

ORDINANCE NO. 543

AN ORDINANCE AMENDING ARTICLE THREE OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF BEE CAVE.

WHEREAS, the City of Bee Cave is lawfully incorporated as a Home Rule municipality and the City Council is the governing body of the City; and

WHEREAS, it is the intent of the City of Bee Cave to protect the public health, safety, and welfare of its citizens; and

WHEREAS, municipalities may, under their police powers, enact reasonable regulations to promote the health, safety, and welfare of their citizens; and

WHEREAS, Texas Local Government Code Section 51.001(1) provides that the governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule or policy regulation that is for the good government, peace, or order of the municipality; and

WHEREAS, the Bee Cave City Council may regulate the development of property within Bee Cave's city limits and extraterritorial jurisdiction; and

WHEREAS, the Bee Cave City Council, in compliance with the laws of the State of Texas and the City's municipal code, and in the exercise of its legislative discretion, has determined it is appropriate, for good government and for the welfare and benefit of the public, to amend the Unified Development Code to update its provisions to keep up with the growth and development of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS that Article 3 of the City of Bee Cave Unified Development Code shall be amended with strike-through text being deletions and underlined text being additions and all other provisions not addressed remain untouched and in full force and effect and shall read as follows:

* * *

SEC. II.

§ 3.2.2 Zoning districts established.

A. The City of Bee Cave is divided into zones, also called districts, and the boundaries of zoning districts set out in this Section are delineated on the Official Zoning Map.

B.

All land within the City Limits is classified into the districts shown in Table 3.2-1: Zoning Districts.

Table 3.2-1: Zoning Districts

Residential Districts

AG - Agriculture District

R-1 - Residential Estate District

R-2 - Suburban Residential District

R-3 - Suburban Transitional District

R-4 - Urban Residential District

R-5 – Multifamily & **Amenity** Residential District

Mixed-Use Districts

MU-N - Neighborhood Mixed-Use District

MU-C - Community Mixed-Use District

MU-TC - Town Center Mixed-Use District

Commercial Districts

C-1 – Neighborhood Commercial District

C-2 - Medium Commercial District

CR-3 - Regional Commercial District

Specialty Districts

PDD - Planned Development District

P - Public District

§ 3.2.3 Zoning equivalency.

Table 3.2-2: Zoning Equivalency Chart identifies zoning districts that existed under the previous zoning ordinance and the zoning district and regulations that now apply in this UDC to each district.

Table 3.2-2: Zoning Equivalency Chart

Former District	Equivalent under UDC
A – Agriculture	AG - Agriculture District
SF-RR - Single-Family Rural Residential	R-1 - Residential Estate District
SF-20 - Single-Family Estate Residential-20	R-2 - Suburban Residential District
No Equivalent	R-3 - Suburban Transitional District
SF-PH - Single-Family Residential Patio Home	R-4 - Urban Residential District
SFA - Single-Family Attached Residential (townhome)	
MF1 - Multi-Family Residential-1	R-5 - Multifamily Residential District
O - Office R – Retail NS - Neighborhood Service	C-1 Neighborhood Commercial MU-N – Mixed-Use Neighborhood
TC - Town Center	MU-TC - Town Center Mixed-Use District
C – Commercial	C-2 - Medium Commercial District CR-3 - Regional Commercial District
MU - Mixed Use	MU-C - Community Mixed-Use District
R – Retail	MU-N – Neighborhood Mixed-Use District
P - Public Use	P - Public District
PD - Planned Development	PDD - Planned Development District
PRO - Planned Residential Overlay	
CUP - Conditional Use Permit	District-SUP suffix

Table 3.2-2: Zoning Equivalency Chart

Former District	Equivalent under UDC
No Equivalent	Hill Country Corridor Overlay

§ 3.2.9 Multifamily & Amenity Residential District (R-5).



A. Intent. The R-5 - Multifamily & Amenity Residential District is an attached residential district and contains uses that are more intensive than other residential districts. It is also intended to provide an option for small-scale amenity commercial uses to go with multi-family residential where appropriate. The principal permitted land uses include detached low- and mid-rise multiple-family dwellings with primarily shared open space and parking. The district also accommodates complementary commercial and residential uses such as café or retail space on the ground floor of residential building or as a separate building. These regulations are intended to reduce and mitigate negative impacts to light, air, visual intrusions, and noise. Recreational, religious, health, and educational uses normally located to serve residential areas are also permitted in this district. This district should be located adjacent to a major thoroughfare and serve as a buffer between retail or commercial development or heavy automobile traffic and medium or low-density residential development. This district is intended to contribute to community character by providing convenient pedestrian access to neighborhood services and the critical mass of population needed to support those services.

B. Permitted uses: Section 3.3.5.

C. Dimensional standards: Section 3.4.1.

D. Other regulations.

1. Parking Standards: Section 3.4.1.C [3.4.2].

2. Residential Design Standards: Section 3.4.3.

3. Non-Residential and Mixed-Use Design Standards: 3.4.5.

4. Residential Adjacency: Section 3.4.7.

5. Accessory Buildings and Structures: Section 3.4.9.

6. Non-Conforming Lots, Structures, and Uses: Section 3.4.11.

7. Signage: Article 4.

8. Landscaping: Article 5.

9. Supplemental Development Standards: Article 6.

§ 3.2.10 Neighborhood Mixed-Use District (MU-N).



A. Intent. The Neighborhood Mixed-Use District (MU-N) is intended to provide a transition between single-use residential districts and the City's major thoroughfares. The MU-N district accommodates neighborhood-scale commercial uses and complementary residential uses such as stacked units above retail or commercial space on the ground floor. The District is designed to serve residents within a 5-minute drive or 10-minute walk. Lots are to be served by Public Facilities such as public streets with curb and gutter and with water and wastewater infrastructure. Buildings should be designed with a high level of sensitivity to the character of the surrounding neighborhood. This district is intended to contribute to community character by providing convenient pedestrian access to commercial services and the critical mass of population needed to support those services.

B. Permitted uses: Section 3.3.5.

C. Dimensional standards: Section 3.4.1.

D. Other regulations.

1. Parking Standards: Section 3.4.1.C [3.4.2].

2. Residential Design Standards: N/A.

3. Non-Residential and Mixed-Use Design Standards and bonuses: Section 3.4.3 [3.4.5].

4. Residential Adjacency: Section 3.4.7.

5. Accessory Buildings and Structures: Section 3.4.9.

6. Non-Conforming Lots, Structures, and Uses: Section 3.4.11.

7. Signage: Article 4.

8. Landscaping: Article 5.

9. Supplemental Development Standards: Article 6.

§ 3.2.11 Community Mixed-Use District (MU-C).



A. Intent. The Community Mixed-Use District (MU-C) is intended to accommodate housing demand along with demand for community-serving retail and commercial uses. urban housing and neighborhood-scale commercial capable of integrating with the highest intensity commercial and mixed-use districts in the City. The Neighborhood Mixed-Use District (MU-C) allows for a diversity of commercial and residential uses, such as ground floor retail and services with offices or multi-family residential units stacked above, small office buildings, and townhomes. Lots are to be served by Public Facilities such as public streets with curb and gutter and with water and wastewater infrastructure. Because most units lack private yards in these types of developments, generous amenities and public or private open space are necessary to maintain a high quality of life and to provide recreational opportunities. Buildings should be built to the street where possible to contribute to a lively and unbroken streetscape as well as to allow for the efficient provision of large, usable open spaces within or adjacent to the development. Buildings should be designed with a sensitivity to their context and serve as major contributors to the character of the surrounding area and street corridor. The fundamental characteristics of the district should be flexible as to the size and depth of properties. On narrower or shallower properties less than 300 feet deep, more traditional strip commercial uses may be permissible if the overall fabric of the street is not disrupted. This district is intended to provide convenient pedestrian and auto access to commercial services that draw from outside the immediate neighborhood, requiring careful attention to be paid to creating and preserving transportation facilities and connections.

B. Permitted uses: Section 3.3.5.

C. Dimensional standards: Section 3.4.1.

D. Other regulations.

1. Parking Standards: Section 3.4.1.C [3.4.2].
 2. Residential Design Standards: N/A.
 3. Non-Residential and Mixed-Use Design Standards and bonuses: Section 3.4.3 [3.4.5].
 4. Residential Adjacency: Section 3.4.7.
 5. Accessory Buildings and Structures: Section 3.4.9.
 6. Non-Conforming Lots, Structures, and Uses: Section 3.4.11.
 7. Signage: Article 4.
 8. Landscaping: Article 5.
 9. Supplemental Development Standards: Article 6.
- § 3.2.12 Town Center Mixed-Use District (MU-TC).**



A. Intent. The Town Center Mixed-Use District (MU-TC) is intended to function as Bee Cave's downtown, incorporating an intentional mixture of commercial, retail, business, residential, and civic uses. Buildings should be carefully planned to frame and provide access to public plazas and

signature features. Foot traffic should be the prevailing form of transportation, with streetscapes and intersections designed to minimize high-speed auto traffic. On- and off-street parking should be discreet and shared between uses. Existing parking lots and parking garage facades are considered temporary features and may be redeveloped consistent with the guidelines of the Town Center Mixed-Use District (MU-TC).

B. Permitted uses: Section 3.3.5.

C. Dimensional standards: Section 3.4.1.

D. Other regulations.

1. Parking Standards: Section 3.4.1.C [3.4.2].

2. Residential Design Standards: N/A.

3. Non-Residential and Mixed-Use Design Standards and Bonuses: Section 3.4.3 [3.4.5].

4. Residential Adjacency: Section 3.4.7.

5. Accessory Buildings and Structures: Section 3.4.9.

6. Non-Conforming Lots, Structures, and Uses: Section 3.4.11.

7. Signage: Article 4.

8. Landscaping: Article 5.

9. Supplemental Development Standards: Article 6.

§ 3.2.13 Neighborhood Commercial District (C-1).



A. Intent. The Neighborhood Commercial District (C-1) is a commercial district intended primarily for non-auto-oriented, residential services business uses such as coffee cafés or neighborhood servicing commercial uses. This district allows for a variety of light commercial uses that will serve as a transitional zone between residential and less intense commercial uses. Permitted uses will be those of a less intense nature that will aesthetically blend with the residential character of the area while permitting commercial enterprises.

B. Permitted uses: Section 3.3.5.

C. Dimensional standards: Section 3.4.1.

D. Other regulations.

1. Parking Standards: Section 3.4.1.C [3.4.2].

2. Residential Design Standards: N/A.

3. Non-Residential and Mixed-Use Design Standards and bonuses: Section 3.4.3 [3.4.5].

4. Residential Adjacency: Section 3.4.7.

5. Accessory Buildings and Structures: Section 3.4.9.

6. Non-Conforming Lots, Structures, and Uses: Section 3.4.11.

7. Signage: Article 4.

8. Landscaping: Article 5.

9. Supplemental Development Standards: Article 6.

§ 3.2.14 Medium Commercial District (C-2).



A. Intent. The Medium Commercial District (C-2) is a commercial district that allows a mix of commercial uses including, retail, office, local bank, and similar uses excluding residential and multifamily. This district allows the retail sale of goods and products that provide a healthy and diverse commercial base.

B. Permitted uses: Section 3.3.5.

C. Dimensional standards: Section 3.4.1.

D. Other regulations.

1. Parking Standards: Section 3.4.1.C [3.4.2].

2. Residential Design Standards: N/A.

3. Non-Residential and Mixed-Use Design Standards and bonuses: Section 3.4.3 [3.4.5].

4. Residential Adjacency: Section 3.4.7.

5. Accessory Buildings and Structures: Section 3.4.9.

6. Non-Conforming Lots, Structures, and Uses: Section 3.4.11.

7. Signage: Article 4.

8. Landscaping: Article 5.

9. Supplemental Development Standards: Article 6.

§ 3.2.145 Regional Commercial District (CR-3.)



A. Intent. The Regional Commercial District (C-3R) is a commercial district intended primarily for auto-oriented business uses such as big-box retail or heavier commercial uses. Properties zoned Regional Commercial are generally not appropriate directly abutting a low-density (R-1, R-2) residential district. ~~Redevelopment of existing properties not zoned CR should occur under an MU zoning district to prevent an increase in auto-oriented development.~~

B. Permitted uses: Section 3.3.5.

C. Dimensional standards: Section 3.4.1.

D. Other regulations.

1. Parking Standards: Section 3.4.1.C [3.4.2].

2. Residential Design Standards: N/A.

3. Non-Residential and Mixed-Use Design Standards and bonuses: Section 3.4.3 [3.4.5].

4. Residential Adjacency: Section 3.4.7.

5. Accessory Buildings and Structures: Section 3.4.9.

6. Non-Conforming Lots, Structures, and Uses: Section 3.4.11.

7. Signage: Article 4.

8. Landscaping: Article 5.

9. Supplemental Development Standards: Article 6.

§ 3.2.164 Public District (P).

§ 3.2.175 Planned Development District (PDD).

§ 3.2.186 Hill Country Overlay

§ 3.3.5 Use chart.

	AG	R-1	R-2	R-3	R-4	R-5	MUNICIPAL			C-1	C-2	CR-3	P	HCO	Parking See Section 3.3.6
Household Living															
Single-Family Residential, Detached	P	P	P	P										P	2 per unit
Duplex					P										2 per unit
Townhouse					P	P		P	P						2 per unit + 1 guest space per 5 units
Multi-Family Residential (3-5 units per lot)					P	P	P	P	P						1.5 per unit + 1 guest space per 5 units
Multi-Family Residential (6+ units per lot)						P	P	P	P						1.5 per unit + 1 guest space per 5 units
Accessory Dwelling Unit	P1	P1	P1	P1	P1	P1	P1	P1	P1					P1	1 per ADU

Independent Living Facility					P	P	P	P	P					P	1.5 per unit	
Manufactured Housing	P2														2 per unit	
Home Occupation See Section 3.4.10	P	P	P	P	P	P	P	P	P					P	Per unit type	
Office or Studio, Live-Work					P	P	P	P	P					P	Add 1 per commercial use in addition to residential	
Group Living																
Assisted Living Home						S		S	S				S	S	1 per unit/room	
Community Home or Family Home	P3	P3	P3	P3	P3	P3	P3	P3	P3					P3	2 per unit	
Halfway House													S4		Per SUP	
Temporary Lodging																
Bed and Breakfast								P	P	P				P	P	1.5 per guest room in addition to residential
Extended Stay or Residence Hotel									S					S		1.25 per guest room
Hotel, Full Service									P	P				P	S	Minimum of 2.5 per guest room plus 1 per 250 sq ft for Conference Center and 1 per 250 sq ft of Restaurant (Sit-Down and

Retail Store, "Big Box"											S	P			1 per 250 sf
Winery	S5					S					S5	S5		S5	1 per 250 sf of tasting room
Personal Services and Other Commercial															
Artisan Studio	P					S	P	P	P		P			P	See Section 3.3.6
Bank or Depository Financial Institution							P	P	P		S	P			1 per 400 sf
Day Care, Child, Day Care, Adult See Section 3.4.10 for uses conducted as Home Occupation	S7	S7	S7	S7	S7	S7	P7	P7	P7		S7	P7	P7	P7	1 per 400 sf or 1 per 4 pupils + 1 per employee
Mini-Storage (indoor uses only)								P					P		1 per 400 sf office/retail
Outside Storage (as Accessory Use only)													P8		N/A
Pawnshop													P		1 per 400 sf

Personal Services						S	P	P	P		P	P	P			See Section 3.3.6
Tattoo or Body Piercing Studio													S			1 per 400 sf
Temporary Buildings	P9	P9	P9	P9	P9	P9	P9	P9	P9		P9	P9	P9	P9	P9	See conditions
Trade School (see Trade School under Educational Uses)																
Office and Business Services																
Light Manufacturing and Assembly													P			1 per 400 sf of office space; and 1 per 1,500 sf of assembly/warehouse space
Office, General							P	P	P		S	S			S	1 per 400 sf
Office, Medical (see Healthcare Uses under Civic and Cultural)											S	S				
Professional and Business Services (indoor)						S	S	P	S		P	P	P		S	See Section 3.3.6
Research and Development Lab							S10	S10	S10				S10			1 per 400 sf of office space; and 1 per 1,500 sf of

(Life Sciences)															assembly/warehouse space	
Security Quarters							P	P	P				P		P	2 spaces
Warehousing													P			1 per 5,000 sf
Auto/Vehicle-Related Uses and Services																
Parking (structured) See Section 3.4.2.H						P	P		P	P				P	P	N/A
Auto Parts Sales									S11	S11				S11		1 per 250 sf
Auto/Vehicle Repair														S12		1 per service bay
Car Service														S12		1 per 600 sf office
Car Wash								S	S					S		1 per wash bay
Electric Vehicle Charging Station or charging station Level 1 and Level 2, Accessory	P13	P13	P13	P13	P13	P13	P13	P13	P13	P13				P13	P13	N/A
Electric Vehicle Charging Station or charging station Level 3,					P13	P13	P13	P13	P13					P13	P13	N/A

Accessory															
Gas Station (with or without Convenience Store)							S14	S14	S14				S14		1 per pump and 1 per 250 sf retail
Quick Lube							S						S		1.5 per bay
Civic and Cultural															
Art Gallery or Museum						S	P	P	P		P	P	P	P	1 per 400 sf
Cemetery or Mausoleum	P	P	P	P	P	P	P	P			P	P	P	P	N/A
Community Center							P	P	P				P	P	1 per 250 sf
Community Center, Residential		P	P	P	P	P	P	P	P				P	P	1 per 250 sf
Conference Center									S				S	S	1 per 250 sf
Country Club		S	S	S	S										1 per 250 sf of buildings; and 5 spaces per golf course green, 3 spaces per tennis/sport court, 1 space per 400 sf of fitness club
Dance, Music, or						S	P	P	P		S	P	P		1 per 400 sf

Drama Studio																
Emergency Care Facility											S	S			1 per employee + 1 per bed	
Government Building or Use	P	P	P	P	P	P	P	P	P		P	P	P	P	1 per 400 sf office	
Healthcare Uses							P	P	P		S	S	P	P	S	See Section 3.3.6
Place of Worship	P	P	P	P	P	P	P	P	P		P	P	P	P	P	1 per 100 sf
Private Club							S		S	S		S	S	S		1 per 100 sf
Educational Uses																
Auto Driving School							P	P	P		S	S	P	P		1 per 250 sf
College or University	S						S	S	S				S	S	S	Per SUP
K-12 School	P7	P7	P7	P7	P7	P7	P7	P7	P7				P7	P7	P7	Primary and Junior High: 1 space for each classroom plus 1 space for every four (4) seats in any auditorium, gymnasium or other common place of assembly (based on maximum design capacity). High School: 1 space for every three (3) students,

															faculty and staff, plus 1 space for every four (4) seats in any auditorium, gymnasium or other common place of assembly (based on maximum design capacity).
Private Tutoring or Focused Instruction							P7	P7	P7	P7	P7	P7		P7	1 per pupil or 1 per 200 sf
Trade School							S	S	S	S	S	S			Per SUP
Entertainment, Fitness and Recreation															
Dance Hall, Night Club, or Live Music Venue								S5	S5			S5		S5	1 per 3 occupants or 1 per 400 sf or 1 per 3 seats
Fitness Boot Camp	P15	P15	P15	P15	P15	P15	P15	P15	P15	P15	P15	P15	P15	P15	See Section 3.4.8.B.7
Fitness Gym or Health Club						S	P	P	P	S	S	P	P		1 per 400 sf
Golf Course or Disc Golf Course		P	P			S							P		3 per hole or basket

Private Park		P	P	P	P	P								P	Minimum of 5 spaces or 2 spaces per acre, whichever is greater; and amenity-based ratios (see Country Club)
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	3 per acre
Recreation and Entertainment Uses (Indoors)						S		P	P	S	P	P	S	S	1 per 250 sf or per SUP
Recreation and Entertainment Uses (Outdoors)	S					S		S	S	S	S	S	S	S	1 per 3 seats or per SUP
Special Events Center	S							S	S		S	S	S	S	1 per 3 seats or per SUP
Adult-Oriented Businesses				See Section 6.5										1 per 250 sf	
	Utilities and Infrastructure														
Septic System (not cluster)	P	P	P												N/A
Small Wind Energy Systems	S	S											S		N/A
Utilities and			Permitted in accordance with applicable requirements of this UDC												

Infrastru cture																
Wireless Commun ications Facility				See Section 6.5.1 [6.6]												
Agriculture and Animal-Related Uses																
Animal- Related Uses (indoor only)	P						P	P	P			S	P	P	S	See Section 3.3.6
Animal- Related Uses (with outdoor compone nt)	S						S	S	S				S	S	S	See Section 3.3.6 a nd per SUP
Agricultu ral Uses	P	S													P	N/A

Notes:
¹ See subsection 3.4.8.B.1 , Accessory dwelling unit.
² See subsection 3.4.8.B.11 , Manufactured housing.
³ See subsection 3.4.8.B.5 , Community home.
⁴ See subsection 3.4.8.B.10 , Halfway house.
⁵ See subsection 3.4.8.B.2 , Alcoholic beverage sales.
⁶ See subsection 3.4.8.B.12 , Micro brewery or distillery.
⁷ See subsection 3.4.8.B.16 , Schools, including daycares, preschools, private schools, trade schools.
⁸ See subsection 3.4.8.B.14 , Outside storage.
⁹ See subsection 3.4.8.B.17 , Temporary buildings.
¹⁰ See subsection 3.4.8.B.15 , Research laboratory.
¹¹ See subsection 3.4.8.B.3 , Auto parts sales.
¹² See subsection 3.4.8.B.4 , Auto/vehicle repair.
¹³ See subsection 3.4.8.B.6 , Electric vehicle charging stations.
¹⁴ See subsection 3.4.8.B.9 , Gas station.

¹⁵ See subsection **3.4.8.B.7**, Fitness boot camp.

Editor's note—In the pdf document adopted by Ordinance 475, as posted on the city's website, the Use Chart in section **3.3.5** contained superscript reference numbers that were hyperlinks to the related standards in subsection **3.4.8.B**. The reference notes have been renumbered in order by the editor, and the applicable references are listed in the Notes above.

II.

CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Bee Cave, except where the provisions of this Ordinance are in direct conflict with the provisions of such other ordinance, in which event the conflicting provisions of such other ordinance are hereby repealed, while leaving the remainder of such other ordinance intact. To the extent of any conflict, this Ordinance is controlling.

III.

SEVERABILITY

That it is hereby declared to be the intention of the City Council of the City of Bee Cave. that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional or invalid by final judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional or invalid phrases, sentences, paragraphs, or sections.

IV.

PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted 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, Chapter 551 of the Texas Government

V.

EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by state and

local law.

DULY PASSED AND APPROVED, on the day of ,
2024 at a regular meeting of the City Council of the City of Bee Cave, Texas, which was held in
compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a
quorum was present and voting.

CITY OF BEE CAVE:

Kara King, Mayor

ATTEST: _____

Jo Ann Touchstone, City Secretary

[SEAL]

APPROVED AS TO FORM:

City Attorney: _____

Ryan Henry, Law Offices of Ryan Henry, PLL