for Wolfe, S.E., et al. (2015), PMID 26877704: citation and scope (superseded by the full text, item 9).
9. Wolfe et al. (2015) full text, *Policing: An International Journal* 38(3), 458–477, via CDC Stacks ³⁶ (stacks.cdc.gov/view/cdc/201533): the comparative motorcycle-vs-car fatality and injury ratios; scope corroborated at nij.ojp.gov.
10. Latourrette (2015), *Policing* 38(3), 478–504, NIJ abstract: "vastly increased risk" corroboration.

11. NLEOMF, "2015-2019 Motorcycle Fatalities" (nleomf.org): 28 fatal law-enforcement motorcycle crashes; 18 municipal; 7 on escort/parade duty.
12. FBI LEOKA 2019 "Officers Accidentally Killed" topic page + FBI Law Enforcement Bulletin accidental-deaths spotlight: negative finding, no motorcycle-specific breakout published.

How units end (and cases checked and ruled out)

13. Michigan State Police disbandment, January 2023 (WNEM, Police1, abc12): safety-driven, with named-spokesperson quote.
14. Austin PD Motors Unit suspension, 2021 to 2022 (CBS Austin, KVUE, KXAN): staffing-driven, chief and union quotes.
15. Toledo PD disbandment, February 2018 (13abc; Blade headline corroborates): budget, staffing, safety, climate.
16. St. Paul PD motorcycle and mounted units ended, February 2019 (CBS Minnesota): injury-driven.
17. Wikipedia, "San Francisco Police Department": motor unit not disbanded (ruled out as a disbandment case).
18. Wikipedia, "Cambridge Police Department (Massachusetts)": 14 BMW motorcycles currently operated (ruled out as a disbandment case).
19. Wikipedia, "George Floyd protests in Portland, Oregon": June 2020 budget-cut specifics; motor unit not named among cuts (ruled out as a disbandment case).

Training and licensing

20. Wikipedia, "Texas Commission on Law Enforcement": TCOLE's role, basic-course hours, specialty certifications. en.wikipedia.org/wiki/Texas_Commission_on_Law_Enforcement
21. TCOLE course-reporting-number pages (tcole.texas.gov): #3359 Police Motorcycle and related course numbers.
22. TEEX course pages MSP201/MSP202/MSP203 (teex.org) + 2022 catalog PDF: the named Texas training path, TCOLE numbers, hour discrepancies flagged.
23. Police1 (trade press): the Northwestern and TEEX instructor pathways; the LEMS curriculum report (secondary only).
24. statutes.capitol.texas.gov, Transportation Code ch. 521 and ch. 662: §521.084 Class M text, §521.021, §521.027 exemption list (no peace-officer exemption anywhere in the chapter), and §521.148 (a Class M applicant must show proof of completing a Chapter 662 motorcycle operator training course).
25. Texas DPS motorcycle-license page: the approved motorcycle safety course certificate required for Class M (valid 24 months), and the riding skills test waived on course completion for an adult who already holds a regular Texas license.
26. Justia Law, Texas Transportation Code §521.021: baseline driver-licensing requirement.

Platforms, prices, and upkeep

27. Wikipedia, "BMW R1200RT": R1200RT-P police variant features and adoption.
28. Harley-Davidson police fleet page, live 2026 (harley-davidson.com/us/en/content/police.html), including leasing through Harley-Davidson Financial Services; + trade-press review of the 2026 Police Road Glide (FLTRXP).
29. BMW Motorrad Authorities R1300RT-P page + BMW Group press release (3,500 R1250RT-P in U.S. service, July 2024) + 2026 dealer inventory listing.
30. Indian Motorcycle official site: confirmed absence of a police-spec model.
31. KRIS TV, Corpus Christi council approval: \$181,405 for four Harley police motorcycles (≈\$45,351/unit), four-year service life, 2026.
32. Port Orange, FL ITB #19-29 final bid tabulation (2019): seven-bike lease, \$169,823.64 over the term.
33. Las Vegas Review-Journal, Henderson NV: motorcycle repair budget \$12,000 to \$50,000/yr, 21-bike fleet mix.
34. Government Fleet, "What's New in Police Motorcycles": R1200RT-P-generation service intervals and warranty.
35. Thomason (2005), LEMIT paper (SHSU repository): cost-structure comparison, 2005 dollars, structure only.

Money: forfeiture, grants, donations

36. Justia Law, Texas Code of Criminal Procedure §59.06: forfeiture fund eligible/ineligible uses.
37. TxDOT STEP program pages + 2026 STEP RFP (txdot.gov; egrants.bts.txdot.gov): overtime-only scope, twice confirmed; no population floor.
38. GHSA Section 402 program page + 23 CFR 1200.13 (Cornell LII): how Section 402 money flows, and the automated-enforcement bar.
39. Texas eGrants FY2026 Criminal Justice (JAG) program page: eligible/prohibited uses, application-through-city³⁷ requirement.
40. TxDOT Behavioral Traffic Safety Program Manual ch. 3 + subgrantee-responsibilities page (txdot.gov): proposal contents, the KA-data funding ceiling, eligibility regardless of population (re-confirmed), monthly reporting and the

daily activity log with its 18 U.S.C. §1001 attestation, reimbursement-only mechanics, no supplanting, the lieutenant rank ceiling.

41. FY2026 STEP RFP + the Click It or Ticket / Operation Slowdown RFP (egrants.bts.txdot.gov): the 20% yearlong match (more than 25% discouraged), the 2.5 stops-per-hour performance bar, the FY2027 window (closed); the mobilization match conflict (15 vs 20) and one deadline discrepancy flagged.
42. NHTSA (the National Highway Traffic Safety Administration) FY2026 all-grants summary for Texas: \$56.7M total behavioral traffic-safety money; Section 402 \$31.9M.
43. TxDOT FY2025 Annual Grant Application: the two statewide mobilization programs at \$600,000 across 40 projects each (about \$15,000 per average subgrant, derived).
44. Garland, TX FY2024-25 yearlong STEP award, \$120,573.76 (secondary: council work-session notes; Garland ~240,000 population, not a small-agency comparable).
45. BJA FY25 JAG allocation PDFs, state and Texas local lists (bja.ojp.gov): Texas state allocation \$16.1M; West Lake Hills absent from the local list at any amount (the dead end stated in Section 5); smallest listed cities near \$10,000.
46. Office of the Governor eGrants FY2027 Criminal Justice Grant Program page + Guide to Grants (egrants.gov.texas.gov): the application path (city applies, authorizing resolution, SAM.gov), the compliance prerequisites, no match, the \$10,000 floor; the two documents' conflicting vehicle-eligibility wording.
47. Office of the Governor award release (December 2024 cycle): "Justice Assistance" category, \$15.3M across 231 awards (about \$66,000 average).
48. CAPCOG criminal justice program page + 2025-30 strategic plan (capcog.org): the regional calendar and scoring points; the equipment priority list, with vehicles of any kind absent.
49. NCTCOG (the North Central Texas Council of Governments, Dallas-Fort Worth) FY26 JAG priority list; a comparator region, labeled as such: small-city equipment awards roughly \$14,000 to \$154,000.
50. COPS Office FY2026 program pages: Technology and Equipment Program \$401M national but invitational only (congressional earmark required); Hiring Program funds positions, not equipment.
51. Doors checked and closed at the state: the State Homeland Security Program's terrorism/all-hazards requirement (via CAPCOG); the December 2024 state public-safety package's 24 categories with no vehicle program; the "Bullet-Resistant Components for Law Enforcement Vehicles" program (armor retrofits only).
52. Evesham Township Police Foundation + Philadelphia Police Foundation pages: documented foundation-funded police motorcycles.
53. West Lake Hills Police Benevolent Foundation site: current mission text; equipment not mentioned.

Peer agencies nearby

54. Lakeway TX Police Department, "Motors Unit": 3-officer unit, in-house instructors, mission. lakeway-tx.gov/1404/Motors-Unit
55. Bee Cave PD organization page (joinbeecavepd.com) + City of Bee Cave "Officers for Hire" page: confirmed absence of a motor unit.
56. City of Fredericksburg "Divisions" page: confirmed absence of a motor unit; policesscorecard.org staffing context (secondary).

Research record: the full working record behind this guide (verbatim quotes, complete source addresses, retrieval dates) is `MotorUnit_Capture.md` in this folder. The outside-money research is also summarized in `Funding_Avenues_Brief_2026-08-17.md`.

Where the money is: a grant map for West Lake Hills

Run of 2026-08-17, updated 2026-08-18 · For James Vaughan and Council Member Beth South · Research and legal run

Status: reference document. This map shows where the money is. James and Beth design the projects from it. It makes no recommendation about which grants to chase. It notes only how well each program fits, how much work each takes, and what is time-sensitive.

The City can use this map to design projects around available money, instead of writing a project first and then hunting for a matching grant.

How to read this. A small raised number after a fact points to the source it was checked against, in the list at the end; a plain source entry there means it was read at the funder's own page, and where a fact rests on a secondary source instead, that entry says so. Grant rules and deadlines change often, so check every deadline on the funder's page before planning around it, and refresh this whole map every three months. Anything not yet confirmed, and every figure that is an estimate rather than a checked fact, is gathered at the end under 'Before you rely on this.'

1. What the map shows (the short version)

The City can already receive grant money and tax-deductible gifts directly. It does not need to set up a separate nonprofit first.⁶¹ Our June 24 legal research concludes this: gifts to the City for public purposes are tax-deductible under the tax code, and foundations may grant to the City without extra paperwork on their end.⁶¹ A free IRS letter, Letter 4076C, proves to any funder that asks that gifts to the City are tax-deductible.⁶¹ Request Letter 4076C with a free phone call to 877-829-5500, and keep the PDF on file.⁶¹ That same research flags one hard case: spending public money on private land. That returns under wildfire funding, below.

Being a small city qualifies West Lake Hills for some programs a bigger city could not use. The state parks agency, Texas Parks and Wildlife Department (TPWD), runs a Small Community category in its park grants, for towns under 20,000.¹² The Texas Community Development Block Grant program, a federal community-development fund the state hands out, known as TxCDBG, reserves a small-city track, called non-entitlement, for cities under 50,000.⁶ The Tocker Foundation funds only libraries serving 12,000 people or fewer.³⁹ The Texas Water Development Board, the state water-finance agency, offers small-system help keyed to the water system's size.⁸ The National Trust's Hart Family Fund is built for towns of 10,000 or fewer.²⁵ Two federal programs have no population floor, so a 3,400-person city applies on equal footing: the Community Wildfire Defense Grant and Safe Streets and Roads for All.^{1,19}

Being a wealthy city disqualifies West Lake Hills from a different set of programs. Programs that test for low-to-moderate income, often shortened to LMI, or for an "underserved" community, screen the city out. That group includes most TxCDBG activities, park-equity funds such as the federal Outdoor Recreation Legacy Partnership, which also sets a 25,000 population floor, and equity-targeted national funds. The map names these exclusions entry by entry. One family of programs is out for a different reason: the U.S. Department of Agriculture's rural-development programs are almost certainly out: West Lake Hills sits inside the Austin urbanized area and likely fails the "rural area" test regardless of population. An address-level check with the USDA area office is still to do.¹¹

Two of the projects the City has in mind have no grant behind them. For burying electric lines, no federal, state, or private grant to a city was found.³⁵ Austin Energy's resilience plan chose to harden overhead lines rather than bury them, and its page lists "City of Westlake Hills" (the source's own spelling) inside its service area.³⁵ Burying lines is a franchise and utility matter. It carries forward into the legal screen in Section 6, not a grant hunt. For the gondola (a proposed aerial transit line), no program exists for a city-led project. The one federal path runs through a transit agency as the applicant, not a city.¹⁹ Money exists for the other categories mapped in Section 2.

The two private foundations in or beside West Lake Hills do not fund city projects. The Topfer Family Foundation takes applications, but only from charities. It will not fund government bodies, and it gives only in human-services fields: child-abuse prevention, youth, children's health, aging in place, and job training.⁴³ The Winkler Family Foundation "only makes contributions to preselected charitable organizations and does not accept unsolicited requests."⁴⁴ A resident-run "friends of" nonprofit (a separate charity set up to raise money for the city) could approach Topfer, but only for those human-services fields, not for art, parks, or infrastructure. Institutional money open to a city government is covered in the rings in Section 3. The Meadows Foundation funds "qualified public entities," and its database shows grants to a Texas city's health department.⁵¹ The Moody Foundation names cities as eligible and treats Austin as a focus area.⁴⁵

Most of the cost of pursuing grants is small. One-time setup, federal registrations and online portals, is free but takes

weeks. Match requirements cluster in three bands: zero for most small foundation and equipment grants, 10% to 25% for federal infrastructure, and 50% for state park grants. Staff time runs from under 10 hours for a small foundation ask to 30 to 120 hours for a competitive federal application. Section 5 prices this cost layer.

The most time-sensitive item on the map is state money for flood-warning sirens, covered in Section 2j. The city cannot apply for it directly, but can partner through Travis County. The county's deadline to commit its share is December 31, 2026. Everything else on the map can wait for a considered choice. That December 31, 2026 deadline is the only near-term one on the map.

2. The map, by what the money buys

Each program table below uses the same six columns: the program, the money, the door, meaning who may apply and on what test, when it opens or closes, the match required, and the lift, meaning how heavy the work is. Details, quotes, and exact pages sit in the numbered sources at the end of this map.

2a. Wildfire

Program	Money	The door	When	Match	Lift
Community Wildfire Defense Grant , U.S. Forest Service ¹	up to \$250K for a wildfire protection plan; up to \$10M to carry one out	"units of local governments," no population floor; the city applies directly, and the Texas A&M Forest Service assists	Round 3 awarded September 2025; next round not yet confirmed, so watch	10% for the plan, 25% for projects, waivable for some communities	Heavy, but the plan grant first is a natural way in
Mechanical Fuel Reduction , Texas A&M Forest Service ²	\$750 to \$2,000 per acre, capped at \$20K per applicant	the 2026 notice names "city and local government entities" across Central Texas counties (confirm Travis is fully in)	annual window June 1 to July 14; reopens 2027	costs above the per-acre caps	Light to moderate; paid as reimbursement
Prescribed Fire Grant , Texas A&M Forest Service ²	\$22.50 to \$30 per acre	same Central Texas door, cities included	same June to July window	a certified burn manager is required	Heavy near homes; read the liability question first
Community Forestry Grant , Texas A&M Forest Service ²	roughly \$9K to \$50K awards	"local governments, school districts and nonprofit organizations"	2026 round awarded July; next cycle not set	not stated	Light to moderate
Building Resilient Infrastructure and Communities (BRIC) , FEMA, reinstated 2026 ³	large capital mitigation	applied through the state emergency agency as a sub-applicant; now "shovel-ready only"	funding notice March 2026; the state sets dates	75% federal, 25% local	Heavy (benefit-cost analysis, engineering)
Flood Mitigation Assistance , FEMA ³	property-level flood work	the city applies for owners; the property must be in the National Flood Insurance Program	Texas deadline passed June 2026; runs yearly	about 75% federal, 25% local	Heavy
Fire Prevention Grant , FM Global ⁴	seed money, no stated cap	"any organization or agency in the United States that supports fire prevention"	quarterly (March 31, June 30, September 30, December 31)	none stated	Light; fits defensible-space education
Wildfire Community Preparedness Day , NFPA and State Farm	small awards	page was unreachable this run	usually opens in fall for the May event	not stated	Check nfpa.org by hand

research marks city spending on private property as the hard case, because it can look like a gift of public funds (using taxpayer money for a private benefit). The legal screen in Section 6 carries this forward. The Texas A&M Forest Service cost-share pays landowners directly. That may sidestep the problem, because the resident, not the city, is the recipient.²

A second landowner-direct route may also fit. The U.S. Department of Agriculture's conservation service runs a cost-share program, the Environmental Quality Incentives Program, or EQIP, that pays private landowners directly for conservation work on their own land.⁵ Because the money goes to the resident, not through the city, it avoids the private-land bar (the same gift-of-public-funds issue) the same way the state cost-share does. The city's only job is to tell residents the program exists. Which practices apply here, such as clearing juniper and brush or prescribed burning, and at what cost-share rate, is a question for the local conservation-service office. The program, and its landowner-direct shape, are confirmed.⁵

For the FEMA firefighter grants, the Assistance to Firefighters Grant and SAFER programs³, the Forest Service's volunteer fire department program², and the TxCDBG fire-truck fund⁶, the eligible applicant is usually the fire department itself. West Lake Hills' fire service runs through Travis County Emergency Services District No. 9.² Those grants are asks to coordinate with that district, not applications the city files itself. The same is true of the Leary Firefighters Foundation, which gives \$2,500 to \$25,000 to fire departments only.⁷ Firehouse Subs, which gives up to \$40,000 in equipment on a quarterly, first-come basis⁷, and the Governor's police-equipment grants in Section 2e, are the city's own to file.

2b. Water, wastewater, drainage

Program	Money	The door	When	Match	Lift
Clean Water State Revolving Fund, TWDB⁸	low-cost loans plus principal-forgiveness tiers	cities are named eligible applicants	project-information window December to March, yearly	loan-based; 1.75% origination fee	Heavy; this is the standing wastewater tool
Water Supply and Infrastructure Grants (WSIG), TWDB⁸	true grants, from a one-time \$1.038B pot	governmental entities; water-supply projects only, not wastewater	open now; funds lapse if not committed by August 31, 2027	none	Moderate to heavy; a closing window worth a look
Flood Infrastructure Fund, TWDB⁸	grants plus zero-interest loans	the project must first be in the approved regional flood plan	2026 to 2027 solicitation "opening soon"	varies	Heavy; the flood-plan listing is the real gate
Nonpoint Source grant, Clean Water Act Section 319, TCEQ⁹	multi-year; funds 60% of project cost	"cities... political subdivisions... eligible," strongest when tied to a watershed protection plan	grant-application cycle; confirm the current window with the agency	40% (in-kind counts)	Moderate; creek and runoff water-quality work
Asset Management for Small Systems, TWDB⁸	up to \$100K of free technical help	small-system population tests	next round not set (mailing list)	80 staff hours	Light
CDBG-MIT, Texas General Land Office¹⁰	the family of the city's existing planning grant	the existing award continues; no new competitions open	not applicable	varies	Already in hand

The Clean Water fund's principal-forgiveness tiers carry a disadvantaged-community income test that the city will likely fail. The loans themselves stay open.⁸ The USDA water and waste programs are out on two counts: they require that the city cannot get commercial credit, and the city fails the rural-area test.¹¹

2c. Parks, trails, outdoors

Program	Money	The door	When	Match	Lift
Local Park Grants, Small Community category, TPWD ¹²	awards cluster around \$150K	"towns of less than 20,000," the purpose-built small-city pool	annual deadline August 1	50% match, reimbursement	Moderate; parkland is dedicated in perpetuity
Recreational Trails Program, TPWD ¹²	up to \$300K, non-motorized	local governments (standard class)	next deadline reported February 2, 2027	20%	Moderate
Transportation Alternatives call, CAMPO (the regional transportation planning agency) ¹³	sidewalk and trail projects, roughly \$40M regional pool	cities sponsor; a 2025 change removed all population caps	2028 to 2031 call closed January 2026; next call not set	20%, reimbursement only	Heavy; a federal-aid process
Five Star and Urban Waters, National Fish and Wildlife Foundation ¹⁴	\$30K to \$150K	"local governments, municipal governments" named	yearly, full proposal about June	at least 1 to 0.75	Heavy-ish; creek and habitat restoration
Community Champions playground grant, GameTime ¹⁵	matches 50% to 100% of a new play system's cost	"parks and recreation departments" eligible; no income screen	recurring; confirm the current cycle	the match is the point; you buy GameTime equipment	Moderate; ties you to one vendor
Community Challenge, AARP ¹⁶	up to about \$15K to \$25K, quick-build	"government entities" named eligible	yearly, closes early March	none stated	Light; tactical projects
Facility grants, U.S. Tennis Association ¹⁷	\$5K to \$50K per court, by tier	public-park tennis facilities	rolling	not confirmed	Moderate
Playgrounds, KABOOM! ¹⁸	partnership builds	municipal agencies, but the list is geography-gated	rolling	volunteer labor	Check the active-community list first

2d. Streets, sidewalks, safety

For Safe Streets and Roads for All, run by the U.S. Department of Transportation, any political subdivision may apply, with no population minimum.¹⁹ A planning grant, paying for a Safety Action Plan, is the natural first application.¹⁹ The 2026 round closed in May 2026, and the program has run yearly. The match is 20% and the lift is moderate.¹⁹ For Transportation Alternatives (the statewide version of the same federal set-aside CAMPO runs regionally, in Section 2c), run by the Texas Department of Transportation, or TxDOT, the 2025 call formally removed the population cap, stating it is open "regardless of population size."¹³ The federal-aid delivery burden is still heavy. The larger BUILD grant (the renamed RAISE program) exists, but it is a national contest with low odds for a city this size.¹⁹

2e. Police and public safety equipment (the city's own department)

The city's own police department can file for these grants directly. The first three programs run through the Governor's eGrants portal, the state's online grants system, with windows that historically run from December to February. The rest are federal or private.

Program	Money	The door	When	Match	Lift
Criminal Justice Grant Program , Governor's office ²⁰	minimum \$10K, no stated maximum	the police department applies through the city; federal vendor registration required	historically December to February	none	Moderate
Rifle-Resistant Body Armor , Governor's office ²⁰	\$3M statewide	municipalities named	historically December to February	none	Light to moderate
Body-Worn Camera , Governor's office ²⁰	\$10M statewide	municipalities that run a police department	successor cycle not confirmed	25%	Moderate
Bulletproof Vest Partnership , U.S. Department of Justice ²¹	per-vest reimbursement	local law enforcement agencies	2026 cycle not confirmed	50%	Light
Public Safety Foundation grant , Firehouse Subs ⁷	up to \$40K in equipment	fire and police departments; 600-application cap per quarter, first-come	quarterly	none stated	Light
Officer safety equipment , Spirit of Blue ⁷	body armor and safety gear	police departments	annual; 2026 awards from July 1	none stated	Light
First Responder Support , Gary Sinise Foundation ⁷	equipment and training	first-responder departments; size and eligibility not confirmed	confirm the cycle	not stated	Light; start with an inquiry
Good Neighbor grants , State Farm ⁷	not disclosed	names "municipal... government entities," but the program is invitation-driven, so treat it as a relationship, not an open call	invitation-driven	none stated	Light to ask, low odds
Homeland-security and criminal-justice pass-throughs , CAPCOG (the regional council of governments) ²²	regional equipment and training funds	join the regional scoring process; mandatory workshops	annual regional cycle	varies	Heavier

2f. Art, culture, history

Program	Money	The door	When	Match	Lift
Grants for Arts Projects / Our Town , National Endowment for the Arts ²³	\$10K to \$150K	"units of state or local government," no population floor; note the five-year arts-programming-history rule	2027 cycles about March and July	1 to 1	Moderate
Texas Commission on the Arts ²⁴	formula and project programs	eligibility is a nonprofit "and/or must be an entity of government"; the formula (Performance Support) track is the city-shaped door; project tracks need an arts-mission entity	per the commission's grant calendar	varies	Light for the formula track
Hart Family Fund for Small Towns , National Trust ²⁵	\$2,500 to \$15,000	"public agency" in towns of 10,000 or fewer, purpose-built for a place this size	yearly, about May 1 (2026 round closed; next about May 2027)	1 to 1 encouraged	Light; planning and education only, no construction
Johanna Favrot Fund , National Trust ²⁵	\$2,500 to \$15,000	"public agencies" eligible; preservation planning and education	yearly, about March 2	1 to 1 encouraged	Light to moderate
Mini-grants , Humanities Texas ²⁶	up to \$2,500, 1 to 1 match	"city governments" named eligible; rolling	rolling, but 2026 funding "currently limited"	1 to 1	Light
National Trust Preservation Funds ²⁵	\$2,500 to \$5,000 planning grants	"nonprofit organizations and public agencies"	February, June, October	1 to 1 typical	Light
Texas History grant , Summerlee Foundation ²⁷	not stated at the source (under \$50K reported)	the applicant may be "a governmental unit" of the kind the tax code names, so a city is eligible	pre-application consult; confirm the cycle	not stated	Moderate; staff consult first
Texas Preservation Trust Fund , THC (Texas Historical Commission) ²⁸	\$10K to \$50K	public entities that own a designated historic property	2028 cycle opens about December 2026	1 to 1 cash	Moderate; needs a designated property
Duda Preservation Awards , Texas Historical Foundation ²⁹	up to \$100K	"qualifying government entities" eligible; needs a designated historic property	every two years; 2026 cycle	encouraged	Heavy; large restoration projects
Certified Local Government grants , THC ²⁸	\$5K to \$45K	requires Certified Local Government status first, a prerequisite step, not a grant	yearly, about August	1 to 1	The certification is the real project

Bloomberg's Asphalt Art program requires 50,000 people or more, and its separate Public Art Challenge requires 30,000 or more. Both exclude West Lake Hills based on population.³⁰ West Lake Hills is not currently a Certified Local Government.²⁸ For the Certified Local Government grant, and for several designated-property programs, becoming a Certified Local Government, or getting a property designated, is the first step. A separate study of public-art funding is underway for the City. Where it and this map overlap on arts grants, whichever finishes second should point to the other.

2g. Trees, habitat, dark skies, environment

Program	Money	The door	When	Match	Lift
Trees for Texans , H-E-B and Texan by Nature ³¹	\$5K native-tree grants	municipalities named; land must be publicly accessible	next cycle early 2027	not stated	Light; the most West-Lake-Hills-shaped small grant found
Community Forestry Grant , Texas A&M Forest Service ²	roughly \$9K to \$50K	local governments, school districts, nonprofits	next cycle not set	not stated	Light to moderate (also in the wildfire table)
Night Sky Preservation Fund , Hill Country Alliance ³²	up to \$5K for lighting retrofits	"local governmental entities" in 22 counties, Travis included	apply in October	none specified	Light; matches the dark-skies work already done
Great Texas Birding Classic conservation grants , TPWD ¹²	about \$1K to \$20K	bird-habitat and wildlife-viewing projects; public access required; applicant type not restricted, so confirm city eligibility	annual, May 1	favored, not required	Light; the city's Bird City Texas standing is a plus
Five Star and Urban Waters , National Fish and Wildlife Foundation ¹⁴	\$30K to \$150K	creek and bird habitat with the Bird City angle	annual, about June	at least 1 to 0.75	Heavy-ish (also in the parks table)
Solid waste grants , CAPCOG ²²	\$10K to \$40K	local governments	next cycle about fall 2027	not stated	Light to moderate
Tree City USA; NWF and Bee City certifications ³³	no money themselves	they unlock tree-grant eligibility elsewhere	rolling	not applicable	Light
Partners for Fish and Wildlife , U.S. Fish and Wildlife Service ³⁴	habitat restoration help	municipal eligibility not confirmed; one call to the Texas coordinator	rolling	in-kind leverage	Light to moderate

Outside the Night Sky fund in the table, the other sources looked at for dark-sky lighting are not grants. DarkSky International's "dark sky community" status is a recognition, not money.³³ Austin Energy's lighting rebate fits indoor building fixtures, not outdoor street or park lighting.³⁵ The Texas State Energy Conservation Office, the state's energy office, known as SECO, runs a pass-through that can fund LED upgrades in city buildings. That is the program to use for a city too small to get federal energy money directly.³⁶ Whether it covers outdoor fixtures, and whether a round is open now, both need a call to that office.

2h. Micro-grants (no grant too small)

Program	Money	The door	When	Match	Lift
Spark Good Local Grants , Walmart ³⁷	\$250 to \$5,000	"political subdivisions (including cities, counties, municipal agencies)"	three cycles a year	none	Lightest lift on this map; verified through the Deed platform
Walk to School Day , Ruby Bridges / Safe Routes Partnership ³⁷	\$500 to \$1,000	local governments eligible	open now through September 4, 2026	none stated	Light
Hometowns , Lowe's ³⁷	varies, by nomination	cities eligible by nomination	February to March window	not stated	Light to moderate
Summer at the Library , H-E-B and the Texas Library Association ³⁷	small library-programming grants	public libraries near an H-E-B store, through the library association	each spring	not stated	Light
Community Change Grants , America Walks ³⁷	about \$2K	eligibility is loose	annual cycle	none stated	Light

2i. Library

Settled this run: the city does not run a public library. Library service comes from the Westbank Community Library District, a separate taxing body.³⁸ So the library money on this map is the district's to pursue, not the city's. That money is the Tocker Foundation, an Austin-based funder that gives only to libraries serving 12,000 people or fewer, with deadlines of January 15 and June 1³⁹, the state library agency's infrastructure grants, which average about \$111,000, and its funder directory.⁴⁰ These would open to the city only if it ever stood up its own library.

2j. Emergency management

The routine emergency-management grants, performance grants and hazard-mitigation grants, flow through the state emergency agency and mostly through the county. The hazard-mitigation money only opens after a disaster declaration.³ The CAPCOG homeland-security pass-through is the practical option, and it requires joining its regional process.²² The LCRA (Lower Colorado River Authority) community grant program, covered in Section 2k, lists lifesaving public-safety equipment as a priority.⁴²

Flood-warning sirens: after the July 2025 Hill Country floods, Texas created a \$50 million outdoor-warning-siren grant through the Texas Water Development Board, under Senate Bill 3.⁴¹ The money goes to counties named in the flood declaration, and Travis County is on that list.⁴¹ The county may work with municipalities and transfer the funds.⁴¹ The award is up to \$1.25 million per county, with no match required.⁴¹ The city cannot apply directly, but it can ask Travis County to sponsor a siren or flood-warning project for West Lake Hills out of the county's share. The money covers the sirens themselves, plus flood and rain gauges, solar power, and public education.⁴¹ The county's project plans are due December 31, 2026; the city can raise a project with the county and CAPCOG before then.⁴¹

2k. One regional standout to nail down

The LCRA Community Grant Program, from the Lower Colorado River Authority, the regional river and utility authority, offers up to \$100,000, though most grants are \$25,000 or less.⁴² "Local governments" are named eligible, the windows are January and July, and a 20% match applies on asks over \$5,000.⁴² One question is still open: eligibility runs on the authority's wholesale electric, water, and transmission footprint, and West Lake Hills' retail electricity comes from Austin Energy.⁴² Whether the city's location qualifies is a single phone call to the authority's grants manager. If the answer is yes, this is the largest general-purpose regional program on the map.

3. The foundations, in rings

Ring 1: in and beside West Lake Hills, mostly closed. The two foundations in or at the edge of the city do not fund city projects. The Topfer Family Foundation, in the 78746 zip code, takes applications, but only from charities. It expressly will not fund government bodies, and it gives only in human-services fields: child-abuse prevention, youth enrichment, children's health, aging in place, and job training.⁴³ The Winkler Family Foundation, with a West Lake Hills mailing address, "only makes contributions to preselected charitable organizations and does not accept unsolicited requests."⁴⁴ A resident-run "friends of" nonprofit could approach Topfer, but only for those human-services fields, not for

the art, parks, or infrastructure on this map. Winkler is closed to a cold ask without a personal introduction. Ring 1 requires building a relationship before any application.

Ring 2: Austin and Travis County. The Moody Foundation names cities as eligible, describing "a governmental or public entity (e.g., a municipality...)." It treats Austin as a focus area, runs a rolling portal, and can take up to 12 months to decide.⁴⁵ St. David's Foundation serves Travis County and already co-funds Austin parks projects, but it applies charity-only rules and an equity lens. A partner-framed ask, made alongside a charity, is the only path it offers.⁴⁶ The Austin Community Foundation leaves government eligibility unresolved on its pages, which one email would settle. Its agency-fund fee schedule, 0.5% to 0.85% a year, matters more as fiscal-sponsorship machinery (one nonprofit holding and administering money for another, for a fee) than as a grant source.⁴⁷ The Austin Parks Foundation funds City of Austin parkland only, so it is a model to copy, not a funder the city can ask.⁴⁸ Impact Austin, a Travis County collective-giving group with grants of roughly \$50,000, almost certainly needs a charity applicant.⁴⁹ Travis County's community-development block grant program (a separate channel from the state TxCDBG track in Section 1) names West Lake Hills as a participating jurisdiction for the current year. The low-to-moderate-income rules apply, but the city is a named participant. One call would clarify what qualifies.⁵⁰

Ring 3: Texas. The Meadows Foundation states, "we can only provide grants to qualified public entities and 501(c)(3) charities." Its database shows grants to a Texas city's health department, plus heavy giving in the Travis region.⁵¹ Its arts-and-culture and environment programs both take applications from public entities on a rolling basis, though up to half its giving leans toward the Dallas and Fort Worth area.⁵¹ The Tocker Foundation, covered in Section 2i for libraries serving 12,000 people or fewer, belongs here too.³⁹ The T.L.L. Temple Foundation wrote a \$2 million check straight to the City of Texarkana. That is the wrong region for West Lake Hills, but it shows a Texas foundation has given directly to a city government.⁵² The Kronkosky Charitable Foundation serves four counties, not Travis, so the city cannot apply; the foundation is useful only as a model.⁵³ Texas Rural Funders runs a free lead list; check its "rural" fit for each opportunity.⁵⁴ Two Hill Country community foundations remain to be checked for whether their service areas reach Travis County.

Ring 4: national programs that name governments. Beyond the programs already in the tables, these name governments as eligible: AARP, the National Fish and Wildlife Foundation, Project for Public Spaces, which accepts a "501(c)(3) nonprofit or local government agency"⁵⁵, Firehouse Subs, FM Global, Spirit of Blue, Walmart Spark Good, Lowe's, and the National Trust, which names "public agencies." One well-known small-town program has ended. T-Mobile Hometown Grants, the best-known under-50,000 program, closed in 2026 after reaching its 500-town goal.⁵⁶ It is no longer available.

Charity-only programs: reachable only through a "friends of" entity. Some money is open only to a charity, not to the city. That includes the Levitt Foundation, for concert lawns, though its Austin-metro distance rule probably rules the city out anyway⁵⁷, Walmart's larger giving lines, H-E-B's general community-investment program, Keep Texas Beautiful affiliate grants, St. David's open calls, and Amplify Austin participation. That platform requires charity status, but a "friends of" entity would qualify.⁵⁸ The back-in search for this map, working backward from what a peer city received to the funder behind it (the recipe is in Section 5), found that peer cities fund themselves through purpose-built "friends of" nonprofits. Boerne's library foundation granted \$82,075 to its own city in one year, confirmed from the foundation's tax filing.⁵⁹ Lakeway's community foundation reimburses its city's greenbelt maintenance.⁵⁹ Bee Cave runs both a parks foundation and an arts foundation.⁵⁹ West Lake Hills has its own new Police Benevolent Foundation.⁵⁹ Whether to stand up a West Lake Hills "friends of" vehicle, or a named fund at a community foundation, is a design choice for James and Beth. It is flagged in the legal screen.

4. The twelve-month calendar (verified dates only; confirm before relying)

Month	What opens or closes
September 2026	Ruby Bridges micro-grant closes September 4 (open now). FM Global quarterly deadline September 30.
October 2026	Hill Country Alliance Night Sky Fund window (October 1 to 31). National Trust Preservation Funds round.
November 2026	Walmart Spark Good cycle 3 closes November 30.
December 2026	Flood-siren project plans due to Travis County by December 31 (the city partners through the county). TWDB clean-water project-information window opens. Texas Preservation Trust Fund 2028 cycle opens. Governor's police-equipment cycles historically open mid-December. FM Global December 31.
January 2027	LCRA community-grant window (January 1 to 31). Tocker library deadline January 15. AARP Community Challenge opens (about late January).
February 2027	Governor's police programs close (about February 12). National Trust Preservation Funds round. Walmart cycle 1 opens February 1. TPWD trails deadline reported February 2.
March 2027	AARP closes (about March 4). TWDB project-information window closes. National Trust Favrot Fund (about March 2). FM Global March 31. Lowe's Hometowns nominations (February to March).
April to May 2027	TxCDBG phase deadlines (if eligibility confirmed). National Trust Hart Family Fund (about May 1). TPWD Great Texas Birding Classic (about May 1). Safe Streets funding notice historically about spring.
June 2027	Forest Service fuel-mitigation window opens June 1 (through July 14). Tocker deadline June 1. Five Star about early June. National Trust Preservation Funds June round. FM Global June 30.
July 2027	LCRA second window (July 1 to 31). Walmart cycle 2 closes July 15. National Endowment for the Arts cycle about July.
August 2027	TPWD Small Community park grant deadline August 1. THC Certified Local Government cycle posts. Firehouse Subs quarterly.
Rolling	Humanities Texas mini-grants (limited funds), Moody portal, Meadows portal, the Section 319 water-quality cycle (watch for it), GameTime playground cycle, Firehouse Subs quarterly, U.S. Tennis Association, Walmart cycles, Travis County block-grant proposals, the wildfire-defense next round (watch), and TWDB water-supply grants (until committed; lapses August 31, 2027).

5. What it would take from us

One-time machinery. Registering in the federal vendor system, SAM.gov, and getting a unique entity ID is free. Do not pay anyone to register on your behalf. It takes up to 10 business days, and it renews every 365 days.⁶⁰ A Grants.gov account layers on top, with council-designated authorized-official roles.⁶¹ Texas portals should be added as needed: the agriculture department's system for TxCDBG, the Governor's eGrants for police money, the emergency agency's portal, and the water board's systems. A council resolution authorizing the city to apply and to accept, naming who signs, is standard. The TxCDBG template shows the shape it should take.⁶² Request the IRS Letter 4076C for the gift-acceptance file. That is one free phone call.⁶¹

Match, in three bands. Zero match applies to most foundation and corporate asks, the Governor's criminal-justice program, and body armor. A match of 10% to 25% applies to the wildfire-defense grant, federal infrastructure, body cameras, trails, and the CAMPO call. A match of 50% (a 1-to-1 match, as the tables show it) applies to TPWD park grants, emergency-management performance grants, the vest partnership, and the arts and history matches. In-kind work counts as match where the federal rules are met: documented volunteer time, donated professional services, and fair-market land value. That counts as real match for a city with volunteers and land to offer.⁶³

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Staff time. A small foundation letter runs 10 hours or less. A mid-size application runs 10 to 25 hours. A competitive federal application runs 30 to 120 hours.⁶⁴ Contracted writing averages about \$1,500 per proposal at flat rates, or \$40 to \$200 an hour across experience levels.⁶⁴ Reporting, procurement rules, and federal prevailing-wage and domestic-

sourcing rules on construction apply after the award. Once the city spends \$1,000,000 or more of federal money in a year, a Single Audit is required. That is a formal compliance audit required for each such year, not a one-time event.⁶⁵

Four staffing models cover what this could look like:

1. Do it ourselves: for the light tier. The micro and equipment grants, such as Walmart, Firehouse Subs, FM Global, Night Sky, Trees for Texans, Tocker, and Humanities Texas, are volunteer or council-member-sized asks. A monthly scan plus the calendar in Section 4 is the whole system needed.
2. Grant-funded administrators: for the heavy tier. On the TxCDBG model, firms prepare applications for free and cap their administration fee at a flat 10%, paid from the grant itself: "we will NEVER bill MORE than 10% of the grant amount."⁶⁴ Paying a grant writer a share of the grant only if it is won (a contingency fee, different from the flat administration fee above) is an ethics violation across the profession. Never agree to it.⁶⁴
3. Free discovery infrastructure: Grants.gov saved searches and feeds, agency newsletters from the water board, parks department, agriculture department, and forest service, and CAPCOG alerts all cost nothing. The Texas Grants Resource Center at UT Austin gives free access to the main funder database, Candid's Foundation Directory. It is open to everyone and can be booked online.⁶⁶ Paid trackers, running from \$199 a year up to about \$3,600 a year, are not needed at this scale.⁶⁶
4. The repeatable back-in recipe: this found the hidden funders on this run, and staff can repeat it.⁶⁴ In a normal browser, search "City of [peer city]" foundation grant. Take the funder's name from the council agenda or news item that turns up. Open the funder's site and its grants list. Screen for restrictions. Log it. Do this each quarter.

The realistic rhythm. One owner, whether staff or a council member, a monthly 30-minute scan, the annual calendar on the wall, and one or two heavy applications a year chosen on purpose. That is the total cost of pursuing grants at the city's scale.⁶⁴

6. Legal screen

The screen tested the options on this map against West Lake Hills' authority as a Type A general-law city, the state category that sets the outer limits of what the City may do. It extends our June 24 legal research rather than re-arguing it.⁶⁷ The items below are resolved, defended positions. The full reasoning and authorities sit in the companion legal appendix and the conclusions ledger.⁶⁷

Result: nothing here fails the legal test. The map stands as written.

The City may seek and take all of this money for public purposes, on the strength of our June 24 legal research. Record-keeping duties come with it: written acknowledgments for gifts over \$250, and disclosures when a donor gets something back worth more than \$75.

Three things carry conditions.

Condition 1 covers fire work on private land. It stays the hard case, the gift-of-public-funds bar. Two options avoid the problem: the state's cost-share pays the landowner directly, so no city money touches private land, or a resident-formed wildfire nonprofit runs that program. The conservation-service route in Section 2a is a third landowner-direct option. Any city-run version needs its own legal pass at design time.

Condition 2 covers the "friends of" structure. It is lawful: residents may form one, and the City may accept from it like any donor. Its governance details, who sits on the board, who administers it, how records are treated, are not yet screened. They get their own pass when the structure is pursued.

Condition 3 covers undergrounding electric lines. This is not yet screened. The franchise instrument between the City and Austin Energy has the answer; finding it is a city-records pull, not a research question. No grant exists regardless.

One as-applied fact needs staff confirmation before anyone relies on it: that fire service runs through Travis County Emergency Services District No. 9, which decides who applies for fire money.

This is a legal review, not legal advice. The companion appendix routes to the city attorney with this report.⁶⁷

7. Where this map is thin

The gaps below are named so this list is not mistaken for a complete one. The August 18 follow-up closed several of the first run's open items, but not all.

Still thin: the LCRA service-area fit, the Travis County block-grant mechanics, and the city-versus-district split for fire money are each one call from settled. The city's flood-insurance standing looks active, since it has adopted the federal flood study by ordinance, but the exact status and community number should be pulled from the federal Community Status Book by the floodplain administrator before anyone relies on it for a flood grant. A handful of the newer foundation leads, the Summerlee Texas History grant, the Duda Preservation Awards, the Great Texas Birding Classic, and the state energy pass-through, still need their current-cycle dates confirmed before anyone plans around them. The city's website blocked automated reading throughout this work, so city-side facts still rely on outside sources and should be confirmed by whoever knows them cold.

What the August 18 pass settled: the funder search that the first run cut short is now finished across every subject area on this map. The two neighbor foundations are documented as mostly closed to the city. The city does not run its own library; the district does. The city is not currently a Certified Local Government. The USDA rural-development programs are almost certainly out on the urbanized-area test. An address-level check is still to do.

The new eligible programs this pass added are folded into the tables above. The flood-siren money in Section 2j is the most time-sensitive item on the map.

Deadlines go stale monthly, and program existence, especially at the federal level, was volatile in 2026. Several major programs were canceled, reinstated, or rebranded within twelve months: T-Mobile Hometown ended⁵⁶, BRIC was reinstated and reshaped³, the arts endowment's Challenge America was canceled²³, and an EPA community-change grant was terminated⁶⁸. Refresh this map every quarter, and re-verify anything before it goes in a council packet.

Sources

Sources were read on August 17, 2026, except those marked "retrieved 2026-08-18." A plain entry means the fact was read at the source's own page; where a fact rests on a secondary source instead, the entry says so. Sources 61 and 67, and the June 24 research memo, are internal City files. The list is grouped by funder and follows the map's own order, so the short version in Section 1 draws on some numbers that appear later.

1. U.S. Forest Service, Community Wildfire Defense Grant, "how to apply" page (up to \$250,000 for a wildfire protection plan and up to \$10 million for projects; "units of local governments," no population floor; 10% and 25% match), fs.usda.gov/managing-land/fire/grants/cwdg, with Texas A&M Forest Service assisting on applications.
2. Texas A&M Forest Service wildfire and forestry grants, tfsweb.tamu.edu: Mechanical Fuel Reduction (\$750 to \$2,000 per acre, \$20,000 cap; the 2026 notice adds "city and local government entities"; June to July window); Prescribed Fire (\$22.50 to \$30 per acre; certified burn manager required); Community Forestry (roughly \$9,000 to \$50,000; local governments, school districts, nonprofits); and the Rural Volunteer Fire Department program (the fire department is the applicant, and West Lake Hills' fire service reportedly runs through Travis County Emergency Services District No. 9). Municipal-eligibility confirmation retrieved 2026-08-18.
3. FEMA disaster, mitigation, and firefighter grants: Building Resilient Infrastructure and Communities (reinstated 2026, "shovel-ready only," through the state emergency agency, 75% federal and 25% local; the reinstatement is reported by a secondary source, the National Low Income Housing Coalition, nlihc.org); Flood Mitigation Assistance (property-level, National Flood Insurance Program participation required, via twdb.texas.gov/financial/programs/FMA); Assistance to Firefighters and SAFER (the fire department is the applicant, fema.gov/grants/preparedness/firefighters); and, through the Texas Division of Emergency Management, the Emergency Management Performance and Hazard Mitigation grants (mostly via the county; hazard-mitigation money opens only after a disaster declaration; tdem.texas.gov and fema.gov).
4. FM Global Fire Prevention Grant Program (seed money, no stated cap; "any organization or agency in the United States that supports fire prevention"; quarterly deadlines), fm.com.
5. U.S. Department of Agriculture, Natural Resources Conservation Service, Environmental Quality Incentives Program (landowner-direct cost-share; the city is not the applicant; specific practices vary by state), nracs.usda.gov, retrieved 2026-08-18.
6. Texas Department of Agriculture, TxCDBG Fire, Ambulance and Services Truck fund (non-entitlement local governments; the award band is reported by a third-party aggregator, not confirmed at the agency's own page), texasagriculture.gov.
7. Private public-safety and first-responder equipment funders: the Firehouse Subs Public Safety Foundation (up to \$40,000 in equipment; fire and police; a 600-application cap per quarter, first-come, quarterly; firehousesubsfoundation.org); the Leary Firefighters Foundation (\$2,500 to \$25,000, fire departments only; lffgrants.smapply.io); Spirit of Blue (officer safety equipment, annual; spiritofblue.org); the Gary Sinise Foundation First Responder Support (equipment and training; the program was read at the page, but award size and eligibility are

not confirmed; garysinisefoundation.org); and State Farm Good Neighbor grants (names "municipal... government entities," but invitation-driven; statefarm.com). Retrieved 2026-08-17 and 2026-08-18.

8. Texas Water Development Board water and flood programs, twdb.texas.gov: the Clean Water State Revolving Fund (low-cost loans plus principal-forgiveness tiers, cities eligible, December to March window; the forgiveness tiers carry a disadvantaged-community income test the city will likely fail); Water Supply and Infrastructure Grants (true grants from a one-time \$1.038 billion pot, water-supply projects only, funds lapse if not committed by August 31, 2027); the Flood Infrastructure Fund (grants plus zero-interest loans; the project must first be in the approved regional flood plan); and Asset Management for Small Systems (up to \$100,000 of free technical help; an 80 staff-hour contribution).
9. Texas Commission on Environmental Quality, Nonpoint Source Program, Clean Water Act Section 319 grant ("cities... political subdivisions... eligible"; funds 60%, the applicant provides 40%, in-kind allowed; confirm the current cycle with the agency), tceq.texas.gov, retrieved 2026-08-18.
10. Texas General Land Office, CDBG-MIT program (the family of the city's existing planning grant; existing awards continue, no new competitions confirmed open), glo.texas.gov/disaster-recovery/mitigation.
11. U.S. Department of Agriculture, Rural Development, Water and Waste Disposal and Community Facilities programs (population caps fit, but the programs require inability to get commercial credit and passing a "rural area" test the city likely fails inside the Austin urbanized area; secondary source, and an address-level check with the USDA area office is still to do), rd.usda.gov.
12. Texas Parks and Wildlife Department grants, tpwd.texas.gov: Local Park Grants, Small Community category ("towns of less than 20,000"; awards cluster near \$150,000; 50% reimbursement match; August 1 deadline; parkland dedicated in perpetuity); the Recreational Trails Program (up to \$300,000 non-motorized; 20% match; next deadline reported February 2, 2027); and the Great Texas Birding Classic conservation grants (about \$1,000 to \$20,000; public access required; applicant type not restricted, so confirm city eligibility; annual, May 1).
13. Transportation Alternatives Set-Aside, the same federal set-aside at two levels: the Texas Department of Transportation statewide call (the 2025 call removed the population cap, "regardless of population size"; heavy federal-aid delivery; txdot.gov) and the CAMPO regional call (Capital Area Metropolitan Planning Organization; roughly \$40 million regional pool; 80% federal, 20% local, reimbursement only; the 2028 to 2031 call closed January 2026; campotexas.org).
14. National Fish and Wildlife Foundation, Five Star and Urban Waters Restoration grant (\$30,000 to \$150,000; "local governments, municipal governments" named; minimum 1-to-0.75 non-federal match; annual, about June), nfwf.org/programs/five-star-program.
15. GameTime, Community Champions Playground Grant (matches 50% to 100% of a new play system; "parks and recreation departments" eligible; no income screen; ties the buyer to GameTime equipment), gametime.com/funding, retrieved 2026-08-18.
16. AARP Community Challenge (up to about \$15,000 to \$25,000; "government entities" named eligible; closes early March), aarp.org/livable-communities/community-challenge.
17. U.S. Tennis Association, facility assistance grants (\$5,000 to \$50,000 per court by tier; public-park tennis facilities; rolling), usta.com.
18. KABOOM!, community-built playspaces (municipal agencies named as eligible partners, but the open program is geography-gated to a defined community list), kaboom.org.
19. U.S. Department of Transportation grants: Safe Streets and Roads for All ("political subdivisions of a State," no population minimum; a planning grant for a Safety Action Plan is the natural first application; 20% match; the 2026 round closed May 2026; transportation.gov/grants/SS4A); BUILD grants, formerly RAISE (no explicit population floor, but a thin-odds national contest for a city this size; transportation.gov/BUILDgrants); and the Federal Transit Administration Capital Investment Grants (the one federal path near an aerial-transit project, which requires a transit agency as the applicant, not a city; transit.dot.gov/CIG).
20. Office of the Governor, eGrants public-safety grants, egrants.gov.texas.gov: the Criminal Justice Grant Program (minimum \$10,000, no stated maximum; no match; the police department applies through the city; federal vendor registration required); Rifle-Resistant Body Armor (\$3 million statewide; no match; "municipalities" named); and Body-Worn Camera (\$10 million statewide; 25% match; successor-cycle status not confirmed).
21. U.S. Department of Justice, Bulletproof Vest Partnership (per-vest reimbursement; local law enforcement agencies; 50% federal, 50% local; secondary source, the 2026 cycle not independently confirmed), ojp.gov/program/bulletproof-vest-partnership.
22. Capital Area Council of Governments (CAPCOG) regional pass-throughs, capcog.org/services/funding-grants: the State Homeland Security Program and Criminal Justice Division grants (regional scoring, mandatory workshops; a WLH project must get onto the regional priority list); and the solid-waste grants (\$10,000 to \$40,000; "local governments"; next cycle about fall 2027).

23. National Endowment for the Arts, [arts.gov](https://www.arts.gov): Grants for Arts Projects and Our Town (\$10,000 to \$150,000; "units of state or local government," no population floor; 1-to-1 match; a five-year arts-programming-history rule applies); and the FY2026 update that canceled Challenge America and redirected applicants to Grants for Arts Projects.
24. Texas Commission on the Arts, grant programs (eligibility is a nonprofit "and/or must be an entity of government"; the formula Performance Support track is the city-shaped door; project tracks need an arts-mission entity), [arts.texas.gov](https://www.arts.texas.gov).
25. National Trust for Historic Preservation grants, [savingplaces.org](https://www.savingplaces.org): the Hart Family Fund for Small Towns (\$2,500 to \$15,000; "public agency... towns with a population of 10,000 or less"; planning and education only, no construction; about May 1; a Preservation Leadership Forum or Main Street membership is required before funds release); the Johanna Favrot Fund (\$2,500 to \$15,000; "public agencies" eligible; about March 2); and the National Trust Preservation Funds (\$2,500 to \$5,000 planning grants; "nonprofit organizations and public agencies"; February, June, October). Retrieved 2026-08-17 and 2026-08-18.
26. Humanities Texas, mini-grants (up to \$2,500 with a 1-to-1 match; "city governments" named eligible; rolling, but 2026 funding "currently limited"), [humanitiestexas.org/grants](https://www.humanitiestexas.org/grants).
27. Summerlee Foundation, Texas History grant program (the applicant may be "a governmental unit as described in 170(c)(1)," so a city is eligible; award size not stated at the source, under \$50,000 reported; pre-application consultation required), [summerlee.org](https://www.summerlee.org), retrieved 2026-08-18.
28. Texas Historical Commission grants, [thc.texas.gov](https://www.thc.texas.gov): the Texas Preservation Trust Fund (\$10,000 to \$50,000; public entities that own a designated historic property; 1-to-1 cash match; the 2028 cycle opens about December 2026); and the Certified Local Government grants (\$5,000 to \$45,000; the city must first be certified, which West Lake Hills is not, per the commission's 2021 list; 1-to-1 match; about August).
29. Texas Historical Foundation, Duda Preservation Awards (up to \$100,000; "qualifying government entities" eligible; needs a property with an existing historic designation; every two years), [texashistoricalfoundation.org](https://www.texashistoricalfoundation.org), retrieved 2026-08-18.
30. Bloomberg Philanthropies, Asphalt Art Initiative (population 50,000 or more) and Public Art Challenge (population 30,000 or more); both exclude West Lake Hills, asphaltart.bloomberg.org and publicartchallenge.bloomberg.org, the second retrieved 2026-08-18.
31. H-E-B and Texan by Nature, Trees for Texans (\$5,000 native-tree grants; municipalities named; land must be publicly accessible; next cycle early 2027), [texanbynature.org](https://www.texanbynature.org).
32. Hill Country Alliance, Night Sky Preservation Fund (up to \$5,000 for lighting retrofits; "local governmental entities" in 22 counties including Travis; apply in October), [hillcountryalliance.org/nightskyfund](https://www.hillcountryalliance.org/nightskyfund).
33. Recognition programs that carry no money themselves: Arbor Day Foundation Tree City USA and the National Wildlife Federation and Bee City USA certifications (they unlock tree-grant eligibility elsewhere; [arborday.org](https://www.arborday.org), [nwf.org](https://www.nwf.org), [beecityusa.org](https://www.beecityusa.org)); and DarkSky International's dark-sky place and community status (a recognition that costs an application fee, and requires an adopted lighting policy and a multi-year retrofit commitment; [darksky.org](https://www.darksky.org)). Retrieved 2026-08-18.
34. U.S. Fish and Wildlife Service, Partners for Fish and Wildlife (habitat restoration help; municipal eligibility not confirmed, one call to the Texas coordinator settles it), [fws.gov/program/partners-fish-and-wildlife](https://www.fws.gov/program/partners-fish-and-wildlife).
35. Austin Energy, [austinenergy.com](https://www.austinenergy.com): the commercial high-efficiency lighting rebate (up to \$300,000 per site a year; fits indoor building fixtures; outdoor lighting largely excluded); and the service-area page listing "City of Westlake Hills," with the Electric System Resiliency Plan choosing overhead hardening over undergrounding. Retrieved 2026-08-18.
36. Texas State Energy Conservation Office, Energy Efficiency and Conservation Block Grant state subgrant (funds city-building energy retrofits including LED lighting; the correct door for a city too small to be a direct federal grantee; whether outdoor fixtures qualify and whether a round is open both need confirmation), comptroller.texas.gov/programs/seco, retrieved 2026-08-18.
37. Micro-grants open to cities: Walmart Spark Good Local Grants (\$250 to \$5,000; "political subdivisions (including cities, counties, municipal agencies)"; three cycles a year; [walmart.org](https://www.walmart.org)); the Ruby Bridges Walk to School Day mini-grant (\$500 to \$1,000; through September 4, 2026; [saferoutespartnership.org](https://www.saferoutespartnership.org)); Lowe's Hometowns (cities eligible by nomination; February to March; [corporate.lowes.com](https://www.corporate.lowes.com)); H-E-B and the Texas Library Association Summer at the Library (small recurring library-programming grants each spring; [txla.org](https://www.txla.org)); and America Walks Community Change Grants (about \$2,000; loose eligibility; annual; [americawalks.org](https://www.americawalks.org)).
38. West Lake Hills library service is provided by the Westbank Community Library District, a separate taxing entity, so the city does not operate a qualifying public library (secondary source; the city's own site was unreachable this run), retrieved 2026-08-18.
39. Tocker Foundation, library grants (only libraries serving 12,000 people or fewer; deadlines January 15 and June 1), [tocker.org/library-grants/faqs](https://www.tocker.org/library-grants/faqs).
40. Texas State Library and Archives Commission, Library Infrastructure Facility Improvement grants (a recent round

averaged about \$111,000 per library) and its funder directory, tsl.texas.gov.

41. Texas Water Development Board, Senate Bill 3 outdoor-warning-siren grant (a \$50 million program; counties in the July 2025 flood declaration, Travis included; "the county may work with municipalities... and transfer the funds"; up to \$1.25 million per county; no match; county project plans due December 31, 2026), twdb.texas.gov/about/sb3, retrieved 2026-08-18.
42. Lower Colorado River Authority, Community Grant Program (up to \$100,000, most grants \$25,000 or less; "local governments" named; windows January and July; 20% match over \$5,000; eligibility runs on the authority's wholesale service and transmission footprint, which the city's location must be checked against), lcra.org/community-services/community-grant-program.
43. Topfer Family Foundation (in the 78746 zip; takes applications, but only from charities, will not fund government bodies, and gives only in human-services fields: child-abuse prevention, youth, children's health, aging in place, job training), topferfamilyfoundation.org, retrieved 2026-08-18.
44. Winkler Family Foundation (West Lake Hills mailing address; "only makes contributions to preselected charitable organizations and does not accept unsolicited requests"; secondary source), profile via grantmakers.io, retrieved 2026-08-18.
45. Moody Foundation (names cities as eligible, "a governmental or public entity (e.g., a municipality...)"; Austin a focus area; rolling portal; up to 12-month decisions), moodyf.org.
46. St. David's Foundation (Travis County service area; co-funds Austin parks projects; charity-applicant rules and an equity lens, so a partner-framed ask at best), stdavidsfoundation.org.
47. Austin Community Foundation (government eligibility unresolved on its own pages; the agency-fund fee schedule of 0.5% to 0.85% a year matters mainly as fiscal-sponsorship machinery), austincf.org.
48. Austin Parks Foundation (funds City of Austin parkland only, so a model, not a source for another city), austinparks.org.
49. Impact Austin (Travis County; roughly \$50,000 collective-giving grants; almost certainly needs a charity applicant; secondary source), impactaustin.org.
50. Travis County, Community Development Block Grant program (names West Lake Hills as a participating jurisdiction for the current program year; low-to-moderate-income rules apply), traviscountytx.gov/health-human-services/cdbg.
51. Meadows Foundation ("we can only provide grants to qualified public entities and 501(c)(3) charities"; its own database shows grants to a Texas city's health department; heavy Travis-region giving; its arts-and-culture and environment programs take public-entity applications on a rolling basis, though up to half its giving leans to the Dallas and Fort Worth area), mfi.org, the program detail retrieved 2026-08-18.
52. T.L.L. Temple Foundation, \$2 million grant to the City of Texarkana (May 2025), reported by regional news outlets (secondary source; the wrong region for West Lake Hills, but proof of the direct-to-city model in Texas), tlltemple.foundation.
53. Kronkosky Charitable Foundation (serves Bexar, Bandera, Comal, and Kendall counties, not Travis, so a template, not a target); and two Hill Country community foundations (Kerrville and Burnet area) that remain to be checked for whether their service areas reach Travis County, kronkosky.org.
54. Texas Rural Funders, Grants Hub (a free lead list; check its "rural" fit per opportunity), texasruralfunders.org.
55. Project for Public Spaces, Community Placemaking Grants ("a U.S.-based 501(c)(3) nonprofit or local government agency"; some rounds carry equity-targeting criteria that may not fit the city), pps.org.
56. T-Mobile Hometown Grants (the best-known under-50,000 program; ended in 2026 after reaching its 500-town goal), t-mobile.com/brand/hometown-grants.
57. Levitt Foundation, Levitt AMP Music Series (charity applicant only, and an Austin-metro distance rule that likely rules the city out), levitt.org.
58. I Live Here I Give Here, Amplify Austin (the platform requires charity status; a "friends of" entity would qualify), amplifyatx.org.
59. Peer-city "friends of" foundations, from ProPublica Nonprofit Explorer records and city sites: the Boerne Public Library Foundation (\$82,075 granted to the City of Boerne in one year, via an IRS Form 990 hosted at ci.boerne.tx.us); the Lakeway Community Foundation (reimbursed the City of Lakeway about \$9,986 for greenbelt maintenance in 2023; lakeway.org); the Bee Cave Arts Foundation and Bee Cave Friends of the Parks Foundation; and West Lake Hills' own Police Benevolent Foundation (an existing local model, not an outside funder; EIN 92-3774130).
60. Federal registration: the System for Award Management (SAM.gov) registration and Unique Entity ID are free ("do not pay anyone to register on your behalf"), take up to 10 business days, and renew every 365 days, sam.gov.⁵³
61. Grants.gov account and roles, layered on the SAM.gov registration, plus the IRS Letter 4076C and the tax-code deductibility basis for gifts to the City, per our June 24 charitable-gifts research memo (an internal working file, not a

City Attorney opinion), grants.gov.

62. Council acceptance mechanics: the TxCDBG application guide shows the standard council resolution authorizing application and acceptance and naming who signs, texasagriculture.gov.
63. Federal cost-share rules, 2 CFR 200.306, on in-kind match (documented volunteer time, donated professional services, and fair-market land value count where the conditions are met), ecfr.gov.
64. Grant-writing and administration practitioner sources, grantwatch.com and presidiotx.us: staff-time ranges (a small foundation letter 10 hours or less; a mid-size application 10 to 25 hours; a competitive federal application 30 to 120 hours; contracted writing about \$1,500 per proposal; no government survey was found, so these are estimates); and the TxCDBG administrator cap of a flat 10% paid from the grant itself ("we will NEVER bill MORE than 10% of the grant amount"), with the profession's bar on contingency "success" fees.
65. The Single Audit threshold, raised to \$1,000,000 in annual federal spending for fiscal years beginning on or after October 1, 2024 (a formal compliance audit required for each such year), confirmed via professional-firm summaries of the federal Uniform Guidance change.
66. Grant-discovery tools: the Texas Grants Resource Center at UT Austin, housed at the Hogg Foundation, which gives free access to the Candid / Foundation Directory funder database, open to everyone and bookable online (tgrc.hogg.utexas.edu); and paid trackers for scale (\$199 a year up to about \$3,600 a year and higher; grantstation.com and instrumentl.com).
67. Companion legal appendix for this run (the full legal screen, the authorities, and the routing to the city attorney) and the City's Legal Conclusions Ledger; internal City files.
68. EPA Community Change Grants, reported terminated in 2025 and in litigation, from the follow-up domain search (secondary source), retrieved 2026-08-18.

Before you rely on this

Still to confirm. Each item has a next action. The marker says who does it: (call) a phone call or records request to an outside body, (staff) a question answered inside city hall, (pull) a document or page to fetch and read.

- (pull) The city's flood-insurance standing and community number, from the federal Community Status Book.
- (call) Whether the city's exact address passes the USDA "rural area" test, with the USDA area office.
- (call) Whether the city's location qualifies for LCRA Community Grant funding, with the LCRA grants manager.
- (call) What a participating city can actually fund under Travis County's block-grant program.
- (staff) Whether West Lake Hills' fire service runs through Travis County Emergency Services District No. 9, which decides who applies for fire money.
- (pull) Current-cycle dates for four newer leads: the Summerlee Texas History grant, including its award ceiling; the Duda Preservation Awards; the Great Texas Birding Classic; and the state energy office's pass-through program.
- (pull) Whether the Wildfire Community Preparedness Day program (NFPA and State Farm) is open this cycle; its page could not be reached this run, so check nfpa.org by hand.

Estimates. These numbers are practitioner judgment, not measured fact. Treat each as directional, not exact.

- Staff time to pursue a grant: under 10 hours for a small foundation letter, 10 to 25 hours for a mid-size application, and 30 to 120 hours for a competitive federal application.
- Contracted grant-writing cost, about \$1,500 per proposal at flat rates.
- The running cost of a grants effort at the city's scale, built on the figures above.

This information dates quickly: deadlines change monthly, federal program existence was volatile in 2026, and everything should be re-verified before it goes in a council packet.

Grand projects: how a small city designs, funds, and sustains them

A working paper for the mayor and the arts committee. City of West Lake Hills, August 2026, as the city takes up how to build a public art program.

West Lake Hills, Texas, is a city of about 3,300 people beside Austin, with a small capital program, an arts committee established by council resolution, and short-term rental homes but no hotels. This paper draws on a study of fourteen public art initiatives worldwide, a review of eighteen peer city programs and their failures, the published research on volunteer-run civic programs, a screen of the private foundations in and around Travis County (which contains both Austin and West Lake Hills), the current law on the one dedicated tax the city could adopt, and the city's companion grants survey, the Grant Money Map. Numbered references point to the source appendix at the end, which also lists what is estimate rather than evidence.

Six working premises shape it. The campaign chair, the person who asks donors for the money, is a role to recruit, never a named person in this paper. The city approaches institutions, never individual households. The city funds feasibility and design for any project, however large, sized in proportion to the project's potential. Donor-funded purchases from the annual program enter the permanent collection through a resident vote, with the committee holding a quality veto (the power to decline a winning piece it judges not worth keeping). The design menu, the priced list of permanent works described in Part 2, is priced to ambition, not to caution (its tiers run to \$25 million and up). Prospect research (researching potential donors) stops at public, institutional information.

Executive summary

West Lake Hills can get a grand public art project designed, funded, and kept alive largely with private money, plus one small tax it is clearly allowed to levy. The order of moves decides the outcome:

- The city funds feasibility and design only, never construction, sized to what the project could become. In the fourteen cases studied, plans alone raised nothing; plans in the hands of a respected asker raised the money.
- A recruited campaign chair raises the private money. The chair is a respected local figure, recruited as a volunteer, whose job is to personally invite big donors to give. That one recruitment decides the outcome, so it is the first fundraising move.
- Funding runs in two private layers plus one public stream. The two private layers are an annual program (artists lend sculptures, sponsors pay for them by name, and donors buy the residents' favorite each year; a steady state of \$80,000 to \$140,000 a year, an estimate) and a one-time capital campaign selling named permanent works from a priced list, \$1.5 million at the low end to \$25 million and up at the top. The public stream is a hotel occupancy tax on the city's short-term rentals, described below.
- Grant applications alone will not carry the plan. Of the fifteen local foundations screened, most give only to organizations they have already chosen or by private invitation, and the two that do accept open applications do not fund art. One possibly open door, the Topfer Family Foundation, is worth an early inquiry.
- A percent-for-art ordinance (a rule setting aside a fixed share of the city's construction budget for art) would not work here. The city's capital program is too small to generate meaningful money, and the record shows these set-asides are cut, underpaid, or ignored even where they are written into law.
- The failed programs studied died in one of two ways: they faded from public view, or a council majority cut their funding in a single budget vote. This plan guards against both. It produces something visible every year, and most of its money comes from donors, outside the city budget.
- Upkeep is funded at the door: every permanent gift includes a maintenance fund of about 10 percent of the artwork's value, and every artist contract carries, from day one, the two standard protections that keep removal decisions with the city (a signed federal artists' rights waiver and a written removal policy).

Recommendations

Bottom line: the city's own job is small and specific. Put paid capacity and a respected volunteer asker behind the program, adopt the one small dedicated tax the city is clearly allowed to levy, fund the design work from the city's own budget, hand the day-to-day obligations to a nonprofit, and build maintenance and artists' protections into every gift and contract from the start. In order:

1. Put dedicated paid capacity behind the program, on the city payroll. A program run entirely on unpaid volunteers is the single most common way these efforts die. What the evidence directly supports is modest: a few paid coordination hours a week change the outcome, because organizations that invest paid staff time in volunteer

management report benefits over costs at nearly two to one. Sizing the role up to a dedicated staff position is a reasonable ambition; the evidence supports the paid time, not a specific headcount.

2. Recruit the connector. "The connector" is the recruited campaign chair: a respected local volunteer who personally invites the big donors to give and who surfaces prospects among the city's own residents. Every case studied that raised real money had one. This recruitment comes before any fundraising begins.
3. Adopt a hotel occupancy tax on the city's short-term rentals. State law lets any Texas city do this by ordinance, and it treats short-term rentals as taxable. It is a small, dedicated stream (an estimated \$26,000 to \$99,000 a year, described in Part 2), and the law limits what it can pay for, so it supports the annual program; it does not fund the capital campaign.
4. Fund feasibility and design from the city's own budget. This is the city's chosen role, and it is the right use of city money. The hotel tax does not pay for it because state law does not allow hotel-tax money to be spent on feasibility and design work (Part 2 gives the basis). The design capital comes instead from the city's ordinary budget, as this plan already argues.
5. Hand the operating obligations to a friends-of nonprofit under a city contract. A separately incorporated nonprofit (a "friends-of" group) holds the funds and runs the program under a contract with the city, with quarterly accountability. This is how the strongest small-city programs separate governance from money. It is a decision for when the money starts to move, not for day one.
6. Build in the protections the evidence demands, from the start. Endow maintenance with every permanent gift (about 10 percent of the work's value). Put the two standard artists' rights protections into every artist contract on day one. Take multi-year sponsor pledges, not single years, for the annual program. Each of these is cheap at the start and expensive to retrofit.

Part 1: Designing

Feasibility capital, tested against fourteen cases

The city's chosen role is feasibility and design capital: it will fund the study and design work for any project, however large, with the budget sized in proportion to the project's potential. A signature project (the \$10 million-plus tier in Part 2) justifies a six-figure design spend. A loan pad (a prepared site that holds one loaned sculpture) justifies a site plan. The city never caps its thinking at what it can build; it caps its spending at what it costs to find out whether a thing is possible and what it would take.

What the cases show about that premise:

- It works at the top of the market. Millennium Park in Chicago is the proof. The city held the plan and the commissioned designs, and donors bought discrete named features off that menu: a \$15 million pavilion gift, a \$17 million fountain, a \$13.2 million garden gift from philanthropist Ann Lurie with a \$10 million maintenance endowment, a \$3.2 million plaza [1]. Gateshead, in the north of England, ran the same sequence at small-city scale: a £45,000 design grant first, then construction money raised against the finished Angel of the North design [2], though the construction funders there were the UK's public and lottery arts bodies, not donors.
- It is not the dominant pattern. In most cases the donor brought the design or the collection with them. The Gateway Foundation ran its own design competition for Citygarden in St. Louis and paid for the full \$30 million build [3]. The Pappajohns, a Des Moines donor couple, gave \$40 million of sculptures they had already chosen [4]. Alice Walton and Fred Meijer built their own institutions, Crystal Bridges in Bentonville and Meijer Gardens in Grand Rapids [4].
- The honest synthesis: pre-funded designs help a campaign enormously, but only when paired with a recruited asker who can make invitation-only asks. Plans alone raised nothing anywhere. The scarce ingredient is the asker, not the application [1].

One more sequence from the evidence is worth copying. On Naoshima, an island in Japan's Seto Inland Sea, the mayor's stated cultural ambition came first, and the patron matched it: the origin was a 1985 meeting between a publisher and a mayor who "sought to develop a cultural and educational area on the island" [5]. A standing, public, specific invitation from the city is itself a fundraising instrument. The arts committee, which exists today by council resolution (the city code itself contains no arts committee article [27]), is that invitation. The design menu is what makes that invitation concrete. By design menu this paper means one specific thing: a priced list of designed works, each with an honest cost range, that a donor can pay for by name. It is the product the campaign sells, and it is described in full in Part 2.

The design discipline the cases demand

Millennium Park also carries the warning label for design-first: the budget tripled from \$150 million to \$475 million, the Chicago Tribune called it an "expensive public-works debacle," and private donors absorbed about half the overruns.

[1]. Design-first works only with cost discipline. For West Lake Hills that means every design in the design menu carries an honest cost range before any ask is made, and the feasibility work is allowed to answer no.

What the design money buys, in practice: a site plan for five to eight sculpture loan pads; concept designs and honest cost ranges for permanent works at more than one tier of the menu; and, for a signature-tier idea, a real feasibility study. This is also the one correct use of small public grant money (the Texas Commission on the Arts and similar): seed funding for plans, never the program budget.

The scale mismatch is documented in the city's companion grants survey, the Grant Money Map (August 2026) [37]. Federal arts project grants run \$10,000 to \$150,000, require a dollar-for-dollar match, and require five years of arts programming history the city does not yet have. The door open to the city at the Texas Commission on the Arts is a formula track, with the grant amount set by that formula [37]. Against a design menu that starts at \$1.5 million, public grant money can seed plans; it cannot carry the program.

Part 2: Funding

What other cities traditionally do, and why none of it fits

A review of eighteen city and town public art programs shows a clear pattern by size [18]:

- Below about 15,000 people, cities run public art in one of two ways: an all-volunteer city commission with no dedicated budget, or a separately incorporated friends-of nonprofit that contracts with the city for a specific funding stream, almost always hotel occupancy tax. Bee Cave is the local example: its Arts Foundation runs a 30-piece sculpture park under a quarterly city contract paid from hotel-tax money [17].
- Above roughly 100,000 people, cities converge on percent-for-art ordinances: Austin, San Antonio, Houston, Fort Worth [18].
- Two affluent peer suburbs at or above West Lake Hills's scale, West University Place and Colleyville, have no public art structure at all [18]. Doing nothing formal is a common choice at this size.

The friends-of-nonprofit-plus-hotel-tax model is the one this plan borrows from, adapted below. The percent-for-art model does not fit, for reasons worth setting out in full.

Why a percent-for-art ordinance cannot work here

A percent-for-art ordinance sets aside a fixed share of the city's construction budget, usually 1 or 2 percent, to buy public art. It is the standard tool of large cities, and for three structural reasons it is the wrong tool for West Lake Hills.

First, the arithmetic does not reach. A percent-for-art set-aside is only ever a percentage of the capital program, so a city with a small capital program raises almost nothing. West Lake Hills's requested capital program for the coming year is about \$3.74 million; 1 percent of that would be about \$37,000 and 2 percent about \$75,000 (this figure is a working estimate, summed from the city's own department-request worksheets and not yet an adopted number) [53]. Even those numbers overstate what a real ordinance would produce, because most of that capital is wastewater work and street maintenance, not the visible building construction these set-asides usually ride on. The ordinary city capital program (a subset of that \$3.74 million, the part outside wastewater and streets), covering police, administration, court, and public works, is on the order of \$300,000 a year, so a set-aside on it would yield only a few thousand dollars. For contrast, East Lansing, Michigan, a city of about 48,000, ran a 1 percent ordinance for years and accumulated a total of \$325,740 across its entire life [59]. A single Austin bridge project's art target, \$2.44 million, is larger than East Lansing's whole multi-year yield [56]. Percent-for-art is a big-city tool because the base is the capital program, and Austin runs 2 percent, Fort Worth 2 percent, Dallas 1.5 percent, San Antonio about 1.5 percent, on capital programs orders of magnitude larger than this city's [60].

Second, a written set-aside is not self-enforcing. The national association of state arts agencies documents that these programs are routinely cut without being repealed, simply "by reducing or freezing overall funds for capital projects," and that they underfund maintenance [54]. The lived record bears that out. Baltimore's 1 percent public art law dates to 1964; a 2021 city audit found that "by and large, none of the City's agencies have been actually following the process," with \$689,252 for a single fiscal year still uncollected [55]. Austin's 2 percent ordinance was underpaid for two decades through an unauthorized accounting method: the Redbud Trail Bridge received \$829,100 of a \$2,444,560 target, a 66 percent shortfall, and rather than pay the gap the city's administration proposed amending the ordinance to make the underfunding official [24][56]. A rule on paper is one administrative reinterpretation, or one unenforced decade, away from delivering nothing.

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Third, the money it does spend buys backlash risk. Because the set-aside attaches to one construction project, it tends to produce one expensive object, and one expensive object is what draws a fight. Calgary suspended its entire

public art program by unanimous council vote in 2017 after a single \$500,000 sculpture drew sustained public ridicule; a councillor warned, "we'll lose the program" [57]. Minneapolis approved a \$772,107 sculpture "without any discussion" under its 1.5 percent ordinance, and it was widely mocked [58]. This plan's annual loan program, by contrast, spreads the risk across many low-cost works and lets residents choose which one the city keeps.

The funding answer has to come from somewhere else. The fourteen worldwide cases show where the largest money is: private money, asked for by name, and Bee Cave and its neighbors show the one public stream a city this size can actually use: a hotel occupancy tax. Both are set out next.

The two-layer plan

Layer 1, the annual program. Copy the Sioux Falls and Castlegar loop, scaled to a 3,300-person city. Artists lend sculptures for a year. Local households and businesses sponsor each piece by name at a fixed price (Sioux Falls starts at \$2,500 a year, with \$1,500 to the artist [6]; \$5,000 is a reasonable opening price here, an estimate). Residents vote for a favorite. Donors, not the tax base, buy the winning piece for the permanent collection, subject to the committee's quality veto: before the purchase is made, the committee can decline a winning piece it judges not worth keeping. Both model cities run exactly this machine today: in Sioux Falls "The City's art collection is expanded every year with an artwork chosen through the Sculpture Walk's People's Choice Award" [6], and Castlegar buys its winner every year and now brands itself the Sculpture Capital of Canada [7]. The realistic steady state, with a giving circle (a group of households pooling gifts and voting on their use) and a memorial price list added, is \$80,000 to \$140,000 a year (arithmetic on the estimated price points).

This is why the program borrows sculptures rather than buying them. Cost is documented: a loaned sculpture costs a program \$700 to \$1,000 a year in artist honoraria, while buying comparable work costs far more. One peer program, CityArt in Mankato, Minnesota, publishes both figures: a \$1,000 loan honorarium against up to \$18,000 for the one piece it purchases each year [39]. Santa Fe's arts commission states the reason plainly: loan programs let a city "enhance public spaces without having to spend a lot of money" [38]. The loop is also proof before purchase: the city ends up owning only the one piece a year that residents voted for and donors paid for, and peer programs in Albany, California, and Mankato run exactly that loan-then-buy conversion [39][40]. The loop fits this plan's structure too: city money buys design and feasibility, never art, so a city request for proposals to purchase works would put the purchase on the tax base, the one thing this plan never does. The committee still issues an open call to artists every year; that call asks for loans. One design decision follows from this: programs split loan-year insurance and maintenance differently (the artist covers it in Santa Fe and Palo Alto, the city covers it in Mankato, and it is split in Albany), so the artist contract here must say which rule applies [38][39][40].

Layer 2, the permanent campaign. A one-time raise, run quietly first, selling the design menu described in Part 1: the priced list of named permanent works, each with an honest cost range, that a donor can pay for by name. The campaign arithmetic is documented [8]: the top gift is 20 to 25 percent of goal; about ten gifts carry at least half; a campaign needs 2 to 4 prospects per gift; and the biggest gifts are solicited in a quiet phase, a private period before any public announcement, so the launch announces success. The menu is priced to ambition in three tiers: threshold (\$1.5 million to \$3 million, one or two commissions plus a maintenance endowment; the floor, not the goal), anchor (\$3 million to \$10 million, a named garden, trail, or ensemble; for scale, Citygarden's full private build, above this tier, ran \$30 million [3]), and signature (\$10 million to \$25 million and up, the Millennium Park move at local scale; the feasibility work decides what the object is). Tier sizing is an estimate; the arithmetic at each tier is documented. At a \$10 million goal the lead gift is \$2 million to \$2.5 million; at \$20 million it is \$4 million to \$5 million.

Naming is the engine at every scale. The best-evidenced mechanism in the whole study is attaching one name to one discrete visible object: a bench at four figures (Central Park has adopted out over 7,000 since 1986 [9]; the base price is not published at the source), a sculpture-year at \$2,500 [6], a pavilion at \$15 million [1]. The Millennium Park campaign chair's method was quoted plainly: "sponsorship was by invitation and no one refused the opportunity to be a sponsor" [1].

A public stream: a hotel occupancy tax on short-term rentals

The city has one public revenue source open to it that no peer of its size ignores: a hotel occupancy tax. West Lake Hills has no hotels, but it does have licensed short-term rental homes, and under state law those count. The legal basis is affirmative.

State law lets any Texas city adopt a hotel occupancy tax by ordinance; the power runs to "a municipality," which the statute defines to include any incorporated city, town, or village, with no requirement to be a home-rule city (one that has adopted its own charter, unlike a general-law city such as West Lake Hills) and no minimum population [43]. The general rate a city may set is up to 7 percent of the room price [43]. Since 2015, state law has provided that, for this tax, a "hotel" includes a short-term rental, meaning the rental of a residence to someone who is not a permanent resident.

[44]. The Texas Comptroller's own guidance confirms that short-term rentals owe both the state and the local hotel tax, the same way a hotel does [48]. The city's licensed short-term rentals are therefore a taxable base, and adopting the tax is a step the city may take on its own.

How adoption works, from the peer cities that do it. The city passes an ordinance setting the rate. The rental operator collects the tax from the guest and remits it to the city, usually quarterly, and the city may add a penalty on late payment, let the operator keep up to 1 percent for collection costs, and reports once a year to the state [49]. Bee Cave next door runs exactly this at 7 percent, raising about \$550,000 a year, with operators remitting quarterly [50]. Wimberley adopted a 7 percent tax in 2022 on the same self-remit model, and Fredericksburg runs one too [50]. One practical caution from these peers: the booking platforms (Airbnb, Vrbo) collect the state's share automatically but not the city's, so a city this size collects through operator self-reporting and, if it wants full compliance, budgets for a small audit contract, as Wimberley did [50].

What it would raise here. The city does not publish a count of its active short-term rental permits, and one phone call to the city administrator would firm up this estimate [52]. Using market listings data as a stand-in, West Lake Hills shows roughly 18 active short-term rental listings, at an average nightly rate that ranges from about \$219 (on a wider reading of zip code 78746, the city's own zip) to about \$671 (on a city-specific reading), at about 31 to 32 percent occupancy [51]. Running the arithmetic (units times nightly rate times booked nights times 7 percent) gives an illustrative band of about \$26,000 a year at the low end to about \$99,000 at the high end, with a central estimate near \$60,000 from the blended per-listing revenue figure [51]. Every input here is a market estimate, not a permit count or a booking record, so treat the band as an order of magnitude, not a forecast.

What the money can and cannot pay for. State law restricts hotel-tax spending: it may be used only to promote tourism and the hotel industry, and no more than 15 percent of the revenue may go to the arts specifically [45][46]. The promotion of a tourist attraction, such as marketing a sculpture trail to visitors, sits in a separate, uncapped category [45][46]. In practice that means the tax can help pay to promote the annual program as a visitor draw and can put a capped share toward the art itself and its upkeep, which is close to how Bee Cave directs about 15 percent of its hotel tax to arts through the Bee Cave Arts Foundation [50]. Two limits size the recommendation honestly. The tax cannot fund the feasibility and design work: state guidance treats spending on a feasibility study as too far removed from putting heads in beds to qualify, so that work stays on the city's own budget [47]. At these revenue levels the tax cannot carry the permanent capital campaign either; it is a steady, modest, dedicated stream that strengthens the annual layer and, over time, helps endow maintenance. When the city spends it, the council records why each expenditure promotes visitors to the city, because state law puts that judgment on the council [47].

Who asks

Stated as roles. The recruited campaign chair, the connector, makes the invitation-only asks in the quiet phase; the evidence shows this one recruitment decides the outcome, so it comes before any money is raised. The mayor's office keeps the city's standing invitation public and specific. The committee opens institutional conversations where a trustee introduction exists. Sponsors of annual sculptures are asked by whoever recruited last year's sponsors. Written applications go only where a door is actually open. Identifying individual prospects is the chair's private work in the quiet phase, which is standard campaign practice; no list of households or individuals appears in this or any city document.

The institutional map

Lead with the conclusion, because the map is mostly closed doors. Of the private foundations in and around Travis County, exactly one is a possibly open door the city can knock on directly (the Topfer Family Foundation), and exactly one is a proven precedent for the exact transaction the city wants (the Mitte Foundation, which has paid for a sculpture in a Texas city park). Every other institution with real money is closed to applications and reachable only through a private, trustee-level introduction, if at all. The foundation screen covered the field: of fifteen foundations screened in depth, seven fund preselected organizations only, and the two that do take open applications (the Wheeler and Lowe foundations) do not fund art, so neither is on the map below [16]. The money nearby is real and large, and almost none of it is reachable by application. The field, institutions only:

- Topfer Family Foundation. In 78746, the city's own zip code; staffed, and possibly open to an approach; its stated focus is workforce and self-sufficiency [13]. The only potentially open door in the file. Worth one direct, polite inquiry early.
- Mitte Foundation. Invitation-only, central Texas focus, and the screen's best precedent: its \$20,000 grant commissioned the Circle of Peace sculpture in a Brownsville city park [12]. That is a Texas private foundation, paying for a sculpture in a public park, the exact transaction. The conversation starter is that sculpture; the ask is annual-layer-sized, which suits a first relationship.
- Still Water Foundation. Gave \$5 million to endow the University of Texas at Austin's Landmarks public art program

and \$5 million to the university's Blanton Museum of Art; takes no unsolicited proposals [11]. Proven taste for exactly this asset class. The path is a trustee-level introduction, with the design menu in hand.

- Winkler Family Foundation. Based in West Lake Hills, about \$2 million a year in giving, preselected-only, grantees not public in the electronically filed data [10]. The city does not pursue the nonpublic grantee list; the foundation appears here as an institution only. If it ever signals interest through its own channels, a matching challenge (the foundation matches every dollar others give, up to a cap) would let it lead the campaign without carrying it alone.
- Closed on the evidence: the Brookshire Foundation (\$192 million in Lakeway, but \$6.8 million a year flows almost entirely to university scholarships in Louisiana and Houston [14]) and the Kuhn, Lopez, and Cain foundations [15] (Cain carries one unverified hint of a music program, worth a manual check). Budget zero from all four.

The wider base matters more than any of these. The campaign needs about ten gifts, and a 3,300-person city of high-net-worth households contains more capacity than every screened foundation combined (an assessment, not a measured figure). The founding campaign for Meijer Gardens prospected the founder's own vendor network [4]; the equivalent here is the professional and business networks of the city's own residents, surfaced by the chair in the quiet phase.

The rest of the toolkit, ranked by evidence

(1) The named-object giving ladder, documented at three scales [1][6][9], excellent fit. (2) The loan-sponsor-purchase loop, two working small-city examples [6][7], adopted as Layer 1. (3) The quiet-phase campaign, documented at Millennium Park with standard arithmetic [1][8]. (4) Endowed maintenance on every permanent gift, essential, detailed in Part 3. (5) A hotel occupancy tax on short-term rentals, a documented small-city stream with clear legal footing and a local peer in Bee Cave [43][44][50], recommended as the annual layer's public support (Part 2). (6) A matching challenge from a lead institution, a standard mechanism, strong if such a lead emerges. (7) A giving circle, documented at national scale (4,000+ groups, \$3.1 billion given 2017 to 2023 [20]). (8) A crowdfunded purchase of the People's Choice winner, documented at The Line, a London sculpture trail that crowdfunded its £146,000 launch with pledges from £2 [21]; small money but real buy-in. (9) Legacy and memorial programs, standard practice, cheap to start, slow to pay.

Part 3: Sustaining

The two documented deaths

Every failure case studied reduces to one of two causes, and often both.

The first death is invisibility. Sedro-Woolley, Washington, shut down its Arts Commission on May 27, 2026, by a 4 to 2 council vote. The commission was all-volunteer with no budget. The mayor's stated reason: it had completed "no major projects" in its history; a council member added that he "hadn't seen commission members at council meetings" [19]. It was closed for being invisible, not for misconduct. That is the direct warning for any committee that stays informal with no visible annual output.

The second death is funding that a single council vote can cut. Ann Arbor's automatic 1 percent set-aside was unwound in 2013 after public backlash over a \$750,000 fountain and a \$150,000 sculpture inside its Justice Center, a failed funding ballot measure, and a legal challenge that it diverted dedicated funds [22]. Houston's council cut its arts nonprofit's contract 40 percent in a single 14 to 0 vote during a deficit year [23]. Part 2 sets out why a percent-for-art set-aside is especially exposed to this death: it rides on the capital budget and can be cut, underpaid, or ignored without ever being repealed [54][55][56]. A written rule is not self-enforcing, and a discretionary line item is one budget vote from a deep cut.

The annual layer has its own version of the second death: single-year sponsorship dependence. Sculpture by the Sea cancelled its 2025 Perth exhibition "due to lack of funds" despite typical attendance over 200,000; the Cass Sculpture Foundation in England wound up in 2020 when its founder-patron era ended [25]. The fix is structural: three-year sponsor pledges rather than one-year, and a reserve equal to one full season before expanding.

The composite lesson across the failure cases: a program survives only with either a funding source that is not up for a single vote each year, or output visible enough that cutting it costs someone politically [18][19][22][23]. The two-layer plan is built to supply both: the annual loop makes the program visible every year, donor money with endowed maintenance sits outside the budget fight entirely, and the hotel tax is a dedicated stream restricted by law to this kind of use rather than a discretionary line in the general budget.

Maintenance, priced in from day one

The maintenance-debt trap is documented next door. Bee Cave's sculpture park looked successful for years while its pieces aged; by May 2025 multiple sculptures eight to nine years old were in "poor condition," and the city and its foundation concluded replacement was cheaper than repair [17]. The durable cases never let that bill accumulate: Ann

Lurie's Millennium Park garden came with a \$10 million maintenance endowment [1], and the Gateway Foundation owns Citygarden's sculptures and "covers all park maintenance costs except water and electricity" under its agreement with St. Louis [3].

The best-supported working number is a maintenance reserve of roughly 10 percent of artwork value. Two independent sources converge on it: Portland's Regional Arts and Cultural Council sets aside 10 percent of its percent-for-art funding for maintenance, and Houston's donation policy requires a maintenance endowment "typically equal to 10% of the value of the artwork" [26]. Neither source calls it a universal rule, and most state programs set no percentage at all [26], so treat it as common practice in the low double digits, not a fixed rule.

The maintenance money buys four things, per the peer-city policies reviewed: a visual inspection of every piece each year; a deeper condition assessment every one to five years; cleaning and protective coatings, which for bronze means a wax coat; and repair of damage from weather, age, or vandalism, including graffiti removal [26][41][42]. Professional conservators do the treatment work, city staff trained by a conservator can handle routine cleaning and coating, and volunteers can run the condition surveys, which is how Greeley, Colorado, covers ten pieces a year [26][41]. Minneapolis ties the money to the duty with a rule worth copying: the city acquires or accepts no artwork unless its maintenance is funded for the life of the piece [41].

A vehicle for holding the maintenance endowment exists locally. Austin Community Foundation opens designated funds (named funds held for a specific beneficiary) at a \$5,000 minimum and pays out under a 4 percent spending rule, so a \$500,000 corpus (the fund's principal) yields about \$20,000 a year for upkeep [28]; its fee schedule is not published, and one phone call closes that gap. The city can also receive tax-deductible gifts directly [29]. Houston's gift policy shows the complete pattern: the donor funds the endowment, proposes sites, and delivers the artist's rights waiver (the VARA waiver, explained under the working structure below) as a condition of acceptance [26].

The people who do the work

The program will run on volunteers, and the research on volunteer-run programs is specific about what keeps them alive.

- A paid coordinator changes the outcome. In a national survey, organizations investing more paid staff time in volunteer management reported benefits outweighing challenges at nearly 2 to 1; only about a quarter of nonprofits had anyone spending even half their time on it [30]. For West Lake Hills that means, at a minimum, a few hours a week of paid staff time or a small stipend; the recommendation to put dedicated capacity on the payroll sizes that ambition up, and the evidence supports the paid time rather than a particular job title.
- Three practices predict whether volunteers stay: recognition, training, and matching people to roles that fit them. Practices that only serve the organization, like counting volunteer hours, showed no link to retention [30].
- New and veteran volunteers stay for different reasons. Novices stay for enjoyment and satisfaction; volunteers of five or more years stay for commitment and identity, which means leadership roles and recognition tied to the program itself [31]. A committee that only offers fun kickoff events will lose its longest-serving members.
- Succession is usually unplanned: only 29 percent of surveyed nonprofits had a written leadership succession plan [32]. Write one early; the failure record shows how fast an organization built on one founder winds down [25].

The working structure

The committee exists today by council resolution. The peer evidence adds three standing duties to hang on it, duties that keep the program visible and maintained: an annual work plan to council, siting recommendations for anything on city land, and an annual maintenance report. The annual loop gives the committee its visible output; the maintenance report keeps the Bee Cave trap in view every year.

The peers also show a structural choice ahead, without forcing it now: the strongest small-city programs separate governance from money, with a nonprofit vehicle holding the funds under a city contract with quarterly accountability (Bee Cave's contract shape [17]; Sioux Falls runs through an independent 501(c)(3), a federally tax-exempt nonprofit [6]). Whether and when West Lake Hills wants a friends-of vehicle, and what form it takes, is a decision the campaign chair and committee reach when the money starts to move; nothing in the annual layer requires it on day one.

Two protections go into every artist contract from the start, because retrofitting them is what turns removal into a fight. First, a signed VARA waiver: VARA is the federal Visual Artists Rights Act, which gives artists rights over alteration and, for a "work of recognized stature," destruction; the rights can be waived only in a signed writing naming the work and uses [33]. Second, a gift and deaccession policy adopted up front; deaccession means formally removing a piece from the collection. Tallahassee's policy reserves the city's right to "keep, display, loan, donate, return or discard" donated art; Minneapolis requires minimum display times (five years permanent, two years loaned) and a public meeting

first [34].

Fort Worth is the cautionary tale about ownership, and it is worth stating accurately. The 39-foot Calder "Eagle" stood in downtown Fort Worth for about 30 years and was treated as a civic landmark, but it was privately owned, and when the bank that owned it changed hands the sculpture was sold at auction in 1999 and moved to a museum in Seattle. Residents felt the city had lost something that was theirs. A public-art official called the episode "a wake-up call... we can't count on the private sector to give us public art that will stay ours," and it helped drive Fort Worth to create its formal, city-owned public art program [35]. The lesson for West Lake Hills is to make ownership and the removal rules explicit in writing at the moment of the gift, not after.

On paying artists in the annual loop: the documented honorarium norm is \$700 to \$1,000 per piece per year (Castlegar \$1,000 CAD, a 2021 figure; Greeley, Colorado, \$700 plus a \$500 People's Choice prize [36]; some programs pay nothing, which the evidence does not recommend copying).

Expect the fight

Opposition to a prominent new public artwork is the pattern, not the exception, and most of the works that drew the loudest opposition are now icons. The Eiffel Tower drew a published protest in 1887 from about forty artists and writers, including Gounod, Maupassant, and Garnier, who called it a "useless and monstrous" and a "gigantic black smokestack"; its permit set it for demolition in 1909, and it survived partly because it proved useful for radio, before becoming the symbol of Paris [61]. When Chicago unveiled its Picasso sculpture in 1967, an alderman proposed replacing it with a statue of the baseball player Ernie Banks and a columnist wrote that it had "a long stupid face"; it is now a civic emblem that children use as a slide [62]. Maya Lin's Vietnam Veterans Memorial was attacked on the way to approval as "a black gash of shame" and as "nihilistic," and the fight was settled by a compromise that added a realist statue and a flag nearby; it is now one of the most revered memorials in the country [63]. Gateshead's council passed the Angel of the North 41 to 14 against loud attacks, including a newspaper comparison to Nazi statuary, and the region now treats it as its icon [2].

The honest counter-case is that opposition sometimes wins. Richard Serra's "Tilted Arc," a steel wall installed in a New York federal plaza in 1981, drew a public hearing where 122 speakers wanted it kept and 58 wanted it gone; a review panel voted 4 to 1 to remove it, and in 1989 it was cut apart and taken away, never to be reinstalled [64]. Serra's objection was that the work was made for that exact site, so "to remove the work is to destroy the work" [64]. What separates the survivors from Tilted Arc is instructive: the works that lasted had a completed, legitimate public process that put the decision beyond easy reversal, a permanent site, and, in most cases, time and a way to accommodate objectors without erasing the work; Tilted Arc had a still-open review process that could reopen the decision and an all-or-nothing posture that left no room for compromise. The lesson for West Lake Hills is not that opposition never wins. It is to expect the fight, to settle the site and the ownership and the removal rules before the work goes in, and to give the public a real say early, so the decision is made once and made to last.

What this plan does not rely on

It does not rely on any named private individual; every asking and giving role is structural. Public grant programs appear only as possible seed money for feasibility and design, never the plan. The Brookshire, Kuhn, Lopez, and Cain foundations carry no part of the plan. No single sponsor's renewal in any one year carries it. It does not rely on a percent-for-art ordinance either: the city's capital program could not feed one, and the record (Baltimore, Austin, Ann Arbor, Calgary) does not flatter it. The hotel occupancy tax is part of the plan, but a sized part: it supports the annual layer and helps endow maintenance, and it is not asked to fund the design work or the capital campaign.

What remains open

Four items would each firm up a number the plan currently estimates: a call to the city administrator for the count of active short-term rental permits, which would tighten the hotel-tax revenue estimate; completing the countywide foundation census (the Candid Foundation Directory is free to use at the Texas Grants Resource Center at UT Austin, by appointment); a manual check of the Cain Foundation's grantee list for the possible music program; and a phone call to Austin Community Foundation for its fee schedule.

Appendix: sources

Web sources were retrieved on 2026-08-17, except sources 38 to 64, which were retrieved on 2026-08-18. Sources 43 to 49 are Texas statutes, an Attorney General opinion, and Texas Comptroller guidance; sources 37 and 53 are⁶² internal city files rather than web retrievals.

1. Wikipedia, "Millennium Park" (costs and city/private split; named gifts; the John H. Bryan campaign and quote;

overruns and the Chicago Tribune criticism). Cross-case synthesis of the fourteen initiatives: cases and findings compiled from the individual sources in this list.

2. Wikipedia, "Angel of the North" (funding components; the £45,000 design grant; the 41 to 14 vote and opposition).
3. Wikipedia, "Citygarden" (the Gateway Foundation's \$30 million build, design competition, ownership and maintenance covenant).
4. Wikipedia: "Pappajohn Sculpture Park" (\$40 million gift), "Frederik Meijer Gardens & Sculpture Park" (\$13 million campaign, vendor-network prospecting), "Crystal Bridges Museum of American Art" (roughly \$800 million endowment).
5. Benesse Art Site Naoshima, benesse-artsite.jp, "About" and "History" pages (the 1985 meeting; the mayor's quoted ambition).
6. SculptureWalk Sioux Falls, sculpturewalksiouxfalls.com (sponsorship tiers, artist share), and City of Sioux Falls, siouxfalls.gov, "City-owned art" (the People's Choice purchase quote).
7. Castlegar Sculpturewalk, castlegarsculpturewalk.com, "People's Choice" (the annual city purchase; the Sculpture Capital branding).
8. Capital Campaign Pro, "Capital campaign gift range chart" (top-gift percentage, ten-gift concentration, prospect ratios, quiet-phase method).
9. Central Park Conservancy, centralparknyc.org, "Adopt-A-Bench" (program since 1986; 7,000+ benches; base price not published).
10. Grantmakers.io and ProPublica Nonprofit Explorer profiles, Winkler Family Foundation, EIN 71-0867442 (giving level; preselected-only policy; grantee list not in the e-filed data).
11. UT News, "Still Water Foundation gifts strengthen the arts" (the \$5 million Landmarks endowment and \$5 million Blanton gift), and stillwaterfdn.org (the no-unsolicited-proposals policy).
12. Mittefoundation.org (invitation-only policy) and the foundation's Grantmakers.io profile (the \$20,000 Circle of Peace sculpture grant, Dean Porter Park, Brownsville).
13. ProPublica and Grantmakers.io profiles, Topfer Family Foundation, EIN 74-2961304 (location, staffing, focus, application signals).
14. ProPublica and Grantmakers.io profiles, William A. Brookshire Foundation, EIN 76-0594307 (assets and disbursements; the scholarship-dominated grantee record; preselected-only policy).
15. Kuhnfoundation.com grant guidelines; hglopezfoundation.org; Grantmakers.io and Instrument1 profiles of the Effie and Wofford Cain Foundation (door policies and funding areas; the unverified Zeffy "music program" listing).
16. The Travis County foundation screen behind items 10 to 15: fifteen foundations screened via Grantmakers.io, ProPublica, Cause IQ, and the foundations' own sites; universe counts from Cause IQ's Austin-metro directory.
17. Bee Cave Arts Foundation, beecavearts.foundation, and Community Impact reporting (2020 on the hotel-tax funding contract; May 2025 on sculpture condition and the replacement decision).
18. The eighteen-program peer review: program pages and press for Bee Cave, Southlake, Lake Oswego, Joseph (OR), West University Place, Colleyville, Salado, Sausalito, Grand Rapids (MN), Carmel (IN), Austin, San Antonio, Houston, Fort Worth, Frisco, Round Rock, Georgetown, and McKinney. Peer-city population figures are round estimates, not census pulls.
19. Cascadia Daily News, May 27, 2026, "Sedro-Woolley shuts down arts commission despite protests from members" (the vote, the quoted reasons).
20. Johnson Center for Philanthropy, the 2023 US collective giving research initiative ("In Abundance": 4,000+ giving circles, 370,000 participants, \$3.1 billion 2017 to 2023).
21. Megan Piper, HuffPost UK, "The Line: a sculpture walk" (the £146,000 crowdfunding target; loans of existing works).
22. AnnArbor.com coverage of the percent-for-art repeal and the November 2012 millage result; the Michigan Daily on the council suspension (the fountain and Justice Center sculpture figures; the 2013 replacement vote).
23. Glasstire, August 2024, "City of Houston cuts \$10 million in public arts funds," and Community Impact (the \$25 million to \$15 million cut; the deficit context; the 14 to 0 vote).
24. Austin Current, May 2026, and Glasstire, May 2026, on the Art in Public Places funding discrepancies (the three documented project shortfalls).
25. Wikipedia, "Sculpture by the Sea" (the 2025 Perth cancellation "due to lack of funds"; attendance figures) and "Cass Sculpture Foundation" (the 2020 wind-up).
26. Artwork Archive, "Public art maintenance best practices" (the Portland RACC 10 percent set-aside); City of Houston, "Gifts of Artwork" policy (the 10 percent endowment requirement; donor obligations); NASAA, "State percent for art programs" (no consistent maintenance standard).
27. City of West Lake Hills code review, August 2026: a full sweep of the city's code found no hotel occupancy tax article.

and no codified arts committee or public art provision. The committee's establishment by resolution is a city record.

28. Austin Community Foundation, austincf.org, "Open a fund" (fund minimums; the 4 percent spending policy). The fee schedule is not published on the pages reviewed.
29. IRC § 170(c)(1) and IRS Letter 4076C (gifts to a political subdivision for public purposes are deductible), per the city's prior charitable-gifts memo.
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Estimates and unverified items, in one place

The \$5,000 local sculpture sponsorship price, the three campaign tier ranges, the \$80,000 to \$140,000 annual steady state, and the claim that resident capacity exceeds the screened foundations' combined giving are estimates and assessments, not measured evidence. The hotel-tax revenue band of about \$26,000 to \$99,000 a year is an estimate built from third-party short-term rental listings data and a zip-code proxy, not a city permit count or booking record; the largest single uncertainty is the average nightly rate, and one call to the city administrator for the active permit count would tighten it. The West Lake Hills capital-program figure of about \$3.74 million is the paper's own sum of department-requested line items, not an adopted total. The Central Park base bench price is not published at the source (the four-figure range is inferred from published adjacent prices). The Castlegar honorarium is a 2021 figure and should be

confirmed before use. Peer-city populations are round estimates, and East Lansing's population (about 48,000) is from general demographic sources. The Cain Foundation music program is an unverified directory hint. Austin Community Foundation's fees are unknown pending one phone call. Two volunteer-research findings (on AmeriCorps retention predictors and on event-role clarity) were reviewed and excluded because their citations could not be verified. The quotations from sources 38 to 42 were captured through automated page extraction on 2026-08-18 and should be re-verified against the pages themselves before any public use; the full capture notes are filed with this paper ([Loan_Rationale_Capture_2026-08-18.md](#) and [Maintenance_Tasks_Capture_2026-08-18.md](#)). The statutory and market sources added in this revision (43 to 64) were read on 2026-08-18; the statutory quotations in sources 43 to 49 were verified against the enrolled Texas Tax Code, an Attorney General opinion, and Texas Comptroller guidance, and the fuller legal and revenue capture is filed with this paper ([Grand_Projects_Guide_FactBase_v5_Additions_2026-08-18.md](#)).

Missing Middle in West Lake Hills: What Would Actually Get Built

An informational report. 2026-08-20.

This report was prepared for the City of West Lake Hills as background on small-scale housing. It is informational and makes no recommendation.

"Missing middle" housing means the small housing forms that sit between a single detached house and a large apartment block. Several forms count as missing middle: a duplex, a townhome, a cottage court, a converted large house, and a granny flat. A cottage court is a cluster of small detached houses around a shared green. A granny flat is a second, smaller home on the same lot. This report asks one plain question about those forms in West Lake Hills. If the city allowed them, which ones would actually get built, and what would follow?

Where the evidence points two ways, section 9 sets out the choices and what each path buys and costs. The report does not pick.

Summary

- The code allows almost none of this today. A guest house is a temporary, revocable permission granted case by case, not a home you can build by right.
- One large luxury house is the most profitable use of nearly every lot. The only small forms that beat it are a fee-simple cottage court with real added density, or fee-simple townhomes and duplexes. Gentle, low-density versions do not pay for themselves.
- Legalizing a form, on its own, builds almost nothing. The places that got housing built changed the money, not just the permission: how title works, what the fees are, and how certain the approval is.
- The fear that new housing next door lowers a neighbor's value is not borne out for house-scale infill. The effects the evidence finds are small either way, and driven by privacy and overlook, not density.
- Families need bedrooms, not raw size. A three-bedroom home and a lease long enough to plan around beat extra square footage. For a teacher or officer, the true monthly cost of buying in Kyle and commuting is higher than the sticker price.
- The report makes no recommendation. Section 9 lays out the choices and what each one costs.

1. The four questions, and how to read this report

The report answers four questions.

- Economics. One large luxury house is the most profitable thing to build on nearly every lot. Given that, which small form, if any, could compete? Section 3 answers this.
- Politics. What backlash do these ideas draw? Chiefly the objection most neighbors raise first: that new housing next door will lower the value of their home. Section 4 answers this.
- The limits of legalizing. Why does making something legal, on its own, build almost nothing? Section 5 answers this.
- Families. The households who might want this housing are usually older than the young singles and couples the market builds its smallest units for. Why does small multi-unit housing miss what families want, and what can control for that? Section 6 answers this.

The report rests on three kinds of source. It reads the city's own Code of Ordinances directly. It reads Texas statutes at their source. It also draws on published research about how comparable places have fared. The sources are numbered at the end.

The report contains no ordinance text and no legal advice. The legal statements in it are readings of the code and the statutes, made for research. Any of them would go to the city attorney before the city acted. The choices belong to the reader, and section 9 maps them.

A superscript number points to a source that was checked at its own page, unless that source's own entry in the list below says otherwise. Anything not yet confirmed is gathered in "Before you rely on this," at the end.

2. What the code allows, and where anything could go

Two main obstacles currently exist. The code allows almost none of this today. Wastewater capacity, more than politics, limits where a multi-unit building can physically go.

What the code allows

The R-1 residential district, the city's standard single-family zone, permits "one-family dwelling, limited to no more than one such building per lot occupied by no more than one family."¹ A second household on the lot is not a permitted use. The code defines a "family" as related people, or "a group not to exceed three persons not all related by blood, marriage, or adoption," living as one household.² Four unrelated adults sharing a house fall outside that definition.

A guest house is allowed, but as a temporary permission rather than a housing type. Living in a guest house is a "special use." The Board of Adjustment, the city's zoning-relief board, grants it lot by lot, after a public hearing, with written notice to every property owner within 300 feet.³ The permit lasts at most two years. It renews at staff discretion. It ends when the property sells, because it "shall cease upon transfer of the property." The Board can revoke it. In deciding whether to grant it, the Board weighs whether the use fits the neighborhood and whether it would harm the value of surrounding property.³

The size of a guest house is defined. A guest house is legally an "accessory building," the same code category as a garage, a workshop, or a pool house.⁴ Every accessory building is bound by fixed numeric limits. The maximum height is 30 feet in R-1, 25 feet in R-2, and 30 feet in R-3, which are the city's single-family, two-family, and low-density multi-family districts. The setbacks from the lot lines match the main house. A lot-coverage ceiling counts the main house, the accessory building, and parking together.⁴ The code sets no square-foot cap aimed at guest houses, and it gives the Board no fixed occupancy count for them. The numbers that bind a guest house are the accessory-building numbers. The one case-by-case judgment is the Board's, when it decides at the hearing whether the proposed size and character suit the street.

Renting a guest house is against the code. The short-term rental article says a permit "shall not be used for rental of a guesthouse," and it lists "Rent a guesthouse" among the acts an owner may not do.⁵ Read together with the one-household-per-lot rule, renting a guest house to a separate household is not lawful today.

Where anything could go

Septic and sewer rules limit where a multi-unit building can physically sit. The city's utility code has a category for single-family septic, a lot of one acre or more, off the aquifer recharge zone (the land where rain refills the underground water supply), and a category for two-family septic, one acre, or a quarter-acre per bedroom per unit, plus council sign-off and an engineered reserve.¹¹ It has no category between a duplex and full commercial-scale treatment. A building of three or four units on septic has no path in the code today.

Central sewer reaches only part of the city. The city buys treatment capacity wholesale from Austin. Connecting to it is voluntary until a septic system fails, and required after that if spare capacity exists. The city already makes new homes install separate irrigation meters to protect the capacity it has bought, and it treats that capacity as scarce.¹¹

Impervious cover and the aquifer draw a second line. Impervious cover means roofs, driveways, and any surface rain cannot soak through. The city caps it on a sliding scale, about 37.5 percent on a quarter-acre lot, and anything above 25 percent must connect to city wastewater.¹¹ Part of the city sits over Edwards Aquifer recharge zones. There, state rules require permanent water-quality controls above roughly 20 percent cover, so more hard surface is allowed only if the runoff is treated.¹¹

Driveways and fees add two more constraints. Every new driveway onto a street needs city approval before a lot is platted. The two-family district already requires two parking spaces per unit, at the rear, with no street-facing garages.¹² That is a working template for keeping multi-unit parking off the street. New connections already pay the city's own recovery fee, Austin's recovery fee, and review fees, all before a building permit is issued. These come under the state impact-fee framework, the state rules that let a city charge new development for the infrastructure it uses.¹³ State law makes one exception: these fees cannot pay for school buildings.

Any multi-unit building, then, either sits where central sewer reaches, or waits for a septic category that does not yet exist.

3. The economics of small-scale housing

What every option has to beat

New luxury houses in West Lake Hills' 78746 zip code sell at roughly \$700 to \$1,000 per square foot; a local model used \$784.¹⁴ The top of that range could not be confirmed from public listings this round, so it stands as a working assumption for now. The price of finished houses nearby is firmer: The Overlook, a new 48-home subdivision, is priced at \$2.85 million to \$5.0 million.¹⁵ At those prices, one large house is the most profitable use of nearly every lot. Any other option has to beat it, in the lot owner's own arithmetic, or the owner will not choose it.

The measure used throughout is the residual land value method. In plain terms, for each option you take what the finished homes would sell for, subtract every cost of building and selling them, and see what is left for the lot owner.¹⁶ Whichever option leaves the most wins the lot.

Townhomes and duplexes

Fee-simple townhomes and duplexes are the documented winners elsewhere. "Fee-simple" means each home sits on its own small titled lot, financed and appraised like a house, with no condominium structure over it. A profit model built across four California markets found the for-sale duplex the most reliably workable small type. Every rental fourplex failed its return target.¹⁷ Houston is the proof at scale. It has built more than 34,000 townhomes since 2007. A shared single driveway lets roughly 50 percent more homes fit on the same land, and fee-simple title is the feature that keeps the financing working.¹⁷

The cottage court

A cottage court is a cluster of small detached houses around a shared green. A model of one on real 78746 numbers is the only form modeled locally that beats the single house, and it wins only with two changes.¹⁸ At a four-unit limit, the small cap many cities use, it loses on every lot. Scaling the density to the lot, about one cottage per 2,500 square feet, and using fee-simple title instead of a condominium flips it. The court then beats the single house by about 18 percent on a 0.4-acre lot and about 72 percent on a 0.9-acre lot. Those dollar figures are order-of-magnitude only. As a condominium, the margin collapses on every lot. Smaller changes, such as extra height, more lot coverage, less parking, or waived fees, cost the city almost nothing and do not change the owner's decision.

Evidence from Vancouver points the same way. In Shaughnessy, a large-lot prestige neighborhood and the closest match to West Lake Hills in the data, small multi-unit projects beat a single new house only when the allowed floor area actually rose, not when extra units were merely made legal.¹⁹ The extra building has to be real, or the single luxury house wins.

The quadplex

Four units behind one front door is the best answer to the "looks like one house" worry, and the weakest profit model in every market tested.¹⁷ It is too small to gain from scale and too big for easy owner financing, and it has to be a condominium. That runs straight into the condominium barrier set out next, the stack of Texas liability, insurance, and financing rules around condominiums.

The mansion conversion

Splitting an existing large house into three or four owned units reuses the footprint, the trees, and the septic connection. The building still reads from the street as exactly what it was. A screen of 25 housing forms from around the world, summarized in the census at the end, flagged it as the form that best fits the "reads as one house" limit.²⁰ Texas law blocks it in four ways.

A disclosure becomes the lawsuit exhibit. State law requires anyone converting an existing building into condominiums to hire an independent engineer to report on the present condition and remaining life of its structural, mechanical, and electrical systems.²² Every known weakness of an old house is written down before the first unit sells.

Liability has no small-building exception. The Texas condominium chapter has no warranty section. Defect claims therefore run through the Residential Construction Liability Act, which by its own text reaches a "quadruplex" and covers alteration work on an existing home. The common-law warranties courts read into home construction apply on top.²³ A 2023 change lets a contractor cut its exposure window from ten years to six by offering a tiered warranty. The engineer who signed the condition report stays exposed the full ten.²⁴

A financing cliff hits conversions hardest. Fannie Mae puts a newly converted project into its heavier full-review track, with presale thresholds, a share of units that must be sold before it will lend, and reserve and structural studies.²⁵ Condominium insurance runs three to four times the cost of rental cover, adding 2 to 4 percent to hard cost, the direct cost of construction, in the California data.²⁶ The form that best keeps the streetscape is the one the market can least easily finance.

Texas has not moved, while other states just did. No Texas bill from 2025 or later touching small-condo defect liability was found.²⁷ Washington passed the small-building exception this form needs in 2025: twelve units or fewer within height limits, conversions included. Oregon and Colorado passed nearby reforms the same year. If this form ever matters here, the fix is state legislation, and working models now exist. The best-documented private workaround, a San Francisco ownership structure with fractional loans, has a real track record but old data, higher rates, and no Texas lending market for it at all.²⁸

Ground-floor commercial

Ground-floor shops do not help the economics at this scale. Retail space on Bee Caves Road asks \$32 to \$44 per square foot per year, on a triple-net lease, meaning the tenant also pays the taxes, insurance, and upkeep.²⁹ Turned into building value, that rent lands near the range for housing, but with vacancy risk. The office node up the corridor, in the neighboring town of Bee Cave, reports about 22 percent vacancy.²⁹ Crossing a lender's commercial thresholds, roughly 10 to 35 percent of a building's floor area or income, pushes a small building out of home financing and into the commercial box that the whole fee-simple strategy exists to avoid.³⁰ Commercial use also adds sprinkler and alarm costs, with no matching rise in value found. No source showed ground-floor shops raising the total value of a building this small.²⁹ This is a directional finding only. A corner store is an amenity choice, not an economics fix.

The price assumption

The whole model rests on small units selling near \$450 to \$525 per square foot, with the model failing near \$375.¹⁸ A search for real comparable sales found none: no new small-unit home has ever sold in or right next to 78746, so the number cannot be checked against an actual transaction.²¹ The available resale data sets bounds around it. Resale across 78746 runs about \$559 to \$626 per square foot, and nearby lower-cost zip codes run \$346 to \$424.¹⁶ Against those figures, the \$450 to \$525 range looks reasonable, and cautious if anything, and the \$375 failure point sits below every figure found. Nothing found undercuts the assumption, and nothing confirms it.

The levers

Five levers came up in the research. They differ a lot in how much they move the owner's arithmetic.

Construction-defect and condominium insurance moves it most, and the city does not control it. In Colorado, condominium insurance ran about 5 to 5.5 percent of development cost, against 1.1 to 1.65 percent for single-family homes. The number of active condominium builders fell about 84 percent over fifteen years.³¹ In California it runs three to four times the cost of rental cover.²⁶ Fee-simple title matters so much because it steps around this whole regime. The Texas version of this lever is state law, not city law.

Impact fees move the arithmetic almost as much, and the city does control them. In the modeling, cutting impact fees, shown as \$40,000 down to \$10,000 per unit, improved project returns more than any density bonus, meaning extra building allowed in exchange for a concession.³² Recorded California fee waivers on affordable projects run \$29,000 to \$76,000 per unit. The mechanism carries to a Texas market-rate setting; the exact dollar size does not.

Certainty moves it less. A pre-approved catalog of designs, and approval without a discretionary hearing, save real money, roughly 1 to 2 percent of construction cost across many cities, and real time; Seattle cut granny-flat approvals from 160 days to 54.³³ Nothing found prices certainty high enough to flip the owner's choice. It makes the winner safer. It does not create one.

A public buy-down works by spending public money rather than changing the arithmetic. Vail, Colorado pays 15 to 20 percent of a home's market value to place a deed restriction on it, a recorded condition that binds the property whoever owns it, reserving the home for local workers.⁶⁰ This is the documented way a high-value town makes small units exist without touching zoning economics. It buys the gap directly. Section 7 explains how it works.

A 2025 Fannie Mae change needed no city action at all. It lets rent from a granny flat count toward up to 30 percent of a buyer's qualifying income.³⁴ It helps the main-house-plus-granny-flat setup for every buyer, with no ordinance change.

4. The politics of small-scale housing

What the quiet adoptions had in common

The reforms that got built without a fight shared four features.³⁵ The resulting units were owned rather than rented. They looked like houses, with one door and one driveway. The change was rolled out area by area, not citywide. Each came with a way in or out, an opt-in or an opt-out. Houston's 2013 lot-size change was citywide but gave every neighborhood a deed-restriction opt-out, the way out described above. It passed 13 to 3, and only 4.7 percent of single-family lots had opted out by 2022. Kalamazoo went neighborhood by neighborhood. Durham's reform passed 6 to 1 at the city council and 5 to 0 at the county after a two-year public process. Kirkland, Washington built a demonstration cottage court in 2002 so residents could see the product before voting, then adopted its ordinance five years later, with no repeal since.

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How reform fails

One failure happens in court. Arlington, Virginia adopted a citywide reform in March 2023 allowing two to six units on

single-family lots. Neighbors sued. The ordinance's legal status changed at least four times in under two years, and it was before the state supreme court as of October 2025.³⁶ Anything after that date is unconfirmed.

The other happens at the ballot box. Gainesville, Florida allowed duplexes through quadplexes in single-family zones in October 2022. One election later, the new commission repealed the whole ordinance, 4 to 3.³⁷ Both failures were citywide, mandatory, and unbounded, the opposite of the four features above.

The property-value objection

This is the objection most neighbors raise first: that new housing next door will lower the value of their home. The public debate runs three different effects together, and they have to be kept apart.

The lot that adds the unit consistently gains value. In one controlled study, granny flats in Los Angeles raised the host property's value 45 to 58 percent.³⁸ A Chicago study of looser zoning found affected lots rose 15 to 23 percent.³⁹ That is the host parcel, not the neighbor.

The objection is about the neighboring lot. That is where the evidence is thinnest, and it runs both ways.

Some studies support the objection. The closest one to this situation looked at Vancouver's backyard laneway homes, small rental cottages built where a garage would sit. It found neighboring sale prices about 2.8 percent lower on the city's affluent west side, up to 4.7 percent in the most affluent areas, and almost no effect in modest areas.⁴⁰ The authors traced the cause to privacy and overlook, a second-story unit looking into the neighbor's yard, rather than to density or renters. A 2025 study of granny-flat spillovers found a similar dip, about 3 percent within 300 meters, though at abstract level only and with the location unconfirmed.⁴¹ A study of subsidized housing found values near new low-income developments fell about 2.5 percent in high-income neighborhoods. That is subsidized housing, a different product from anything in this report.⁴²

Other studies cut against the objection. The largest one that accounts for scale covered 418,000 sales in Melbourne. It found that small infill of one to four units had a slight positive effect on neighboring detached-house values, about 0.7 to 1 percent. Only large buildings of 50 or more units showed the roughly 5 percent decline neighbors fear.⁴³ A Philadelphia-area review of four US studies found no negative effect from nearby multi-unit housing, and often gains.⁴⁴ After Minneapolis legalized duplexes and triplexes, single-family prices rose 3 to 5 percent relative to just across the city line.⁴⁵

Citywide prices are a different question again. Houston's reform lowered land values 9 to 28 percent in reform areas because supply grew.⁴⁶ That is an affordability result, not a neighbor-spillover result, and the two should never be quoted as if they were the same thing.

For house-scale product of one to four units, then, the best available evidence finds neighboring-value effects that are small in either direction. They are slightly positive in the biggest study. They are negative by about 3 percent, reaching nearly 5 percent in the most affluent areas, in one well-documented case, where a new second-story unit overlooks the neighbor's private space. That is a design fact, not a density fact. Rules about placement, screening, and height act on the very thing the evidence says moves values. The evidence does not support the catastrophic version of the objection. No study found large or lasting losses to single-family neighbors from house-scale infill.

The trade-off between economics and optics

The economics and the optics conflict. The density that makes the economics work, roughly 7 to 14 cottages where one house stood, is no longer the product that reads as one house.¹⁸ The politics evidence favors the house-reading, bounded, gentle product. The economics evidence in section 3 says that product does not get built on its own. There is a choice here between the economics and the optics, and the evidence found no way to have both. Two partial exceptions exist: the mansion conversion, which trades the optics problem for the condominium barrier, and the granny flat, which is small enough to sidestep the choice. Section 9 maps this as the first decision.

5. Why legalizing builds almost nothing on its own

Three places legalized small housing. Almost none of it got built.

Minneapolis legalized duplexes and triplexes citywide in 2020, to national headlines. About 2.5 years of permits later, the count was 72 duplexes and 37 triplexes, 255 units in all, and fewer than half on lots that had been single-family only.⁴⁷ Of about 21,000 units permitted from 2017 to 2022, about 1 percent were in two-to-four-unit buildings. The city's real affordability gains came from parking reform and larger buildings near transit, not from the duplex rule. Housing stock rose 12 percent and rents only 1 percent, against 14 percent statewide.

California's SB9 made duplexes and lot splits legal by right on most single-family parcels statewide in 2022. Two years later, the count was 660 applications and 25 finished homes, against the roughly 700,000 the law made possible.⁴⁸ The documented causes were an owner-occupancy affidavit that blocks builders, lending that was never standardized, and local fees as high as \$30,000 to \$100,000 on top.

Austin's HOME initiative, next door, saw real first-year uptake at the modest end, with 436 approved two-to-three-unit applications, and eight applications under its more aggressive phase.⁴⁹

Houston is the exception because it did not just permit. It changed the arithmetic, with smaller lots, shared driveways, a different fee structure, and fee-simple title, and it got 34,000 townhomes.¹⁷ Every place that changed only the permission got a law on paper. Pairing the permission with the levers in section 3, meaning title structure, fees, and certainty, produces homes. A law on paper is the cheapest way to show visible action.

6. Why small units miss families, and how to control for it

Why builders make units small

Fixed costs per unit, meaning fees, financing, and permitting, do not shrink when the unit does. A builder's easiest path to profit is to make units small, 500 to 1,000 square feet with one or two bedrooms, which is exactly what families do not want. The Harvard Joint Center for Housing Studies calls construction cost "the number one obstacle" to family-sized small housing.⁵⁰ Left alone, the market builds the wrong unit.

What families choose

Among US renter families with children, 40 percent live in two-bedroom units and 38 percent in three-bedroom units, and 46 percent rent detached houses, the closest existing thing to a large granny flat.⁵⁰ Teacher-housing programs elsewhere that filled did it with units well under 1,800 square feet. Daly City's 122 units run 560 to 1,174 square feet at about a third off market rent, built after a year of 25 percent staff turnover. Santa Clara's teacher housing runs 702 to 1,170 square feet. A deep discount plus being close filled them, including the family-sized three-bedroom units.⁵¹

A common assumption is that a granny flat needs about 1,800 square feet to attract a family. Nothing found supports or refutes that figure.⁵⁰ The evidence supports a three-bedroom floor, which at ordinary layouts means roughly 1,100 to 1,600 square feet. Rent and a secure lease matter more than a few hundred extra square feet. A secure lease here means how long a family can count on staying. The exact trade, square feet given up per commute minute saved, does not exist in the open research; the one study on point sits behind a paywall.

The Kyle alternative

The real alternative a teacher or officer family faces is buying in Kyle and commuting. Setting the two side by side shows what a unit inside the Eanes school district, which serves West Lake Hills, would have to beat.

Eanes ISD teacher pay runs about \$57,000 starting to \$74,169 at the top, and the city's police posting runs \$70,000 to \$98,000.⁵² Kyle's median home was \$294,500 in October 2025, down 9.4 percent over the year. Property tax plus principal and interest come to about \$2,006 a month, before insurance, which was not confirmed but likely adds \$150 to \$250.⁵³ The commute is 27 miles and 37 minutes off-peak, rising to an estimated 50 to 65 minutes at peak.⁵⁴ The commute weighs roughly \$1,000 a month for a teacher household and \$1,600 for an officer household. That figure uses the 2026 federal mileage rate and values personal travel time at half the wage, the federal convention.⁵⁵ The figures can be added up, though the total is modeled rather than observed. The true monthly weight of the Kyle choice is about \$3,200 for a teacher household and \$3,800 for an officer household, against a sticker cost near \$2,200.⁵⁶ The commute is a third to two-fifths of the true price. The usual counterargument, that the Kyle house at least builds equity, ran backward during this period: Kyle prices fell over the year, so the median buyer's home lost value.⁵³

A family-sized unit inside the district, renting at \$1,900 to \$2,400 a month, is not economically worse than the Kyle house.⁵⁷ What is left is not the money. It is whether the family can put down roots, and it is the schools. Living in the unit puts the children in Eanes ISD, the district these families teach in but cannot otherwise afford to live in. Square footage cannot do that. The district itself has partnered with the Texas Workforce Housing Foundation on this exact problem, and a 2025 board forum said it plainly: teachers cannot afford to live in the district they teach in.⁵⁷

The controls

The filled programs and the design evidence support a short list of requirements, written into any regime as terms rather than hopes.⁵¹ They are: a minimum share of three-bedroom units; ground-floor private entries; private outdoor space for each unit; one shared driveway; a building shape that reads as a house; and multi-year leases a family can plan school years around. Each traces to the adoption cases and the design data, not to opinion polling. Two preference

surveys the research looked for, a national survey on bedroom counts and a Texas survey on detached-house preference, both came back unconfirmed.

7. Tools beyond zoning

Housing corporations

Texas lets a city charter two kinds of nonprofit housing body. A Public Facility Corporation issues bonds and can hold a full property-tax exemption on qualifying projects. A Housing Finance Corporation issues tax-exempt bonds and can own, build, or finance housing directly.⁵⁸ Both were misused for years by "traveling" sponsors that lent their tax exemption to market-rate deals in other cities. Two laws closed that era. HB 2071 in 2023 covered Public Facility Corporations, and HB 21 in 2025 covered Housing Finance Corporations. They now require real, audited affordability, at least 10 percent of units for lower incomes and 40 percent for moderate incomes, rent caps, acceptance of housing vouchers, and yearly independent audits. They also confine each body to its own sponsor's boundaries.⁵⁸

A West Lake Hills Housing Finance Corporation could issue bonds, with a statutory floor around \$20 million a year binding at this population, and own or finance housing that meets those set-asides.⁵⁹ It could not create the market-rate housing the rest of this report describes, or escape the yearly compliance work. One gap remains despite every search: no example of such a corporation operating at anything near a 3,300-person city's scale has been found, and two rounds of work looked.⁵⁹

Vail's buy-down

Vail, Colorado runs the best-documented public buy-down in a high-value market. Vail buys occupancy, not price. The deed restriction requires the people living there to work 30 or more hours a week in the county, and the town's own materials state that the restriction puts no cap on how much the home can appreciate. The owner keeps every dollar of gain. The town has bought only who gets to live there.⁶⁰

The money and the caution both matter. Payments ran 15 to 20 percent of market value, about \$65,000 a unit at the flagship project. The money came from the general fund plus a voter-approved half-cent housing sales tax from 2021 that raises roughly \$4 million a year. Town-wide deed-restricted stock is now over 1,000 units.⁶⁰ Cash buyers now move faster than the program can, so Vail has shifted to buying whole units outright at \$450,000 to \$806,000 each, several times the old per-unit cost. Outside investors can buy restricted units as rentals, and enforcement is real work: 31 units were found out of compliance in one yearly cycle, with prosecutions.⁶⁰

The Texas question is open. No Texas city runs anything like this; what exists in Texas is down-payment assistance, a different tool.⁶¹ Whether a Texas general-law city, meaning one that holds only the powers the state expressly grants, could lawfully fund and hold such restrictions has not been established. In dollars, 15 to 20 percent of a \$1.5 million home is \$225,000 to \$300,000 per restriction, Vail's mechanism at several times Vail's price.⁶² The mechanism prices more sensibly against the smaller asset this report keeps returning to, a granny flat. Eagle County's companion program lends up to \$150,000 against a 15-year workforce restriction on a granny flat, the same idea set against a \$200,000 to \$400,000 asset instead of a \$1.5 million one.⁶²

Two levers that need no ordinance change

Two tools are already in reach. The 2025 Fannie Mae change lets granny-flat rent count toward a buyer's qualifying income, up to 30 percent, and it is already in effect nationally.³⁴ The fee structure is the city's own cost lever: the state impact-fee framework is machinery the city already runs for wastewater, and the evidence in section 3 ranks fee treatment above every density bonus.^{13,32} The fee the city charges new units is a dial it already holds.

8. Where the law stands

Each item below is a research reading of the code or a statute, not a legal conclusion. It marks what is settled against what is not yet confirmed. None of it is resolved here.

General-law powers

A general-law city holds only the powers the state expressly grants. State law grants it regulation of height, number of stories, lot coverage, yard size, density, and use.⁸ Every lever in this report maps to one of those granted items. The same statute reserves regulating "the bulk of buildings" to home-rule cities, the larger cities that hold broad self-governing powers. The working approach, then, is to use the granted vocabulary and avoid a standalone floor-area or "bulk" control. The reading is firm on the code text, and it has not been re-checked against the statute text this round.

The 2025 small-lot preemption

The state's 2025 small-lot preemption law, SB 15, excludes West Lake Hills by population, on the reading made of the statute.¹⁰ A lot rests on this point, and it has not been re-confirmed against the current statute text.

What ends the guest-house permission

When a guest-house permit ends, by its two-year term, by sale, or by revocation, the reading of the code and the state zoning law is that the city can require the habitation to stop, not the building to come down, because the building is a permitted accessory structure and only its use as separate living quarters needs the permit.^{3, 6, 7} The power to order a building removed sits in a separate state process for dangerous or substandard buildings, on a different trigger. This is a research reading of the enforcement provisions, offered for the city attorney's judgment.

The dwelling-unit line

A two-household, one-family house, the closest granny-flat match in the world census below, sits on an unsettled line in the code.⁸ One related household is one "family" however large, but a second full kitchen may create a second "dwelling unit," which R-1 does not permit. The same line decides whether a lapsed guest house could ever be the violation itself, rather than only its use. The code answers this today only by implication.

Unit-lot platting

The fee-simple mechanism, replatting a parent lot into per-home lots with a shared access strip, rides the state's platting authority, its rules for dividing land into lots.⁹ Whether the city's current subdivision ordinance already allows it, or would need amending, is not settled.

The conversion form's state-law dependencies

The condominium conversion provisions, the reach of the Residential Construction Liability Act, the deadlines for construction suits, and whether the common-law warranties attach to conversion work are all state-law questions, captured with their gaps marked.^{22, 23, 24}

9. The decision map

The evidence cannot close these choices. Each is laid out below with what it buys and what it costs. None is recommended.

Economics or optics

The density that pays, roughly 7 to 14 homes where one house stood, sections 3 and 4, breaks the "reads as one house" politics. The gentle product that adopts quietly does not get built on its own, section 5. Buying the economics means visible density and the neighborhood fight the case studies describe. Buying the optics means pairing the gentle product with money, or accepting a law on paper. The smallest real test of either is one cottage court on one mid-size lot under a project-specific agreement, or one corridor design catalog with uptake reviewed after two years.

Market product or public money

The market builds the fee-simple product where the arithmetic works, section 3. Everything family-sized but affordable in the evidence, meaning Vail, Daly City, and Eagle County, was bought with public money in some form, sections 6 and 7. Market-only costs the city nothing and produces only what is profitable on its own. Public money produces the teacher-family outcome, needs a funding tool this city has not yet identified, and rests on a legal question, whether a Texas general-law city can lawfully use one, that is unsettled. The smallest real test is one bought restriction on one granny flat, in the Eagle County style.

The dials for a future granny-flat regime

A permanent granny-flat regime does not exist yet, so every dial below is open.

- Size and bedrooms. The evidence floor is three bedrooms, roughly 1,100 to 1,600 square feet, not 1,800.
- Rental terms. The current guest-house rental ban is the single largest code change any regime would require.
- Tenure length. Multi-year leases filled the programs.
- An occupancy restriction, or not. This is the Vail and Eagle County dial.
- Siting. Septic versus sewer decides eligibility lot by lot before anything else does.
- What happens when a permission ends. The reading in section 8 is that the city can require the use to stop, but not the building to come down. That is the backdrop to any temporary or renewable term.

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The smallest real test is a handful of pilot permits in sewer-served areas, with a sunset date and a report back.

What the evidence argues against

This is a summary of the evidence, not a recommendation. It argues against citywide mandatory rezoning, which carries both documented failure modes and none of the four quiet-adoption features. It argues against rental fourplexes as a lead product, the weakest profit model in every market tested and the wrong tenure for the politics.

The global housing census

Twenty-five housing forms were screened across Japan, South Korea, Singapore, China, Europe, Canada, and the US. Nearly all screened out, because they depend on street grids, alleys, transit, national land policy, or population densities West Lake Hills does not have. Everywhere these forms thrive, something outside the building makes them thrive: scarce land, an inheritance tax, city land policy, or subsidy. Three earned a place in local thinking. The mansion-to-condominium conversion is the best fit on looks, and is blocked by the condominium barrier, section 3. Japan's two-household house, one title and one lot for two generations, sits on the code's unsettled dwelling-unit line, section 8. The UK's "gentle density" backland infill, small low-profile homes behind existing houses, is the granny flat in concept and the census's strongest fit for large lots without alleys. Taiwan returned nothing and is logged as a gap, not an absence.

Extensions worth commissioning

These are named for the record, not commissioned. A standing watch on local comparable sales would catch the first real small-unit sale near 78746. The commute-trade research is reachable through journal-database access. A search could look for a small-city Housing Finance Corporation precedent. Taiwan housing forms remain a gap. Eagle County's granny-flat program uptake is worth a fresh look. Granny-flat mechanism design, meaning market rent versus a deed-restriction loan versus a school-district partnership, is the design question a later stage would take up.

Sources

A plain entry means the fact was read and checked at the source's own page. Where a fact rests on a secondary source, a news article, a directory, an aggregator, or a research summary, the entry says "(secondary source)."

1. One home, one family per R-1 lot. West Lake Hills Code § 38.03.032.
2. "Family" defined as related persons or no more than three unrelated, and "accessory building" defined to include a guesthouse. West Lake Hills Code § 22.03.001 and chapter 22 definitions.
3. Guest quarters as a Board of Adjustment special use; 300-foot notice; a term not to exceed two years; non-transferable and ceasing on transfer; revocable for cause; and the general special-use criteria, neighborhood compatibility and no adverse effect on surrounding property values. West Lake Hills Code §§ 38.04.031, 38.04.032, 38.04.033, 38.04.035.
4. A guest house is an accessory building bound by accessory-building dimensional rules: height 30, 25, and 30 feet in R-1, R-2, and R-3; principal-building setbacks; combined lot coverage; and no district maximum floor area. West Lake Hills Code §§ 22.03.276, 22.03.278, 22.03.279, 22.03.280, 22.03.281.
5. A short-term rental permit "shall not be used for rental of a guesthouse," "Rent a guesthouse" listed as an owner violation, and the owner-only, homestead permit rule. West Lake Hills Code § 6.04.003 and chapter 6, article 6.04.
6. City zoning enforcement remedies, injunction, mandamus, abatement, or action to remove an unlawful structure, use, or work, and the penalty, a misdemeanor with a fine up to \$2,000 and each day a separate offense. West Lake Hills Code §§ 38.05.063, 38.05.064. Demolition of a building runs through the separate state process for dangerous or substandard buildings, not the zoning enforcement provisions.
7. The state zoning-enforcement grant: a municipality may act to prevent the unlawful use, restrain, correct, or abate the violation, "prevent the occupancy of the building, structure, or land," or prevent any illegal act or use; the violation is a misdemeanor with civil penalties available. Texas Local Government Code § 211.012, read at law.justia.com/codes/texas/2005/lg/007.00.000211.00.html on 2026-08-20.
8. The enumerated general-law zoning powers, height, number of stories, lot coverage, yard size, density, and use, and the reservation of building "bulk" to home-rule cities. Texas Local Government Code § 211.003(a), (c). The same definitions leave the second-kitchen "dwelling unit" line unresolved in the city code.
9. Unit-lot platting rides the state platting authority, Texas Local Government Code chapter 212. Whether the current subdivision ordinance already allows it is unsettled.
10. The 2025 small-lot preemption law (SB 15) excludes West Lake Hills by population.
11. Single-family and two-family septic rules, and no category between a duplex and commercial treatment. West Lake Hills utility code § 18.03.067. Treatment capacity bought wholesale from Austin, connection voluntary until a septic system fails, and the separate-irrigation-meter conservation rule on new homes, from the city's own code copies. The impervious-cover sliding scale and 25 percent connection trigger, § 22.03.281. Edwards Aquifer water-quality controls above roughly 20 percent cover, 30 TAC chapter 213.

12. Driveway approval before platting, and the two-family rear-parking, no-street-garage template. West Lake Hills Code, zoning and building chapters.
13. The state impact-fee framework internalizes infrastructure cost and cannot fund school buildings. Texas Local Government Code chapter 395.
14. 78746 luxury houses taken at roughly \$700 to \$1,000 per square foot; a local model used \$784. The top-end band could not be independently confirmed from public listings this round; the nearest public figure, about \$1,000 per square foot for large custom homes, is from an adjacent zip code, 78704, and is not a valid small-unit comparison. Davis Agency, "New Construction Homes 78704 Austin" (secondary source).
15. The Overlook, 48 new homes, \$2.85 million to \$5.0 million, with no square footage published. Tammy Davison Team, "The Overlook at Westlake New Construction Guide 2026" (secondary source).
16. 78746 resale about \$559 to \$626 per square foot, and nearby lower-cost zip codes \$346 to \$424. TeamPrice and Redfin (secondary source). The residual land value method is the standard developer feasibility calculation.
17. For-sale duplex the most reliably workable small type and every rental fourplex failing across four California markets, with the quadplex the weakest in every market. Turner Center for Housing Innovation, UC Berkeley (secondary source). Houston more than 34,000 townhomes since 2007, a shared driveway allowing roughly 50 percent more homes, and fee-simple title the financing enabler. Emily Hamilton (HUD Cityscape) and Pew Charitable Trusts (secondary source).
18. 78746 residual land value model: the cottage court beats the single house by about 18 percent on a 0.4-acre lot and about 72 percent on a 0.9-acre lot with density scaled to about one cottage per 2,500 square feet and fee-simple title; the condominium version collapses on every lot; the paying density is roughly 7 to 14 homes where one house stood; small units modeled near \$450 to \$525 per square foot with the model failing near \$375; dollar figures order-of-magnitude. Internal city research file, the 78746 pro forma model.
19. Vancouver Shaughnessy multi-unit projects beat a single new house only when allowed floor area rises; construction about \$275 per square foot against \$600 to \$750 for custom single-family. Storeys, "A Third Of All Land Buys Are Now Multiplex" (secondary source).
20. The mansion-to-condominium conversion the best fit on the "reads as one house" limit, from a 25-form global typology screen. See the global housing census below (secondary source).
21. No new small-unit home has ever sold in or right next to 78746, so the small-unit price cannot be checked against a transaction. Redfin recently-sold and condominium searches for West Lake Hills returned no usable small-unit comparables.
22. Conversion requires an independent architect's or engineer's report on present condition and remaining useful life before the first unit sells. Texas Property Code § 82.154.
23. The Texas condominium chapter has no warranty article, so defect claims run through the Residential Construction Liability Act, which reaches a "quadruplex" and covers alteration of an existing residence. Texas Property Code chapter 82, subchapter D, and chapter 27, § 27.001.
24. The 2023 reform (HB 2024) lets a contractor with a qualifying tiered written warranty cut the suit window from ten years to six, while the reporting architect or engineer keeps the full ten-year exposure. Texas Civil Practice and Remedies Code §§ 16.008, 16.009.
25. Newly converted projects go into Fannie Mae's Full Review track, with a 50 percent owner-occupant presale threshold and a reserve study with favorable structural findings. Fannie Mae Selling Guide B4-2.2-03.
26. Condominium insurance runs three to four times rental cover, adding roughly 2 to 4 percent to a condominium project's hard cost. Turner Center for Housing Innovation, "The Financial Impacts of Construction Defect Liability on Housing Development in California" (secondary source).
27. No 2025-or-later Texas small-condo defect bill found; Washington's 2025 law (HB 1403) exempts buildings of twelve units or fewer within height limits, conversions included; Oregon (HB 3746) and Colorado (HB25-1272) passed adjacent 2025 reforms. hcmp.com for Washington and mondaq.com for Oregon (secondary source); leg.colorado.gov/bills/hb25-1272 for Colorado.
28. San Francisco tenancy-in-common with fractional loans: a real track record but pre-2009 data, higher rate premiums, and no Texas lending market found. andysirkin.com, "Financing TIC Conversion and Development" (secondary source).
29. Bee Caves Road retail asking about \$32 to \$44 per square foot per year triple-net, and the Bee Cave office node about 22 percent vacancy. No source showed ground-floor commercial raising a small building's total value. CommercialCafe and LoopNet (secondary source).
30. Lender commercial thresholds, Fannie Mae 35 percent of net rentable area and income, HUD 10 percent and 15 percent. Janover Pro, "Broker Guide to Mixed-Use Finance" (secondary source).
31. Colorado condominium insurance about 5 to 5.5 percent of development cost against 1.1 to 1.65 percent for single-

family, and active condominium builders down about 84 percent over fifteen years. Summit Daily reporting a Common Sense Institute study (secondary source).

32. Cutting impact fees, modeled \$40,000 to \$10,000 per unit, beat any density bonus, and California affordable fee waivers ran \$29,000 to \$76,000 per unit. Turner Center for Housing Innovation, "Assessing the Cost of Impact Fees on Affordable Housing" (secondary source).
33. Pre-approved design catalogs and by-right review save roughly 1 to 2 percent of construction cost, and Seattle cut accessory-dwelling approvals from about 160 days to 54. The Pew Charitable Trusts, "Preapproved Building Plans Help Cities Improve Housing Affordability" (secondary source).
34. The 2025 Fannie Mae change lets accessory-dwelling rent count toward up to 30 percent of qualifying income, with no ordinance change needed. Fannie Mae Selling Guide Announcement SEL-2025-08.
35. The four quiet-adoption features and the case studies: Houston 2013 lot-size vote 13 to 3 with an opt-out, 4.7 percent opted out by 2022; Kalamazoo neighborhood by neighborhood; Durham 6 to 1 city and 5 to 0 county after a two-year process; Kirkland demonstration cottage court in 2002, adopted five years later, no repeal. Housing-adoption research capture (secondary source).
36. Arlington, Virginia two-to-six-unit reform March 2023; legal status changed at least four times; before the state supreme court as of October 2025; later status unconfirmed. Housing-adoption research capture (secondary source).
37. Gainesville, Florida duplex-through-quadplex October 2022, repealed 4 to 3 one election later. Housing-adoption research capture (secondary source).
38. Los Angeles accessory dwellings raised the host property's value about 45 to 58 percent in a controlled study. Sarah Thomaz, "Investigating ADUs: Determinants of Location and Effects on Property Values," UC Irvine.
39. A Chicago study of looser zoning found affected lots rose about 15 to 23 percent, with value capitalized before any units were built. Yonah Freemark, "Upzoning Chicago," Urban Affairs Review (secondary source).
40. Vancouver laneway homes lowered neighboring prices about 2.8 percent, up to 4.7 percent in the most affluent areas and near zero in modest areas, with the cause traced to privacy and overlook. Davidoff, Pavlov and Somerville, Journal of Urban Economics 128 (2022), from the University of British Columbia research summary, primary text blocked (secondary source).
41. A 2025 accessory-dwelling spillover study found about a 3 percent dip within 300 meters, at abstract level with the location unconfirmed. Tanrisever, Regional Science and Urban Economics 114 (2025) (secondary source).
42. Values near new subsidized low-income developments fell about 2.5 percent in high-income neighborhoods, a different product. Diamond and McQuade, Journal of Political Economy 127(3) (2019) (secondary source).
43. A Melbourne study of 418,000 sales found one-to-four-unit infill about 0.7 to 1 percent positive on neighboring detached-house values, and only buildings of 50 or more units showing the roughly 5 percent decline. Nygaard, Galster and Glackin, Journal of Real Estate Finance and Economics 69(2) (2024) (secondary source).
44. A Philadelphia-area review of four US studies found no negative effect from nearby multi-unit housing, and often gains. Delaware Valley Regional Planning Commission, "Multifamily Housing Impact Literature Review" (2018) (secondary source).
45. Minneapolis single-family prices rose about 3 to 5 percent relative to just across the city line after legalization. Kuhlmann, Journal of the American Planning Association 87(3) (2021) (secondary source).
46. Houston lot-size reform lowered land values about 9 to 28 percent in reform areas, a supply and affordability result, not a neighbor-spillover result. Emily Hamilton, HUD Cityscape 26(3) (2024) (secondary source).
47. Minneapolis 2020: about 2.5 years produced 72 duplexes and 37 triplexes, 255 units, fewer than half on former single-family lots; about 1 percent of about 21,000 units from 2017 to 2022 in two-to-four-unit buildings; housing stock up 12 percent and rents up only 1 percent against 14 percent statewide, with the affordability gains attributed to parking reform and larger transit-area buildings rather than the duplex rule. Housing-adoption research capture (secondary source).
48. California SB9 (2022): two years produced about 660 applications and 25 finished homes against roughly 700,000 enabled; causes were an owner-occupancy affidavit, unstandardized lending, and local fees of \$30,000 to \$100,000. Housing-adoption research capture (secondary source).
49. Austin HOME initiative: 436 approved two-to-three-unit applications in year one; eight applications under the more aggressive phase. Housing-adoption research capture (secondary source).
50. US renter families with children: 40 percent in two-bedroom units, 38 percent in three-bedroom, 46 percent in detached houses; construction cost called "the number one obstacle" to family-sized small housing; the 1,800-square-foot idea neither supported nor refuted, with a three-bedroom floor, roughly 1,100 to 1,600 square feet, supported instead. Harvard Joint Center for Housing Studies, family-sized rental housing report (2019).
51. Daly City 122 teacher units, 560 to 1,174 square feet, about a third off market, after a 25 percent turnover year; Santa Clara teacher housing 702 to 1,170 square feet; the deal-term controls trace to these programs and the design

- data; two preference surveys sought came back unconfirmed. 705serramonte.com and ktgy.com (secondary source).
52. Eanes ISD teacher pay \$57,000 starting to \$74,169 at the top, with a retention allotment. Eanes ISD 2025-26 teacher pay plan. West Lake Hills police posting \$70,000 to \$98,000 plus bonuses. Texas Municipal League careers listing (secondary source).
 53. Kyle median home \$294,500 in October 2025, down 9.4 percent over the year. Redfin (secondary source). Combined 2025 property-tax rate 2.1076 per \$100. Hays Central Appraisal District 2025 jurisdictions list. Tax plus principal and interest about \$2,006 a month is illustrative arithmetic; insurance was not confirmed and likely adds \$150 to \$250.
 54. Kyle to West Lake Hills 27 miles, 37 minutes off-peak. distance-cities.com (secondary source). The 50-to-65-minute peak figure is an estimate built from the off-peak baseline and the documented I-35 congestion pattern, not a sourced measurement.
 55. Commute weight about \$1,000 a month for a teacher household and \$1,600 for an officer household, at the 2026 federal mileage rate, 72.5 cents, and the federal convention of valuing personal travel time at half the wage. IRS 2026 mileage-rate notice; USDOT travel-time valuation guidance (2016).
 56. True monthly weight of the Kyle choice about \$3,200 for a teacher household and \$3,800 for an officer household, against a sticker cost near \$2,200, built by adding the priced commute to the ownership cost; the commute is a third to two-fifths of the modeled total. Internal commute-cost model.
 57. A district unit at \$1,900 to \$2,400 a month is not economically worse than the Kyle house; living in-district enrolls children in Eanes ISD; the district partnered with the Texas Workforce Housing Foundation; a 2025 board forum stated teachers cannot afford to live in the district. Rentometer, Texas Workforce Housing Foundation, and Community Impact coverage of the 2025 Eanes ISD candidate forum (secondary source).
 58. Public Facility Corporation and Housing Finance Corporation basics, and the reforms: HB 2071 (2023, Public Facility Corporations) and HB 21 (2025, Housing Finance Corporations) require at least 10 percent lower-income and 40 percent moderate-income set-asides, rent caps, voucher acceptance, and annual audits, and confine each body to its sponsor's boundaries.
 59. A West Lake Hills Housing Finance Corporation could issue bonds, a floor around \$20 million a year binding at this population, and own or finance set-aside housing, but could not create market-rate housing or escape compliance; no such corporation was found operating near a 3,300-person scale, and two rounds looked.
 60. Vail buys occupancy, not price: occupants must work 30 or more hours a week in the county, and the town states there is no appreciation cap; payments 15 to 20 percent of market value, about \$65,000 a unit at the flagship project, funded by the general fund plus a voter-approved 2021 half-cent housing sales tax, about \$4 million a year; deed-restricted stock now over 1,000 units; a pivot to buying whole units at \$450,000 to \$806,000 each; 31 units found out of compliance in one cycle, with prosecutions. Town of Vail InDEED pages, HUD USER case study, and Vail Daily reporting (secondary source).
 61. No Texas city runs a program comparable to Vail's; what exists in Texas is down-payment assistance; whether a Texas general-law city could lawfully fund and hold such restrictions has not been established. Texas State Affordable Housing Corporation, City of Austin, and Travis County program pages.
 62. 15 to 20 percent of a \$1.5 million home is \$225,000 to \$300,000 per restriction, by arithmetic; Eagle County lends up to \$150,000 against a 15-year workforce restriction on an accessory dwelling. Housing Eagle County, "Aid for ADUs" program page (secondary source).

Before you rely on this

Two lists gather the parts of this report that are not yet solid ground.

Still to confirm

Each line names who acts: (call) for a records request or call to an outside body, (staff) for something answered inside city hall, (pull) for a document or page that needs fetching and reading.

- The list of general-law zoning powers, Local Government Code § 211.003. Read it against the current statute text. (pull)
- The SB 15 population exclusion. Read it against the current statute text. (pull)
- What the city can compel when a guest-house permit ends, and whether a guest house with a full kitchen is itself a second "dwelling unit." The city attorney's judgment. (staff)
- Whether the current subdivision ordinance already allows unit-lot platting, or would need amending. (staff)
- Whether Texas's common-law warranties attach to conversion work. Case-law research. (pull)
- The Vancouver laneway study's exact percentages. Read the published article, not the university summary. (pull)
- The location of the 2025 granny-flat spillover study. (pull)

- Arlington, Virginia's ordinance status after October 2025. (pull)
- Taiwan small-lot housing forms, a gap not yet searched. Check by hand. (pull)

Estimates

Treat every number under this heading as directional. Each is a judgment or a model output, not a measured or sourced fact, and none carries a next action.

- The \$700 to \$1,000 per square foot luxury band and the \$450 to \$525 per square foot small-unit price. Neither comes from a real local sale; both are bounded by resale figures only. No new small-unit home has ever sold in or next to 78746, which is why neither can be confirmed.
- The Overlook's per-square-foot figure. The price band is confirmed; the per-square-foot figure is not published.
- The cottage-court margins, about 18 percent and 72 percent, and the 7-to-14-home paying density. These are order-of-magnitude model outputs.
- The peak-hour Kyle commute of 50 to 65 minutes, estimated from the off-peak baseline.
- Central Texas homeowners insurance, which is not sourced; the Kyle monthly cost leaves it out, so that figure is a floor.
- The Kyle true-cost totals of about \$3,200 and \$3,800 a month, which add a priced commute to an illustrative ownership cost.
- The ground-floor commercial verdict, which is directional only.
- Houston's 9-to-28-percent land-value band, where the direction is confirmed but the band is not re-confirmed this round.
- The \$225,000 to \$300,000 per-restriction figure for a West Lake Hills home, which is arithmetic on an assumed value.

Informational report. No recommendation is made and no draft language is offered. The legal statements are research readings of the code and the statutes, and would go to the city attorney before the city acted.



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	<u>August 26, 2026</u>	Item Number:	<u>11</u>
Department:	<u>Administration</u>		
Prepared By:	<u>Mayor James Vaughan</u>	Cost / Budget:	<u>TBD</u>
Exhibits:	<u>Winter Emergency Prep</u>	Source of Funds:	<u>TBD</u>

Subject

Discuss and consider action on the City's winter emergency preparations.

Recommendation

Discuss and consider winter weather preparedness and potential communication to residents.

Discussion

Mayor Vaughan has prepared a document regarding winter weather preparedness and considerations for the upcoming winter season, including potential City preparations and communication to residents regarding steps they can take in advance of severe winter weather.

For the last few years, we have been focused on mitigating fire risk. Now, a quick pivot to winter storms. This winter, El Nino should lead to wetter and cooler temperatures. Fortunately, the evidence is mixed as to whether we should expect our now regular three-to-four day ice event. Arctic blasts typically occur under La Nina conditions. This could, hopefully, just be a winter that feels like winter. Regardless, a little preparation isn't unwarranted.

We are fortunate that Jennifer and Evan worked on contracts with service providers preemptively. I will leave it to her to describe the steps that have been taken and what remains. But, the expense of locking in these relationships was included in our proposed budget.

Prior to his departure, I asked Evan to prepare plans and a budget to include de-icing supplies - salt + beet juice - to keep our arterial routes de-iced for a three-day ice storm. I'm not sure if that got added, but would like guidance tonight if there's agreement on the concept. We've had a strong response to our Public Works Director position. I'm hoping we fill that position soon.

Additionally, we need to publicize measures residents can take to mitigate their own risk. As we know, there is no way we can keep every road clear even if we fill that position and mobilize. Many of our residents are on shaded, sloped streets.

A tentative list of what we should consider communicating that's worthwhile regardless of the ultimate outcomes this winter follows:

1. **Report trees and limbs near power lines to Austin Energy now, and never trim within 10 feet of a line themselves.** Weather and vegetation cause more than one in three outages in our area. Use Austin Energy's Tree Trimming Request Form (https://austinenergy.formstack.com/forms/tree_pruning_request_form) or call its Forestry Division at 512-322-6771.
2. **Make a plan for pruning dead branches not close to power lines.** Get an arborist out now to identify what needs to be cut, and schedule service before winter really hits. Take advantage of our new leaf/yard waste pickup.
3. **When roads ice, the safest step is to stay off them.** But, everyone has emergencies and different circumstances. Do not buy chains; they are more effective in genuine packed snow or ice. They are made for roads that stay snow-or-ice covered. They just rip ours up. Consumer Reports wrote a piece on tire socks, which can be found here: <https://www.consumerreports.org/cro/news/2016/01/snow-traction-when-you-need-it/index.htm>
4. **If you have a generator, get it serviced or service it yourself.** Don't just rely on it working.

How to communicate this, what to add, what to cut, whether this is all an overreaction is up to Council and Staff. I've attempted to include advice that's really just best practices rather than any sort

Appendix:

Super El Nino

"Super El Niño" is an informal name for an unusually strong El Niño. El Niño is a natural warming of the surface water across the central and eastern Pacific Ocean that shifts weather patterns worldwide, including over Texas.

The current official forecast points to an exceptionally strong event this winter. NOAA's Climate Prediction Center, in its most recent monthly discussion (issued August 13, 2026), states a "greater than 90% chance of a very strong event during the Northern Hemisphere fall and winter 2026-27," and a "69% chance of a historic event that would exceed the strength of previous El Niño events dating back to 1950." The international forecasters agree the event is here and will persist and strengthen: Japan's meteorological agency calls continuation into winter "virtually certain," and the latest reading from Columbia University's climate institute (August 19, 2026) puts the odds of El Niño lasting through the December-to-February window at 100%, with the tracked Pacific temperature already about 2.7 degrees Celsius above normal and still climbing. These figures are current as of August 21, 2026; over the past month the forecast has held steady and, if anything, strengthened. It has not weakened.

For central Texas, a very strong El Niño leads to a wetter and colder winter. Two caveats. First, the region's worst freezes on record all happened in the opposite pattern (La Niña), yet Austin still had a hard freeze in January 2024 in the middle of a strong El Niño winter. Second, no published study measures how El Niño changes the odds of an ice storm specifically for central Texas; damaging ice has arrived here in both patterns. El Nino may even reduce it by narrowing the band of experienced temperatures. It's colder and wetter, but doesn't reach the days long hard freeze.

What the record does show is that when a major ice storm hits, the damage is severe and local: the storm of January 31 to February 2, 2023, coated the area in about two-thirds of an inch of ice, damaged an estimated 31% of Austin's trees (the closest local benchmark we have), and left about a third of Austin Energy's customers without power, some for roughly 10 days. The species hit hardest in that storm, live oak and Ashe juniper among them, are the same ones that dominate our canopy.

The plain reading for this winter - routine freeze nights are near-certain, at least one bout of ice is likely, a severe ice storm is possible and would land hardest on the trees and lines we depend on, and a multi-day deep freeze is less likely than in a La Niña year but not off the table. That is the risk this memo asks the City and residents to prepare for.



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	<u>August 26, 2026</u>	Item Number:	<u>12</u>
Department:	<u>Administration</u>		
Prepared By:	<u>Mayor James Vaughan</u>	Cost / Budget:	<u>N/A</u>
Exhibits:	<u>Dark Skies</u>	Source of Funds:	<u>N/A</u>

Subject

Discuss process and requirements for becoming a certified International DarkSky Place.

Recommendation

Discuss and provide feedback on efforts to become a certified International DarkSky Place.

Discussion

Following the Council's 2023 resolution expressing the City's intent to become certified as a Dark Sky Community, Mayor Vaughan has prepared a document outlining the certification requirements and the City's existing outdoor lighting regulations. The document also identifies considerations related to bringing the City's regulations into alignment with the certification standards.

Outdoor Lighting

In 2023, the Council passed a resolution to pursue Dark Skies certification. We ought to complete that process to remain in compliance with Texas Government Code 3000.002(c)(3)(B). The full rule is included in the Appendix, with relevant portions highlighted.

Additionally, finalizing our Dark Skies Certification supports our Bird City application. Supporting Dark Skies is one of the admission criteria. Our rules will need to be updated to completely align with Dark Skies standards. When the rules were adopted, some regulations were looser than the standard to accommodate local differences. Frankly, the deviations, rather than being helpful, appear to create complexity for both applicants and staff. If a lighting engineer understands Dark Skies rules but doesn't know our code precisely, the engineer will likely fail his client.

Below is a description of Dark Skies and what the rules would look like if we simply used the standards.

What Dark Sky certification is

Dark Sky certification is a recognition awarded by DarkSky International, the group that certifies dark sky places worldwide (3). The group was formerly called the International Dark-Sky Association, and older documents, including the state statute, still use that name (2).

A Dark Sky Community is a town or city that shows a lasting commitment to the night sky through good lighting rules and their enforcement (6). To earn the title, a city adopts a lighting policy that meets the standard, brings its own public lighting up to that standard, teaches residents about dark skies, measures the night sky, and reports to DarkSky each year (6).

The standard governs the quality and direction of light. It asks for warmer light, light that points down instead of sideways or up, a cap on the total amount of light, and lights that dim or switch off when they are not needed (3).

Lighting Terms

Lumens measure how much light something gives off: a candle gives about 12 lumens, a bright porch bulb about 800.

Kelvin (K) measures how warm or cool light looks: candlelight is about 1,800 K, a warm white bulb about 2,700 K, and a blue-white shop light about 5,000 K. Lower numbers are warmer; higher numbers are cooler and bluer.

Nit measures how bright a screen or sign face is. A softly backlit sign glows at 10 to 50 nits. A cell phone glows at 200 to 400 nits.

Certification Requirements

The certification checklist sets out the rules a city's lighting policy must contain.

Color of light. Every lamp must be at 3,000 K or below, the warmer end of the scale. This applies to every property and district (3).

Shielding. Every fixture over 1,000 lumens (its rated output when installed) must be fully shielded so the light points down and illumination doesn't escape sideways or up. The standard requires "full shielding of all lighting fixtures over 1000 initial lamp lumens" (3).

A cap on total light. The policy must limit the total amount of unshielded outdoor light (light not fully hooded). Per the above, shielding isn't required for fixtures which produce less than 1,000 lumens of light. So the cap would govern the total number of fixtures that can fall under that exception (3).

Controls on public lighting. New publicly owned lights must carry adaptive controls, curfews, or both (3).

Signs. Three rules apply to lit signs (3):

- Brightness: an internally lit sign may not exceed 100 nits between sunset and sunrise. The standard: "Luminance levels for operation between sunset and sunrise shall not exceed 100 nits."
- Curfew: the standard requires sign illumination to be "extinguished completely one (1) hour after sunset, and remain off until one (1) hour before sunrise."
- Size: the illuminated area of a sign "shall not exceed 200 square feet."

Old lighting. The policy must set a deadline for existing lighting to come up to the standard. The standard requires one "applicable to all publicly and privately owned lighting, to end not more than ten (10) years" from the day the policy takes effect (the capitals are the standard's own emphasis). Within that period, the City's own lighting must conform, or have a plan to conform, within five years (3).

DarkSky also publishes a model ordinance a city can adapt when it updates its code. It is a fuller document than the minimums above, offered as an optional starting point (4).

The steps to get certified

Certification runs on a set of commitments that go beyond a single ordinance. The 2023 resolution already directed staff to file the application and pay the fees (1). The steps, as DarkSky sets them out, are these. Timelines are documented from DarkSky's published process (6).

Line up support. We secure a formal nomination from a DarkSky member in good standing, plus letters of support from local officials, businesses, and community groups (6).

Submit a first inquiry. We send DarkSky a short pre-application inquiry: a map of the city boundary, a description of the night-time setting, and the dark sky steps taken so far. DarkSky replies with an eligibility check, usually within about 30 days (6).

Pay the application fee. A fee applies, set by DarkSky and confirmed at the inquiry stage. The 2023 resolution already authorized staff to pay it (1)(6).

Meet the four commitments. The formal application rests on four things (6):

- A lighting policy. A lighting ordinance that meets the standard. This is the code update described above.
- A public lighting retrofit. Our own public lighting brought up to the standard, or a plan to do so within five years. This is a small task, because the City has little public lighting of its own (estimated).
- Public education. At least two dark sky awareness events per year for residents and visitors.
- Sky monitoring. A program to measure night sky brightness over time.

Submit and revise. We file at one of DarkSky's six yearly deadlines, after a completeness check about 45 days ahead. Most applications go through about three rounds of revisions (6).

Review and award. A DarkSky committee reviews the application, a step that takes about two months, followed by a short board waiting period. From the filing deadline to the award runs roughly ten weeks. Across the whole path, most communities take one to three years from first inquiry to certification (6).

Report each year. After the award, we keep our certification in good standing by sending DarkSky a short annual report on the year's activities. DarkSky's guidelines set the due date at October 1; we confirm the current due date at the application stage. We also keep up our monitoring, retrofits, and outreach (6).

Appendix

A. Texas Government Code Section 3000.002 (relevant excerpt)

*This is the relevant part of the statute, quoted word for word from the source read at the Texas statutes website on August 21, 2026 (2). The relevant portions are shown in **bold and highlighted**; the subparagraph the City relies on, (c)(3)(B), is marked with an arrow.*

Sec. 3000.002. CERTAIN REGULATIONS REGARDING BUILDING PRODUCTS, MATERIALS, OR METHODS PROHIBITED. (a) Notwithstanding any other law and except as provided by

Subsection (d), a governmental entity may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that:

(1) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

[Subsection (a)(2) and subsections (b) and (c)(1) to (2) omitted; see the full statute at the linked source (2).]

(c) This chapter does not apply to:

(3) an ordinance or other regulation that regulates outdoor lighting that is adopted for the purpose of reducing light pollution and that:

(A) is adopted by a governmental entity that is certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program;

(B) is adopted by a governmental entity that has adopted a resolution stating the entity's intent to become certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program and does not regulate outdoor lighting in a manner that is more restrictive than the prohibitions or limitations required to become certified as a Dark Sky Community; or

(C) applies to outdoor lighting within five miles of the boundary of a military base in which an active training program is conducted;

B. Sources

Each number in the body resolves here. Links are marked as they were checked.

(1) City of West Lake Hills Resolution No. 2023-06-01, passed June 28, 2023. Declares the City's intent "to be certified by the International Dark Sky Association," directs staff to "submit such application, pay such fees and provide such information as the Association may require," and directs staff "to enforce the City's Outdoor Lighting regulation as authorized by Section 3000.002 of the Texas Government Code pending approval of dark sky certification." *Source: the signed resolution on file (City records; scanned copy read from the City's Google Drive August 17, 2026). Quotes taken from the scan's text layer; confirm against the paper original before formal reliance.*

(2) Texas Government Code Section 3000.002. Added by H.B. 2439 in 2019; amended by S.B. 1090 in 2021 and S.B. 783 in 2025. The excerpt in Appendix A is quoted word for word. *Link confirmed live August 21, 2026:*

<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.3000.htm>. S.B. 783 (effective September 1, 2025) amends subsection (c) but, per the enrolled bill read at capitol.texas.gov August 17, 2026, leaves subsection (c)(3) unchanged; the statute page's history block had not yet listed the amendment at that reading. Full capture on file:

(3) DarkSky International, International Dark Sky Community Program Guidelines. The certification checklist a city's lighting policy must meet, read at source August 21, 2026. The minimum ordinance requirements, quoted word for word: color temperature "must not exceed 3000 Kelvins"; "full shielding of all lighting fixtures over 1000 initial lamp lumens"; "a restriction on the total amount of unshielded lighting, such as a limit on lumens per net acre"; "adaptive controls and/or curfews" in "all future installations of public outdoor lighting"; sign luminance "shall not exceed 100 nits" between sunset and sunrise; sign illumination "extinguished completely one (1) hour after sunset, and remain off until one (1) hour before sunrise"; illuminated sign area "shall not exceed 200 square feet"; an amortization period "applicable to ALL publicly AND privately owned lighting, to end not more than ten (10) years"; and municipal lighting conforming, or on a plan to conform, "in no more than five (5) years." The checklist also sets the four community commitments (a lighting policy, a public lighting retrofit, at least two awareness events per year, and night sky monitoring) and an annual report, covered in Section 5. *Link confirmed live August 21, 2026:*

<https://darksky.org/app/uploads/bsk-pdf-manager/2021/05/IDSC-Final-May-2021.pdf>.

(4) DarkSky International, Outdoor Lighting: Municipal Ordinance Template, version 1.0, October 11, 2024. DarkSky's model ordinance, the successor to the 2011 model. A fuller, optional starting point a city may adapt. The certification minimum is set out above. *Link confirmed live August 21, 2026 (hosted mirror):*

https://anjec.org/wp-content/uploads/2024/12/DarkSky-Policy_OL-Municipal-Ordinance-Template-and-User-Guide_v1.0.pdf.

(5) City of Bee Cave, DarkSky certification. Bee Cave, which borders West Lake Hills, was announced by DarkSky as a certified Dark Sky Community in April 2023. *Source: DarkSky certification announcement, 2023.*

(6) DarkSky International, Dark Sky Community application process. The steps, timelines, and ongoing duties in Section 5 are drawn from DarkSky's published application process and program guidelines, read at source August 21, 2026: the pre-application inquiry and eligibility check (about 30 days), the nomination and support letters, the four community commitments, the five-year public lighting retrofit window, at least two awareness events per year, sky brightness monitoring, six application deadlines per year with a completeness check about 45 days ahead, roughly three rounds of revisions, a committee review of about two months, about ten weeks from deadline to award, an overall path of one to three years, and an annual report due on or before October 1. *Links confirmed live August 21, 2026:*

<https://darksky.org/what-we-do/international-dark-sky-places/apply/> and the program guidelines at (3).

(7) Bird City Texas admission criteria. Support for dark skies is one of the criteria for the City's Bird City application. *Stated by the Mayor, August 21, 2026; to be confirmed against the current Bird City Texas program criteria before formal reliance.*



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	<u>August 26, 2026</u>	Item Number:	<u>13</u>
Department:	<u>Administration</u>		
Prepared By:	<u>Mayor James Vaughan</u>	Cost / Budget:	<u>N/A</u>
Exhibits:	<u>Tree Ordinance Memo</u>	Source of Funds:	<u>N/A</u>

Subject

Discuss future updates and amendments to the tree ordinance.

Recommendation

Discuss and provide direction on amendments to the tree ordinance.

Discussion

Mayor Vaughan has prepared a document regarding potential updates to the City's tree ordinance and related policy considerations. The document provides an overview of the current discussion, including broader goals, regulatory considerations, and potential changes to the existing ordinance.

Tree Ordinance Discussion

For the better part of a year and a half, we have been contemplating updates to our tree ordinance. As part of our Bird City initiative, it's time to improve it. The tree ordinance is particularly challenging. It is the bedrock of a number of city goals. Privacy - via vegetation in the setbacks. Water quality and drainage - via vegetation slowing runoff. Shade - via canopy coverage. Wildlife habitat - via heterogeneous planting. Fire prevention - via Fire Safety Buffer Zone regulations. I use the term "Community Benefit" to capture all these different elements below.

An update must find the middle point on a Venn diagram with a number of competing priorities. The update must be legal under state law, implementable by staff, comprehensible by residents, and a great Community Benefit.

The plan was to get feedback from Audubon, Staff, the Fire Department, the Firewise Committee, residents particularly interested in the environment, and the building community before bringing it to Council/ZAPCO to discuss. I find that engaging either the most interested or impacted players first typically improves outcomes. But, before continuing down that road, I want to affirm that the types of choices that were made in drafting reflect the will of Council. There are lots of choices, but they can be boiled down to a few categories and illustrative examples.

First thing: What's an urban forestry ordinance?

We held two workshops last year to discuss transitioning from a tree ordinance to an urban forestry ordinance with an emphasis on fire safety. I wrote two newsletter columns about this switch, with a total of two positive responses and no negative responses from the public.

The difference between the two types of ordinances? An urban forestry ordinance is simply a more holistic approach to regulation:

1. Current - we regulate by caliper inches. Number of inches removed multiplied by a ratio = number of inches to replace.
2. Urban forestry - number of inches removed = replacement obligation in points. Points can have multipliers based on public benefits. I.e. Fire resistant, drought resistant, quality habitat.

Second thing: Broad choices I've made - are we aligned?

1. Make life easier for those abiding by the rules.

2. Make life harder for those breaking them.
3. Make life easier for those trying to harden their homes/abide by insurance obligations.
4. Replacement, with an emphasis on privacy, is the ultimate goal when preservation is impossible.
5. Weave education into regulation.
6. Find creative ways to support heterogeneous native/adapted landscaping for the benefit of water quality, erosion prevention, and wildlife.

Third thing: Specifics - examples of individual decisions flowing from the broad choices above

1. Must a tree be replaced with a tree or can we provide credit to native/adapted understory? I thought yes: native/adapted understory provides quality habitat and privacy screening. The replacement points provided are obviously lower than they would be for trees and there is a limit on the percentage of replacement that can be native/adapted understory. But, I believe, adding flexibility benefits the applicant, the neighbors, and the wildlife. Before, there was no nudge to make sure anything but trees came from our preferred list. This provides the nudge.
2. Should we provide extra credit for native/adapted plants that meet urban forestry standards above? What I have done is increased replacement requirement ratios from their existing standards, but also increased credits for using plants that benefit the region. The preferred plant list has also been updated - it was drafted by Barton Springs Nursery and blessed by Audubon. I view the urban forestry components as also serving an educational purpose.
3. How should we interpret state law regulating tree ordinances? See appendix for full law.

The read across Texas is that replacement can be required. Cash-in-lieu fees in excess of the limits set forth cannot (see full rule in Appendix). To best comply with this requirement, the ordinance has been drafted to maximize replacement opportunities, subject to healthy planting capacities. It's another reason to allow understory credits rather than trees (see above). Where someone doesn't have space for a tree, they may have space for a native shrub.

Furthermore, to be safe, I have limited replacement requirements to trees over 10 inches on owner occupied properties. There's some debate about whether replacement could still be required between 6 and 10 inches on owner occupied properties. I've attempted to avoid the debate. Wise?

4. Should we reduce replacement survival requirements from 3 years to 1 year? I landed on yes. The 3 year requirement is arduous bookkeeping on staff and impossible to track

across owners. 1 year is not as scientifically advisable, but seems much more enforceable.

5. On that note, I've added in a requirement that to get a CO the applicant must have either completed replanting or posted an escrow that is released once replanting is completed. Charlie has not reviewed this. One other city in Texas, Piney Point, has a somewhat similar provision on the books. Essentially, this closes a gap, which I haven't confirmed with staff but appears to exist, that a builder builds - finishes dead of summer - having committed to a replacement plan, sells the house and then staff is looking around for someone to complete the revegetation.
6. I've added leniency throughout towards residents who attempt to get their permits and abide by the code in the following ways:
 - a. Tree surveys would only apply to 6 inch and greater trees (the trees we generally protect - unless owner occupied lot, per the decision above). Currently it's over 3 inches.
 - b. Old tree surveys could be used outside of the construction footprint to cut down on resident cost for trees that aren't affected. Ultimately - the goal is to ensure that every tree has a tag to be able to accurately inventory. So long as it has the tag, if it's not being impacted, no reason to add the cost on the resident.
 - c. Getting an extension for replanting due to unforeseen circumstances or planting season is simplified.
 - d. Fire Safety Buffer Zone/Fire Protection allowances are expanded.
 - e. Certified arborists can make the call, which the city accepts, on healthy planting capacity and dead/diseased/hazard trees.

Right calls?

7. I've added a credit for preserving small trees and understory. These are trees under six inches on non-owner occupied properties, or under ten inches on owner occupied properties. To receive the credit, an applicant would have to survey those trees (above, I recommend eliminating the requirement that trees under 6 inches are surveyed). Currently, we are experiencing clear cutting of understory; this is an attempt to alleviate that problem.
8. I've increased the replacement requirements for illegal cutting and added teeth to the penalties (which aren't for the cutting itself, but for avoiding the no-fee permitting process).
9. One final call - should we have some allowance for trees greater than 14 inches? As written, I have allowed up to 19 inches in the first 5 feet around an existing residence as part of the Fire Safety Buffer Zone changes. But elsewhere all limits remain exactly the same. Currently cutting a tree greater than 14 inches triggers a BOA/Council variance.

We have no peer in the state that I can find that has such a requirement. There are administrative requirements at lower thresholds (i.e. prove to staff you really need to do this). However, typically, heritage trees, which require Board or Council variances, are 19" +. Now, 14 inches only sounds small in the context of staring at other codes. 14 inches is a very large tree and a very old Ashe Juniper (over 100 years old). I'd recommend asking staff what they would do given their knowledge of our building applications, variance histories, and administration. I have no idea.

Appendix - Full State Law:

Sec. 212.905. REGULATION OF TREE REMOVAL. (a) In this section:

(1) "Residential structure" means:

(A) a manufactured home as that term is defined by Section 1201.003, Occupations Code;

(B) a detached one-family or two-family dwelling, including the accessory structures of the dwelling;

(C) a multiple single-family dwelling that is not more than three stories in height with a separate means of entry for each dwelling, including the accessory structures of the dwelling; or

(D) any other multifamily structure.

(2) "Tree mitigation fee" means a fee or charge imposed by a municipality in connection with the removal of a tree from private property.

(b) A municipality may not require a person to pay a tree mitigation fee for the removed tree if the tree:

(1) is located on a property that is an existing one-family or two-family dwelling that is the person's residence; and

(2) is less than 10 inches in diameter at the point on the trunk 4.5 feet above the ground.

(c) A municipality that imposes a tree mitigation fee for tree removal on a person's property must allow that person to apply for a credit for tree planting under this section to offset the amount of the fee.

(d) An application for a credit under Subsection (c) must be in the form and manner prescribed by the municipality. To qualify for a credit under this section, a tree must be:

(1) planted on property:

(A) for which the tree mitigation fee was assessed; or

(B) mutually agreed upon by the municipality and the person; and

(2) at least two inches in diameter at the point on the trunk 4.5 feet above ground.

(e) For purposes of Subsection (d) (1) (B), the municipality and the person may consult with an academic organization, state agency, or nonprofit organization to identify an area for which tree planting will best address the science-based benefits of trees and other reforestation needs of the municipality.

(f) The amount of a credit provided to a person under this section must be applied in the same manner as the tree mitigation fee assessed against the person and:

(1) equal to the amount of the tree mitigation fee assessed against the person if the property is an existing one-family or two-family dwelling that is the person's residence;

(2) at least 50 percent of the amount of the tree mitigation fee assessed against the person if:

(A) the property is a residential structure or pertains to the development, construction, or renovation of a residential structure; and

(B) the person is developing, constructing, or renovating the property not for use as the person's residence; or

(3) at least 40 percent of the amount of the tree mitigation fee assessed against the person if:

(A) the property is not a residential structure; or

(B) the person is constructing or intends to construct a structure on the property that is not a residential structure.

(g) As long as the municipality meets the requirement to provide a person a credit under Subsection (c), this section does not affect the ability of or require a municipality to determine:

(1) the type of trees that must be planted to receive a credit under this section, except as provided by Subsection (d);

(2) the requirements for tree removal and corresponding tree mitigation fees, if applicable;

(3) the requirements for tree-planting methods and best management practices to ensure that the tree grows to the anticipated height at maturity; or

(4) the amount of a tree mitigation fee.

(h) A municipality may not prohibit the removal of or impose a tree mitigation fee for the removal of a tree that:

(1) is diseased or dead; or

(2) poses an imminent or immediate threat to persons or property.

(i) This section does not apply to property within five miles of a federal military base in active use as of December 1, 2017.

Added by Acts 2017, 85th Leg., 1st C.S., Ch. 7 (H.B. 7), Sec. 1, eff. December 1, 2017.



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	August 26, 2026	Item Number:	14
Department:	Administration		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	Strategic Plan link	Source of Funds:	N/A

Subject

Review and consider an update of the City's Strategic Plan.

Recommendation

Review adopted Strategic Plan and provide direction on implementation of the initiatives.

Discussion

The City Council developed the Strategic Plan through work sessions in 2024, and it was adopted in February 2025. The development of a formal Strategic Plan reflects the City Council's recognition that proactive, structured planning strengthens the City's ability to respond to changing community needs, manage fiscal resources responsibly, and communicate organizational priorities to residents and staff.

The Strategic Plan serves several foundational functions for the City:

- Establishes a shared vision and mission that unify City Council, staff, and residents around common long-term goals.
- Identifies priority focus areas that reflect community values and the City's unique character as a small, predominantly residential municipality.
- Provides an actionable framework with defined objectives and strategies to guide day-to-day operations and capital investments.
- Creates accountability by establishing measurable outcomes against which progress can be assessed during regular reporting cycles.
- Aligns the annual budget process with strategic priorities, ensuring that appropriations reflect Council's stated goals.
- Guides staff in exercising discretion when addressing situations not specifically addressed by ordinance or policy.

This item provides City Council the opportunity to provide direction to staff on current and future implementation steps that would effectuate the adopted objectives and initiatives.

Link:

[Adopted 2025-2027 Strategic Plan](#)



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	August 26, 2026	Item Number:	15
Department:	Building & Development		
	Jennifer C. Bills, BDS		
Prepared By:	Director	Cost / Budget:	None
Exhibits:	N/A	Source of Funds:	N/A

Subject

Receive an update and consider possible action regarding City of West Lake Hills v. Jaffe – 1405 Wildcat Hollow.

Discussion

The building permit for the site and structure were issued on January 26, 2026.

Building work (electrical, framing, waterproofing) is being conducted inside of the structure. The contractor completed work restoring the earthwork within the right-of-way of Wildcat Hollow. Grading work in the southeast side of the building will be starting the week of August 24.