

Alyssa Linenkugel, Place 1
Tomas Mendoza, Place 2
John Mounce, Place 3



James Castle, Place 4
Daniel Dennis, Place 5
Shelby St. Claire, Mayor Pro Tem, Place 6

James Clark, Mayor
CITY OF JUSTIN
CITY COUNCIL AGENDA
FEBRUARY 27, 2025
415 N. COLLEGE AVE.
5:30 PM

A) CALL TO ORDER

Convene into Session:
Invocation and Pledge of Allegiance
American Flag

Texas Flag: *“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state, under God, one and indivisible”*

B) RECOGNITION

1. Recognition of the 2024 RISE Award Winners
2. Recognition of Volunteers who participated in Police Training

C) EXECUTIVE SESSION

Any item on this posted agenda could be discussed in Executive Session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and Section 551.087 of the Texas Government Code.

1. Under Section 551.071, to conduct a private consultation with the City Attorney regarding:
 - Trafford Terrace Developers Agreement
 - Treeline Development
 - Justin Crossing Developers Agreement
 - Dream Complex Developers Agreement
2. Under Section 551.072, to deliberate regarding the purchase, exchange, lease, or sale of real property located north of 1st street, south of Timberbrook Parkway, east of Linwood Drive and west of FM 156.
3. Under Section 551.072, to deliberate regarding the purchase, exchange, lease, or sale of real property related to Water Infrastructure

D) TAKE ANY ACTION AS A RESULT OF CLOSED EXECUTIVE SESSION ITEM(S)

E) UPCOMING MEETINGS AND EVENTS

1. The following is a list of upcoming meetings and events:
 - March 2, 2025, Texas Independence Day
 - March 3, 2025, Municipal Court at 5 p.m.
 - March 4, 2025, Library Board Meeting at 4:30 p.m.
 - March 11, 2025, Parks & Recreation Board Meeting at 6 p.m.
 - March 18, 2025, P&Z Meeting at 6:30 p.m.
 - March 20, 2025, EDC Meeting at 5:30 p.m.
 - March 27, 2025, City Council Meeting at 5:30 p.m.
 - April 5, 2025, Justin Serve Day/Spring Clean Up
 - April 12, 2025, Open Air Market hosted by Justin Business Association
 - April 26, 2025, Justin Fun Day

F) PUBLIC COMMENT

In order to expedite the flow of business and to provide all citizens with the opportunity to speak, the mayor may impose a three-minute time limitation for each citizen to speak with a seasonal limitation on speakers on one topic or item with a maximum of fifteen total minutes on the same topic. The Texas Open Meetings Act prohibits the City Council from discussing issues which the public have not been given a seventy-two (72) hour notice. Issues raised may be referred to City staff for research and/or placed on a future agenda.

G) WORKSHOP ITEM(S)

1. Receive a report on the FY 22/23 City Audit.
2. Discussion regarding a Community Center Update.
3. Receive a Fire Station No. 2 Update.
4. Discussion regarding Old Town Area Historic Designation and Old Town Phase III Planning Deliverables

H) CONSENT AGENDA

Any Council Member may request an item on the Consent Agenda to be taken up for individual consideration.

1. Consider approving the February 13, 2025, City Council minutes; and take appropriate action.
2. Consider adopting Ordinance 797-25, second reading authorizing the abandonment of a right of way located at 6th Street and Topeka Avenue; and take appropriate action.
3. Consider adopting Ordinance 780-25, first reading approving budget amendments to the Economic Development Corporation (Type A) and Community Development Corporation (Type B) Boards; and take appropriate action.

4. Consider approving Resolution 738-25 to authorize the City manager to execute a reimbursement agreement for the developer to pay for the design of the 24" Upper Trinity Regional Water District Line; and take appropriate action.

I) ITEMS PULLED FROM CONSENT AGENDA

J) ACTION ITEMS

1. Consider adopting Ordinance 781-25, first reading to declare a Demolition Building Permit Moratorium in the Old Town Area; and take appropriate action

K) FUTURE AGENDA ITEMS

L) ADJOURN

I, the undersigned authority, do hereby certify that the above notice of the meeting of the City Council of the City of Justin, Texas, is a true and correct copy of the said notice that I posted on the official bulletin board at Justin Municipal Complex, 415 North College Street, Justin, Texas, a place of convenience and readily accessible to the general public at all times, and said notice posted this _____ by _____ p.m., at least 72 hours preceding the scheduled meeting time.

Amy Piukana

Amy Piukana, TRMC, City Secretary



City Council Coversheet
February 27, 2025
415 N. COLLEGE AVE.

Agenda Item: 1. (WORKSHOP ITEM(S))

Title: Receive a report on the FY 22/23 City Audit.

Department: Administration

Contact: Jarrod Greenwood, City Manager, Abbey Reece

Recommendation:

Discussion only.

Background:

Staff have been working diligently with ZacTax and the auditing firm, CLA, to complete the 2023 audit.

Right now we expect to have the unaudited draft statements by the council meeting. We will email this out separately once we receive it.

If there are any questions or concerns with the draft statements, please talk to Jarrod and Abbey. We will have the final audit presentation from CLA at the March 13th meeting.

City Attorney Review: N/A

Attachments:

None



City Council Coversheet
February 27, 2025
415 N. COLLEGE AVE.

Agenda Item: 2. (WORKSHOP ITEM(S))

Title: Discussion regarding a Community Center Update.

Department: Administration

Contact: Jarrod Greenwood, City Manager

Recommendation:

Discussion only.

Background:

Jarrod will be providing an update on renovation costs and design.

City Attorney Review: N/A

Attachments:

None



City Council Coversheet
February 27, 2025
415 N. COLLEGE AVE.

Agenda Item: 3. (WORKSHOP ITEM(S))

Title: Receive a Fire Station No. 2 Update.

Department: Administration

Contact: Jarrod Greenwood, City Manager

Recommendation:

Discussion only.

Background:

Jarrod will be providing a status update on the second fire station.

City Attorney Review: N/A

Attachments:

None



City Council Coversheet
February 27, 2025
415 N. COLLEGE AVE.

Agenda Item: 4. (WORKSHOP ITEM(S))

Title: Discussion regarding Old Town Area Historic Designation and Old Town Phase III Planning Deliverables

Department: Administration

Contact: Matthew Cyr, Director of Planning and Development, Jarrod Greenwood, City Manager

Recommendation:

Hold discussion and provide direction to staff.

Background:

On April 25, 2023, Staff was directed by City Council to bring forward a contract for the Planning Deliverables below.

Phase I:

Comprehensive Plan (Completed March 28, 2023)

Phase II:

Unified Development Code (Completed January 23, 2025)

Master Water and Wastewater Plan (Completed September 12, 2024)

Ad Valorem Analysis (Completed January 23, 2025)

Engineering Manual Update (Completed in December 2025)

Phase III:

Old Town/ Down Town Master Plan

Old Town Zoning District or Overlay

Small Area Plans (FM 156/FM 407)

In January, City Council set the strategic goals for the year which included the Old Town Phase III plan. In addition, staff has created by the City throughout this process. Staff has attached a link below for a few Historic Preservation Ordinances for

Cities:

Fredricksburg: <https://www.fbgtx.org/DocumentCenter/View/4274/Adopted-2021-Historic-District-Design-Guide>

Grapevine: https://library.municode.com/tx/grapevine/codes/code_of_ordinances?nodeId=PTIICOOR_APXGHIPF

Denison: [Dec. 2023 Historic Preservation Ordinance Ch. 30.pdf](#)

City Attorney Review: No

Attachments:

None

Alyssa Linenkugel, Place 1
Tomas Mendoza, Place 2
John Mounce, Place 3



James Castle, Place 4
Daniel Dennis, Place 5
Shelby St. Claire, Mayor Pro Tem, Place 6

James Clark, Mayor

MINUTES

**State of Texas
County of Denton
City of Justin**

Justin City Council Regular Session Meeting - February 13, 2025

A) CALL TO ORDER

Convene into Session:
Invocation and Pledge of Allegiance
American Flag

Texas Flag: ***"Honor the Texas Flag; I pledge allegiance to thee, Texas, one state, under God, one and indivisible"***

Present

Mayor James Clark, Mayor Pro Tem Shelby St. Claire, Council Member Alyssa Linenkugel, Council Member John Mounce, Council Member Tomas Mendoza, Council Member James Castle, Council Member Daniel Dennis

City Staff: City Manager Jarrod Greenwood, Assistant City Manager, Abbey Reece, City Secretary, Amy Piukana, Director of Development Matthew Cyr, and City Attorney, Matthew Boyle.

With a quorum of members present, Mayor Clark called the meeting to order at 5:30 p.m.

Pastor Joel Maldonado with Gateway Church led the invocation. Pastor Maldonado announced Gateway Church is holding a Mobile Food Pantry on March 8, 2025, at 9 a.m. at the church located at 1225 TX 114, Justin, Texas.

Mayor Clark led the Pledge of Allegiance and Pledge to the Texas Flag.

B) PROCLAMATION

1. Presentation of a Proclamation recognizing the City of McKinney for allowing the City of Justin Leadership Team to participate in the Staff Shadowing Leadership Program for Professional Development.

Mayor Clark recognized the City of McKinney with a proclamation for allowing the City of Justin Leadership Team to attend a Staff Shadowing Program. Director of Development Services Matthew Cyr emphasized the importance of collaboration between cities, highlighting initiatives like the Staff

Shadowing Program which can foster leadership growth and development, which benefits the residents of Justin.

C) EXECUTIVE SESSION

Any item on this posted agenda could be discussed in Executive Session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and Section 551.087 of the Texas Government Code.

City Attorney Matthew Boyle read Executive Session language into order. 5:39 p.m. and reconvened at 5:55 p.m.

1. Under Section 551.071, to conduct a private consultation with the City Attorney regarding:

- **Trafford Terrace Developers Agreement**
- **Treeline Development**

City Attorney Matthew Boyle read the closed session language into the record.

2. Under Section 551.072, to deliberate regarding the purchase, exchange, lease, or sale of real property located north of 1st Street, south of Timberbrook Parkway, east of Linwood Drive and west of FM 156.

D) TAKE ANY ACTION AS A RESULT OF CLOSED EXECUTIVE SESSION ITEM(S)

No action was taken as a result of closed session.

E) UPCOMING MEETINGS AND EVENTS

Krystal Gonzalez Haynes, the Communications Manager, provided the schedule of upcoming meetings and events. She highlighted that the Planning & Zoning Commission meeting scheduled for February 18, 2025, has been canceled. On a different note, Mayor Clark excitedly shared news about the Justin Business Association's plan to host an open-air market on April 12, 2025, from 10 a.m. to 2 p.m. along 2nd Street in Justin, Texas. For those seeking more details, he encouraged exploring online resources. Mayor Clark mentioned two intriguing books: "The Justin Story," a treasure trove of the town's past, and "The Biggest Little Bank in Texas," chronicling the history of Justin State Bank. To enhance the city's historical archives, he unveiled an original map blueprint from December 1913, aiming to preserve it as a valuable historical document within the City records.

- 1. The following is a list of upcoming meetings and events:**
- **February 14, 2025, Last day to file for Place on the Ballot**
 - **February 17, 2025, City Offices Closed for President's Day Holiday**
 - **February 18, 2025, Planning and Zoning Commission Meeting at 6:30 p.m.**
 - **February 20, 2025, EDC/CDC Meeting at 5:30 p.m.**
 - **February 27, 2025, City Council Meeting at 5:30 p.m.**

F) PUBLIC COMMENT

In order to expedite the flow of business and to provide all citizens with the opportunity to speak, the mayor may impose a three-minute time limitation for each citizen to speak with a seasonal

limitation on speakers on one topic or item with a maximum of fifteen total minutes on the same topic. The Texas Open Meetings Act prohibits the City Council from discussing issues which the public have not been given a seventy-two (72) hour notice. Issues raised may be referred to City staff for research and/or placed on a future agenda.

There were no public comments provided.

G) WORKSHOP ITEM(S)

Mayor Clark noted Item the Budget Discussion identified as Item G.2 under Workshop would be discussed at the end of the meeting.

1. Discussion of the Upper Trinity Smart Irrigation Pilot Program

City Manager Jarrod Greenwood briefed the City Council noting the Upper Trinity reached out to request the City of Justin join a Smart Irrigation Pilot Program. He explained this would assist the city with better irrigation management practices.

Mr. Blake Alldredge with Upper Trinity Water District provided a Water Conservation Update. He reviewed the importance of water conservation, recommended two-day watering schedules, reviewed 2024 conservation activities, and reviewed smart controllers and emphasized the importance of community participation in water conservation efforts and the positive impact it can have on the environment.

Public Works Coordinator Kira Sedivy explained Timberbrook has been identified as the pilot program target area. She further stated staff will reach out to residents and obtain volunteers to participate in the program. She further noted the City encourages residents to sign up with the EyeOnWater App and more information can be found online.

The City Council discussed software, cost of controllers (\$100), modules and setup, data from smart meters, impacts, and information to homeowners for utilizing the modules.

Mr. Greenwood explained some cities offer water conversation incentive programs and the City could look into a similar program for Justin residents if the City Council directs this initiative.

Rocky with Maverick Computers cautioned against skewing the numbers with the new technology and suggested looking at the average number of data sets.

Upper Trinity Representative Greg Scott provided an update to the City Council. Mr. Scott stated the module can be purchased through Home Depot. Mr. Scott explained the Upper Trinity has designed a new improved valve from 10 to 18 inches to allow for more water storage for the City of Justin residents.

2. Budget Discussion

ZacTax representative Patrick Lawler provided a financial overview. Mr. Lawler reviewed revenue impacts, percentage of taxable value, homestead exemption, homestead 65+, disabled veteran exemption, and an overview of services ZacTax provides.

The City Council discussed homestead exemptions, the need for net benefit details with exemptions, and the need to make decisions to balance the budget to include future growth.

Mr. Greenwood emphasized the necessity of making informed decisions by understanding revenue impacts and future growth. He suggested identifying a targeted tax rate for the next five to ten years.

H) CONSENT AGENDA

Any Council Member may request an item on the Consent Agenda to be taken up for individual consideration.

Mayor Pro Tem St. Claire made a motion to approve Consent Items H.1 through H.8, as presented. Motion seconded by Council Member Mendoza. The motion passed unanimously.

- 1. Consider approving the January 23, 2025, City Council meeting minutes; and take appropriate action.**
- 2. Consider approving Resolution 724-24 adopting a Facility Use Policy; and take appropriate action.**
- 3. Consider adopting Ordinance 795-25 second reading, calling for a General Municipal Election to be held on Saturday, May 3, 2025, to elect Three (3) City Council Members to City Council Place One, Place Two, and Place Three to serve two (2) year terms, authorizing the notice of election; authorizing a joint election order with other Denton County political subdivisions; and authorizing the City Secretary to enter into a contract with Denton County for Election Services; take appropriate action.**
- 4. Consider adopting Ordinance 796-25 second reading, calling for a Special Municipal Election on Saturday, May 3, 2025, to amend the City Charter authorizing notice of Special Election, authorizing a Joint Election Order with other Denton County Political Subdivisions, authorizing the City Secretary to enter into an agreement with Denton County for Election Services; and take appropriate action.**
- 5. Consider approving Resolution 734-25 appointing Alwyn Dowell to Place 5 for the Parks and Recreation Board; and take appropriate action.**
- 6. Consider approving Resolution No. 735-25 approving continued participation with the Steering Committee served by Oncor and authorizing the payment of 11 cents per capita to the Steering Committee; and take appropriate action**
- 7. Consider approving Resolution No. 736-25 approving Waste Connections CPI Fee to increase solid waste and recycling rates; and take appropriate action.**
- 8. Consider approving Ordinance 797-25 first reading authorizing the abandonment of a right of way located at 6th Street and Topeka Avenue; and take appropriate action.**

I) ITEMS PULLED FROM CONSENT AGENDA

J) ACTION ITEM(S)

1. Consider approving Resolution 733-25 adopting a 2025 Strategic Plan; and take appropriate action.

Assistant City Manager Abbey Reece briefed the City Council noting this item adopts the Strategic Plan and she is working to create a new document for distribution in May 2025.

Council Member Dennis made a motion to approve Resolution 733-25, as presented. The motion was seconded by Mayor Pro Tem St. Claire. The motion was approved unanimously.

K) FUTURE AGENDA ITEMS

Mayor Clark suggested discussing Old Town to identify what fits in the overlay. The City Council unanimously agreed to have this added for a future agenda item.

L) ADJOURN

Mayor Clark adjourned the meeting at 7:48 p.m.

Mayor James Clark

Amy Piukana

Amy Piukana, TRMC, City Secretary

Seal:



City Council Coversheet
February 27, 2025
415 N. COLLEGE AVE.

Agenda Item: 2. (CONSENT AGENDA)

Title: Consider adopting Ordinance 797-25, second reading authorizing the abandonment of a right of way located at 6th Street and Topeka Avenue; and take appropriate action.

Department: Administration

Contact: Matthew Cyr, Director of Planning and Development, Joshua Little, Public Works Director

Recommendation:

Staff has no objection to the request.

Background:

The City received a request for the abandonment of a portion of a 20-foot alley within the Stephen R. Roberts Survey, Abstract No. 1127. As part of the review process, the City required the contractor/business to conduct potholing of the site to determine whether any utilities were present within the right-of-way. This would allow the applicant to build across the easement to expand their existing business.

Following this requirement, the City's Public Works Department conducted an inspection and confirmed that no utilities exist within the subject area. Based on this verification, the City has no objection to the abandonment request.

An ordinance has been prepared to authorize the abandonment via separate instrument, thereby streamlining the process and removing the need for Council approval at the time of future plat submission.

The City Attorney is finishing the review, therefore there may be revisions or updates by February 7, 2025.

City Attorney Review: Yes

Attachments:

1. Exhibit A
2. Aerial map- ROW

3. ROW Abandonment Ordinance

ALLEY ABANDONMENT

Stephen R. Roberts Survey, Abstract No. 1127
City of Justin, Denton County, Texas

LEGAL DESCRIPTION

Being a 0.092 acre tract of land out of the Stephen R. Roberts Survey, Abstract No. 1127, situated in the City of Justin, Denton County, Texas, being a portion of a 20' alley dedicated by plat of Original Town of Justin, a subdivision of record in Volume 32, Page 522 of the Deed Records of Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron with green plastic cap stamped "EAGLE SURVEYING" set at the intersection of the West right-of-way line of Topeka Avenue (a 60' right-of-way) and the South right-of-way line of said 20' alley, being the Northeast corner of Lot 1 of said Block 45, from which a 1/2 inch iron with green plastic cap stamped "EAGLE SURVEYING" set at the intersection of the North right-of-way line of 6th Street (a 60' right-of-way) and the West right-of-way line of said Topeka Avenue, being the Southeast corner of said Lot 1, bears S05°55'42"W, a distance of 120.00 feet;

THENCE, N84°04'18"W, along the South right-of-way line of said 20' alley, being the common North lines of said Lot 1 and Lots 2, 3 and 4, of said Block 45, a distance of 200.00 feet to a 1/2 inch iron with green plastic cap stamped "EAGLE SURVEYING" set at the Northeast corner of Lot 5 of said Block 45, being the Northwest corner of said Lot 4;

THENCE, N05°55'42"E, over and across said 20' alley, a distance of 20.00 feet to a 1/2 inch iron with green plastic cap stamped "EAGLE SURVEYING" set in the North right-of-way line of said 20' alley, being the Southeast corner of Lot 8 of said Block 45, also being the Southwest corner of Lot 9 of said Block 45, from which a 1/2 inch iron rod with yellow plastic cap stamped "ONSITE" found at the intersection of the East right-of-way line of Colorado Avenue (a 60' right-of-way) and the North right-of-way line of said 20' alley, being the Southwest corner of Lot 7 of said Block 45;

THENCE, S84°04'18"E, along the North right-of-way line of said 20' alley, being the common South line of said Lot 9 and Lots 10, 11 and 12 of said Block 45, a distance of 200.00 feet to a 1/2 inch iron with green plastic cap stamped "EAGLE SURVEYING" set at the Southeast corner of said Lot 12, from which a 1/2 inch iron with green plastic cap stamped "EAGLE SURVEYING" set at the intersection of the South right-of-way line of 7th Street (a 60' right-of-way) and the West right-of-way line of said Topeka Avenue, being the Southeast corner of said Lot 12, bears N05°55'42"E, a distance of 120.00 feet;

THENCE, S05°55'42"W, along the West right-of-way line of said Topeka Avenue, being the common East right-of-way line of said 20' alley a distance of 20.00 feet to a 1/2 inch iron with green plastic cap stamped "EAGLE SURVEYING" set for the **POINT OF BEGINNING** and containing an area of 0.092 acres (4,000 square feet) of land, more or less.

Bearings are based on GPS observations utilizing the AllTerra RTK Network, North American Datum of 1983 (Adjustment Realization 2011).

PAGE 1 OF 2

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a Registered Professional Land Surveyor under the laws of the State of Texas



EAGLE SURVEYING, LLC
222 S. ELM STREET
SUITE: 200
DENTON, TX 76201
(940) 222-3009
TX FIRM # 10194177

JOB NUMBER	DRAWN BY	DATE
2409.028-04	PM	10-30-2024

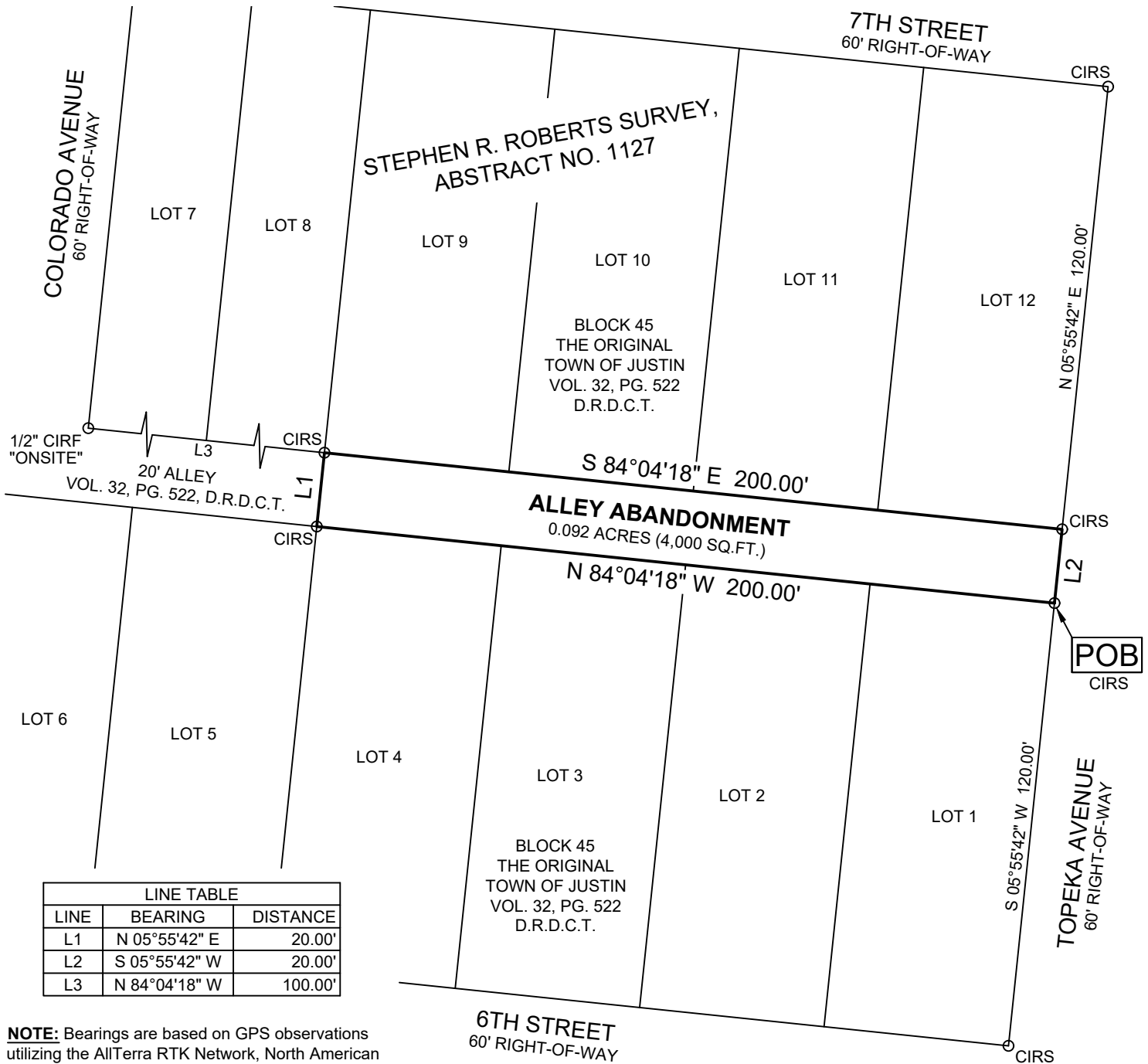
Matthew Raabe
Matthew Raabe
R.P.L.S. # 6402



10-31-24
Date

ALLEY ABANDONMENT

Stephen R. Roberts Survey, Abstract No. 1127
City of Justin, Denton County, Texas



NOTE: Bearings are based on GPS observations utilizing the AllTerra RTK Network, North American Datum of 1983 (Adjustment Realization 2011).

PAGE 2 OF 2



EAGLE SURVEYING, LLC
222 S. ELM STREET
SUITE: 200
DENTON, TX 76201
(940) 222-3009
TX FIRM # 10194177



1" = 40'

LEGEND

O	BOUNDARY MONUMENT
CIRF	CAPPED IRON ROD FOUND
CIRS	1/2" CAPPED IRON ROD SET
POB	POINT OF BEGINNING
VOL.	VOLUME
PG.	PAGE
D.R.D.C.T.	DEED RECORDS, DENTON COUNTY, TEXAS

JOB NUMBER

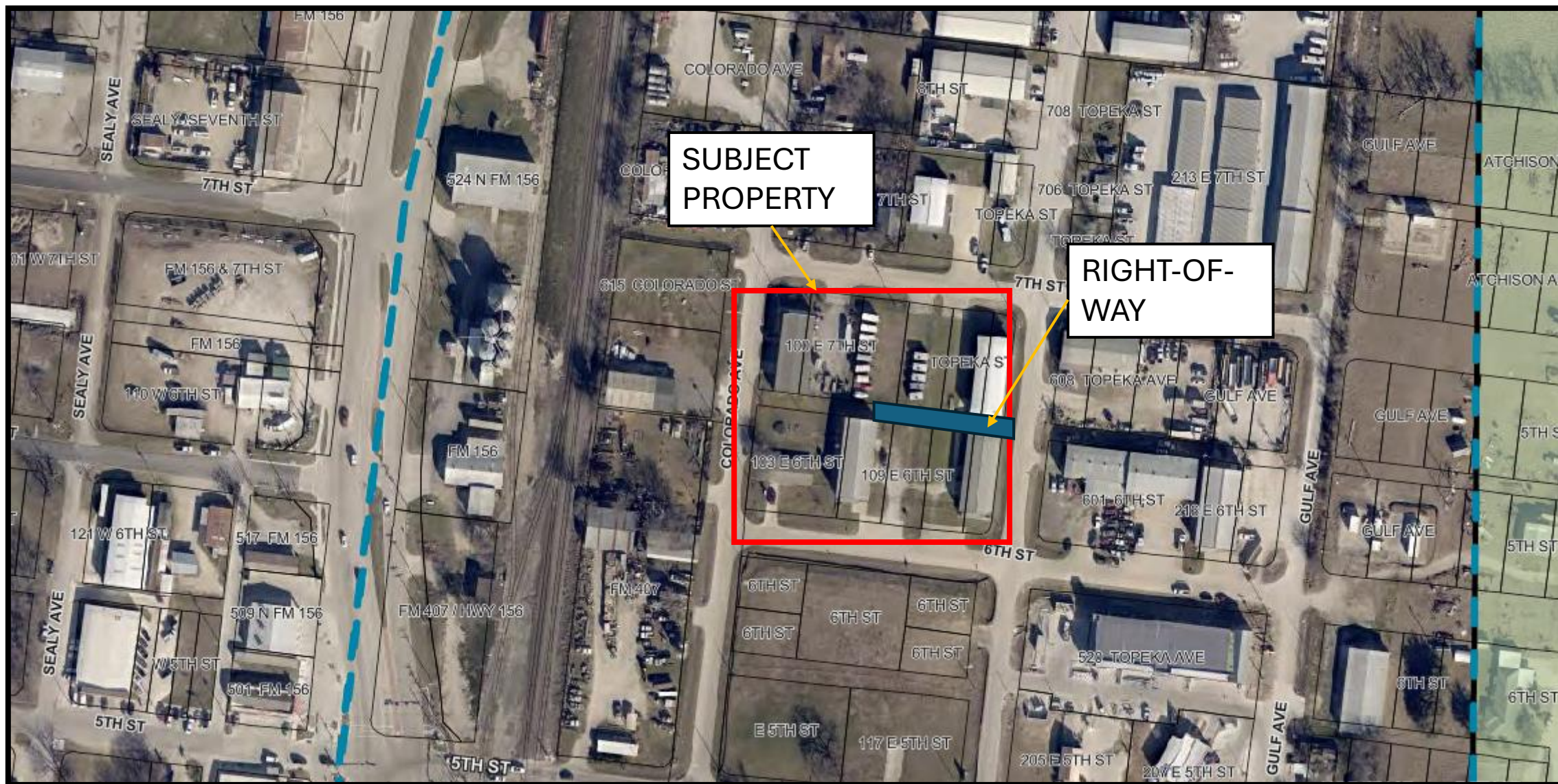
DRAWN BY

DATE

2409.028-04

PM

10-30-2024



ORDINANCE NO. 797-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JUSTIN, TEXAS, AUTHORIZING THE ABANDONMENT OF CERTAIN RIGHT-OF-WAY THROUGH SEPARATE INSTRUMENT

WHEREAS, the City of Justin recognizes the need for efficient land management and the facilitation of development within the city; and

WHEREAS, a certain portion of a 20-foot alley, as described in the attached legal description (Exhibit A), situated within the Stephen R. Roberts Survey, Abstract No. 1127, in the City of Justin, Denton County, Texas, has been identified for abandonment; and

WHEREAS, the abandonment of said right-of-way does not negatively impact public access, utilities, or city infrastructure; and

WHEREAS, the City Council desires to allow for the abandonment of such right-of-way via a separate legal instrument, eliminating the requirement for specific Council approval at the time of future plat submission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JUSTIN, TEXAS, THAT:

SECTION 1. That the identified right-of-way, as described in Exhibit A, may be abandoned by separate instrument, subject to the review and approval of the City Manager or their designee.

SECTION 2. That future plats incorporating the abandoned right-of-way shall not require additional City Council approval solely for the purpose of such abandonment.

SECTION 3. That this ordinance shall become effective immediately upon passage.

DULY PASSED by the City Council of the City of Justin, Texas, on the 13th day of February 2025.

On first reading, the 13th day of February 2025.

On the second and final reading, the 27th day of February 2025.

APPROVED:

James Clark, Mayor

ATTEST:

Amy Piukana, City Secretary

APPROVED AS TO FORM:

City Attorney



City Council Coversheet
February 27, 2025
415 N. COLLEGE AVE.

Agenda Item: 3. (CONSENT AGENDA)

Title: Consider adopting Ordinance 780-25, first reading approving budget amendments to the Economic Development Corporation (Type A) and Community Development Corporation (Type B) Boards; and take appropriate action.

Department: Administration

Contact: Abbey Reece

Recommendation:

Approve the Ordinance amending the EDC/CDC Budgets.

Background:

The attached budget amendment is for the associated real property purchase as well as a business survey proposal.

The EDC would be contributing to the costs for the property purchase for \$345,000.

The CDC would be contributing to the costs of a business survey for \$10,000 and an available property added feature for \$7,500.

This is contingent upon the boards approving these amendments at their meeting on February 20th.

City Attorney Review: N/A

Attachments:

1. FY 24-25 EDC and CDC Budget Amendment
2. Ord 780-25 EDC Budget Amendments

ACCOUNT NUMBER	Description	FY 24-25 ORIGINAL BUDGET	\$ CHANGE	FY 24-25 AMENDED BUDGET
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EDC

235-7520-626360	REAL AND PERSONAL PROPERTY	\$ 200	\$ 344,800	\$ 345,000
Total				345,000.00

ACCOUNT NUMBER	Description	FY 24-25 Year End Estimate	\$ CHANGE	FY 24-25 Year End Amended Estimate
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235-350100	FUND BALANCE	\$ 1,080,716	\$ (344,800)	\$ 735,916
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**BUDGET AMENDMENT
FY 2022-2023
Amended Expenditures**

ACCOUNT NUMBER	Description	FY 24-25 ORIGINAL BUDGET	\$ CHANGE	FY 24-25 AMENDED BUDGET
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CDC

236-7530-626183	CONSULTING SERVICES	\$ 2,000	\$ 15,500	\$ 17,500
Total				17,500.00

ACCOUNT NUMBER	Description	FY 24-25 Year End Estimate	\$ CHANGE	FY 24-25 Year End Amended Estimate
236-9999-710745	TRANSFER TO FUND BALANCE	\$ 93,941	\$ (15,500)	\$ 78,441

CITY OF JUSTIN, TEXAS
ORDINANCE NUMBER 780-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JUSTIN, TEXAS AMENDING THE ADOPTED EDC AND CDC BUDGETS, AUTHORIZING CERTAIN BUDGET AMENDMENTS PERTAINING TO THE FY 2024-2025 EDC BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Council approved Ordinance number 787-24 Fiscal Year 2024-2025 Budget beginning October 1, 2024 and ending September 30, 2025; and,

WHEREAS, the EDC is adding \$345,000 for the purchase of real property for this fiscal year;

WHEREAS, the CDC is adding \$10,000 for a business survey and \$7,500 for a property listing website feature;

WHEREAS, the City Council of the City of Justin, Texas finds that expanding our commercial opportunities, getting feedback from local business, and enhancing our commercial website capabilities, and

WHEREAS, the City Council has the authority to approve amendments to the Adopted Budget; and,

WHEREAS, the City Council has determined that the proposed amendments to the Fiscal Year 2024-2025 Budget are in the best interest of the City.

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

SECTION 1. That Ordinance No. 787-24, the Fiscal Year 2024-2025 Budget Ordinance, is hereby amended to incorporate the changes set out herein are hereby authorized and approved.

SECTION 2. All portions of the existing FY 2024-2025 Budget, except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of this ordinance.

SECTION 3. In the event any clause, phrase, provision, sentence, or part of this ordinance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Justin, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 4. That this Ordinance shall become effective from and after its adoption and is so ordained.

PASSED ON THE FIRST READING BY THE CITY COUNCIL ON THE 27 DAY OF FEBRUARY 2025.

PASSED ON SECOND READING BY THE CITY COUNCIL ON THE 13 DAY OF MARCH 2025.

**James Clark,
Mayor**

ATTESTED:

**Amy Piukana,
City Secretary**

APPROVED AS TO FORM:

**Matthew Boyle,
City Attorney**



City Council Coversheet
February 27, 2025
415 N. COLLEGE AVE.

Agenda Item: 4. (CONSENT AGENDA)

Title: Consider approving Resolution 738-25 to authorize the City manager to execute a reimbursement agreement for the developer to pay for the design of the 24" Upper Trinity Regional Water District Line; and take appropriate action.

Department: Administration

Contact: Matthew Cyr, Director of Planning and Development

Recommendation:

Staff recommends approval.

Background:

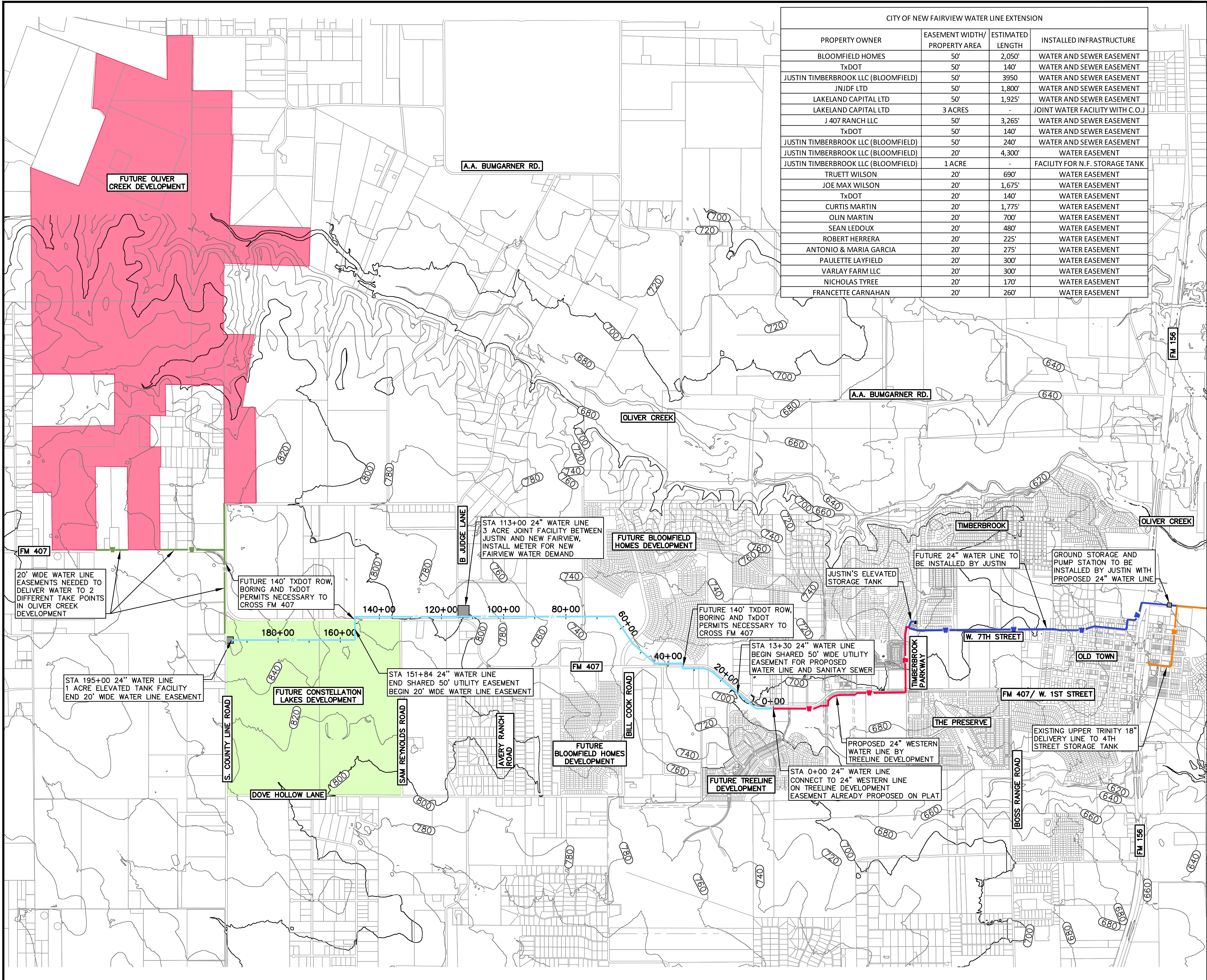
The purpose of this request is to authorize the City Manager to negotiate and execute a reimbursement agreement with Lennar to cover the costs associated with the water line design. The agreement will outline the scope of work, cost responsibilities, and reimbursement terms, ensuring that the City can recover funds as planned development progresses. This allows the City to secure funding from an external source for the 24" water line that is a critical piece of infrastructure and is on the 2024 Master Water Plan. In addition, the developer reaps the benefit of ensuring the design of the line is conducted quicker than anticipated.

City Attorney Review: No

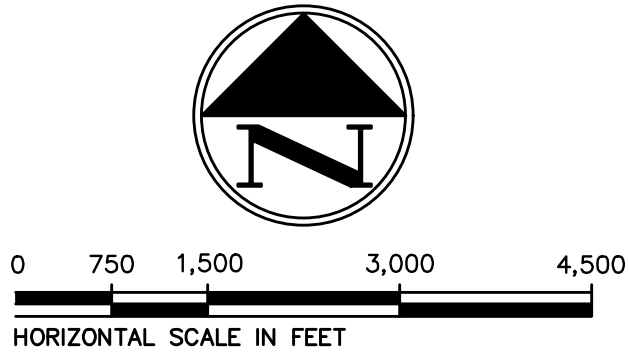
Attachments:

1. R0051992- WATER ALIGNMENT EXHIBIT
2. JUSTIN UTRWD WATER LAYOUT_1
3. Reimbursement Resolution

11/12/2024 - 3:12PM
RCPAQUILEK
N:\0051992\00\06 CAD\DWG\SITE DESIGN C3D\0051992- WATER ALIGNMENT EXHIBIT.DWG



CITY OF NEW FAIRVIEW WATER LINE EXTENSION			
PROPERTY OWNER	EASEMENT WIDTH/ PROPERTY AREA	ESTIMATED LENGTH	INSTALLED INFRASTRUCTURE
BLOOMFIELD HOMES	50'	2,050'	WATER AND SEWER EASEMENT
TxDOT	50'	140'	WATER AND SEWER EASEMENT
JUSTIN TIMBERBROOK LLC (BLOOMFIELD)	50'	3950	WATER AND SEWER EASEMENT
JN/JDF LTD	50'	1,800'	WATER AND SEWER EASEMENT
LAKELAND CAPITAL LTD	50'	1,925'	WATER AND SEWER EASEMENT
LAKELAND CAPITAL LTD	3 ACRES	-	JOINT WATER FACILITY WITH C.O.J
J 407 RANCH LLC	50'	3,265'	WATER AND SEWER EASEMENT
TxDOT	50'	140'	WATER AND SEWER EASEMENT
JUSTIN TIMBERBROOK LLC (BLOOMFIELD)	50'	240'	WATER AND SEWER EASEMENT
JUSTIN TIMBERBROOK LLC (BLOOMFIELD)	20'	4,300'	WATER EASEMENT
JUSTIN TIMBERBROOK LLC (BLOOMFIELD)	1 ACRE	-	FACILITY FOR N.F. STORAGE TANK
TRUETT WILSON	20'	690'	WATER EASEMENT
JOE MAX WILSON	20'	1,675'	WATER EASEMENT
TxDOT	20'	140'	WATER EASEMENT
CURTIS MARTIN	20'	1,775'	WATER EASEMENT
OLIN MARTIN	20'	700'	WATER EASEMENT
SEAN LEDOUX	20'	480'	WATER EASEMENT
ROBERT HERRERA	20'	225'	WATER EASEMENT
ANTONIO & MARIA GARCIA	20'	275'	WATER EASEMENT
PAULETTE LAYFIELD	20'	300'	WATER EASEMENT
VARLAY FARM LLC	20'	300'	WATER EASEMENT
NICHOLAS TYREE	20'	170'	WATER EASEMENT
FRANCETTE CARNAHAN	20'	260'	WATER EASEMENT



- PROPOSED 24" NEW FAIRVIEW WATER LINE
- PROPOSED 24" TREELINE WATER LINE
- PROPOSED 24" JUSTIN WATER LINE
- EXISTING 18" UTRWD DELIVERY LINE
- PROPOSED OLIVER CREEK WATER LINE
- OLIVER CREEK RANCH DEVELOPMENT
- CONSTELLATION LAKES DEVELOPMENT

Westwood
Westwood Professional Services, Inc.

4060 BRYANT IRVIN ROAD
FORT WORTH, TX 76109
T:817.412.7155
TBPELS ENGINEERING FIRM NO. 11756
TBPELS SURVEYING FIRM NO. 10074301

NEW FAIRVIEW- WATER LINE
ALIGNMENT STUDY

NEW FAIRVIEW, DENTON COUNTY, TEXAS

DESIGN	DRAWN	DATE	JOB NO.
RCP	RCP	OCT 2024	R0051992

NEW FAIRVIEW WATER LINE ALIGNMENT STUDY

RESOLUTION NO. XXX-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JUSTIN, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A REIMBURSEMENT AGREEMENT WITH LENNAR FOR THE DESIGN COST OF A WATER LINE.

WHEREAS, the City of Justin, Texas ("City") is committed to ensuring the efficient and effective expansion of its water infrastructure to support development and community needs; and

WHEREAS, Lennar ("Developer") intends to develop property that connects to the water system and has agreed to fund the design costs of a water line necessary to support the development and future growth; and

WHEREAS, the City finds that entering into a reimbursement agreement with the Developer is in the best interest of the City and its residents by facilitating timely infrastructure improvements while ensuring cost recovery; and

WHEREAS, the City Council finds that this resolution serves the public health, safety, and welfare of the City and promotes sound development practices;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JUSTIN, TEXAS, THAT:

SECTION 1. The City Manager is hereby authorized to negotiate and execute a reimbursement agreement with Lennar for the design costs of the water line, subject to terms and conditions deemed necessary and appropriate.

SECTION 2. The reimbursement agreement shall outline the scope of work, payment terms, and conditions for reimbursement, ensuring alignment with applicable City standards and policies.

SECTION 3. The City Manager is further authorized to take all necessary actions and execute any documents required to implement the intent of this Resolution.

SECTION 4. This Resolution shall take effect immediately upon its passage.

DULY PASSED by the City Council of the City of Justin, Texas, on the 27th day of February 2025.

APPROVED:

James Clark, Mayor

ATTEST:

Amy Piukana, City Secretary

APPROVED AS TO FORM:

City Attorney



City Council Coversheet
February 27, 2025
415 N. COLLEGE AVE.

Agenda Item: 1. (ACTION ITEMS)

Title: Consider adopting Ordinance 781-25, first reading to declare a Demolition Building Permit Moratorium in the Old Town Area; and take appropriate action

Department: Administration

Contact: Matthew Cyr, Director of Planning and Development

Recommendation:

Staff recommends consideration.

Background:

This item was brought forward at the request of City Council at the last meeting during the Future AGenda Items portion.

City Attorney Review: Yes

Attachments:

1. Redline Copy
2. Proposed Ordinance
3. OT AREA MAP

ARTICLE II. INTERNATIONAL BUILDING CODE¹

Sec. 10-21. International Building Code adopted.

The International Building Code, 2018 Edition as published by the International Code Council, Inc., is hereby adopted by reference. Unless deleted, amended, expanded or otherwise changed herein, all provisions of such Code shall be fully applicable and binding; providing for the issuance of permits and the collection of fees thereof.

(Ord. No. 677-20, § 2, 6-92-2020)

Sec. 10-22. Amendments to the 2018 International Building Code.

(1) *Section 101.1; Insert: City of Justin, Texas*

(2) *Section 101.4; change to read as follows:*

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

(3) *Section 101.4.8; add the following:*

101.4.8 Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

(4) *Section 103 and 103.1; amend to insert the Department Name*

DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES

103.1 Creation of Enforcement agency. The City of Justin, Planning and Development Services Department is hereby created authorized to enforce the provisions of this Article and the official in charge thereof shall be known as the building official.

(5) *Delete Section 104.2.1*

(6) *Delete Section 104.10.1*

(7) *Section 105.2 Work exempt from permit; under sub-title entitled "Building" delete items 1 2, 10, and 11 and re-number as follows:*

¹Editor's note(s)—Ord. No. 677-20, § 2, adopted June 29, 2020, amended Art. II in its entirety to read as herein set out. Former Art. II, §§ 10-21—10-26, pertained to similar subject matter, and derived from Code 1994, §§ 3.101—3.107; Ord. No. 257, § 1, adopted Mar. 16, 1998; Ord. No. 264, § 1, adopted Nov. 9, 1998; Ord. No. 371, § 1, adopted Apr. 12, 2004; Ord. No. 445, § 1, adopted Apr. 14, 2008; Ord. No. 485, § 1, adopted Jan. 11, 2010; Ord. No. 562, §§ 2, 3, 8, adopted Oct. 14, 2013; and Ord. No. 603-15, adopted Dec. 14, 2015.

Building:

- 1.(Remainder Unchanged)
- 2.(Remainder Unchanged)
- 3.(Remainder Unchanged)
- 4.(Remainder Unchanged)
- 5.(Remainder Unchanged)
- 6.(Remainder Unchanged)
- 7.(Remainder Unchanged)
8. (Remainder Unchanged)
- 9.(Remainder Unchanged)
10. (Remainder Unchanged)

- (8) *Section 109; add Section 109.7 to read as follows:*

109.7 Re-inspection Fee. A fee as established by city council resolution may be charged when:

- (1) The inspection called for is not ready when the inspector arrives;
- (2) No building address or permit card is clearly posted;
- (3) City approved plans are not on the job site available to the inspector;
- (4) The building is locked or work otherwise not available for inspection when called;
- (5) The job site is red-tagged once for an item;
- (6) The original red tag has been removed from the job site.
- (7) Failure to maintain erosion control, trash control or tree protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.

- (9) *Section 109; add Section 109.8, 109.8.1, 109.8.2 and 109.9 to read as follows:*

109.8 Work without a permit.

109.8.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

109.8.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code or the city fee schedule as applicable. The payment of such investigation fee shall not exempt the applicant from compliance with all other provisions of either this code or the technical codes nor from penalty prescribed by law.

109.9 Unauthorized cover up fee. Any work concealed without first obtaining the required inspection in violation of Section 110 shall be assessed a fee as established by the city fee schedule.

- (10) *Section 110.3.5; Lath, gypsum board and gypsum panel product inspection; Delete exception*
- (11) *Section 113; delete entire section and change to read as follows:*

Section 113 Appeals. An owner, or a person legally authorized to represent the owner, may appeal an order, decision, or determination made by a designee of the department of development in the implementation and enforcement of this article pursuant to the procedures of this section.

(1) The owner must submit the notice of appeal to the city secretary before the eleventh business day after receiving notice of the order, decision, or determination.

(2) The notice of appeal must include a fee in an amount to be set by resolution by the city council from time to time.

(3) The city secretary shall schedule the appeal within 30 calendar days of the filing of the notice of appeal.

(4) Both the city official whose decision is being appealed and the party appealing the decision shall be notified of the date and time of such hearing at least 72 hours before such hearing. Such notice may be by mail, telephone or facsimile.

(5) At the hearing, the city council may affirm the decision of the city official, reverse the decision of the city official, or continue the hearing for further proceedings and deliberation.

(6) Upon a finding favorable to the owner, the appeal fee will be refunded.

(12) *Section 114.2; amend to read as follows:*

Section 114.2 Notice of violation; citation. The *building official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. The building official is authorized to issue citations alleging violations of this code for prosecution in the Municipal Court. Notice under this section is not a prerequisite to prosecution of violations of this code.

(13) *Section 114.3 shall be deleted in its entirety.*

(14) *Section 202; amend definition of Ambulatory Care Facility as follows:*

AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less than 24-hour basis to individuals who are rendered incapable of self-preservation by the services provided.

This group may include but not be limited to the following:

- Dialysis centers

- Sedation dentistry

- Surgery centers

- Colonic centers

- Psychiatric centers

(15) *Section 202; add definition of Assisting Living Facilities to read as follows.*

ASSISTED LIVING FACILITIES. *A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.*

(16) *Section 202; change definition of "Atrium" as follows:*

ATRIUM. An opening connecting twothree or more stories... *{Balance remains unchanged}*

- (17) *Section 202; amend definition of "Repair Garage" as follows:*

REPAIR GARAGE. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

- (18) *Section 202; amend definition of SPECIAL INSPECTOR to read as follows:*

SPECIAL INSPECTOR. A qualified person employed or retained by an approved agency who shall prove to the satisfaction of the registered design professional in responsible charge and approved by the Building Official as having the competence necessary to inspect a particular type of construction requiring special inspection.

- (19) *Section 202; amend definition to read as follows:*

HIGH-RISE BUILDING. A building with an occupied floor located more than 7555 feet (22 860 mm)(16 764 mm) above the lowest level of fire department vehicle access.

- (20) *Section 303.1.3; add a sentence to read as follows:*

303.1.3 Associated with Group E occupancies. A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy, except when applying the assembly requirements of Chapters 10 and 11.

- (21) *Section 304.1; add the following to the list of occupancies:*

Fire stations

Police stations with detention facilities for 5 or less

- (22) *Section 307.1.1; add the following sentence to Exception 4:*

(4). Cleaning establishments... *{Text unchanged}* ...with Section 707 or 1-hour horizontal assemblies constructed in accordance with Section 711 or both. See also IFC Chapter 21, Dry Cleaning Plant provisions.

- (23) *Section 403.1, Exception 3; change to read as follows:*

(3) The open air portion of a building *[remainder unchanged]*

- (24) *Section 403.3, Exception; delete item 2.*

- (25) *Section 403.3.2; change to read as follows:*

403.3.2 Water supply to required fire pumps. In buildings that are more than 420120 feet (36.5 m) in building height, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: *{No change to exception.}*

- (26) *Section 404.5; delete Exception.*

- (27) *Section 406.3.3.1 Carport separation; add sentence to read as follows:*

A fire separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3048 mm).

-
- (28) 25. Table 506.2; delete sentence from table

I. The maximum allowable area for a single-story non sprinklered Group U greenhouse is permitted to be 9000 square feet or the allowable area shall be permitted to comply with Table C102.1 of Appendix C.

- (29) Section 506.3.1; add sentence to read as follows:

506.3.1 Minimum percentage of perimeter. [Existing Text remains]

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot wide pathway meeting fire department access from the street or approved fire lane shall be provided.

- (30) Section 602.1.1; add sentence to read as follows:

602.1.1 Minimum Requirements. [Existing Text to remain]

Where a building contains more than one distinct type of construction, the building shall comply with the most restrictive area, height, and stories, for the lesser type of construction or be separated by fire walls.

- (31) Section 708.4.2; change sentence to read as follows:

708.4.2 Fireblocks and draftstops in combustible construction. *[Body of text unchanged]*

Exceptions:

1. Buildings equipped with an automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, or in accordance with Section 903.3.1.2 provided that sprinkler protection is provided in the space between the top of the fire partition and the underside of the floor or roof sheathing, deck or slab above as required for systems complying with Section 903.3.1.1. Portions of buildings containing concealed spaces filled with noncombustible insulation as permitted for sprinkler omission shall not apply to this exception for draftstopping.*[Remainder unchanged]*

- (32) Section 718.3; change sentence to read as follows:

718.3 Draftstopping in floors. *[Body of text unchanged]*

Exceptions: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. and provided that in combustible construction, sprinkler protection is provided in the floor space.

- (33) Section 718.4; change sentence to read as follows:

718.4 Draftstopping in attics. *[Body of text unchanged]*

Exceptions: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and provided that in combustible construction, sprinkler protection is provided in the attic space.

- (34) Section 901.6.1; add Section 901.6.1.1 to read as follows:

901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipe systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years:

- (1) The piping between the Fire Department Connection (FDC) and the standpipe shall be back flushed or inspected by approved camera when foreign material is present or when caps are missing, and also hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic

testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

- (2) For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the *fire code official*) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
 - (3) Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
 - (4) If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the *fire code official*.
 - (5) Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) Tag) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
 - (6) The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (*fire code official*) shall be followed.
 - (7) Additionally, records of the testing shall be maintained by the owner and contractor, if applicable, as required by the State Rules mentioned above and NFPA 25.
 - (8) Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.
 - (9) Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*.
- (35) *Section 903.1.1; change to read as follows:*
- 903.1.1 Alternative Protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted instead of in addition to automatic sprinkler protection where recognized by the applicable standard and, or as approved by the *fire code official*.
- (36) *Section 903.2; add paragraph to read as follows and delete the exception:*
- Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY - NO STORAGE ALLOWED."
- (37) *Section 903.2.9; add Section 903.2.9.3 to read as follows:*
- 903.2.9.3 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.
- (38) *Section 903.2.11; change 903.2.11.3 and add 903.2.11.7, 903.2.11.8, and 903.2.11.9 as follows:*

903.2.11.3 Buildings 5535 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories, other than penthouses in compliance with Section 1510 of the International Building Code, located 5535 feet (16 76410 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

(1) Open parking structures in compliance with Section 406.5 of the International Building Code, having no other occupancies above the subject garage.

903.2.11.7 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply. 903.2.11.8 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

903.2.11.9 Buildings Over 6,000 sq. ft. An automatic sprinkler system shall be installed throughout all buildings with a building area 6,000 sq. ft. or greater and in all existing buildings that are enlarged to be 6,000 sq. ft. or greater. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the International Building Code.

(39) *Section 903.3.1.1.1; change to read as follows:*

903.3.1.1.1 Exempt Locations. When approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such ...{text unchanged}... because it is damp, of fire-resistance-rated construction or contains electrical equipment.

- (1) Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
- (2) Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.
- (3) Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
- (4) Elevator machine rooms, and machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
- (5) {Delete.}

(40) *Section 903.3.1.2.3; delete sections and replace as follows:*

Section 903.3.1.2.3 Attached Garages and Attics. Sprinkler protection is required in attached garages, and in the following attic spaces:

- (1) [Remainder Unchanged]
- (2) [Remainder Unchanged]
- (3) Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
- (4) Group R-4, Condition 2 occupancy attics not required by Item 1 or 3 to have sprinklers shall comply with one of the following:

[Remainder Unchanged]

(41) *Section 903.3.1.3; change to read as follows:*

903.3.1.3 NFPA 13D Sprinkler Systems. Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

- (42) *Section 903.3.1.4; add to read as follows:*

903.3.1.4 Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

- (1) The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
- (2) Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
- (3) The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

- (43) *Section 903.3.5; add a second paragraph to read as follows:*

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every water-based fire protection system shall be designed with a 10 psi safety factor. Reference Section 507.4 for additional design requirements.

- (44) *Section 903.4; add a second paragraph after the exceptions to read as follows:*

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

- (45) *Section 903.4.2; add second paragraph to read as follows:*

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

- (46) *Section 905.2; change to read as follows:*

905.2 Installation Standard. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

- (47) *Section 905.3; add Section 905.3.9 and exception to read as follows:*

905.3.9 Buildings Exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

- (1) Automatic dry, semi-automatic dry, and manual dry standpipes are allowed as provided for in NFPA 14 where approved by the fire code official.
- (2) R-2 occupancies of four stories or less in height having no interior corridors.

(48) *Section 905.4, change Item 1, 3, and 5, and add Item 7 to read as follows:*

- (1) In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the main floor landing between stories, unless otherwise approved by the fire code official.
- (2) {No change.}
- (3) In every exit passageway, at the entrance from the exit passageway to other areas of a building.
Exception: Where floor areas adjacent to an exit passageway are reachable from an interior exit stairway hose connection by a {No change to rest.}
- (4) {No change.}
- (5) Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection shall be located to serve the roof or at the highest landing of an interior exit stairway with stair access to the roof provided in accordance with Section 1011.12.
- (6) {No change.}
- (7) When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at two hundred feet (200') intervals along major corridors thereafter, or as otherwise approved by the fire code official.

(49) *Section 905.9; add a second paragraph after the exceptions to read as follows:*

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(50) *Section 907.1; add Section 907.1.4 to read as follows:*

907.1.4 Design Standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

(51) *Section 907.2.1; change to read as follows:*

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies where the having an occupant load due to the assembly occupancy is of 300 or more persons, or where the Group A occupant load is more than 100 persons above or below the *lowest level of exit discharge*. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: {No change.}

Activation of fire alarm notification appliances shall:

-
- (1) Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
- (2) Stop any conflicting or confusing sounds and visual distractions.
- (52) *Section 907.2.3; change to read as follows:*
- 907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.
- Exceptions:
1. {No change.}
- 1.1. Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see Section 907.2.6.) {No change to remainder of exceptions.}
- (53) *Section 907.2.12, Exception 3; change to read as follows:*
- (3) Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.
- (54) *Section 907.4.2; add Section 907.4.2.7 to read as follows:*
- 907.4.2.7 Type. Manual alarm initiating devices shall be an approved double action type.
- (55) *Section 907.6.1; add Section 907.6.1.1 to read as follows:*
- 907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.
- (56) *Section 907.6.3; delete all four Exceptions.*
- (57) *Section 907.6.6; add sentence at end of paragraph to read as follows:*
- See 907.6.3 for the required information transmitted to the supervising station.
- (58) *Section 910.2; change Exception 2 and 3 to read as follows:*
- (2) Only manual smoke and heat removal shall not be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
- (3) Only manual smoke and heat removal shall not be required in areas of buildings equipped with control mode special application sprinklers with a response time index of 50(m*S)^{1/2} or less that

are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

- (59) *Section 910.2; add subsections 910.2.3 with exceptions to read as follows:*

910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

- (1) In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

- (2) In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

- (60) *Section 910.3; add section 910.3.4 to read as follows:*

910.3.4 Vent Operation. Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

910.3.4.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically.

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

Exception: Manual only systems per Section 910.2.

910.3.4.2 Nonsprinklered Buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

Exception: Listed gravity-operated drop out vents.

- (61) *Section 910.4.3.1; change to read as follows:*

910.4.3.1 Makeup Air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be manual or automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m² per 0.4719 m³/s) of smoke exhaust.

- (62) *Section 912.2; add Section 912.2.3 to read as follows:*

912.2.3 Hydrant Distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

- (63) *Section 913.2.1; add Section 913.2.1.1 and exception to read as follows:*

913.2.1.1 Fire Pump Room Access. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. - 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by IFC Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by

the fire code official. Access keys shall be provided in the key box as required by IFC Section 506.1.

- (64) *Section 1006.2.2.7; add Section 1006.2.2.7 as follows:*

1006.2.2.7 Electrical Rooms. For electrical rooms, special exiting requirements may apply. Reference the electrical code as adopted.

- (65) *Section 1009.8; add the following Exception 7:*

1009.8 Two Way Communication. A two-way communication system complying with Sections 1009.8.1 and 1009.8.2 shall be provided at the landing serving each elevator required to be accessible on each accessible floor that is one or more stories above or below the level of exit discharge.

Exceptions:

(7) Buildings regulated under State Law and built in accordance with State registered plans, including variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009 and chapter 11.

- (66) *Section 1010.1.9.5 Bolt Locks; amend exceptions 3 and 4 as follows:*

Exceptions:

(3) Where a pair of doors serves an occupant load of less than 50 persons in a Group B, F, M or S occupancy. (remainder unchanged)

(4) Where a pair of doors serves a Group A, B, F, M or S occupancy (remainder unchanged)

- (67) *Section 1020.1 Construction; add exception 6 to read as follows:*

6. In group B occupancies, corridor walls and ceilings need not be of fire-resistive construction within a single tenant space when the space is equipped with approved automatic smoke-detection within the corridor. The actuation of any detector must activate self-annunciating alarms audible in all areas within the corridor. Smoke detectors must be connected to an approved automatic fire alarm system where such system is provided.

- (68) *Section 1029.1.1.1 Spaces under grandstands and bleachers; delete this section.*

- (69) *Section 1101.1 Scope; add exception to Section 1101.1 as follows:*

Exception: Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

- (70) *Section 2901.1; add a sentence to read as follows:*

2901.1 Scope. {existing text to remain} The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

- (71) *Section 2902.1; add a second paragraph to read as follows:*

In other than E Occupancies, the minimum number of fixtures in Table 2902.1 may be lowered, if requested in writing, by the applicant stating reasons for a reduced number and approved by the Building Official.

- (72) *Table 2902.1; add footnote g to read as follows:*

(g) Drinking fountains are not required in M Occupancies with an occupant load of 100 or less, B Occupancies with an occupant load of 25 or less, and for dining and/or drinking establishments.

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- (73) *Add new Section 2902.1.4 to read as follows:*

2902.1.4 Additional fixtures for food preparation facilities. In addition to the fixtures required in this Chapter, all food service facilities shall be provided with additional fixtures set out in this section.

2902.1.4.1 Hand washing lavatory. At least one hand washing lavatory shall be provided for use by employees that is accessible from food preparation, food dispensing and ware washing areas. Additional hand washing lavatories may be required based on convenience of use by employees.

2902.1.4.2 Service sink. In new or remodeled food service establishments, at least one service sink or one floor sink shall be provided so that it is conveniently located for the cleaning of mops or similar wet floor cleaning tool and for the disposal of mop water and similar liquid waste. The location of the service sink(s) and/or mop sink(s) shall be approved by the County Public Health Department.

- (74) *Section 3001.2 Emergency Elevator Communication Systems for the deaf, hard of hearing and speech impaired; delete this section.*

- (75) *Section 3002.1 Hoistway Enclosure Protection required. Add exceptions to Section 3002.1 as follows:*

Exceptions:

- (4) Elevators completely located within atriums shall not require hoistway enclosure protection.
- (5) Elevators in open or enclosed parking garages that serve only the parking garage, shall not require hoistway enclosure protection.

- (76) *Section 3005.4 Machine rooms, control rooms, machinery spaces and control spaces; delete text as follows:*

Elevator machine rooms, control rooms, control spaces and machinery spaces outside of but attached to a hoistway that have openings into the hoistway shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both.

Revise text to read:

Elevator machine rooms, control rooms, control spaces and machinery spaces shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both.

(Remainder unchanged)

- (77) *Section 3005.4 Machine rooms, control rooms, machinery spaces and control spaces;*

Delete exceptions and add two new exceptions to Section 3005.4 as follows:

Exceptions:

- (1) Elevator machine rooms, control rooms, machinery spaces and control spaces completely located within atriums shall not require enclosure protection.
- (2) Elevator machine rooms, control rooms, machinery spaces and control spaces in open or enclosed parking garages that serve only the parking garage, shall not require enclosure protection.

- (78) *Section 3005.7 add a Section 3005.7 as follows:*

3005.7 Fire Protection in Machine rooms, control rooms, machinery spaces and control spaces.

3005.7.1 Automatic sprinkler system. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, except as otherwise permitted by Section 903.3.1.1.1 and as prohibited by Section 3005.7.2.1.

3005.7.2.1 Prohibited locations. Automatic sprinklers shall not be installed in machine rooms, elevator machinery spaces, control rooms, control spaces and elevator hoistways.

3005.7.2.2 Sprinkler system monitoring. The sprinkler system shall have a sprinkler control valve supervisory switch and water-flow initiating device provided for each floor that is monitored by the building's fire alarm system.

3005.7.3 Water protection. An approved method to prevent water from infiltrating into the hoistway enclosure from the operation of the automatic sprinkler system outside the elevator lobby shall be provided.

3005.7.4 Shunt trip. Means for elevator shutdown in accordance with Section 3005.5 shall not be installed.

(79) *Section 3005.8; add Section 3005.8 as follows:*

3005.8 Storage. Storage shall not be allowed within the elevator machine room, control room, machinery spaces and or control spaces. Provide approved signage at each entry to the above listed locations stating: "No Storage Allowed."

(80) *Section 3006.2, Hoistway opening protection required;*

Revise text as follows:

5. The building is a high rise and the elevator hoistway is more than 55 feet (16 764 mm) in height. The height of the hoistway shall be measured from the lowest floor at or above grade to the highest floors served by the hoistway."

(Ord. No. 677-20, § 2, 6-92-2020)

Sec. 10-23. Violations.

It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve or remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of this article, or otherwise to violate any of the provisions of this article. Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and fined as provided in section 1-10, and each day any such violation shall continue shall be deemed to constitute a separate offense. If any other provision in this article is in conflict with this section, the provisions of this section shall govern.

(Ord. No. 677-20, § 2, 6-92-2020)

Sec. 10-24. Conflicting regulations.

To the extent possible, the regulations adopted by this article and all other city ordinances are to be read together in harmony. However, wherever any provision of this article conflicts with any other provision of the Code of Ordinances, the ordinance provision that imposes more stringent requirements, regulations, restrictions or limitations shall govern.

(Ord. No. 677-20, § 2, 6-92-2020)

Sec. 10-25. Reserved.

Sec. 10-26. Temporary concrete or asphalt batching plant.

- (a) Upon application, including a site plan, the city may authorize the issuance of a temporary batching plant permit, for a location on or adjacent to a major construction site in the city, for a period not to exceed six months with the following conditions:
- (1) An 18-inch mound around the perimeter of the batch plant.
 - (2) A two-foot silt wall placed around the site.
 - (3) A water truck mitigating dust as requested by the city.
 - (4) Construction zone signage on any collector or thoroughfare road. Placement shall be determined by the public works director.
 - (5) A 500-foot minimum setback for a concrete batching plant from any existing residential uses.
 - (6) A 700-foot minimum setback for an asphalt batching plant from any existing residential uses.
- (b) City council shall have the sole authority to approve the permit. The permit may be issued with appropriate, reasonable conditions determined by the city council, including conditions for control of traffic, view from public or adjacent property, dust, light, noise, ingress and egress, and hours of operation.

OTHER USES												
Transportation	Airport, aviation field, helistop or landing area									S	S	S
	Railroad or bus passenger station									S	S	P
	Railroad team track, freight depot and docks or classification yard											P
	Railroad roundhouse or RR car repair shop											
	Terminal; truck, freight, rail or water											P
Waste Related	Junk and used material storage yards											S
	Landfill, recycling center, household hazardous waste or waste tire facility											S
	Pet cemetery											S
	Recycling collection only facility											P
	Salvage yard (other than automotive)											S

Ag	Agricultural uses	P										
Gas	Compression facilities, gathering stations*	S	S	S	S	S	S	S	S	S	S	S
	Gas drilling and production*	S	S	S	S	S	S	S	S	S	S	S
	Oil drilling and production*	S	S	S	S	S	S	S	S	S	S	S
	*In conformance with City of Justin Gas Drilling Ordinance											
Accessory Uses	Accessory use or building	P	P	P	P	P	P	P				P
	Commercial outside display	S								S	S	S
	Farm accessory building											P
	Home occupations	P	P	P	P	P	P					
	Outside storage, screened*	P	P	P	P	P		P	P	P	P	P
	Outside storage, unscreened*								S	S	S	S
	Stable, stockyards or feeding pens (noncommercial)											S
	Swimming pool, private	P	P	P	P	P	P	P	P	P	P	P
Temporary Uses	Amusement, outdoor (temporary)									S	S	S
	Batch Plant, concrete or asphalt	S	S	S	S	S	S	S	S	S	S	S

(Code 1994, § 3.107; Ord. No. 485, § 1, 1-11-2010; Ord. No. 734-22, (Att.), 7-19-2022)

Sec. 10-27. Demolition Permits and Economic Hardship Reserved.

(a) “Old Town” shall mean the area within the boundaries as follows: Beginning on West 8th Street proceeding East to North FM Rd 156, proceeding South on N FM 156 to West 1st Street, proceeding West on West 1st Street to Leuty Street, proceeding north on Leuty Street to West 7th Street, proceeding East on West 7th Street to Creek Hill Way, proceeding North on Creek Hill Way to West 8th Street.

A demolition permit for a structure within Old Town shall be required. A demolition permit for a structure within Old Town shall not be issued until an application for certificate of appropriateness is reviewed and approved by City Council.

The following information must be supplied in the application before it may be

considered complete:

Information describing the condition of the structure

The estimated costs of repair or restoration

Demonstration that the adaptive use or restoration of the structure was seriously contemplated

Any historic records of the structure

Architectural drawings of any proposed new structure(s)

Any voluntary conditions for any proposed new structure(s) mitigating the loss of the existing structure

Any other information staff finds appropriate for the rendering of a decision on the application

(c) The City Council shall hold a public meeting on the application within 60 days of receipt the completed application. A copy of the decision shall be forwarded to the City Council.

(d) An applicant whose demolition permit has been denied may apply for hardship relief. In order to prove the existence of hardship, the applicant shall have the burden to establish that:

The property is incapable of earning a reasonable return on the owner's investment

The property cannot be adapted for another use that can result in a reasonable return

No potential purchaser of the property with a reasonable offer who intends to preserve it can be identified

(e) The [inset body] shall hold a public meeting on the hardship application within 60 days following the receipt of the hardship application, at which time the proponents and opponents of the application may present their views. The [insert body] , may seek expert assistance in the field(s) of real estate development, appraisal, financing, and related areas.

(f) All decisions shall be in writing. Copies shall be sent to the applicant and a copy filed with the City secretary."

ORDINANCE NO. 781-25

AN ORDINANCE OF THE CITY OF JUSTIN, TEXAS AMENDING CHAPTER 10 – BUILDINGS AND BUILDING CODE THROUGH THE ADDITION OF NEW SECTION 10-27, DEMOLITION PERMITS AND ECONOMIC HARDSHIP, PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Justin, Texas declares that as a matter of public policy, protection, preservation, and enhancement of architecturally significant and historic structures is necessary to promote the economic, cultural, educational, and general welfare of the City of Justin; and

WHEREAS, the unique identity of the City of Justin Old Town, as described and identified herein, has a unique identity and the history of that area has produced significant, historic, architectural, and cultural resources; and

WHEREAS, the unnecessary destruction of significant and historic structures within the City of Justin Old Town, as described and identified herein, threatens the economic, cultural, educational, and general welfare of the citizens of the City of Justin; and

WHEREAS, the City Council finds that it is in the best interest of the health safety, and welfare of the public to adopt this Ordinance; and

WHEREAS, all constitutional, statutory, and legal prerequisites for the passage of this Ordinance have been met, including but not limited to the Open Meetings Act; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JUSTIN, TEXAS, THAT:

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That chapter 10 of the City of Justin Code of Ordinances is hereby amended through the addition of Section of Chapter 10 Section 27 to read as follows:

“(a) “Old Town” shall mean the area within the boundaries as follows: Beginning on West 8th Street proceeding East to North FM Rd 156, proceeding South on N FM 156 to West 1st Street, proceeding West on West 1st Street to Leuty Street, proceeding north on Leuty Street to West 7th Street, proceeding East on West 7th Street to Creek Hill Way, proceeding North on Creek Hill Way to West 8th Street.

A demolition permit for a structure within Old Town shall be required. A demolition permit for a

structure within Old Town shall not be issued until an application for certificate of appropriateness is reviewed and approved by City Council.

The following information must be supplied in the application before it may be considered complete:

Information describing the condition of the structure

The estimated costs of repair or restoration

Demonstration that the adaptive use or restoration of the structure was seriously contemplated

Any historic records of the structure

Architectural drawings of any proposed new structure(s)

Any voluntary conditions for any proposed new structure(s) mitigating the loss of the existing structure

Any other information staff finds appropriate for the rendering of a decision on the application

- (c) The City Council shall hold a public meeting on the application within 60 days of receipt the completed application. A copy of the decision shall be forwarded to the City Council.
- (d) An applicant whose demolition permit has been denied may apply for hardship relief. In order to prove the existence of hardship, the applicant shall have the burden to establish that:

The property is incapable of earning a reasonable return on the owner's investment

The property cannot be adapted for another use that can result in a reasonable return

No potential purchaser of the property with a reasonable offer who intends to preserve it can be identified

- (e) The [inset body] shall hold a public meeting on the hardship application within 60 days following the receipt of the hardship application, at which time the proponents and opponents of the application may present their views. The [inset body] , may seek expert assistance in the field(s) of real estate development, appraisal, financing, and related areas.
- (f) All decisions shall be in writing. Copies shall be sent to the applicant and a copy filed with the City secretary."

SECTION 3. That this Ordinance shall be cumulative of all other ordinances of the City of Justin, Texas, and this ordinance shall not operate to repeal or affect any such ordinance except so far as the provisions are inconsistent or in conflict, in which event such other ordinance is repealed.

SECTION 4. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. The fact that the present ordinances and regulations of the City of Justin, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Justin, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

DULY PASSED by the City Council of the City of Justin, Texas, on the 27th day of February 2025.

On first reading, the 27th day of February 2025.

On the second and final reading, the 13th day of March 2025.

APPROVED:

James Clark, Mayor

ATTEST:

Amy Piukana, City Secretary

APPROVED AS TO FORM:

City Attorney

