

ORDINANCE NO. 500

AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS, AMENDING THE CITY’S THOROUGHFARE PLAN, A COMPONENT OF THE CITY’S COMPREHENSIVE PLAN ADOPTED IN ORDINANCE 478; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council finds the City of Bee Cave (City) is a Texas Home-Rule Municipality and the Texas Local Government Code authorizes the City of Bee Cave to exercise jurisdiction over City zoning and planning as deemed appropriate by the City; and

WHEREAS, pursuant to the City’s Code of Ordinances, Unified Development Code, Section 1.1.19 proposed amendments to the Comprehensive Plan must be presented to the Planning and Zoning Commission for review and recommendation to the City Council; and

WHEREAS, on December 1, 2020, City Council reaffirmed adoption of “Our Bee Cave 2037” Comprehensive Plan, including the Thoroughfare Plan via Ordinance 444; and

WHEREAS, Comprehensive Plan Mobility Goal 1 states “Bee Cave should aggressively pursue opportunities to connect roadways with collectors (by planning for it through their Thoroughfare Plan and ensuring City Council strongly follows its intent to provide these additional connections) to allow SH 71 to operate as a regional facility;” and

WHEREAS, Comprehensive Plan Mobility Goal 2.3 states “Meet “adequacy” standards (i.e., acceptable levels of service) for the transportation system in the City, by evaluating the impacts of new development appropriately, monitoring development progress to ensure mitigation improvements are provided according to the original plan, and partnering closely with TxDOT for needed on-system improvements;” and

WHEREAS, Comprehensive Plan Mobility Goal M2 states “Include transportation system considerations in the development review process, in addition to the Major Thoroughfare Plan, for the planning and alignment of future roadways, and to promote safe, efficient on- and off-site access and vehicular circulation and improve the integration of land use and transportation in the City;” and

WHEREAS, in advancement of these goals, the City Council requested a feasibility study of a proposed Neighborhood Collector roadway providing alternative access to properties on the south side of SH 71 by connecting Palermo Drive to Shops Parkway; and

WHEREAS, the City Council accepted the Feasibility Study Report for the Hamilton Pool Road Alternative Access Study on January 25, 2023; and

WHEREAS, the Feasibility Study Report recommends the full build of the proposed Neighborhood Collector roadway connecting Palermo Drive to Shops Parkway, and

WHEREAS, the segment of the proposed Neighborhood Collector roadway connecting Hamilton Pool Road to Great Divide Drive has not previously been included in the Thoroughfare Plan; and

WHEREAS, the Feasibility Study Report also provides a recommended configuration for the intersection of the proposed Neighborhood Collector roadway and Hamilton Pool Road referred to as “Option 2” and

WHEREAS, at the January 25, 2023, City Council meeting, Council also discussed access to the future Neighborhood Collector from Cueva Drive in the vicinity of Avispa Way and determined the connection, currently depicted in the Thoroughfare Plan, should be removed; and

WHEREAS, the Bee Cave Unified Development Code requires that City Council must pass a Resolution to authorize an amendment to the Comprehensive Plan, including the Thoroughfare Plan. This Resolution, Resolution 2023-02, was passed on February 14, 2023; and

WHEREAS, the City has the authority to repeal and amend any ordinance from time to time and has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

Section 2. Amendment. The City Council hereby approves the proposed amendments to the Comprehensive Plan’s Thoroughfare Plan component, attached as **Exhibit “A”**.

Section 3. Severability. 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 4. Repealer. This ordinance shall be cumulative of all other ordinances of the City of Bee Cave, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Bee Cave except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 5. Effective Date. This Ordinance will take effect upon its adoption by the City Council.

PASSED AND APPROVED this _____ day of _____, 2023.

CITY OF BEE CAVE, TEXAS

By: _____
Kara King, Mayor

ATTEST:

Kaylynn Holloway, City Secretary

APPROVED AS TO FORM:

Ryan Henry, City Attorney

EXHIBIT A
FEBRUARY 2023 THOROUGHFARE PLAN AMENDMENT