



CITY OF HIGHLAND HAVEN
510 Highland Drive, Suite A
Highland Haven, Texas 78654-8278
Telephone: 830-265-4366

AGENDA – BOARD OF ALDERMAN MEETING

DATE: Tuesday, July 2, 2024

TIME: 7:00 p.m.

PLACE: Highland Haven Community Center

1. Open Meeting and Establish Quorum/Roll Call– Mayor

Mayor Pro Tem Terry Nuss	☐ Present	☐ Absent
Alderperson Don Hagans	☐ Present	☐ Absent
Alderperson Bruce Robertson	☐ Present	☐ Absent
Alderperson Lynn Smith	☐ Present	☐ Absent
Alderperson Terry Smith	☐ Present	☐ Absent

2. Pledge of Allegiance

3. Recognize Visitors

4. Announcements, Proclamations or Presentations

5. Public Comment

(At this time, any person with business before the BOA not scheduled on the agenda may speak to the Board. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)

ACTION ITEMS

6. Consider Consent items:

The items listed are considered to be routine and non-controversial by the Board of Aldermen and will be approved by one motion, there will be no separate discussion of these items unless a Board member so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.

a. **Meeting Minutes for June 18, 2024**

7. Discussion and /or Possible Action – Water Storage Tank change order.

DISCUSSION / INFORMATION ITEMS

8. Discussion – Personnel

9. Discussion – FY 2025 Budget

10. Discuss / Review - **Drought Contingency Plan.**

11. Review Planning and Zoning Commission Recommendations to BOA

a. **Draft of Commercial Zoning Ordinance**

12. Review assignments for the Planning and Zoning Commission

- a. Comprehensive Plan Review
- b. Review of current Planning and Zoning assignments
- c. The next P&Z meeting is scheduled for July 11, 2024, at 6:00 pm.

13. Legislative Updates –

14. Traffic Control – **Traffic Count Results**

15. Aquatic Vegetation -

HOME

16. Drainage Issues – 307 E Pheasant

17. Water Storage Tank Project Report

- a. Possible change orders
 - i. Water system controls
 - ii. Weed barrier and gravel ground cover
 - iii. Storage shed rainwater runoff gutter system

18. Review Water System –

- a. Lead and Copper Rule Revisions
 - i. Service Line Inventory
 - 1. TCEQ Lead and Copper Rule Revisions
 - a. <https://www.tceq.texas.gov/drinkingwater/chemicals/lcrr>
 - b. <https://www.tceq.texas.gov/downloads/drinking-water/lead-copper/form-20943.xlsx>
- b. Maintenance and Operations Issues
 - i. HHPOA barn rental
- c. Emergency generator system
- d. Central Texas Groundwater Conservation District
 - i. Pumping Permit
 - ii. Drought Status – Stage 3
 - iii. 10% Mandatory Water Restrictions
 - iv. Monitoring Well

19. Review Solid Waste Services –

20. Mayor's Report

- a. Budget Workshop July 9, 2024
- b. Budget Workshop August 7 or 8 2024.

21. Aldermen Comments

Next regular meeting – Tuesday July 16, 2024, at 7:00 p.m., Highland Haven Community Center

Adjournment.

Posted: June 27, 2024

CERTIFICATION OF POSTING

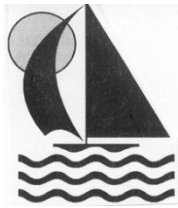
I, LEZLEY BAUM, CERTIFY THAT THE FOREGOING AGENDA HAS BEEN POSTED AT HIGHLAND HAVEN CITY HALL, 510 HIGHLAND DRIVE, SUITE A; HIGHLAND HAVEN, TX ON THE INDOOR AND OUTDOOR NOTICE BOARDS OF CITY HALL WHICH ARE ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THE CITY WEBSITE AT WWW. HIGHLANDHAVENTX.COM ON JUNE 27, 2024, BY 5:00 PM AND REMAINED SO POSTED FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.



Lezley Baum

Lezley Baum, City Secretary

THIS MEETING SHALL BE CONDUCTED PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.001 ET SEQ. AT ANY TIME DURING THE MEETING THE BOARD RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION ON ANY OF THE ABOVE POSTED AGENDA ITEMS IN ACCORDANCE WITH THE SECTIONS 551.071 (Advice of Counsel), 551.072 (Real Property), 551.073 (Gifts or Donations), 551.074 (Personnel), 551.076 (Security), 551.087 (Economic Development) and/or 418.183 (Homeland Security).



CITY OF HIGHLAND HAVEN
510 Highland Drive, Suite A
Highland Haven, Texas 78654-8278
Telephone: 830-265-4366

MINUTES – BOARD OF ALDERMAN MEETING

DATE: Tuesday, June 18, 2024

TIME: 7:00 p.m.

PLACE: Highland Haven Community Center

1. Open Meeting and Establish Quorum/Roll Call– Mayor

Mayor Pro Tem Terry Nuss	☐ Present	☒ Absent
Alderman Don Hagans	☒ Present	☐ Absent
Alderman Bruce Robertson	☒ Present	☐ Absent
Alderman Lynn Smith	☒ Present	☐ Absent
Alderman Terry Smith	☒ Present	☐ Absent

Mayor Kelley opened the meeting at 7:00pm.

2. Pledge of Allegiance

Mayor Kelley led in the Pledge of Allegiance.

3. Recognize Visitors

Visitors Present – Jackie Garrow, Peter Mackay, Rick Hieb, Tammie Hieb

4. Announcements, Proclamations or Presentations

5. Public Comment

(At this time, any person with business before the BOA not scheduled on the agenda may speak to the Board. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)

ACTION ITEMS

6. Consider Consent items:

The items listed are considered to be routine and non-controversial by the Board of Aldermen and will be approved by one motion, there will be no separate discussion of these items unless a Board member so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.

- a. Meeting Minutes for June 4, 2024
- b. Financials May 2024
- c. Sales Tax Report June 2024
- d. Utility Report May 2024

Motion to approve consent agenda made by Terry Smith, seconded by Lynn Smith.

Vote 4-0

7. Discussion and /or Possible Action – Resolution # 359 – appoint designees for simple replats.

Motion to approve Resolution # 359 - appoint designees for simple replats made by Terry Smith, seconded by Bruce Robertson.

Vote 4-0

8. Discussion and/or Possible Action – Resolution # 360, appointment to Planning and Zoning Commission

Motion to approve Resolution # 360, appointment to Planning and Zoning Commission made by Lynn Smith, seconded by Bruce Robertson.

Vote 4-0

9. Discussion and/or Possible Action – 2024-2025 Joint Election Agreement with Burnet County.

Motion to approve 2024-2025 Joint Election Agreement with Burnet County made by Don Hagans, seconded by Lynn Smith.

Vote 4-0

10. Discussion and/or Possible Action – Contract for Election Services with Burnet County.

Motion to approve Contract for Election Services with Burnet County made by Terry Smith, seconded by Bruce Robertson.

Vote 4-0

DISCUSSION / INFORMATION ITEMS

11. Discussion – Personnel

- a. Accounting/Utility Coordinator

12. Discussion – FY 2025 Budget

13. Discuss / Review - Drought Contingency Plan.

14. Review Planning and Zoning Commission Recommendations to BOA

15. Review assignments for the Planning and Zoning Commission

- a. Review of current Planning and Zoning assignments
- b. The next P&Z meeting is scheduled for June 25, 2024, at 3:00 pm.

16. Legislative Updates –

17. Traffic Control -

18. Drainage Issues –

19. Water Storage Tank Project Report

- a. Possible change orders
 - i. Water system controls
 - ii. Weed barrier and gravel ground cover
 - iii. Storage shed rainwater runoff gutter system

20. Review Water System –

- a. Lead and Copper Rule Revisions
 - i. Service Line Inventory
 - 1. TCEQ Lead and Copper Rule Revisions
 - a. <https://www.tceq.texas.gov/drinkingwater/chemicals/lcrr>
 - b. <https://www.tceq.texas.gov/downloads/drinking-water/lead-copper/form-20943.xlsx>
- b. Maintenance and Operations Issues
 - i. HHPOA barn rental
- c. Emergency generator system
- d. Central Texas Groundwater Conservation District
 - i. Pumping Permit
 - ii. Drought Status – Stage 3
 - iii. 10% Mandatory Water Restrictions
 - iv. Monitoring Well

21. Review Solid Waste Services –

22. Mayor's Report

23. Aldermen Comments

Next regular meeting – Tuesday July 2, 2024, at 7:00 p.m., Highland Haven Community Center

**Motion to adjourn made by Bruce Robertson, seconded by Don Hagans.
Vote 4-0**

The meeting adjourned at 8:07pm.

Olan Kelley, Mayor

Lezley Baum, City Secretary



Water Availability Division
MC-160, P.O. Box 13087 Austin, Texas 78711-3087
Telephone (512) 239-4600, FAX (512) 239-2214

This form is provided as a model of a drought contingency plan for a retail public water supplier. If you need assistance in completing this form or in developing your plan, please contact the Conservation Staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan. For municipal water systems, adoption would be by the city council as an ordinance. For other types of publicly owned water systems (example: utility districts), plan adoption would be by resolution of the entity's board of directors adopting the plan as administrative rules. For private investor-owned utilities, the drought contingency plan is to be incorporated into the utility's rate tariff. Each water supplier shall provide documentation of the formal adoption of their drought contingency plan.

Name:	City of Highland Haven	
Address:	510 Highland Drive Suite A	
Telephone Number:	(830) 265-4366	Fax: ()
Water Right No.(s):		
Regional Water Planning Group:	K	
Form Completed by:	Olan Kelley	
Title:	Mayor	
Person responsible for implementation:	Mayor	Phone: (830) 265-4366
Signature:		Date: / /

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Highland Haven hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other

emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Highland Haven by providing opportunities for input at the regular scheduled Board of Alderman meeting on

Section III: Public Education

The City of Highland Haven will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of email, direct mail, and utility bill inserts.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Highland Haven is located within the Lower Colorado Regional Water Planning Group Region K and the City of Highland Haven has provided a copy of this Plan to the Lower Colorado Regional Water Planning Group Region K. Retail public water suppliers with **less than 3,300 connections must prepare and adopt** an updated drought contingency plan and make the plan available for inspection by Texas Commission on Environmental Quality (TCEQ), but they are **not required to submit plans to TCEQ**.

Section V: Authorization

The Mayor, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Mayor, or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Highland Haven. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by the City of Highland Haven.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than firefighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Storage Tanks: tanks used to store well water from wells managed by the city. The city currently operates two storage tanks (Tank 1 and Tank 2), each rated for 100,000-gallon capacity.

Section VIII: Criteria for Initiation and Termination of Drought Response Stages

The Mayor or his/her designee shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on known system capacity limits, as well as the drought stage mandates initiated by Central Texas Groundwater Conservation District. Including but not limited to well pumping capacity, static water level in the CTGCD Well #3286, aka Main Well or Well #1), water level in (either or both?) Water Storage Tank #1 and/or Tank #2 as applicable.

The City of Highland Haven has adopted and follows the LCRA Domestic Water Use, Outdoor Watering Schedule which will apply to all forms of water sources including city water, private water wells, lake water and water harvesting systems.

Utilization of alternative water sources and/or alternative delivery mechanisms:

Alternative water sources for City of Highland Haven (*name of utility*) are:

- CTGCD Well #3588 (aka Backup or Well #2)
- CTGCD Well #3589 (aka Johnson East or Well #5)
- CTGCD Well #3590 (aka Johnson West or Well #6).

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII Definitions, when one or more of the following triggers occur.

- **When water production from the City of Highland Haven Main Well and alternative water sources is equal to 50 % of our maximum daily system production of 200,000 gallons. (Highland Haven highest daily production was 216,000 gallons on February 18, 2021, and 202,000 gallons on August 8, 2022.)**
-
- **When the static aquifer water level in the City of Highland Haven Main Well is equal to or greater than 34 feet below the surface of the ground for three (3) consecutive days. The annual average is 28'.**
- **When the filled capacity of the City of Highland Haven Storage Tanks are equal to or less than 95 percent of the total capacity. 95% is equal to approx. 19 feet on the tank altimeter gauge. Full is 20.4 feet.**
- **When continually falling, the filled capacity of Storage Tanks does not refill above 95% overnight.**
- **When Central Texas Groundwater Conservation District (CTGCD) initiates Stage 1 Drought Status.**
- **When the cumulative YTD (beginning January 1 and ending December 31) ground water pumping report for the City of Highland Haven indicates the total gallons pumped is 60% of the allowable maximum annual water licensed by the CTGCD. (Current CTGCD permit is for 82-acre ft. or 26,719,782 gallons)**

--

Requirements for termination

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days (unless otherwise rescinded by the Mayor or his/her designee and when CTGWD rescinds mandated restrictions.

Stage 2 Triggers -- MODERATE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when one or more of the following triggers occur.

- When water production is equal to 50 % of maximum daily system production of 200,000 gallons.
-
- When the static aquifer water level in the City of Highland Haven Main Well is equal to or greater than 35 feet below the surface of the ground for three (3) consecutive days.
- When the filled capacity of the City of Highland Haven Storage Tanks are equal to or less than 95 percent of the total tank capacity.
- When continually falling, the filled capacity of Storage Tanks does not refill above 95% overnight.
- When Central Texas Groundwater Conservation District (CTGCD) initiates Stage 2 Drought Status.
- When the cumulative YTD (beginning January 1 and ending December 31) ground water pumping report for the City of Highland Haven indicates the total gallons pumped is 70% of the allowable maximum annual water licensed by the CTGCD. (Current CTGCD permit is for 82-acre ft. or 26,719,782 gallons)

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days (unless otherwise rescinded by the Mayor or his/her designee and when CTGWD rescinds mandated restrictions.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when one or more of the following triggers occur.

- When water production is equal to 55 % of maximum daily system production, 200,000 gallons.
- When the static aquifer water level in the City of Highland Haven Main Well is equal to or greater than 37 feet below the surface of the ground for three (3) consecutive days.
- When the capacity of the City of Highland Haven Storage Tanks are equal to or less than 90percent of the total tank capacity.
- When continually falling, the filled capacity of Storage Tanks does not refill above 90% overnight.
- When Central Texas Groundwater Conservation District (CTGCD) initiates Stage 3 Drought Status
- When the cumulative YTD (beginning January 1 and ending December 31) ground water pumping report for the City of Highland Haven indicates the total gallons

**pumped is 80% of the allowable maximum annual water licensed by the CTGCD.
(Current CTGCD permit is for 82-acre ft. or 26,719,782 gallons)**

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days (unless otherwise rescinded by the Mayor or his/her designee and when CTGWD rescinds mandated restrictions.

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when one or more of the following triggers occur.

- **When water production is equal to 75 % of maximum daily system production, 200,000 gallons.**
-
- **When the static aquifer water level in the City of Highland Haven (name of your water supplier) Main Well is equal to or greater than 38 feet below the surface of the ground for three (3) consecutive days.**
- **When the filled capacity of the City of Highland Haven (name of your water supplier) Storage Tanks are equal to or less than 75 percent of the total tank capacity.**
- **When continually falling, the filled capacity of Storage Tanks does not refill above 70% overnight (example: based on an evaluation of minimum treated water storage required to avoid system outage).**
- **When Central Texas Groundwater Conservation District (CTGCD) initiates Stage 4 Drought Status**
- **When the cumulative YTD (beginning January 1 and ending December 31) ground water pumping report for the City of Highland Haven indicates the total gallons pumped is 90% of the allowable maximum annual water licensed by the CTGCD.
(Current CTGCD permit is for 82-acre ft. or 26,719,782 gallons)**

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days (unless otherwise rescinded by the Mayor or his/her designee and when CTGWD rescinds mandated restrictions.

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the Mayor, or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; **or**
2. Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist and required tests confirm water is safe to drink.

Stage 6 Triggers – WATER ALLOCATION

Requirements for initiation

Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when one or more of the following triggers occur,

- **When water supply is at or below 180 days.**
- **When water production is equal to 100% of maximum daily system production of 200,000 gallons.**
- **When the static aquifer water level in the City of Highland Haven Main Well is equal to or greater than 50 feet below the surface of the ground for three (3) consecutive days.**
- **When the specific filled capacity of the City of Highland Haven Storage Tanks is equal to or less than 70 percent of the tank capacity.**
- **When continually falling Storage Tank do not refill above 70 percent overnight (example: based on an evaluation of minimum treated water storage required to avoid system outage).**
- **When the cumulative YTD (beginning January 1 and ending December 31) ground water pumping report for the City of Highland Haven indicates the total gallons pumped is 95% of the allowable maximum annual water licensed by the CTGCD. (Current CTGCD permit is for 82-acre ft. or 26,719,782 gallons)**

Requirements for termination - Water allocation may be rescinded when all the applicable conditions listed as triggering events have ceased to exist for a period of seven (7)

Section IX: Drought Response Stages

The Mayor, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The Mayor or his/ her designee shall notify the public by means of:

- Email
- Direct mail
- Signs posted in public places

⋮

Additional Notification:

The Mayor or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- Water customers
- Board of Alderman
- Planning and Zoning Commission
- Highland Haven Property Owners Association
- Shady Acres Property Owners Association
- Camp Champions management
- Granite Shoals Fire Department
- Burnet County Pct.1 County Commissioner
- Central Texas Groundwater Conservation District
- Texas Commission on Environmental Quality (TCEQ), when required.

Examples:

Stage 1 Response – MILD Water Shortage Conditions

Target: Achieve a voluntary five (5) % reduction in the daily water usage.

Best Management Practices for Supply Management:

- The City of Highland Haven will search for leaks on system lines and discontinue flushing of water mains.

Voluntary Water Use Restrictions for Reducing Demand:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Thursdays and Sundays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Wednesdays and Saturdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.
- (b) All operations of the City of Highland Haven shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response – MODERATE Water Shortage Conditions

Target: Achieve a ten (10) % reduction in the daily water usage.

Best Management Practices for Supply Management:

- The City of Highland Haven will search for leaks on system lines and discontinue flushing of water mains.

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays for water customers with a street

address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Highland Haven.
- (f) Use of water for the irrigation of public landscape areas is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) The following uses of water are defined as non-essential and are prohibited:
 - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - 3. use of water for dust control;
 - 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response – SEVERE Water Shortage Conditions

Target: Achieve a fifteen (15) % reduction from in the daily water usage.

Best Management Practices for Supply Management:

- The City of Highland Haven will search for leaks on system lines and discontinue flushing of water mains.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (b) The watering of public landscape areas and public recreational areas is prohibited unless a water source other than that provided by the City of Highland Haven is used.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 4 Response – CRITICAL Water Shortage Conditions

Target: Achieve a twenty (20) % reduction in the daily water usage.

Best Management Practices for Supply Management:

- The City of Highland Haven will search for leaks on system lines and discontinue flushing of water mains.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- (c) The filling, refilling, or adding of water from city water system to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.

- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system. Use of city water system water to refill such is prohibited.
- (e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response – EMERGENCY Water Shortage Conditions

Target: Achieve a reduction in daily water demand sufficient to allow the City of Highland Haven to supply water with the capabilities of the system during the emergency event.

Best Management Practices for Supply Management:

- The City of Highland Haven will immediately identify the cause of the loss of the capability to provide water service and implement corrective actions.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (a) Irrigation of landscaped areas is **absolutely prohibited**.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is **absolutely prohibited**.

Stage 6 Response – WATER ALLOCATION

In the event that water shortage conditions threaten public health, safety, and welfare, the Mayor or his/her designee is hereby authorized to allocate water according to the following water allocation plan:

Single-Family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

Persons per Household	Gallons per Month
1 or 2	3,000
3 or 4	4,000
5 or 6	5,000
7 or 8	6,000
9 or 10	7,000
11 or more	8,000

“Household” means the residential premises served by the customer’s meter. “Persons per household” includes only those persons currently physically residing at the premises

and expected to reside there for the entire billing period. It shall be assumed that a particular customer's household is comprised of two (2) persons unless the customer notifies the City of Highland Haven of a greater number of persons per household on a form prescribed by the Mayor or his/her designee. The Mayor or his/her designee shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the City of Highland Haven offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the Mayor or his/her designee. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the City of Highland Haven on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the City of Highland Haven in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the Mayor or his/her designee shall adopt methods to insure the accuracy of the claim. **Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the City of Highland Haven of a reduction in the number of persons in a household shall be fined not less than \$50.00.**

Residential water customers shall pay the following surcharges:

\$2.50 for the first 1,000 gallons over allocation.
 \$5.00 for the second 1,000 gallons over allocation.
 \$7.50 for the third 1,000 gallons over allocation.
 \$10.00 for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Highland Haven for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Mayor, or his/her designee, in accordance with provisions of this Plan.
- (b) **Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than fifty dollars (\$50.00) and not more than two hundred dollars (\$200.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense.** If a person is convicted of three or more distinct violations of this Plan, the Mayor, or his/her designee shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of established disconnect and re-connection charges, and any other costs incurred by the City of Highland Haven in discontinuing service. In addition, suitable assurance must be given to the Mayor, or his/her designee that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

- (c) Any person, including a person classified as a water customer of the City of Highland Haven, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- (d) **Any employee of the City of Highland Haven, police officer, or designated city official or employee designated by the Mayor, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance.** The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the City of Highland Haven Municipal Court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in City of Highland Haven Municipal Court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in City of Highland Haven Municipal Court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in City of Highland Haven Municipal Court before all other cases.

Section XI: Variances

The Mayor, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Highland Haven within five (5) days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Mayor, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.

- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

Variances granted by the City of Highland Haven shall be subject to the following conditions, unless waived or modified by the Board of Alderman.

- Variances granted shall include a timetable for compliance.
- Variances granted shall expire when the plan is no longer in effect unless the petitioner has failed to meet specific requirements.
- No variance shall be retroactive or otherwise justify any violation of this plan occurring prior to issuance of the variance.

June 25, 2024

To: Board of Aldermen

From: Planning & Zoning Commission

RE: Draft Commercial Zoning Ordinance Recommendation

Dear Board of Aldermen,

Attached is the first complete draft of our recommendations for Commercial Zoning Ordinance. Included are recommended charts populated with information from surrounding cities as a reference. We suggest seeking professional guidance in completing the charts.

Respectfully submitted,

Planning & Zoning Commission

Commercial Zoning Ordinance

DISTRICT: COMMERCIAL

1. AREA (legal description)

2. PURPOSE: The purpose of the general commercial district is to set aside defined land areas within the city, commensurate with anticipated demand, for commercial uses that serve the surrounding community with retail goods and services, in locations where transportation access can be maximized, while creating an environment to enhance the public image of the city, encourage economic investment, and provide attractive gateways into the city.

No area, building, or structure may be used, constructed, or altered except for those permitted by the City.

Regulation of commercial district development is intended to support the rural and recreational quality of life enjoyed by residents and property owners of the city by promoting business uses typical of a small Texas Hill Country Community.

Property Owners may, by variance request to the City, request business use of a property zoned other than Commercial. Requests will be considered on a case-by-case basis.

3. USE REGULATIONS:

(See Chart 5)

A. CONDITIONAL USES:

Non-conforming or conditional uses are permitted in only two distinct instances.

1. Property owners may receive approval of conditional use by a positive vote of the Board of Aldermen.
2. Property owners who are actively using property for unapproved conditional purposes on (date of ordinance approval) may continue to use that property for that purpose, under the following conditions:
 - a. There will be no future expansion of such facilities or uses;
 - b. If existing facilities are expanded or remodeled, such conditional use becomes subject to the full force of this ordinance, including but not limited to, requirement that conditional use is granted only by positive vote of the Board of Aldermen;

Commercial Zoning Ordinance

c. Sale of said property will not convey conditional use approval to subsequent property owners. Conditional use of said property by new owner will be subject to the full force of this ordinance, including but not limited to, requirement that conditional use is granted by positive vote of the Board of Aldermen.

B: GENERAL CONDITIONS AND LIMITATIONS

1. That the use is not objectionable, as defined by a positive vote of the Board of Aldermen, due to traffic, odor, excessive light pollution, smoke, dust, noise, vibration or similar nuisance and that such odors, smoke, dust noise or vibration be generally contained within the property, except that which is caused by customer and employee vehicles.
2. No building shall be erected, and no existing building shall be moved, structurally altered, added to or enlarged, nor shall any land, building or premises be used or designated for use for any purpose or in any manner other than provided for hereinafter in the zoning district in which the land or premises is located; provided, however, that necessary structural repairs may be made where health and safety are endangered.

4. SITE DEVELOPMENT REQUIREMENTS

- A. PURPOSE: The purpose of this section is to provide control over the commercial areas of the City so that they will complement existing activities, structures and neighborhoods, and conform to future plans of the City's growth.
- B. REVIEW: An applicant for a building permit for new construction or remodeling on any property zoned Commercial must submit to the City for review a description of the activity to be conducted, the location, building plans, site plans with drawings, dimensions and specifications.
- C. SITE PLAN SUBMISSION: A site plan shall be accurately and legibly drawn to scale with dimensions, and shall show the following items, as may be applicable for review of the proposed improvements:
 1. Point of references to accurately locate the site;
 2. The boundary of the existing property;
 3. Existing and/or proposed buildings;
 4. Proposed occupancy;
 5. Parking layout and drives;
 6. Means of ingress and egress;

Commercial Zoning Ordinance

7. Loading areas;
8. Fire lanes;
9. Areas to be landscaped;
10. Screening;
11. Public and private sidewalks;
12. Refuse facilities with screening;
13. Adjoining streets and alleys, including curbs, medians and storm drains;
14. Drainage, electric, telephone, gas, cable television, and other utility easements;
15. Zoning;
16. Size of buildings;
17. Computations of building areas for each occupancy, site area, and parking ration;
18. Existing or proposed water and sanitary sewer lines;
19. Sign locations;
20. Other such information as considered essential by the Planning & Zoning Commission or City.

D. SITE DEVELOPMENT REGULATIONS:

1. Paved Sidewalks, driveways and parking areas are required
2. Screening of loading and storage facilities is required.
3. A portable or temporary building of less than 500 square feet shall be allowed only when incidental to the construction of a permanent structure and shall be removed when the permanent structure is completed.
4. See Charts 1- 4

- E. APPROVAL: approval will be given based on appropriately conforming to the specific activity at the specific location, with regards to existing activities, structures and neighborhoods, and to the plans of the City.

F. ELEMENTS OF SITE PLAN APPROVAL:

The following will be used as guidelines in determining the acceptability of submitted designs:

1. Drainage, driveways, sewage and water utilities, and traffic flow plans must be approved by all governing County and State entities before final approval of site plan will be granted by the Board of Alderman.
2. All plans submitted must comply with the building codes in effect for the City at the time said plans are submitted.
3. Surface area of any building façade must be a material approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building. Wood must be properly

Commercial Zoning Ordinance

painted, stained, protected, sealed or otherwise treated appropriate for the type of wood material used.

4. Masonry buildings must use brick, stone, stucco and similar materials. If concrete or cinderblock is used, it must be textured and painted, or coated with stucco or a similar material.
5. Minimum landscaped open space must be provided as follows:
 - a. Office uses: fifteen percent of lot area;
 - b. Commercial uses: ten percent of lot area;
 - c. Industrial uses: five percent of lot area.Said area must be landscaped with grass, trees, shrubs, flowers, native vegetation or drought-resistant plants.
6. Material used on the framing or exterior of any structure must be a material approved for use by a national model code published within the last three code cycles, that applies to the construction, renovation, maintenance, or other alteration of the building. Antique, reclaimed or recycled material may be used on interior surfaces at the property owner's discretion.
7. All heating and air conditioning equipment shall be screened from the view from any public street.
8. Rear yards shall be required, only in the instance where the property abuts, along its rear lot line, property zoned and used for residential purposes, in which case a ten-foot rear yard shall be provided between Office / General Business and Residential uses, and not less than a twenty-foot rear yard between Light Industrial and Residential uses. No yard or other open space provided to comply with the provisions of this Subchapter shall be considered as providing a yard or open space for a building on any other lot.
9. Outside storage and trash receptacles shall be enclosed from view by the general public by a solid fence constructed of with masonry or wood, the fence shall be a minimum of six feet tall. Where an industrial use property abuts a Residential use, a solid fence with a minimum height of eight feet shall be provided along the entire common boundary. No outside storage or trash receptacle shall be higher than the height of screening. All screening shall be maintained in a safe and sightly condition at all times. All General Commercial or Industrial district trash dumpsters shall be serviced from the owner's property.
- G. REJECTION: If the review results in a rejection of the plans, the City will send a letter of rejection to the applicant within five business days after rejection is given stating the specific reasons for

Commercial Zoning Ordinance

the rejection. The applicant may modify the plans accordingly and resubmit the new plans to the City at any time after this notice is received.

H. APPEALS: Any person may appeal the City's decision (rejection) to the Board of Aldermen.

I. SIGN REGULATIONS:

Permitted commercial signs must be on the same lot as the business establishment to which they refer and comply with all setbacks for the relevant Zoning District.

1. Temporary signs, movable marquees, and banners are prohibited, except for construction signs during development.
2. Signs (advertising) must be on the same lot as the business establishments to which they refer and shall not be placed within any required yard nor within twenty-five (25) feet of any Residential District. Signs may be illuminated but must be stationary and non-flashing. All signs shall comply with all applicable provisions of this ordinance and any other applicable ordinance of the City

J. OFF-STREET LOADING REQUIREMENTS:

Any business use that receives or distributes materials or merchandise by vehicle shall provide, when required by use district regulations, off-street loading spaces in accordance with the following requirements:

1. Floor area shall mean the gross floor area of use.
2. Fractional spaces shall be rounded to the next higher whole space.
3. Whenever a building or use, existing on the date of the ordinance from which this chapter is derived, is enlarged by more than 750 percent? In floor area or area of use, the entire building or use shall then and thereafter comply with the off-street loading requirements.
4. Off-street loading spaces shall be located on the same lot as the building or use served.
5. A loading space shall contain a minimum of 420 feet and shall be approximately 12 feet in width and 35 feet in length. All loading spaces, maneuvering aisles and driveways shall be paved.
6. One loading space for each 5,000 square feet of floor area for the first 15,000 square feet of floor area. One additional loading space for each (xxxx) square feet of additional floor space in excess of 15,000 square feet.

K. BINDING SITE PLAN

Commercial Zoning Ordinance

Compliance by the applicant to the site plan submitted and approved will be determined by the City's designee. Should said designee determine that actual construction varies from the approved plans, City designee may issue a violation, applicant may be subject to a fine, and a stop-work order may be issued until such variance is resolved.

5. COMMERCIAL DISTRICTS

A. Office District – District O

1. PURPOSE: Allows office development to a maximum of two stories for use in providing professional and other business services. (See Chart 5)
2. CONDITIONS AND LIMITATIONS:
 - a. Does not allow hospitals or call centers.
 - b. Business hours 7am – 7pm.

B. General Business - District “GB”

1. PURPOSE: This district allows general retail and commercial uses in the following listed use areas:
 - a. Listing of types of businesses (See Chart 5)
 - b. Uses as determined by the P&Z Commission and the BOA which are closely related and similar in nature and environmental impact to uses listed in Chart 5.
 - c. Any business not listed in Chart 5 shall apply for approval by the city
2. CONDITIONS AND LIMITATIONS
 - a. That the use is not objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance; and that, excluding that caused by customer and employee vehicles, such odors, smoke, dust, noise or vibration be generally contained within the property.
 - b. Accessory buildings shall be permitted only in the rear yard except when the lot on which the main building is located backs up to residential zones, but in no case may any accessory building occupy a public utility easement.
 - c. That the business be conducted wholly within an enclosed building, except for delivery, catering, gasoline sales, nurseries and garden centers.
 - d. That required yards and outdoor areas not be used for display, sale, vehicles, equipment, containers or waste material, save and except for screened dumpster collection areas.
 - e. That all merchandise be sold on the premises, except for delivery and catering.

Commercial Zoning Ordinance

- f. Establishments located on property that is within 300' of any property zoned for residential use when commercial use is first established may not be open to the general public before 5:00 a.m. and must be closed to the general public by 10:00 p.m.
- g. A variance request may be submitted to the City for deviations from conditions and limitations.

C. Light Industrial – District “LI”

1. **PURPOSE:** This district is designed to provide locations for outlets offering goods and services to a targeted segment of the general public as well as industrial users. The uses included primarily serve other commercial and industrial enterprises. No building or land shall be used, and no building hereafter shall be erected, maintained, or structurally altered, except for one (1) or more of the uses hereinafter enumerated. Allows assembly, packaging and manufacture of nonhazardous, non-volatile goods, materials, products or equipment and the following listed uses: (See Chart 5)
 - a. **Light Manufacturing**
 - i. Light manufacturing, fabrication, assembly or processing of goods or materials, products or equipment.
 - ii. Repair, servicing, painting, packaging or cleaning of goods, materials, products, or equipment.
 - iii. Research, development and testing activities.
2. **CONDITIONS AND LIMITATIONS.**
 - a. See Charts 1-4.
 - b. That the use not be objectionable, as determined by recorded vote of the BOA, because of traffic, odor, excessive light, smoke, dust, noise, vibration, or similar nuisance; and that, excluding the cause customer and employee vehicles, such odors, smoke, dust, noise, or vibration be generally contained within the property.
3. **PERFORMANCE STANDARDS** Light Industrial Districts. All uses in the LI (Light Industrial) District shall conform in operation, location and construction to the minimum performance standards herein specified for noise, odorous matter, toxic and noxious matter, glare, smoke, particulate matter and other air contaminants, fire, explosive and hazardous matter, and vibration.
4. **NOISE NUISANCES**

By authority of:
Texas Local Government Code,
Title 7. Regulations of Land Use, Structures, Businesses, and Related Activities
Subtitle A. Municipal Regulatory Authority

The City may define, declare, and abate noise nuisances.

The City defines a noise nuisance for purposes of Commercial Zone LI as:

Commercial Zoning Ordinance

unreasonably loud, disturbing, or unnecessary noise that causes material distress, discomfort or injury to a reasonable person of ordinary sensitivity in the immediate vicinity thereof; and/or any noise of such character, intensity and continued duration that it substantially interferes with the comfort and enjoyment of private homes or with the normal operations of neighboring businesses, by reasonable persons of ordinary sensitivity.

D. Governmental, Utility, and Institutional district "GUI".

1. PURPOSE This district is intended to provide appropriate areas for uses that provide important community services often requiring large amounts of land. Uses permitted in the GUI district and other substantially similar uses generate a large amount of traffic. Land abutting a major street that can be used for access will be considered appropriate for GUI classification. (See Chart 5)

Commercial Zoning Ordinance

Chart 1							
Zoning District	Front Setback	Side Setback	Street Side Yard Setback	Rear Setback	Min. Lot SF Area	Min. Lot Width	Height Limit
O							
GB							
LI							
GUI							

Chart 2		
Zoning District	Maximum Lot Coverage Main Building(s)	Coverage Main Buildings and All Accessory Buildings
O		
GB		
LI		
GUI		

Chart 3			
Zoning District	Building Area - Maximum Floor Area Ratio		Land Area
O			
GB			
LI			
GUI			

Chart 4	
Use	Number of Parking Spaces (1)

Commercial Zoning Ordinance

Chart 5				
Business Type	O	C	LI	GUI
Antique shops		X		
Apparel shop		X		
Arts, craft, hobby shop (inside sales)		X		
Bakery, confectionary – retail and/or commercial sales		X		
Bank, credit union	X	X		
Barber shop, beauty shop		X		
Building materials, hardware (inside sales)		X		
Business services	X	X		
Cabinet, upholstery shop			X	
Cafes, cafeterias, restaurants		X		
Camera, photography	X	X		
Churches				X
Clinics without overnight services		X		
Community Buildings				X
Convenience store		X		
Department, sporting goods, novelty, variety, toy stores		X		
Drapery, needlework, weaving shops		X		
Drugstore		X		
Electrical Substations				X
Facilities for assembly of computer software products			X	
Florists		X		
Gas station		X		
Gym, fitness center		X		
Household or office furniture/furnishings, appliance stores		X		
Jewelry, optical goods stores		X		
Laundry/dry cleaning substation		X		
Municipal Recreation Facilities				X
Package liquor stores		X		
Parks, Playgrounds				X
Public Buildings				X
Public Utility Substations & Distribution Centers				X
Retail uses which supply common shopping needs of city residents		X		
Schools-Public and Private				X
Shoe and leather repair		X		
Warehousing and Distributing Operations			X	
Wastewater Treatment Plants				X
Water supply - Reservoirs, Pumping Plants, Water Towers				X

Commercial Zoning Ordinance

Wholesale Distributor			X	

Chart 1 - Example

City	Zoning District	Front Setback	Side Setback	Street Side Yard Setback	Rear Setback	Min Lot SQ Area	Min Lot Width	Height Limit
Bertram	O	25 ft	5 ft	15 ft	15 ft	6000	50 ft	35 ft
Cottonwood	O	25 ft	10 ft	15 ft	25 ft	7500	60 ft	35 ft
Burnet	O	25 ft	10 ft	15 ft	25 ft	7500	60 ft	35 ft
Frederickst	O	15 ft		15 ft	25 ft	7500	75 ft	38 ft
Cameron	O		10 ft	15 ft	25 ft	4000	50 ft	35 ft
Bertram	GB	25 ft	7 ft	15 ft	15 ft	6000	50 ft	45 ft
Cottonwood	GB	25 ft	7 ft	15 ft	15 ft	5750	50 ft	60 ft
Burnet	GB	50 ft	15 ft	15 ft	15 ft	10000	50 ft	35 ft
Frederickst	GB	15 ft		15 ft	25 ft	5000	50 ft	38 ft
Cameron	GB	15 ft	10 ft	15 ft	25 ft	4000	50 ft	35 ft
Bertram	LI	25 ft	25 ft	25 ft	25 ft	9000	80 ft	45 ft
Cottonwood	LI	25 F	25 ft	25 ft	25 ft	5750	50 ft	60 ft
Burnet	LI	25 ft	25 ft	25 ft	25 ft	10000	50 ft	35 ft
Frederickst	LI	25 ft	25 ft	25 ft	25 ft	5000	50 ft	38 ft
Cameron	LI	25 ft	25 ft	25 ft	25 ft	-		
Bertram	GUI							
Cottonwood	GUI	25 ft	15 ft	15 ft	15 ft	7500	60 ft	35 ft
Burnet	GUI	25 ft	15 ft	15 ft	15 ft	7600	60 ft	35 ft

Chart 2 - Example

City	Zone	Maximum Lot Coverage Main Buildings(s)	Coverage Main Buildings and all Accessory Buildings
Bertram	O	50%	60%
Cottonwood Shores	O		
Burnet	O	10%	10%
Fredericksburg	O		
Cameron	O	50%	50%
Bertram	GB	60%	70%
Cottonwood Shores	GB	60%	70%
Burnet	GB	50%	50%
Fredericksburg	GB	80%	75%
Cameron	GB	50%	
Bertram	LI	50%	60%
Cottonwood Shores	LI	50%	70%
Burnet	LI	60%	60%
Fredericksburg	LI	50%	50%
Bertram	GUI		
Cottonwood Shores	GUI	60%	70%
Burnet	GUI	50%	50%

Chart 3 - Example

City	Zone	Building Area - Max Floor Area Ratio		Land Area
Bertram	O	0.8	to	1
Cottonwood Shores	O			
Burnet	O			
Bertram	GB	1.8	to	1
Cottonwood Shores	GB	1.8	to	1
Burnet	GB			
Bertram	LI	1.5	to	1
Cottonwood Shores	LI	1.5	to	1
Burnet	LI			
Bertram	GUI			
Cottonwood Shores	GUI			
Burnet	GUI			

Chart 4 - Example

City	Use	Number of Parking Spaces
Bertram	Cafes, Restaurants, and similar use	One space for every four seats provided for the customer service
Cottonwood Shores	Cafes, Restaurants, and similar use	One space for every four seats provided for the customer service
Burnet	Cafes, Restaurants, and similar use	One space for every four seats provided for the customer service
Bertram	Banks, Offices, retail establishments, shopping centers, and similar uses catering to the general public	One space for each 250 square ft of gross floor area
Cottonwood Shores	Banks, Offices, retail establishments, shopping centers, and similar uses catering to the general public	One space for each 250 square ft of gross floor area
Burnet	Banks, Offices, retail establishments, shopping centers, and similar uses catering to the general public	One space for each 250 square ft of gross floor area
Bertram	Warehouse and distributing operations	One space per 1000 feet of gross floor area
Cottonwood Shores	Outdoor storage	One space per 2000 square feet
Burnet	Warehouse and distributing operations	One space per 1000 feet of gross floor area

Highland Haven Traffic Study

[HOME](#)

TRAFFIC SIGN @ ENTRANCE TO COMMUNITY
5/14-6/24 DATA COLLECTED

DAILY STATS: MAY 14 - JUNE 24

From Tuesday May 14 through Monday June 24, the City of Highland Haven placed a traffic sign at the entrance of the community in order to obtain traffic data from all incoming traffic.

Below is the data taken from the sign broken down by each day of the week. Fridays are clearly the busiest days for incoming traffic, averaging over 120 vehicles more than the next busiest day. Overall we average 746 vehicles entering the community each day at an average speed of 28 mph.

On average 76 %, or 567 drivers per day, are driving under the posted speed limit of 30 mph. 22%, or 164 drivers per day, are driving above the speed limit between 31-40 mph. 2%, or 15 drivers per day, are driving over 41 mph.

<u>Day of Week</u>	<u>Number of Vehicles</u>	<u>Average Speed</u>	<u>Avg Max</u>	<u>Actual Max</u>
<u>Mondays</u>	684	27.97	51	59
<u>Tuesdays</u>	717	27.76	47	50
<u>Wednesdays</u>	743	27.74	54	66
<u>Thursdays</u>	777	27.69	55	67
<u>Fridays</u>	898	28.27	50	54
<u>Saturdays</u>	760	28.44	54	71
<u>Sundays</u>	645	28.41	51	65
<u>Average Total</u>	746	28.04	52	71

746 **28 mph** **179**

Average cars per day
entering the community

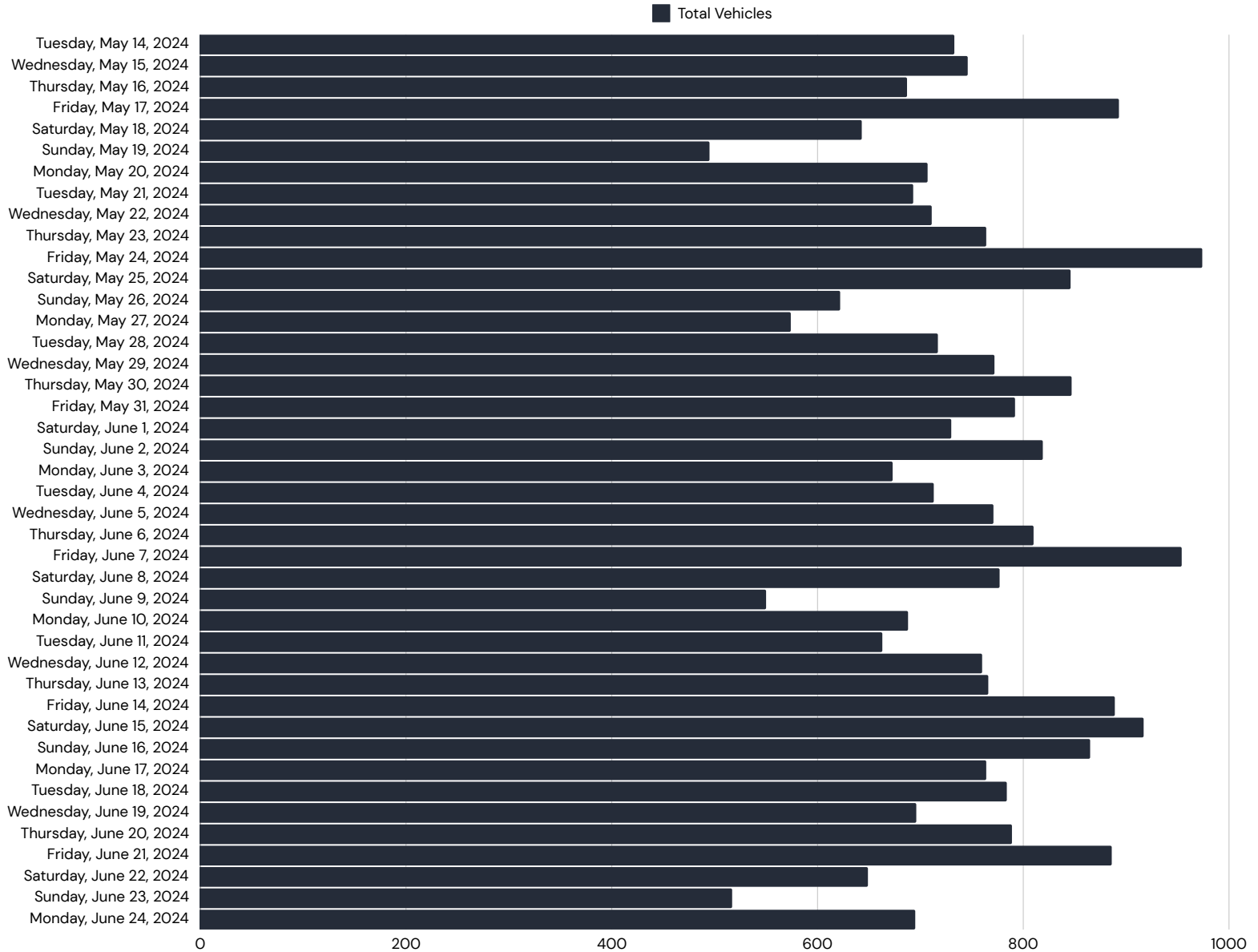
Average speed for all vehicles passing
the traffic sign going over 15 mph

Average cars violating the
posted speed limit per
day

Highland Haven Traffic Study

[HOME](#)

TRAFFIC SIGN @ ENTRANCE TO COMMUNITY
5/14-6/24 DATA COLLECTED



974

Cars entered the community on Friday May 24. This was the busiest day during the study.

[Page 37 of 43](#)

Friday

On average, Fridays were the busiest days for people entering the community, with an average of almost 900 vehicles.

495

Cars entered the community on Sunday May 19. This was the slowest day during the study.

Highland Haven Traffic Study

[HOME](#)

TRAFFIC SIGN @ ENTRANCE TO COMMUNITY
5/14-6/24 DATA COLLECTED

OTHER NOTES: MAY 14 - JUNE 24

- On average, each day 86%, or 639 cars, enter the community between 7 a.m. and 7 p.m.
- On average, each day between 1:30 p.m.-2:30 p.m. there are 75 cars that enter the community. This is the busiest time on average each day.
- The average amount of cars per hour entering the community between 7 a.m. and 7 p.m., is 54.
- Sunday is generally the slowest day of the week, however, on Sundays when Camp Champion is hosting the start of a new camp, the traffic increases by around 300 cars on average (546 vs 842).
- On average, people entering the community drive faster from Friday-Sunday than they do from Monday-Thursday.
- The fastest speed recorded by the sign during this study was 71 mph. During this study cars were recorded going over 60 mph 7 times, and over 50 mph 27 times. The majority of cars violating the posted speed limit were traveling between 31-40 mph.
- During this study, over 31,000 vehicles passed the sign. The study was 6 weeks long, and the sign was provided by the Granite Shoals Police Department.

Thank You

From: Bill Whiting <whiting.bill@gmail.com>

Sent: Monday, June 17, 2024 3:49 PM

To: Patrick.Ireland@tpwd.texas.gov

Cc: Olan Kelly <mayor@highlandhaventx.com>; Marc <Mpolanco1972@gmail.com>; Ruehlman, Dave <druehlman@stratusproperties.com>

Subject: Highland Haven water debris

Hello Patrick, I'm Bill Whiting, a homeowner in Highland Haven and was cc'd on your communication with Olan Kelly, HH mayor.

Can you tell me who at TPWD or TCEQ or LCRA is directly working to mitigate milfoil (and now drifting algae) on lake LBJ? I'm not aware how the agencies (perhaps more?) interact or overlap but it's tough for owners to address which of the various orgs to work with to achieve what we all want, which is unfouled water.

I'm attaching a couple of pictures of drifting "islands" of material that is milfoil and algae from 6/15/2024.

How do owners & communities:

- 1. Identify the floating materials?**
- 2. Establish the source of the floating materials?**
- 3. What are likely best practices to reduce or eliminate the materials?**
- 4. How do we establish a monitoring program to give appropriate feedback**

6/18/2024

Text message from Nancy Crumlee

Re: response from TPWD:

That appears to be a filamentous green algae in the pictures (likely “Cladophora”). I found on my computer a very old pamphlet from LCRA (probably over 25 years ago) regarding this algae (see attachment).

Unfortunately, LBJ has always had a filamentous algae issue through the years. I believe it gets compounded during drought periods when there isn't much flow (freshwater moving through). Decomposition of organic matter on the lake bed causes gases to build up which floats these algae mats to the surface. It then gets moved around by the wind and builds up in the back of coves. There is a supply of nutrients in the water and something, either aquatic vegetation or algae, will utilize these nutrients. When aquatic vegetation is reduced, these excess nutrients will then feed algal blooms. The ultimate culprit is the nutrient runoff from adjacent properties either through fertilizer or even leaky septic tanks.

Unfortunately, there really isn't much that can be done (that I'm aware of) to mitigate this. Since the underlying cause is excess nutrients, algal treatments would be very short term if even effective at all. Perhaps this tropical rain that's forecasted will land in the LBJ watershed and help mitigate this algal bloom.



SLOW
NO
WAKE



Photos of Floating Aquatic Vegetation from Dry Creek Bridge and Highland Park East
6/18/2024

