

ORDINANCE NO. 614

AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS ("CITY") AMENDING THE CITY OF BEE CAVE UNIFIED DEVELOPMENT CODE BY AMENDING SECTION 3.4.4 (MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS) TO REMOVE APPLICABILITY LANGUAGE REFERENCING SOLELY RESIDENTIAL BUILDINGS IN MIXED-USE DISTRICTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR FINDINGS OF FACT, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Bee Cave has adopted a Unified Development Code ("UDC") to regulate land use and development within its corporate limits, and has the authority to amend it; and,

WHEREAS, Section 3.4.4.A of the UDC establishes the applicability of the multi-family residential design standards and currently includes language addressing solely residential buildings in mixed-use districts, and recent amendments to Section 3.4.5 of the UDC no longer permit buildings containing solely residential uses in mixed-use districts; and,

WHEREAS, the City Council finds it appropriate to amend Section 3.4.4.A to remove the language referencing solely residential buildings in mixed-use districts so that the multi-family residential design standards remain consistent with Section 3.4.5, and finds that the proposed amendment is in the best interest of the City and consistent with the goals of the Comprehensive Plan; and,

WHEREAS, the City of Bee Cave Planning and Zoning Commission and the City of Bee Cave City Council ("City Council"), in compliance with the City of Bee Cave Unified Development Code section 3.1, Texas Local Government Code section 211.006(a), et seq., and all applicable laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held the required public hearings and afforded a full and fair hearing to all persons interested, and any protest made against the proposed amendments has been duly considered by the City Council;

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

SECTION 1. Findings of Fact. All of the above premises are hereby found to be true and correct legislative and factual findings of the City and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Amendment. Section 3.4.4 (Multi-Family Residential Design Standards) of the City of Bee Cave Unified Development Code is hereby amended as set forth in Exhibit "A," attached hereto and incorporated herein by reference.

SECTION 3. Severability. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the City of Bee Cave Unified Development Code as a whole.

SECTION 4: Repealer. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

SECTION 5. Notice and Meeting Clause. 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, Chapter 551 of the Texas Government Code.

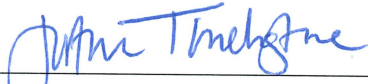
SECTION 6. Effective Date. That this Ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED by the City Council of the City of Bee Cave, Texas, on the 14th day of July 2026.

CITY OF BEE CAVE, TEXAS


Kara King, *Mayor*

ATTEST:


Jo Ann Touchstone, *City Secretary*

APPROVED AS TO FORM:


Brad Bullock, *City Attorney*



§ 3.4.4. Multi-family residential design standards.

- A. Applicability. This section applies to all construction of residential dwellings other than Single-Family Residential, Detached or Duplex dwellings (see subsection 3.4.3). ~~For solely residential buildings in mixed-use districts, residential standards apply;~~ for mixed use buildings in mixed use districts, the design options from multi-family and non-residential may both be used to fulfill the amenity and design option requirements prescribed by the non-residential standards.
- B. Elements required on all buildings. All high-density residential development shall meet the following base standards, as applicable:
1. Stairwells between floors and corridors providing access to units shall be placed in the interior of the building and shall not be visible with the exception of the exit doors and may or may not be conditioned.
 2. A minimum of 75% of all units must provide balconies or patios containing at least fifty (50) square feet in size and shall be a minimum of five feet (5') in depth.
 3. A minimum of seventy-five percent (75%) of required parking shall be covered by an enclosed garage, structured parking garage, or carport. The design and material used for carports shall coordinate with those used for the residential buildings. This percentage may be reduced or waived by the Director for projects receiving a density bonus per section 3.4.4.E.4.
 4. Units with an exterior wall that faces a street with a classification of Collector or Arterial shall provide double-pane glass windows, sound-deadening material, or other measure that prevents sound levels from exceeding the ambient decibel level in units that do not face such a street.
 5. Open space requirement.
 - (i) Not less than half of the pervious area of the development, excluding setbacks, reirrigation fields, detention ponds and areas of steep slopes shall be devoted to open space containing passive or active recreational facilities such as lawns, paths, courtyards, BBQ pits, game areas, dog parks, and swimming pools, with any amenities generally concentrated in the center of the development or dispersed to be equally convenient to each building. Developments within a 1/4 mile of City of Bee Cave park may request, and the Planning Director may approve payment of a fee in lieu pursuant to the City's adopted fee schedule.
 - (ii) The development must provide a connection to all abutting paths shown on the most recent Bee Cave Connectivity Plan.
- C. Minimum required amenity and design options.
1. Each building must have the same number of features as other buildings in the development (e.g., if two (2) features are required, each building must have two (2) features).
 2. Each development with eight (8) or fewer units must provide two (2) or more

features from each category listed subsection 3.4.4.E.6 at the time a Certificate of Occupancy is issued.

3. Each development with nine (9) to fifty (50) units must provide three (3) or more features from each category listed subsection 3.4.4.E.6 at the time a Certificate of Occupancy is issued.
 4. Each development with fifty-one (51) to one hundred fifty (150) units must provide four (4) or more features from each category listed subsection 3.4.4.E.6 at the time a Certificate of Occupancy is issued;
 5. Each development with one hundred fifty-one (151) to three hundred (300) units must provide six (6) or more features from each category listed subsection 3.4.4.E.6 at the time a Certificate of Occupancy is issued;
 6. Each development with more than three hundred (300) units shall provide seven (7) or more features from each category listed subsection 3.4.4.E.6 at the time a Certificate of Occupancy is issued.
 7. Only one (1) credit may be claimed per item provided.
- D. Request for substitution of new or alternative options. The applicant may request an item not listed in subsection 3.4.4.E.6 using the process listed in subsection 3.1.8.
- E. Density bonus options.
1. The density bonus options provided in this section shall be calculated based on the by-right density allowable in the applicable district per subsection 3.4.1.
 2. Density bonuses may be applied cumulatively to a development.
 3. Amenity and design incentive. A development that provides two (2) additional High Quality Design features from subsection 3.4.4.E.6, including 100% masonry or masonry alternative may request one (1) of the following incentives to be applied at the Site Plan phase:
 - (i) Reduce required covered parking by ten percent (10%).
 - (ii) Increase density by one (1) dwelling unit per acre in R-3 or two (2) dwelling units per acre in R-4 and R-5.
 - (iii) Reduce the open space area required by subsection 3.4.4.B.5 from fifty percent (50%) to forty-five (45%) percent.
 4. Workforce housing incentive. A development that reserves at least fifty-one percent (51%) of units for residents with incomes at eighty percent (80%) or less of AMI through a management program with state oversight may qualify for the following additional density bonuses:
 - (i) Increase density in R-4 or MU-C by one (1) dwelling units per acre;
 - (ii) Increase density in R-5 or MU-TC by two (2) dwelling units per acre;

5. Structured parking incentive. A development that provides structured parking for a minimum of ninety percent (90%) of the required off-street parking may receive the following additional density bonus:
 - (i) Increase density in R-4 by one (1) dwelling unit per acre;
 - (ii) Increase density in R-5 by two (2) dwelling units per acre.
6. Amenity and design features. Each development shall provide the following features based on the number of dwelling units as indicated in subsection 3.4.4.C:

Table 3.4-5: Multi-Family Residential High-Quality Design Feature Menu	
(i) One hundred percent (100%) Masonry on all facades of all buildings visible from a public or private street, and interior driveways that function as a private street, driveway, or fire lane and provide direct access to individual units.	(ii) Awnings or canopies on at least fifty percent (50%) of windows. Windows recessed into patios and balconies may count towards this option.
(iii) Use of Masonry Alternatives on no more than twenty percent (20%) of any facades; provided that all buildings visible from a public or private street, including interior driveways, have a consistent appearance and use of such materials.	(iv) Corner treatments on all buildings consisting of at least one (1) change in slope (for hipped or gabled roof) or non-horizontal element (for flat roof) per corner, a horizontal cornice projection of at least eight (8) inches, bracketed eaves, or similar treatment. The corner treatment must extend at least ten percent (10%) of the length of building elevation (see Figure 3.4.4-1).  <i>Figure 3.4.4-1: Example of Corner Treatment with Articulation and Wraparound Balconies</i>
(v) Vertical offsets on all buildings with a flat roof that are equal to 3% of the wall height. No section of flat roof shall maintain the same plane for a distance that exceeds twenty-five percent (25%) of the horizontal wall length (see Figure 3.4.4-1).	(vi) Corner or wraparound balconies on each floor of each building (see Figure 3.4.4-1).

Table 3.4-5: Multi-Family Residential High-Quality Design Feature Menu

(vii) At least seventy-five percent (75%) of windows include decorative features such as multi-pane or mullioned glass, arched forms, painted or treated cedar or cementitious fiber shutters, brick soldier course, or similar.	(viii) Use of standing seam metal roof or terra cotta tile material on hipped or gabled roof.
(ix) Horizontal articulation, minimum 4' offset at an angle or arc between 45 and 135 degrees to the wall plane	(x) Use of a muted, earth-toned color palette for all building materials.
(xi) Provide secure bicycle room, including a bicycle repair station, bicycle racks and similar amenities with one (1) space per unit, with each space being two (2) feet wide by six (6) feet long and adjacent to a minimum five (5) foot aisle.	(xii) Incorporate a rooftop terrace, green roof or roof deck for twenty-five percent (25%) of the footprint of buildings containing residential units.

Table 3.4-6: Multi-Family Residential High-Quality Amenities Menu

(i) Large and small dog parks that are one-eighth (1/8) and one-quarter (1/4) acre per each one hundred (100) units or increment thereof.	(ii) Construction of walking or jogging paths a minimum of ten (10) feet in width and equivalent to one-half (1/2) mile of path for each one hundred (100) units or increment thereof. A development abutting an existing public path may claim credit for this option if at least sixty percent (60%) of units are within 1,000 feet of an entrance or path head.
(iii) Fenced and sodded yards for at least fifty percent (50%) of ground floor units equivalent to seventy-five (75) square feet in area.	(iv) Wi-fi internet access provided in all common areas such as the clubhouse, pool, walking paths, and fitness area
(v) App-enabled functionality that controls door locks, lighting, thermostat, appliances, and allows communication between residents and management to report problems.	(vi) Ten-foot (10') floorplates in all units.
(vii) In-unit washer and dryer connections	(viii) A minimum of 1000' SF of meeting rooms and/or co-working space available for tenant use.
(ix) An on-site pool for tenant use.	(x) An on-site playground
(xi) An on-site multi-purpose sports court.	(xii) Reserved

Table 3.4-7: Multi-Family Residential Technology and Sustainable Design Feature Menu

(i) Smart technology installed in units allowing ability to control lights and thermostats that reduces energy loads during the day or during times of peak energy usage.	(ii) On-site alternative energy system producing at least twenty-five percent (25%) of the average energy consumed by the high-density residential development.
(iii) The site is certified as a Texas Wildscape or Monarch Waystation, according to Texas Parks and Wildlife Management Recommendations for Native Insect Pollinators in Texas, or similar third-party designation approved by the Planning Director as indicating consistency with City environmental conservation goals	(iv) Single-stream [Single-stream] recycling program available to every resident.
(v) One (1) electric vehicle charging station per fifteen (15) units. And at least one (1) charging station per twenty-five (25) units must be accessible to all residents and visitors to fulfill this option.	(vi) Preserve in a natural condition at least forty percent (54%) [sic] of any site within the Barton Creek or Little Barton Creek watershed. Any required WQBZ shall count towards the 40%.
(vii) Stormwater or grey water reclamation for on-site reuse equivalent to one hundred percent (100%) of design irrigation volume.	(viii) LED lighting of all interior common spaces.
(ix) Use of high-albedo materials to reduce heat island effect, defined as use of roof products that reflect at least seventy-eight percent (78%) of sunlight (or a solar reflectivity index of at least 78) for roofs with a pitch of less than or equal to 2:12 or twenty-nine percent (29%) of sunlight (or a solar reflectivity index of at least 29) for roofs with a pitch greater than 2:12.	(x) Reserved

(Ordinance 475 adopted 6/28/22; Ordinance 540 adopted 8/27/2024)