



**Elizabeth Woodall, Mayor**

**CITY OF JUSTIN  
CITY COUNCIL AGENDA  
FEBRUARY 28, 2023  
415 N. COLLEGE AVE.  
6:00 P.M.**

**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”*

**PUBLIC COMMENT**

In order to expedite the flow of business and to provide all citizens the opportunity to speak, the mayor may impose a three-minute limitation on any person addressing the Council. 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.

**STAFF REPORTS**

- Library (Lesa Keith)
- Court (Lesa Keith)
- Development (Matt Cyr)

**PRESENTATIONS**

- Racial Profiling annual report (Alex Coss)
- Police Department (Alex Coss)

**CONSENT AGENDA**

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

1. Consider City Council minutes dated February 14, 2023.



## **ITEMS PULLED FROM CONSENT AGENDA**

### **CONSIDER AND POSSIBLE ACTION ITEMS**

2. *(First Reading)* Consider and take appropriate action regarding Ordinance 746-23 to consider an amendment to the Planned Development (SF-1- PD 508) for Reserve at Meadowlands Phase II legally described as Lot 1-11 Block A, Lot 1-5, Lot 6- X and Lot 3-X, Block B.
3. Consider and take appropriate action regarding an amendment to chapter 50 Vegetation of the code of ordinance to add article II relating to Public Tree Care.

### **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.

- Under Section 551.071, to conduct private consultation with the City Attorney regarding:
  - Preserve Development Agreement
  - City of Justin/Town of Northlake Interlocal Cooperative Agreement for Wastewater Improvements
- Under Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:
  - City Manager

Convene into executive session.

Adjourn into open meeting.

4. Discuss, consider, and act on items discussed in Executive Session.

### **FUTURE AGENDA ITEMS**

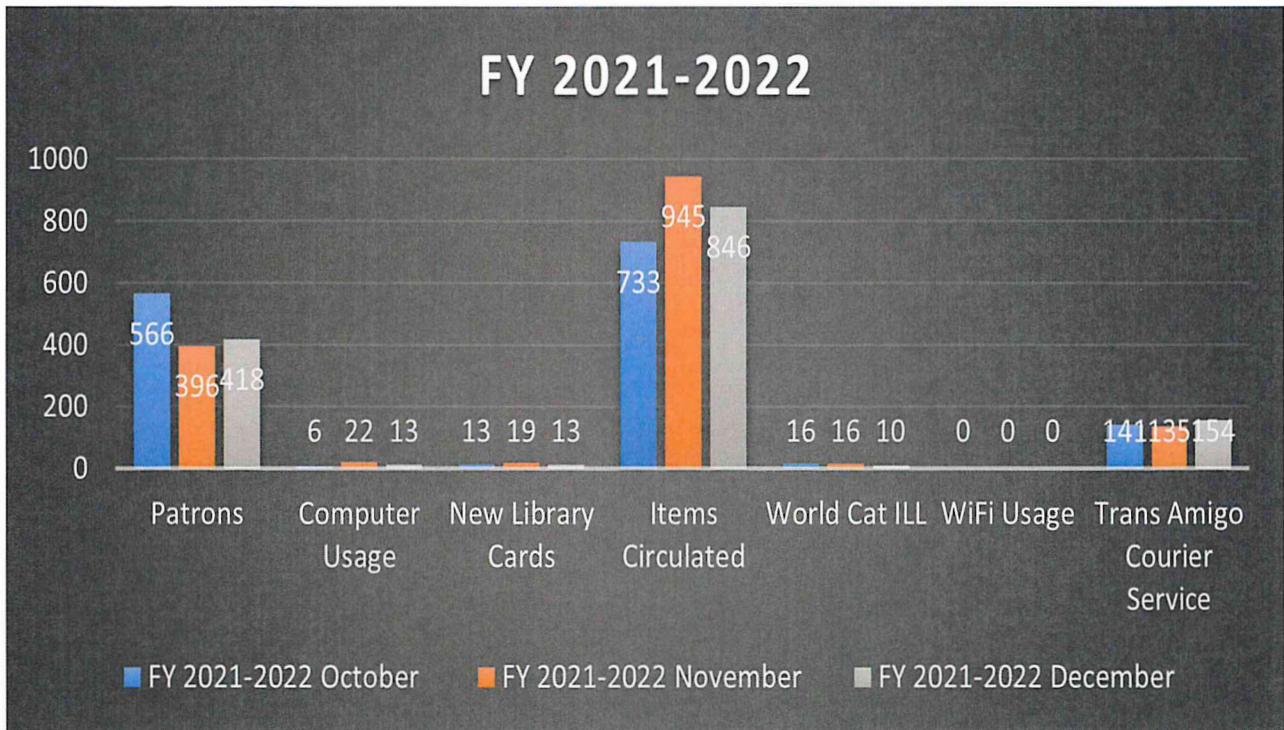
### **ADJOURN**

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 24th day of February, 2023 by 5:00 p.m., at least 72 hours preceding the scheduled meeting time.

Brittany Andrews

Brittany Andrews, City Secretary





Comparison From Last Year (FY2021-2022)to this year(FY2022-2023)





Comparison from this year2022-2023 & to last year2021-2022

2021-2022Year(Library)	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Annual Collection
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Patrons	566	396	418	393	395	552	472	592	1409	1636	966	889	8684
Curbside Pickup	1	0	0	1	0	0	0	0	0	0	0	0	2
Computer Usage	6	22	13	14	18	18	24	13	29	38	31	34	260
New Library Cards	13	19	13	26	25	39	14	37	140	78	30	26	460
Items Circulated	733	945	846	900	975	1453	966	1224	2501	2188	1463	1093	15287
World Cat ILL	16	16	10	15	11	25	14	26	10	12	13	9	177
WiFi Usage	0	0	0	0	0	0	0	0	0	0	0	0	0
Trans Amigo Courier Service	141	135	154	124	135	220	156	169	160	132	178	147	1851

2022-2023Year(Library)	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Annual Collection
------------------------	------	------	------	------	------	------	------	-----	------	------	------	------	-------------------

Patrons	1225	709	595	<b>779</b>
Computer Usage	19	59	24	<b>30</b>
New Library Cards	21	23	16	<b>22</b>
Items Circulated	794	1068	957	<b>1080</b>
World Cat ILL	7	3	7	<b>10</b>
WiFi Usage	0	0	24	<b>36</b>
Trans Amigo Courier Service	98	108	89	<b>86</b>



Summer Reading Programs For June 2022 & July 2022  
 Last 3 pages are pictures of the Summer Programs we had.  
 Last page has 3 New Employees.

July 2022 Justin Library Calendar of Events				
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Closed	*Asterisk Events Require Registration			1 Crochet 2-4 pm
4 Closed	5 Quilting 2-3:30 pm *Cupcake Decorating 4-5 pm Ages 6 and up	6 Christopher Lyle Big Balloon Show: 10 am *Adult Canvas Needlepoint: 3-4 pm	7 *Teens Recycled Beaded Bracelets 10-12 pm *Adult Resin Bookmark: 4-5 pm	8 Crochet 2-4 pm
11 Closed	12 *Ocean Dig 11-12 pm Quilting 2-3:30 pm *Photo Magnet Craft 4-5 pm	13 Storytime: 10 am *Snap Circuits 3:30-4:30 pm Ages 6 and up	14 *Science Made Fun: Fossil Fun 10 am *Paracord: 4-5 pm Ages 6 and up	15 Crochet 2-4 pm
18 Closed	19 *Marbled Paper: 11-12 pm Ages 6 and up Quilting 2-3:30 pm Dominoes 3-5 pm	20 Margaret Clauer: 10 am *Dash Bats 3:30-4:30 pm Ages 6 and up	21 *Kids T-Shirt Bookbags: 10-11 am *Adult Wood Craft: 4-5 pm	22 Crochet 2-4 pm
25 Closed	26 Quilting 2-3:30 pm Rock Painting 4-5 pm Ages 6 and up	27 Storytime: 10 am *Ozobots 3:30-4:30 pm Ages 6 and up	28 *Science Made Fun: Volcanoes 10 am *Adult Snowglobe Tumbler 3-5 pm	29 Crochet 2-4 pm

Call 940-648-2541 x6 to register for events

June 2022 Justin Library Calendar of Events				
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Closed	*Asterisk Events Require Registration	1 Storytime: 10 am *Kids Canvas Needlepoint: 3-4 pm Ages 10 and up	2 *Adult Wood Craft 2-3 pm *Teens T-Shirt Bookbags: 4-5 pm	3 Crochet 2-4 pm
6 Closed	7 Quilting 2-3:30 pm *Cupcake Decorating 4-5 pm Ages 6 and up	8 Creature Teacher: 10 am *Snap Circuits: 3:30-4:30 pm Ages 6 and up	9 *Kids Recycled Beaded Bracelets 10-11 am Family Board Games 3-4:30 pm	10 Crochet 2-4 pm
13 Closed	14 Quilting 2-3:30 pm *Adult Canvas Needlepoint 3:30-5 pm	15 Storytime: 10 am *Dash Bats 3:30-4:30 pm Ages 6 and up	16 *Science Made Fun: Gold Rush 10 am *Teens Snowglobe Tumbler 3-4:30 pm	17 Crochet 2-4 pm
20 Closed	21 Quilting 2-3:30 pm Dominoes 3-5 pm	22 Christopher Lyle Magic Show: 10 am *Ozobots 1-2 pm Ages 6 and up *Teens Resin Bookmarks 3:30-4:30 pm	23 *Slime Making: 1-2 pm Ages 6 and up *Paracord: 4-5 pm Ages 10 and up	24 Crochet 2-4 pm
27 Closed	28 Quilting 2-3:30 pm Rock Painting 4-5 pm Ages 6 and up	29 Storytime: 10 am Button Sewing: 3-4 pm Ages 10 and up	30 *Science Made Fun: Magnet Makers 10 am *Crochet 101: 3-4 pm Ages 10 and up	

Call 940-648-2541 x6 to register for events





**CINCO DE MAYO**

**SRP-KICKOFF**



**MARGARET CLAUDER**



**FUN SCIENCE**



**DASH BOTS**

**BALLOON SHOW**



**TSHIRT BOOK BAGS**



**MAGIC SHOW**





## ADULT PROGRAMS



## CREATURE TEACHER



## THE HAUNTED LIBRARY



## NEW LIBRARY EMPLOYEES



**Marissa Criswell, Carissa**

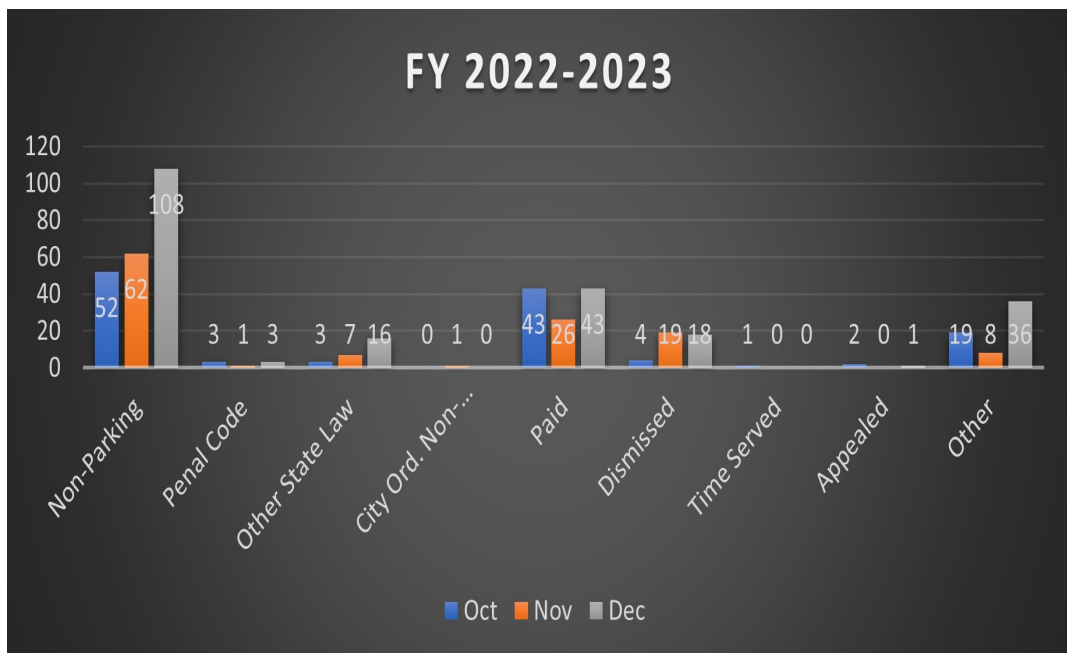
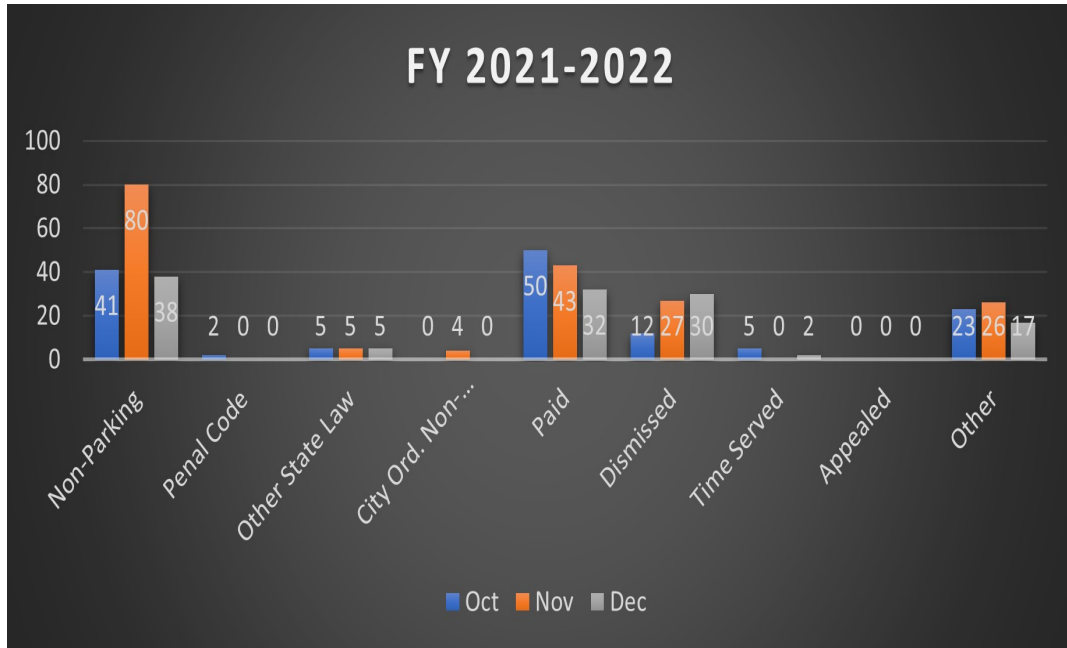


**STORY TIME WITH MRS.  
CLAUS**



**2022-2023 NOON  
YEARS EVE PARTY**











DATE: February 22, 2023  
TO: Mayor and  
Members of the City Council



## **DEVELOPMENT SERVICES REPORT 2022**

### **Purpose.**

The purpose of the report is to provide City Council a review of permits, projects, and an overall outlook for the Development Services Department for the year of 2022.

### **Staff Members.**

I would like to take this section to thank all of the employees within Development Services. These employees are instrumental in providing information, inspections, and other services to residents, businesses, and other stakeholders. The department would not be able to function without them.

Sasha Torres- Development Services Specialist

Wes Fanning- Code Compliance Officer

Chris Young- GIS Technician

Payne Randell- Building Official

Patti Hollis- Customer Service Representative

### **Permits.**

The Development Services Department issued 127 Single-Family Residential permits for the year of 2022. This is in contrast to 2021 when there were 236 Single-Family Residential building permits issued, which is a decline of 53.8%. However, while SFR building permits were in decline, overall permits issued were up for the year 2022. There were 911 permits issued last year (excluding Certificate of Occupancy permits). In 2021 there were 797 permits issued overall, which is an increase of 14.3%. The City also issued nine Certificate of Occupancy permits throughout 2022. In 2021 the City issued seven Certificate of Occupancy permits, which is an increase of 28.5%.



## **Commercial Developments.**

Staff has been working on a number of commercial developments during 2022, which consist of The Brookson Offices, Taco Bell, Glen Coe, AFV Carwash, Justin Self Storage, and Justin Town Square.

**The Brookson Offices** Site Plan for five office/warehouse buildings (each building ranges from 2,000 square-feet to 3,800 square-feet) was approved on August 9, 2022. The project started the grading process at the time of this report and infrastructure is tentatively expected to start within the next three to four months.

**Taco Bell** located off of FM 156 adjacent to the Pizza Hut was approved for a Specific Use Permit with several conditions. The conditions were pertaining to more understory trees and relocating the drive access to the west of the property on September 28, 2022. On January 6, 2023, Staff walked the site to ensure all conditions were met and Taco bell received their Certificate of Occupancy and has been in operation since.

**Glen Coe** is located off of FM 156 at the south of town and was approved for a Planned Development with seven conditions for approximately 11 buildings containing around 92,000 square-feet (this includes already existing structures) on October 26, 2021. Currently, the project has graded the site and has installed the majority of water, sewer, and storm infrastructure. Building permits have been submitted, however, they are still going through the review process. We anticipate the first two buildings (both retail buildings around 5,990 square-feet) to be issued within the next two months, depending on how fast the Applicant provides the necessary revisions.

**AFV Carwash** Planned Development was approved in August of 2021 and is located off of 5<sup>th</sup> Street and Gulf Avenue. The carwash was under construction for the spring of 2022 and received their Certificate of Occupancy on May 7, 2022. Currently, the development is under construction for the 12,000 square-foot retail building. The timeline to finish the building is expected to be sometime in the summer. There is no timeline as of yet for the future office building that has been told to Staff.

**Justin Self Storage** located off of FM 156 and Hardeman Blvd. was approved by Planned Development in 2018 and received their Certificate of Occupancy on September 22, 2022.

The **Justin Town Square** Planned Development located off of FM 156 adjacent to Pizza Hut and Taco Bell was approved on September 13, 2022. The development is estimated to bring approximately 250,000 square-feet of commercial and municipal facilities, with the majority of the development being commercial. The primary uses will be medical, general office, retail, and restaurants. Currently, the development has completed grading and has started paving certain streets. The City has received the first two site plans to review landscaping, placement of buildings, lighting, and additional design standards. The City expects to receive around four building permits within the next six weeks. Also, City Staff has been working with Atmos and



Office Equity Solutions about providing gas to the Justin Town Square Development to ensure the City attracts a wider variety of restaurants over a long period of time.

### **Residential Developments**

Staff has also been working with multiple developers and contractors pertaining to Residential Developments throughout the community. Below is a brief summary of the status for each residential development.

**Justin Crossing** has been under construction for the last several years. Currently the City has issued approximately 115 Single-Family Residential building permits for the development. There are a total of 159 lots that were platted, which essentially shows the development is around 72% built out.

**The Preserve** is currently finishing up the installation for all infrastructure and has started paving some of the roads. There was a request from the builders of this development for early model permits, however, the City explained the process to them relating to this and permits are not expected to be issued until all requisite items are completed. This is anticipated to be sometime in the summer. Also, the Oil Rig (Gas Well SUP) within the Preserve Development was delivered February 8<sup>th</sup> and has started the fracking process. The City has not received any complaints as of yet, however, the process is still early. The City anticipates the Oil Rig to be removed some time in the summer before building permits are issued (according to the developer).

**Reatta Ridge Ph 3 & 5** is currently finishing up all infrastructure within the development. They will begin paving at the end of March. The tentative timeframe to start issuing building permits would be sometime in late summer.

**Brookson Cottages** is currently finishing up the installation of infrastructure. There is no definitive timeframe for building permits.

**Timberbrook Phase 3B & 4A** installed infrastructure and is finishing up paving roads. These phases are expected to have homes on the ground sometime in the first part of 2024.

**Treeline** (Hillwood) is currently going through review of the infrastructure with Staff to ensure they meet the Developers Agreement requirements. The development is expected to start placing homes on the ground by middle or late 2024.



## PICTURES

The Pictures below show some of the developments progress.



**Justin Town Square Rendering (not official and may change)**





**12,000 Square-foot retail building at AFV Carwash**





**The Preserve Development off of FM 407**





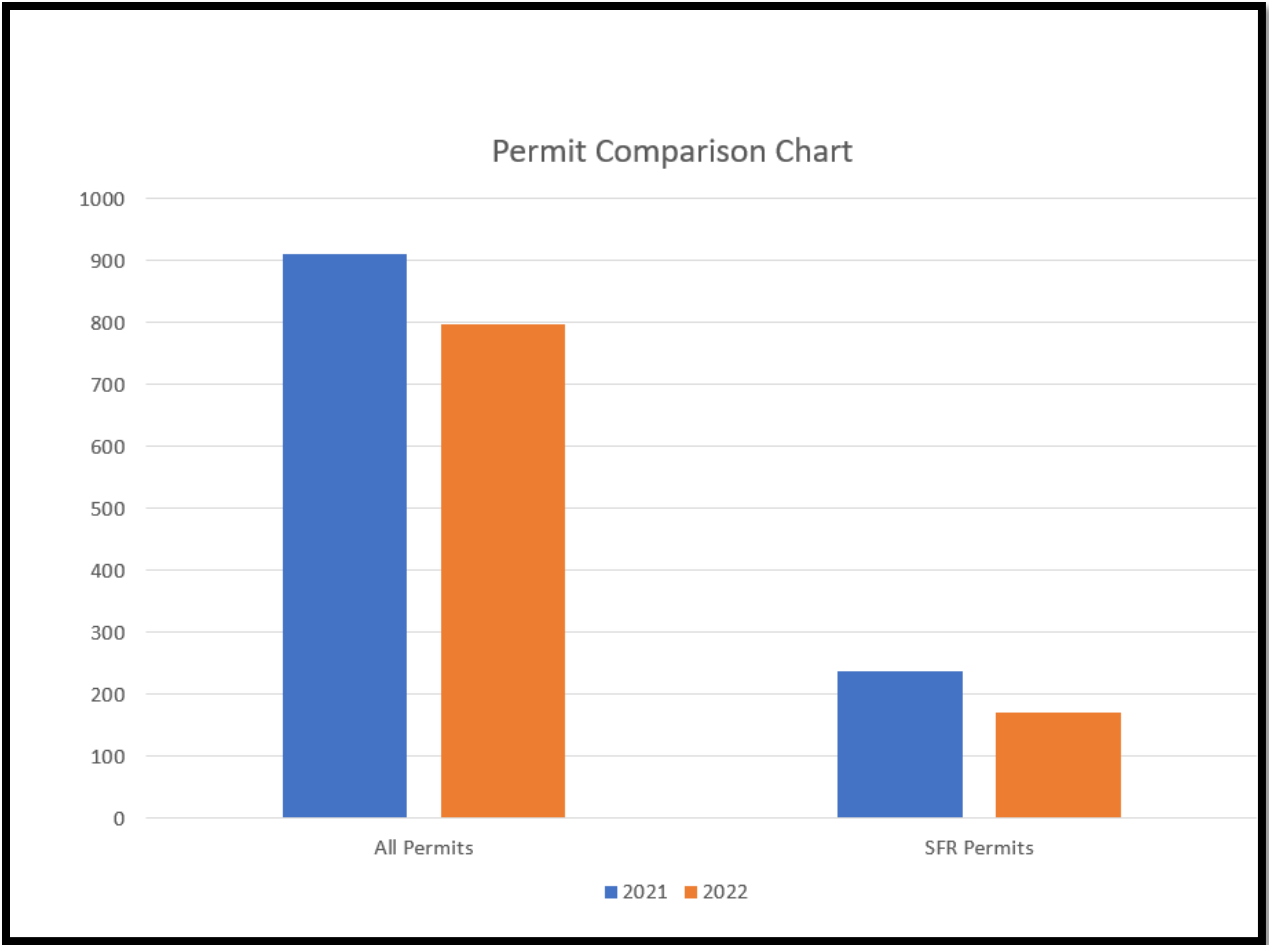
**Oil Rig within the Preserve Development off of FM 407**





**Timberbrook Entryway Sign off FM 407**







# Racial Profiling Analysis Report

## JUSTIN POLICE DEPT.

01. Total Traffic Stops:	3425	
02. Location of Stop:		
a. City Street	2457	71.74%
b. US Highway	7	0.20%
c. County Road	917	26.77%
d. State Highway	40	1.17%
e. Private Property or Other	4	0.12%
03. Was Race known prior to Stop:		
a. NO	3354	97.93%
b. YES	71	2.07%
04. Race or Ethnicity:		
a. Alaska/ Native American/ Indian	10	0.29%
b. Asian/ Pacific Islander	53	1.55%
c. Black	314	9.17%
d. White	2703	78.92%
e. Hispanic/ Latino	345	10.07%
05. Gender:		
a. Female	1213	35.42%
i. Alaska/ Native American/ Indian	2	0.06%
ii. Asian/ Pacific Islander	15	0.44%
iii. Black	99	2.89%
iv. White	1022	29.84%
v. Hispanic/ Latino	75	2.19%
b. Male	2212	64.58%
i. Alaska/ Native American/ Indian	8	0.23%
ii. Asian/ Pacific Islander	38	1.11%
iii. Black	215	6.28%
iv. White	1681	49.08%
v. Hispanic/ Latino	270	7.88%
06. Reason for Stop:		
a. Violation of Law	2	0.06%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%



# Racial Profiling Analysis Report

iii. Black	0	0.00%
iv. White	2	100.00%
v. Hispanic/ Latino	0	0.00%
b. Pre-Existing Knowledge	11	0.32%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	3	27.27%
iv. White	6	54.55%
v. Hispanic/ Latino	2	18.18%
c. Moving Traffic Violation	1754	51.21%
i. Alaska/ Native American/ Indian	6	0.34%
ii. Asian/ Pacific Islander	29	1.65%
iii. Black	147	8.38%
iv. White	1437	81.93%
v. Hispanic/ Latino	135	7.70%
d. Vehicle Traffic Violation	1658	48.41%
i. Alaska/ Native American/ Indian	4	0.24%
ii. Asian/ Pacific Islander	24	1.45%
iii. Black	164	9.89%
iv. White	1258	75.87%
v. Hispanic/ Latino	208	12.55%
07. Was a Search Conducted:		
a. NO	3230	94.31%
i. Alaska/ Native American/ Indian	10	0.31%
ii. Asian/ Pacific Islander	51	1.58%
iii. Black	283	8.76%
iv. White	2574	79.69%
v. Hispanic/ Latino	312	9.66%
b. YES	195	5.69%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	2	1.03%
iii. Black	31	15.90%
iv. White	129	66.15%
v. Hispanic/ Latino	33	16.92%
08. Reason for Search:		
a. Consent	60	1.75%



# Racial Profiling Analysis Report

i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	2	3.33%
iii. Black	3	5.00%
iv. White	46	76.67%
v. Hispanic/ Latino	9	15.00%
b. Contraband in Plain View	3	0.09%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	3	100.00%
v. Hispanic/ Latino	0	0.00%
c. Probable Cause	75	2.19%
ii. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	20	26.67%
iv. White	45	60.00%
v. Hispanic/ Latino	10	13.33%
d. Inventory	51	1.49%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	8	15.69%
iv. White	32	62.75%
v. Hispanic/ Latino	11	21.57%
e. Incident to Arrest	6	0.18%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	3	50.00%
v. Hispanic/ Latino	3	50.00%
09. Was Contraband Discovered:		
YES	113	3.30%
i. Alaska/ Native American/ Indian	0	0.00%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
ii. Asian/ Pacific Islander	0	0.00%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
iii. Black	22	19.47%



# Racial Profiling Analysis Report

Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	22	
iv. White	81	71.68%
Finding resulted in arrest - YES	18	
Finding resulted in arrest - NO	63	
v. Hispanic/ Latino	10	8.85%
Finding resulted in arrest - YES	5	
Finding resulted in arrest - NO	5	
b. NO	82	2.39%
i. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	2	2.44%
iii. Black	9	10.98%
iv. White	48	58.54%
v. Hispanic/ Latino	23	28.05%
10. Description of Contraband:		
a. Drugs	57	1.66%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	10	17.54%
iv. White	41	71.93%
v. Hispanic/ Latino	6	10.53%
b. Currency	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Weapons	3	0.09%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	2	66.67%
v. Hispanic/ Latino	1	33.33%
d. Alcohol	7	0.20%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	6	85.71%



# Racial Profiling Analysis Report

v. Hispanic/ Latino	1	14.29%
e. Stolen Property	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
f. Other	46	1.34%
i. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	12	26.09%
iv. White	32	69.57%
v. Hispanic/ Latino	2	4.35%
11. Result of Stop:		
a. Verbal Warning	2313	67.53%
i. Alaska/ Native American/ Indian	6	0.26%
ii. Asian/ Pacific Islander	36	1.56%
iii. Black	216	9.34%
iv. White	1829	79.07%
v. Hispanic/ Latino	226	9.77%
b. Written Warning	112	3.27%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	2	1.79%
iii. Black	8	7.14%
iv. White	99	88.39%
v. Hispanic/ Latino	3	2.68%
c. Citation	950	27.74%
i. Alaska/ Native American/ Indian	4	0.42%
ii. Asian/ Pacific Islander	15	1.58%
iii. Black	87	9.16%
iv. White	739	77.79%
v. Hispanic/ Latino	105	11.05%
d. Written Warning and Arrest	2	0.06%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	2	100.00%
v. Hispanic/ Latino	0	0.00%



# Racial Profiling Analysis Report

e. Citation and Arrest	4	0.12%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	3	75.00%
iv. White	1	25.00%
v. Hispanic/ Latino	0	0.00%
f. Arrest	44	1.28%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	3	6.82%
iv. White	31	70.45%
v. Hispanic/ Latino	10	22.73%
12. Arrest Based On:		
a. Violation of Penal Code	23	0.67%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	18	78.26%
v. Hispanic/ Latino	5	21.74%
b. Violation of Traffic Law	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Violation of City Ordinance	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Outstanding Warrant	27	0.79%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	3	11.11%
iv. White	18	66.67%
v. Hispanic/ Latino	6	22.22%



# Racial Profiling Analysis Report

## 13. Was Physical Force Used:

a. NO	3425	100.00%
i. Alaska/ Native American/ Indian	10	0.29%
ii. Asian/ Pacific Islander	53	1.55%
iii. Black	314	9.17%
iv. White	2703	78.92%
v. Hispanic/ Latino	345	10.07%
b. YES	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b 1. YES: Physical Force Resulting in Bodily Injury to Suspect	0	
b 2. YES: Physical Force Resulting in Bodily Injury to Officer	0	
b 3. YES: Physical Force Resulting in Bodily Injury to Both	0	

## 14. Total Number of Racial Profiling Complaints Received:

0

REPORT DATE COMPILED 01/20/2023



# Racial Profiling Report | Full

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Agency Name: JUSTIN POLICE DEPT.  
Reporting Date: 01/20/2023  
TCOLE Agency Number: 121208

Chief Administrator: ALEJANDRO COSS

Agency Contact Information:  
Phone: (940) 648-2541  
Email: [acoss@cityofjustin.com](mailto:acoss@cityofjustin.com)

Mailing Address:  
PO BOX 129  
JUSTIN, TX 76247-0129

This Agency filed a full report

JUSTIN POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the JUSTIN POLICE DEPT. from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the JUSTIN POLICE DEPT. if the individual believes that a peace officer employed by the JUSTIN POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the JUSTIN POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the JUSTIN POLICE DEPT. policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
  - a. the race or ethnicity of the individual detained;
  - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
  - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
  - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
  - e. the location of the stop;
  - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
  - a. the Commission on Law Enforcement; and
  - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The JUSTIN POLICE DEPT. has satisfied the statutory data audit requirements as prescribed in Article 2.133(c), Code of Criminal Procedure during the reporting period.



Executed by: Alejandro Coss  
Chief of Police

Date: 01/20/2023



# Total stops: 3425

---

**Street address or approximate location of the stop**

City street	2457
US highway	7
County road	917
State highway	40
Private property or other	4

**Was race or ethnicity known prior to stop?**

Yes	71
No	3354

**Race / Ethnicity**

Alaska Native / American Indian	10
Asian / Pacific Islander	53
Black	314
White	2703
Hispanic / Latino	345

**Gender**

<b>Female</b>	<b>1213</b>
Alaska Native / American Indian	2
Asian / Pacific Islander	15
Black	99
White	1022
Hispanic / Latino	75
<b>Male</b>	<b>2212</b>
Alaska Native / American Indian	8
Asian / Pacific Islander	38
Black	215
White	1681
Hispanic / Latino	270

**Reason for stop?**

<b>Violation of law</b>	<b>2</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	2



Hispanic / Latino	0
<b>Preexisting knowledge</b>	<b>11</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	6
Hispanic / Latino	2
<b>Moving traffic violation</b>	<b>1754</b>
Alaska Native / American Indian	6
Asian / Pacific Islander	29
Black	147
White	1437
Hispanic / Latino	135
<b>Vehicle traffic violation</b>	<b>1658</b>
Alaska Native / American Indian	4
Asian / Pacific Islander	24
Black	164
White	1258
Hispanic / Latino	208
<b>Was a search conducted?</b>	
<b>Yes</b>	<b>195</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	2
Black	31
White	129
Hispanic / Latino	33
<b>No</b>	<b>3230</b>
Alaska Native / American Indian	10
Asian / Pacific Islander	51
Black	283
White	2574
Hispanic / Latino	312
<b>Reason for Search?</b>	
<b>Consent</b>	<b>60</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	2
Black	3
White	46



Hispanic / Latino	9				
<b>Contraband</b>	<b>3</b>				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	0				
White	3				
Hispanic / Latino	0				
<b>Probable</b>	<b>75</b>				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	20				
White	45				
Hispanic / Latino	10				
<b>Inventory</b>	<b>51</b>				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	8				
White	32				
Hispanic / Latino	11				
<b>Incident to arrest</b>	<b>6</b>				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	0				
White	3				
Hispanic / Latino	3				
<b>Was Contraband discovered?</b>					
<b>Yes</b>	<b>113</b>				
		Did the finding result in arrest?			
		(total should equal previous column)			
Alaska Native / American Indian	0	Yes	0	No	0
Asian / Pacific Islander	0	Yes	0	No	0
Black	22	Yes	0	No	22
White	81	Yes	18	No	63
Hispanic / Latino	10	Yes	5	No	5
<b>No</b>	<b>82</b>				
Alaska Native / American Indian	0				
Asian / Pacific Islander	2				
Black	9				
White	48				
Hispanic / Latino	23				



<b>Description of contraband</b>	
<b>Drugs</b>	<b>57</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	10
White	41
Hispanic / Latino	6
<b>Weapons</b>	<b>3</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	2
Hispanic / Latino	1
<b>Currency</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Alcohol</b>	<b>7</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	6
Hispanic / Latino	1
<b>Stolen property</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Other</b>	<b>46</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	12
White	32
Hispanic / Latino	2
<b>Result of the stop</b>	
Verbal warning	<b>2313</b>



Alaska Native / American Indian	6
Asian / Pacific Islander	36
Black	216
White	1829
Hispanic / Latino	226
<b>Written warning</b>	<b>112</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	2
Black	8
White	99
Hispanic / Latino	3
<b>Citation</b>	<b>950</b>
Alaska Native / American Indian	4
Asian / Pacific Islander	15
Black	87
White	739
Hispanic / Latino	105
<b>Written warning and arrest</b>	<b>2</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	2
Hispanic / Latino	0
<b>Citation and arrest</b>	<b>4</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	1
Hispanic / Latino	0
<b>Arrest</b>	<b>44</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	31
Hispanic / Latino	10
<b>Arrest based on</b>	
<b>Violation of Penal Code</b>	<b>23</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0



Black	0
White	18
Hispanic / Latino	5
<b>Violation of Traffic Law</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Violation of City Ordinance</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Outstanding Warrant</b>	<b>27</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	18
Hispanic / Latino	6

**Was physical force resulting in bodily injury used during stop?**

<b>Yes</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Resulting in Bodily Injury To:</b>	
Suspect	0
Officer	0
Both	0
<b>No</b>	<b>3425</b>
Alaska Native / American Indian	10
Asian / Pacific Islander	53
Black	314
White	2703
Hispanic / Latino	345



**Number of complaints of racial profiling**

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

**Comparative Analysis**

Use TCOLE's auto generated analysis	<input checked="" type="checkbox"/>
Use Department's submitted analysis	<input type="checkbox"/>

**Optional Narrative**

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement



City Council Meeting

February 28, 2023

Justin City Hall, 415 North College Street

City Council Cover Sheet

Consent Agenda Items: 1

Department: Administration

Contact: City Secretary, Brittany Andrews

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Recommendation: Motion to approve consent items as presented.

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Background:

1. Consider and take appropriate action to approve City Council minutes dated February 14, 2023.
- 

City Attorney Review: N/A

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Attachments:

1. Draft minutes





**Mayor, Elizabeth Woodall**

**MINUTES**

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

**Justin City Council Regular Session Meeting- February 14, 2023**

The Justin City Council Meeting convened into a Regular Session being open to the public the 14<sup>th</sup> day of February 2023 at 6:00 pm in the Council Chambers of Justin Municipal Complex, and notice of said meeting giving the time, place, date and subject there of having been posted as prescribed by Article 5 of the Texas Government Code, with the following members present and in attendance to wit: Mayor, Elizabeth Woodall, Mayor Pro Tem, John Mounce, Councilmembers, Tomas Mendoza, James Clark, and Chrissa Hartle. City Staff: Interim City Manager, Jarrod Greenwood, City Secretary, Brittany Andrews, Public Works Director, Josh Little, Director of Development Services, Matt Cyr, Finance Director, Josh Armstrong

Convene into Session: Mayor Woodall called the meeting to order at 6:00PM  
Invocation led by: Mayor Woodall

**PUBLIC COMMENT**

In order to expedite the flow of business and to provide all citizens the opportunity to speak, the mayor may impose a three-minute limitation on any person addressing the Council. 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.

Greg Scott – address on file, comment on record.

**CONSENT AGENDA**

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

1. Consider City Council minutes dated January 24, 2023.
2. (*Second reading*) Consider Ordinance 745-23 calling for a General Municipal Election to be held on Saturday, May 6, 2023 for the purpose of electing Mayor for a three (3) year term, and for the election of City Council Place one, Place two, and Place three to serve two (2) year terms; calling for a Special Election to fill an unexpired term of City Council Place five; 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, Texas for election services fixing the time, place and manner of holding said election; and providing an effective date.



3. Consider Resolution 597-23 of the City of Justin, Texas, expressing strong concern regarding the Ramhorn Hill-Dunham 345 kV Transmission Line Project proposed by Oncor Electric Delivery Company, LLC, and authorizing the City designee to negotiate an alternate "southern route" for construction of the transmission line project.
4. Consider Resolution 598-23 amending the City of Justin fee schedule, increasing sanitation rates by 8.4% in accordance with the Waste Connections service agreement.
5. Consider Resolution 599-23 disapproving creation of Denton County Emergency Services District No. 2.

Mayor Pro Tem, Mounce pulled item 5. From consent to discuss.

**Mayor Pro Tem, Mounce moved to approve consent items 1-4 as presented.**

**Seconded by: Councilman Clark**

**Aye votes: Councilmembers Hartle, Mounce, Clark and Mendoza**

**Motion carries**

#### **ITEMS PULLED FROM CONSENT AGENDA**

5. Consider Resolution 599-23 disapproving creation of Denton County Emergency Services District No. 2.

**Mayor Pro Tem, Mounce moved to approve with the additional language for disapproval; financial impact to Justin Citizens, no transition plan and lack of information.**

**Seconded by: Councilwoman Hartle**

**Aye votes: Councilmembers Hartle, Mounce, Clark and Mendoza**

**Motion carries**

#### **CONSIDER AND POSSIBLE ACTION ITEMS**

6. Public Hearing and Ordinance on first reading to consider an amendment to the Planned Development (SF-1- PD 508) for Reserve at Meadowlands Phase II legally described as Lot 1-11 Block A, Lot 1-5, Lot 6- X and Lot 3-X, Block B.

**Item Tabled**

7. Public Hearing: Conduct a public hearing to consider a Site Plan with variances for Justin Coffee legally described as A1359A Wilson, TR 7, Old DCAD TR # 3B generally located northwest of the intersection of Pafford Street and 1st street.

**Mayor opened the public hearing at 6:36PM and with no citizen comment, closed the public hearing at 6:36PM.**



**Councilwoman Hartle moved to approve variance 1 and deny variance 2.**

**Seconded by: Mayor Pro Tem, Mounce**

**Aye votes: Councilmembers Hartle, Mounce, and Mendoza**

**Opposed: Councilman Clark**

**Motion carries 3-1**

8. Consider and take appropriate action to award contract to Excel 4 Construction in the amount of \$850,004.10 for the sewer rehabilitation project.

**Councilman Clark moved to approve item 8 as presented.**

**Seconded by: Councilman Mendoza**

**Aye votes: Councilmembers Hartle, Mounce, Clark and Mendoza**

**Motion carries**

9. Consider and take appropriate action on Resolution 600-23, a resolution providing for the redemption of certain outstanding obligations of the City of Justin, Texas; and resolving other matters incident and related to the redemption of such obligations. (Justin Timberbrook IA#2).

**Councilman Mendoza moved to approve item 9 as presented.**

**Seconded by: Councilman Clark**

**Aye votes: Councilmembers Hartle, Mounce, Clark and Mendoza**

**Motion carries**

10. Consider and take appropriate action on Resolution 601-23, a resolution providing for the redemption of certain outstanding obligations of the City of Justin, Texas; and resolving other matters incident and related to the redemption of such obligations. (Justin Timberbrook MIA).

**Councilman Mendoza moved to approve item 10 as presented.**

**Seconded by: Councilman Clark**

**Aye votes: Councilmembers Hartle, Mounce, Clark and Mendoza**

**Motion carries**

## **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.

- Under Section 551.071, to conduct private consultation with the City Attorney regarding:
  - Preserve Development Agreement



- Under Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:
  - City Manager

Convene into executive session at 6:54PM

Adjourn into open meeting at 7:15PM

11. Discuss, consider, and act on items discussed in Executive Session.

No Action

### **FUTURE AGENDA ITEMS**

- Water discussion/education workshop
- Joint Park Board and Council meeting

### **ADJOURN**

**With there being no further business, the meeting was adjourned at 7:20PM**

*Brittany Andrews*

Brittany Andrews, City Secretary

Seal:



City Council Meeting

February 28, 2023

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Items: 2

Title: Public Hearing (1<sup>st</sup> reading): Consider and act to amend the Planned Development (SF-1- PD 508) for Reserve at Meadowlands Phase II legally described as Lot 1-11 Block A, Lot 1-5, Lot 6- X and Lot 3-X, Block B.

Department: Development Services

Contact: Director of Planning and Development, Matt Cyr

---

Recommendation: Staff recommends consideration based on the request.

---

P&Z Recommendation: The Planning and Zoning Commission unanimously recommended approval on January 17, 2023. At the Public Hearing there were three people that spoke in opposition from the existing HOA. Some of the concerns centered around the wooden fence, tree maintenance, overall assimilation into the existing HOA, garages facing the street, and sidewalks.

Background: The Applicant is requesting to amend the Planned Development that was approved in 2018. The Applicant would like to decrease the number of lots from 16 to 11 with different design standards.

Staff has included the P&Z staff report as well for Council to review.

---

**ACTION CONSIDERED:**

At the developers request, City Council tabled the item on February 14, 2023 until February 28, 2023.

1) City Council is to approve, approve with conditions, table with clarification and intent, or deny the Amendment to the Planned Development. This is only a first reading and will be required for a second reading before final approval.



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City Attorney Review: N/A

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Attachments:

1. P&Z Staff report
2. Supporting Documentation
3. Proposed ordinance





## PLANNING & ZONING COMMISSION MEETING

Staff Report  
January 17, 2023

**STAFF CONTACT:** Matt Cyr, Director of Planning and Development Services

**PROJECT:** Consider and act upon a recommendation to City Council to amend a Planned Development (SF-1- PD 508) for Reserve at Meadowlands Phase II legally described as Lot 1-11 Block A, Lot 1-5, Lot 6-X and Lot 3-X, Block B.

---

### EXECUTIVE SUMMARY:

The Applicant is requesting to amend the Planned Development that was approved in 2018. The Applicant would like to decrease the number of lots from 16 to 11 with different design standards.

### PROPOSED STANDARDS:

1. Minimum Width: 56 Feet (70 Feet Typ)
2. Minimum Depth: 104 Feet
3. Minimum Area: 10,029 s.f.
4. No Building in the Development Shall Exceed 35 Feet in Height
5. Front Yard Setback: 25 Feet
6. Side Yard Setback: 10% of Lot Width
7. Minimum Dwelling Area: 2,000 s.f.
8. Each building shall provide 100% masonry exterior surface construction of the front facade, & a minimum of 80% of the other exterior surfaces shall be masonry and masonry including cementitious siding.
9. 8/12 Primary Roof Pitch Shall Be Required.
10. 2-Car Garages are Required.
11. Builder Shall Not Be Permitted to Repeat Any Layouts for at Least 3 Homes on Either Side of a Home.
12. Permitted and Accessory Uses for this Development Shall Include the Permitted and Accessory Uses Set Out in the Use Tables of the Comprehensive Zoning Ordinance for SF-1 Zoning Districts.



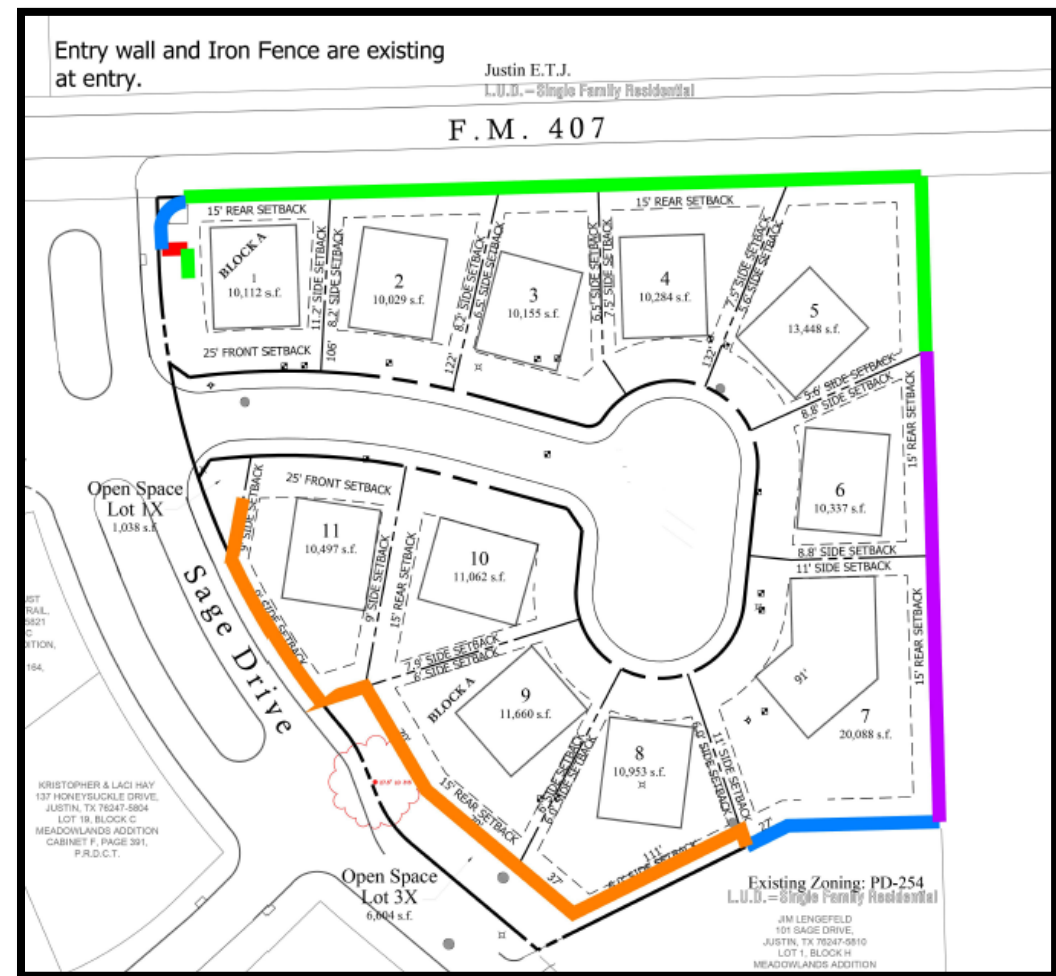
## EXISTING STANDARDS:

1. Minimum Width: 50 Feet
2. Minimum Depth: 100 Feet
3. Minimum Area: 5,200 s.f.
4. No Building in the Development Shall Exceed 35 Feet in Height
5. Front Yard Setback: 15 Feet
6. Side Yard Setback: 5 Feet
7. Side Yard from the Street: 15 Feet
8. Garage Setback: 20 Feet
9. Minimum Dwelling Area: 1,800 s.f.
10. Each building shall provide 100% masonry exterior surface construction of the front facade, & a minimum of 80% of the other exterior surfaces shall be masonry.
11. 8/12 Primary Roof Pitch Shall Be Required.
12. 2-Car Garages are Required.






## SCREENING:

The Applicant is proposing to utilize a 6' masonry screening wall off of FM 407 to be compatible with the existing wall in color and features present of the entryway features. The Applicant is proposing to utilize 6' cedar wood fence adjacent to Sage Drive. This design mimics the previously approved Planned Development.





### Fence / Wall Legend

6' Ornamental Iron Fence	
6' Masonry Wall w/Columns	
6' Wood Fence	
4' Split Rail Fence w/ 5' Masonry Columns	
Retain Existing Fence	





**ACTION CONSIDERED:**

- 1) The Commission is to make a recommendation to City Council to approve, approve with conditions, table with clarification and intent, or deny the variance requests

**STAFF RECOMMENDATION:**

Staff recommends consideration based on the request.

**ATTACHMENTS:**

1. Supporting Documentation
2. Proposed Ordinance



- The Reserve at Meadowlands II - Development Requirements**
- Minimum Width: 56 Feet (70 Feet Typ)
  - Minimum Depth: 104 Feet
  - Minimum Area: 10,029 s.f.
  - No Building in the Development Shall Exceed 35 Feet in Height
  - Front Yard Setback: 25 Feet
  - Side Yard Setback: 10% of Lot Width
  - Minimum Dwelling Area: 2,000 s.f.
  - Each building shall provide 100% masonry exterior surface construction of the front facade, & a minimum of 80% of the other exterior surfaces shall be masonry and masonry including cementitious siding.
  - 8/12 Primary Roof Pitch Shall Be Required.
  - 2-Car Garages are Required.
  - Builder Shall Not Be Permitted to Repeat Any Layouts for at Least 3 Homes on Either Side of a Home.
  - Permitted and Accessory Uses for this Development Shall Include the Permitted and Accessory Uses Set Out in the Use Tables of the Comprehensive Zoning Ordinance for SF-1 Zoning Districts.
  - All Homes Shall Be in The Meadowlands Homeowners Association 2, Inc.
  - HOA shall own and maintain all Common Areas.
  - The screening along FM 407 is proposed as a six-foot masonry fence and it shall complement the existing color and features of the present entry monument.
  - The equivalent of 3 trees per lot will be planted, per the tree planting schedule. Lots with only 2 trees assigned will have their third tree planted in an open space lot within The Reserve at Meadowlands II. Minimum caliper of three-inch (3" dbh) diameter at breast height for proposed trees.
  - Builder will be responsible for constructing sidewalks adjacent the residential lots. Developer will build sidewalk as shown on Development Plan.

**Legend**

Open Space Lots

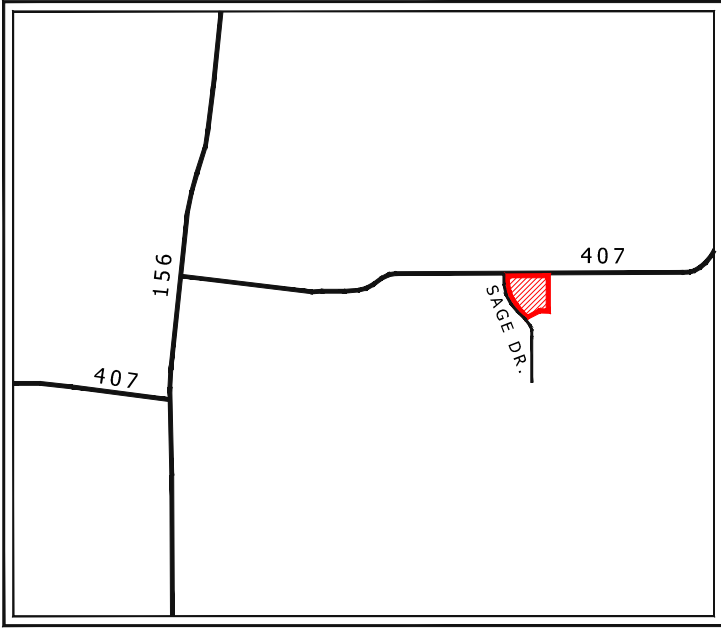
Residential Lots

The Reserve at Meadowlands II - Site Data Summary Chart		
Single Family Residential Lots	11	
Common Areas	2	
Residential Lots	78.25%	2.95 ac.
Open Space	4.77%	0.18 ac.
R.O.W.	16.98%	0.64 ac.
Res. Gross Acreage	100.00%	3.77 ac.

Site Data		
Gross Acreage	3.77	
Gross Density	2.91 lots/ac.	

Lot Summary		
Residential Lots	11	
Common Areas	2	

L.U.D. / Zoning		
Existing Zoning:	PD	



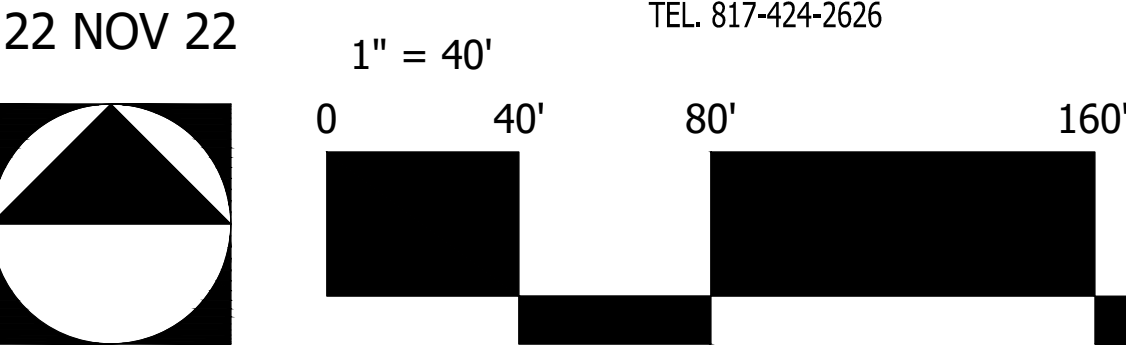
LOCATION MAP

**Owner:**  
Shelton Real Estate Group  
1709 Joyner Lane  
Keller, TX 76248  
Tel:  
Contact:

**Applicant:**  
Sage Group, Inc.  
1130 N. Carroll Avenue, Suite 200  
Southlake, TX 76092  
817-424-2626  
Contact: Curtis Young, AIA

**Planner:**

SAGE GROUP, INC.  
Master Planning  
Urban Design  
Architecture  
Landscape Architecture  
1130 N. Carroll Ave., Ste. 200  
Southlake, Texas 76092  
TEL: 817-424-2626



## Development Plan



# The Reserve at Meadowlands II



Fence / Wall Legend

6' Ornamental Iron Fence

6' Masonry Wall w/Columns

6' Wood Fence

4' Split Rail Fence w/ 5' Masonry Columns

Retain Existing Fence

Masonry Wall w/ Columns

Split Rail Fence

Masonry Wall at Entry

Iron Fence at Entry

6' Wood Fence

Owner:

Shelton Real Estate Group

1709 Joyner Lane

Keller, TX 76248

Tel:

Contact:

Applicant:

Sage Group, Inc.

1130 N. Carroll Avenue, Suite 200

Southlake, TX 76092

817-424-2626

Contact: Curtis Young, AIA

Planner:

SAGE GROUP, INC.

Master Planning

Urban Design

Architecture

Landscape Architecture

1130 N. Carroll Ave., Ste. 200

Southlake, Texas 76092

TEL. 817-424-2626

NOTE:

All proposed walls and fencing to match previous phases.

NOTE:

Entry wall and Iron Fence are existing at entry.

Justin E.T.J.

L.U.D.=Single Family Residential

F.M. 407

The diagram is a detailed site plan for 'The Reserve at Meadowlands II'. It shows a cluster of 11 lots, each with its area in square feet (s.f.) and specific setback requirements. Lot 1 (10,112 s.f.) has a 15' rear setback and 25' front setback. Lot 2 (10,029 s.f.) has an 11.2' side setback and 8.2' side setback. Lot 3 (10,155 s.f.) has an 8.2' side setback and 6.1' side setback. Lot 4 (10,284 s.f.) has a 6.5' side setback and 7.5' side setback. Lot 5 (13,448 s.f.) has a 7.5' side setback and 5.6' side setback. Lot 6 (10,337 s.f.) has an 8.8' side setback and 11' side setback. Lot 7 (20,088 s.f.) has a 15' rear setback. Lot 8 (10,953 s.f.) has an 11' side setback and 6' side setback. Lot 9 (11,660 s.f.) has a 15' rear setback and 6' side setback. Lot 10 (11,062 s.f.) has a 9' side setback and 15' rear setback. Lot 11 (10,497 s.f.) has a 9' side setback and 25' front setback. The plan also shows 'Open Space Lot IX' (1,038 s.f.) and 'Open Space Lot 3X' (6,004 s.f.). Surrounding streets include Indian Paint Dr., Sage Drive, and Honeysuckle Dr. Various owners and their addresses are listed around the perimeter. A legend in the top left corner defines the colors for different fence types: red for 6' Ornamental Iron Fence, green for 6' Masonry Wall w/Columns, orange for 6' Wood Fence, purple for 4' Split Rail Fence w/ 5' Masonry Columns, and blue for Retain Existing Fence. The plan shows these fences being applied to the boundaries of the lots. For example, the northern boundary of the lot cluster is marked with a green line (Masonry Wall w/Columns), and the eastern boundary is marked with a purple line (Split Rail Fence). The southern boundary is marked with an orange line (Wood Fence). The western boundary is marked with a blue line (Retain Existing Fence). The plan also shows existing zoning as PD-254 L.U.D.=Single Family Residential. A scale bar at the bottom indicates 1 inch equals 40 feet, with markings for 0, 40, 80, and 160 feet. A north arrow is also present.

05 OCT 22

1" = 40'

0

40'

80'

160'

# Fence & Wall Diagram

# The Reserve at Meadowlands II

Justin, Denton County, Texas



- 1) Block A Lots 1-6: 4 trees per lot = 24
- 2) Block A Lots 7: 5 trees per lot = 5
- 3) Block A Lots 9-11: 4 trees per lot = 16
- 4) Open Space areas: 2 (1 existing tree included)
- 5)

TOTAL = 49 trees



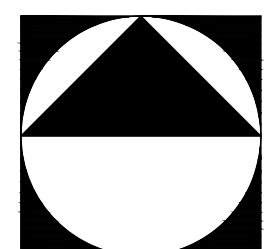
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Landscape Architecture

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TEL. 817-424-2626

01 NOV 22

$$1'' = 40'$$


# Conceptual Landscape Plan The Reserve at Meadowlands II

Justin, Denton County, Texas



The Reserve at Meadowlands II - Development Requirements

- 1. Minimum Width: 50 Feet
- 2. Minimum Depth: 100 Feet
- 3. Minimum Area: 5,200 s.f.
- 4. No Building in the Development Shall Exceed 35 Feet in Height
- 5. Front Yard Setback: 15 Feet
- 6. Side Yard Setback: 5 Feet
- 7. Side Yard from the Street: 15 Feet
- 8. Garage Setback: 20 Feet
- 9. Minimum Dwelling Area: 1,800 s.f.
- 10. Each building shall provide 100% masonry exterior surface construction of the front facade, & a minimum of 80% of the other exterior surfaces shall be masonry.
- 11. 8/12 Primary Roof Pitch Shall Be Required.
- 12. 2-Car Garages are Required.
- 13. Builder Shall Not Be Permitted to Repeat Any Layouts for at Least 3 Homes on Either Side of a Home.
- 14. Builder Shall Be Required to Sell to End Users.
- 15. A 6 Foot Masonry Fence Shall Be Built along the west side of Block A Lot 1 as well along the rear of Block A Lots 1-7.
- 16. Permitted and Accessory Uses for this Development Shall Include the Permitted and Accessory Uses Set Out in the Use Tables of the Comprehensive Zoning Ordinance for SF-1 Zoning Districts.
- 17. All Homes Shall Be in an HOA.
- 18. HOA shall own and maintain all Common Areas.
- 19. The screening along FM 407 is proposed as a six-foot masonry fence and it shall complement the existing color and features of the present entry monument.
- 20. The equivalent of 3 trees per lot will be planted, per the tree planting schedule. Lots with only 2 trees assigned will have their third tree planted in an open space lot within The Reserve at Meadowlands Phase 2. Minimum caliper of three-inch (3" dbh) diameter at breast height for proposed trees.
- 21. Builder will be responsible for constructing sidewalks adjacent the residential lots. Developer will be responsible for constructing sidewalks in Common Areas.

Legend

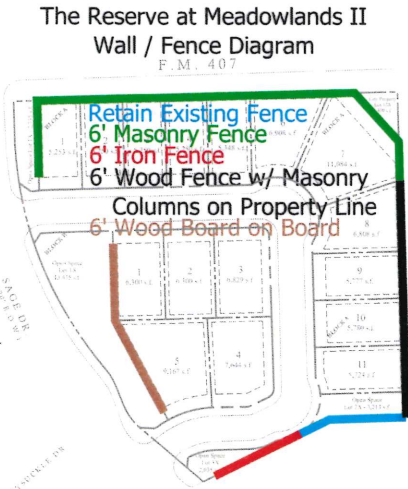
- Common Open Space
- Residential Lots
- To Be Dedicated to the City of Justin for Sign Purposes

PREVIOUSLY  
APPROVED PD  
IN 2018-2019

The Reserve at Meadowlands II - Site Data Summary Chart			
Single Family Residential Lots		16	
Common Areas		4	
Residential Lots	63.66%	2.40 ac.	
Open Space	13.00%	0.49 ac.	
City Property	1.06%	0.04	
R.O.W.	22.28%	0.84 ac.	
Res. Gross Acreage	100.00%	3.77 ac.	
Site Data			
Gross Acreage		3.77	
Gross Density		4.24	

Lot Summary	
Residential Lots	16
Common Areas	4

L.U.D. / Zoning	
Existing Zoning:	PD



The Reserve at Meadowlands II



NOTE: Lot Square footages, as illustrated on the illustration, may change but in no case will be less than the minimums listed under the Development Requirements.

**The Reserve at Meadowlands II - LEGAL DESCRIPTION**

BEING a 3.772 acre tract of land in the E. Springer Survey, Abstract No. 1166 and being a portion of that 56.575 acre tract of land in Denton County, Texas owned by Denton County Development Company and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the southeast corner of herein described tract and being by plat call the northeast corner of Lot 1, Block 4 of The Meadowlands Phase 1 as returned in Cabinet F, Page 361 of the Plat Records of Denton County, Texas;

THENCE S 88°38'09" W following a distance of 95.00 feet to a 1/2" iron rod found;

THENCE S 67°44'14" W a distance of 103.40 feet to a 1/2" iron rod found at the southwest corner of said Lot 1; and being the southwest corner of herein described tract and being in the east right-of-way line of Sage Drive and the Point of Curvature of a curve to the left having a Radius of 130.00 feet, a Central Angle of 62°17'30", a Chord Bearing of N 48°47'09" W and a Chord distance of 8.00 feet;

THENCE along said curve and right-of-way a distance of 8.90 feet to a 1/2" iron rod found;

THENCE S 80°18'06" W along said right-of-way a distance of 101.15 feet to a 1/2" iron rod found at the Point of Curvature of a curve to the right having a Radius of 70.00 feet, a Central Angle of 28°02'00", a Chord Bearing of N 30°12'43" W and a Chord distance of 23.93 feet;

THENCE along said curve and right-of-way a distance of 34.27 feet to a 1/2" iron rod found;

THENCE N 21°58'17" W along said right-of-way a distance of 32.77 feet to a 1/2" iron rod found at the Point of Curvature of a curve to the left having a Radius of 70.60 feet, a Central Angle of 18°12'17", a Chord Bearing of N 31°14'23" W and a Chord distance of 22.55 feet;

THENCE along said curve and right-of-way a distance of 22.65 feet to a 1/2" iron rod found at the Point of Reverse Curvature of a curve to the right having a Radius of 450.00 feet, a Central Angle of 38°02'08", a Chord Bearing of N 20°39'29" W and a Chord distance of 366.69 feet;

THENCE along said curve and right-of-way a distance of 33.53 feet to a 1/2" iron rod found;

THENCE N 51°28'12" W a distance of 34.50 feet to a 1/2" iron rod and in the south right-of-way line of FM 407;

THENCE N 66°31'30" E along said south right-of-way line a distance of 452.82 feet to a 1/2" iron rod set;

THENCE S 81°12'05" W along said right-of-way a distance of 368.85 feet to the Point of Beginning and containing in all 164338 square feet or 3.772 acres land.

Tree Planting Schedule

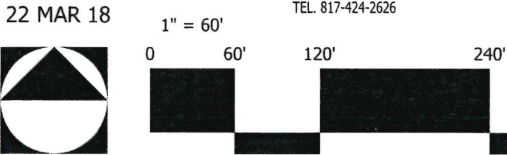
- 1) Block A Lots 1-5: 2 trees per lot = 10
- 2) Block A Lots 6-8: 3 trees per lot = 9
- 3) Block A Lots 9-11: 2 trees per lot = 6
- 4) Block B Lots 1-3: 2 trees per lot = 6
- 5) Block B Lots 4-5: 3 trees per lot = 6
- 6) Open Space areas: 11 (to be allocated anywhere)

TOTAL = 48 trees

Planner:

SAGE GROUP, INC.  
Master Planning  
Urban Design  
Architecture  
Landscape Architecture

1130 N. Carroll Ave., Ste. 200  
Southlake, Texas 76092  
TEL. 817-424-2626



Development Plan

The Reserve at Meadowlands II



**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF JUSTIN, TEXAS, APPROVING AN AMENDMENT TO (SF-1 PD-508) PLANNED DEVELOPMENT FOR RESERVE AT MEADOWLANDS PHASE II HAVING THE LEGAL DESCRIPTION OF LOT 1-11 BLOCK A, LOT 1-5, LOT 6-X AND LOT 3-X, BLOCK B, DENTON COUNTY, TEXAS; PROVIDING AN INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE/REPEALER CLAUSE, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the landowners of property of Reserve of Meadowlands PH II, having the legal description of Lot 1-11 Block A, Lot 1-5, Lot 6-X and Lot 3-X, Block B, Justin, Denton County, TX, request a Specific Use Permit for an Amendment to SF-1 Planned Development 508; and

**WHEREAS**, the Planning and Zoning Commission of the City of Justin (the "Commission"), in compliance with the laws of the State of Texas, gave the requisite notices by publication and otherwise, and held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard; and

**WHEREAS**, having reviewed the request for the residential development the Commission determined that the change of the proposed Planned Development Amendment was compatible with surrounding uses and the City's Future Land Use Plan and recommended approval of this Ordinance; and

**WHEREAS**, the City Council of the City of Justin, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, having held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard, and having considered the recommendation of the Planning and Zoning Commission, has determined that the proposed Planned Development Amendment is approved and made a part of this ordinance

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

**Section 1. Incorporation of Premises.** That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

**Section 2.** That the Zoning Ordinance of Justin, Texas, regulating property at the southwest corner of FM 156 and Centre Street with the legal description of Lot 1-11 Block A, Lot 1-5, Lot 6-X and Lot 3-X, Block B, Justin, Denton County, Texas, is amended as further described in the attached documents.

**Section 3. Applicable Regulations/Zoning Ordinance and Zoning Map Amended.** Development and use of the property shall follow this ordinance, including all Exhibits thereto as amended hereby, the Code of Ordinances of the City of Justin, Texas, and all applicable state and federal law.



**Section 4. Cumulative/Repealer Clause.** This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Justin, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

**Section 5. Severability Clause.** If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance, or the Comprehensive Zoning Ordinance, Chapter 52 of the City of Justin Code of Ordinances, and the remaining portions shall remain in full force and effect.

**Section 6. Effective Date.** This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

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Elizabeth Woodall, Mayor

ATTEST:

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Brittany Andrews, City Secretary

Approved as to form:

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City Attorney



**ORDINANCE NUMBER 746-23**

**AN ORDINANCE OF THE CITY OF JUSTIN, TEXAS, APPROVING AN AMENDMENT TO (SF-1 PD-508) PLANNED DEVELOPMENT FOR RESERVE AT MEADOWLANDS PHASE II HAVING THE LEGAL DESCRIPTION OF LOT 1-11 BLOCK A, LOT 1-5, LOT 6-X AND LOT 3-X, BLOCK B, DENTON COUNTY, TEXAS; PROVIDING AN INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE/REPEALER CLAUSE, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the landowners of property of Reserve of Meadowlands PH II, having the legal description of Lot 1-11 Block A, Lot 1-5, Lot 6-X and Lot 3-X, Block B, Justin, Denton County, TX, request a Specific Use Permit for an Amendment to SF-1 Planned Development 508; and

**WHEREAS**, the Planning and Zoning Commission of the City of Justin (the "Commission"), in compliance with the laws of the State of Texas, gave the requisite notices by publication and otherwise, and held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard; and

**WHEREAS**, having reviewed the request for the residential development the Commission determined that the change of the proposed Planned Development Amendment was compatible with surrounding uses and the City's Future Land Use Plan and recommended approval of this Ordinance; and

**WHEREAS**, the City Council of the City of Justin, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, having held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard, and having considered the recommendation of the Planning and Zoning Commission, has determined that the proposed Planned Development Amendment is approved and made a part of this ordinance

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

**Section 1. Incorporation of Premises.** That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

**Section 2.** That the Zoning Ordinance of Justin, Texas, regulating property at the southwest corner of FM 156 and Centre Street with the legal description of Lot 1-11 Block A, Lot 1-5, Lot 6-X and Lot 3-X, Block B, Justin, Denton County, Texas, is amended as further described in the attached documents.

**Section 3. Applicable Regulations/Zoning Ordinance and Zoning Map Amended.** Development and use of the property shall follow this ordinance, including all Exhibits thereto as amended hereby, the Code of Ordinances of the City of Justin, Texas, and all applicable state and federal law.



**Section 4. Cumulative/Repealer Clause.** This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Justin, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

**Section 5. Severability Clause.** If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance, or the Comprehensive Zoning Ordinance, Chapter 52 of the City of Justin Code of Ordinances, and the remaining portions shall remain in full force and effect.

**Section 6. Effective Date.** This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

PASSED ON THE FIRST READING BY THE CITY COUNCIL ON THE 14th DAY OF FEBRUARY, 2023.

PASSED ON SECOND READING BY THE CITY COUNCIL ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Elizabeth Woodall, Mayor

\_\_\_\_\_  
Brittany Andrews, City Secretary

Approved as to form:

\_\_\_\_\_  
City Attorney



City Council Meeting

February 28, 2023

Justin City Hall, 415 North College Street

City Council Cover Sheet

Agenda Items: 3

Title: Consider an amendment to chapter 50 Vegetation of the code of ordinance to add article II relating to Public Tree Care

Department: Development Services

Contact: Director of Planning and Development, Matt Cyr; Public Works Administrative Assistant, Kira Sedivy

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Recommendation: Staff recommends approval based on the amendment advancing the goal of the new Comprehensive Plan and to secure additional opportunities for funding.

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Background:

For the last several months Staff had been in communication with the Parks Board and Tree City USA to discuss potential grant opportunities. Staff was notified by Tree City at the end of January of 2023 the ordinances provided needed to be amended to include certain language to meet the criteria to be a Tree City.

In an effort to ensure the City is eligible for potential grant opportunities, the City initiated the amendment and is providing this to City Council for consideration. The Planning and Zoning Commission did not review this since this chapter was not apart of the zoning chapter.

The amendment primarily covers tree planting and care standards for trees on public property.

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Staff Analysis:

The amendment does coincide with he goals for the new Comprehensive Plan for Parks and Trees. According to page 96-97 of the comprehensive plan there are six goals to ensure the parks are developed and maintained in accordance with the vision of the community. These goals are the following:



1. All parks will be accessible
2. All parks will be sustainable
3. All parks will have a common identity
4. Trails will support City-Wide Mobility
5. Trails will help to educate the public
6. Floodplains will be protected.

Adopting this amendment will further and advance the goal of the new Comprehensive Plan by preserving sustainability (goal 2) and preserving the common identity (goal 3).

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City Attorney Review: N/A

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Attachments:

1. Redlined Amendment
2. Proposed Ordinance
3. Comprehensive Plan Page 96-97



## Chapter 50 VEGETATION

### ARTICLE I. IN GENERAL

~~Secs. 50-1—50-18. Reserved.~~

### ~~ARTICLE II. CITY TREES~~

#### Sec. 50-1. Purpose and intent.

The purpose of this article is:

- (1) To establish regulations addressing the protection of healthy and significant trees and to provide for the replacement and replanting of trees that are necessarily removed during construction, development or redevelopment.
- (2) To limit the removal of protected trees six inches in diameter without a permit from the city, to promote the orderly development of the city and to protect the public health, safety and general welfare of the citizens of the city. It is not the intent of these regulations to deny development rights protected by law.
- (3) To address the removal of mature and protected trees and replacement and replanting of trees that are necessarily removed during construction, development or redevelopment in an expeditious manner and with due regard for the legal rights or property owners in city.

(Code 1994, § 3.701; Ord. No. 470, § 1, 6-8-2009)

#### Sec. 50-2. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*City engineer* means the person designated to provide administrative review of tree site plans and issue tree removal permits.

*Diameter of a tree* means the measurement of the size/diameter of a tree as determined by measuring at 4.5 feet above ground. For a multi-trunk tree, the diameter shall be the total diameter of the largest trunk plus one-half the diameter of each additional trunk.

*Developer or applicant* means any individual, corporation, partnership, association or other entity seeking a tree removal permit under this article.

*Protected tree* means a tree that the city has determined has significant positive characteristics worthy of preservation as listed in section 50-21 that has a diameter of six inches or greater.

*Top or Topping* means the non-standard practice of cutting back of limbs to stubs within a tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.



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*Tree inventory site plan* means a plan showing the location of all protected trees by size and species that are six inches or greater on the site, location of all easements, location of all existing and proposed buildings, a grading plan, if applicable; the protected trees desired to be removed, if any, the protected trees that shall remain on the site, and an accompanying document indicating valid reason for the proposed removal of any protected trees, and if applicable, a description on how existing healthy protected trees proposed to be retained will be protected from damage from construction.

*Tree removal* means the cutting, destroying, removing, moving, poisoning, banding, marking or effectively destroying through damaging, any protected tree situated on property in the city without first obtaining a tree removal permit from the city engineer.

*Tree removal permit* means a permit required to be issued by the city engineer prior to the removal of any protected tree greater than six inches in diameter.

(Code 1994, § 3.702; Ord. No. 470, § 1, 6-8-2009)

### **Sec. 50-3. Permit review and approval.**

- (a) Except as otherwise provided herein, on and after the effective date of the ordinance from which this article is derived, no person shall remove any protected tree equal to or greater than six inches in diameter without a tree removal permit from the city.
- (b) Land in which a valid building permit has been issued or executed prior to the effective date of the ordinance from which this article is derived is not subject to these regulations.
- (c) Permits for removal or replacement of trees covered in this article shall be obtained by making application on a form provided by the city. The application shall be accompanied by a tree inventory site plan as defined herein.
- (d) The city engineer shall determine whether the permit is subject to these regulations. Acceptance of a tree removal permit for the limited purpose of such review shall not constitute acceptance of the permit. In the event the city engineer determines that an application is subject to the regulations of this article, the city engineer shall be responsible for the review and approval or disapproval of all requests for tree removal permits. The city engineer shall review the permit application, perform an on-site analysis of the site and trees, and make a determination if any trees can be removed using the following criteria:
  - (1) The protected tree is located in a public utility easement, public access easement or public street right-of-way as recorded on a plat and accepted by city council, and removal would be in compliance with current city codes.
  - (2) The protected tree is in an unsafe condition, or is injurious to the common good, or to sewer pipes, pavements or improvements, or is infested and dangerous to other trees.
- (e) The city engineer may approve a tree replacement plan that provides a one-diameter inch per one-diameter inch tree replacement when mature or protected trees are removed outside the building requirements listed in subsections (d)(1) and (2) of this section. The tree replacement plan will set a minimum of three-inch diameter tree as a replacement tree, and such replacement trees shall be from the list of approved replacement trees as listed below. All preserved trees will count toward the project's landscape requirement without regard to location or limitation to substitution of trees for shrubs.
- (f) In order to encourage the preservation of existing trees six caliper inches in size or over, if the area within the drip line of trees is protected by fencing during grading and construction and the tree caliper inches preserved shall receive double credit toward the required landscape area.

(Code 1994, § 3.703; Ord. No. 470, § 1, 6-8-2009)



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#### **Sec. 50-4. Protected trees and replacement trees.**

The following are protected trees under this article and also constitutes the list of approved replacement trees:

Redbud	Texas red oak
Mexican plum	Post oak
Cherry laurel	Blackjack oak
Eve's necklace	Water oak
Crab apple	Pecan
Bradford pear	Lacebark elm
Golden raintree	Cedar elm
Caddo maple	American elm
Red maple	Bald cypress
Bigtooth maple	Black walnut
Bur oak	Green ash
Chinquapin oak	Texas ash
Live oak	Southern magnolia
Shumard red oak	

(Code 1994, § 3.704; Ord. No. 470, § 1, 6-8-2009)

#### **Sec. 50-5. Appeals.**

- (a) If the city engineer refuses to approve or issue a tree removal permit, or the applicant disagrees with the decision of the city engineer, the applicant may appeal the decision to the city council. The appeal shall be in writing and shall be transmitted to the city secretary within ten days after receipt of notification that the city engineer will not accept the tree removal permit.
- (b) The appeal shall be considered by the city council within 30 days after the appeal is received by the city secretary, unless the applicant requests a later hearing. The city council shall not release the applicant from the requirements of this article, unless the applicant first presents credible evidence from which the city council can reasonably conclude application of this article to the applicant would be likely to deprive the applicant of rights protected by law.
- (c) The city council may take the following actions on an appeal:
  - (1) Deny the appeal, in which case the tree removal permit shall not be accepted or granted;
  - (2) Grant the appeal, and direct the city engineer to accept and approve the tree application permit; or
  - (3) Grant the appeal subject to such provisions, conditions, or limitations as deemed appropriate by the city council.

(Code 1994, § 3.705; Ord. No. 470, § 1, 6-8-2009)

#### **Sec. 50-6. Applicability and exceptions.**

This article does not apply to a protected tree:



- 
- (1) Located on a developed single-family residential lot contained within a plat of record on which an owner occupied residential structure is located.
  - (2) Which creates unsafe vision clearance or is determined to be in a hazardous or dangerous condition, such as due to storm damage, so as to endanger the public health, safety or welfare.
  - (3) Within existing city streets, rights-of-way or easements, including, but not limited to, roadways, drainage, water, sanitary sewer, electric, pedestrian and park facilities, but does apply to protected trees within a proposed subdivision that has been or will be dedicated for streets, rights-of-way, or other public easements.
  - (4) Which is not living, or is so diseased or damaged as to be in danger of falling.

(Code 1994, § 3.706; Ord. No. 470, § 1, 6-8-2009)

### **Sec. 50-7. Required clearance for public rights-of-way.**

The owner of all trees adjacent to public rights-of-way shall be required to maintain the following minimum overhead and lateral clearances for all public rights-of-way:

- (1) Overhead vertical clearance of public sidewalks and other public pathways of eight feet.
- (2) Lateral clearance of public sidewalks and other public sidewalks and other public pathways of three feet.
- (3) Overhead clearance of public roadways of 13 feet, six inches.

(Ord. No. 657-18 , § 3, 10-29-2018; Ord. No. 664-19 , § 4, 4-8-2019)

### **Secs. 50-8—50-18. Reserved.**

## **ARTICLE II. PUBLIC TREE CARE**

### **Sec. 50-19 Purpose.**

To enhance the quality of life and the present and future health, safety, and welfare of all citizens, to enhance property values, and to ensure proper planting and care of trees on public property, the City Council herein delegates the authority and responsibility for managing public trees, establishes practices governing the planting and care of trees on public property, and makes provision for the emergency removal of trees on private property under certain conditions.

### **Sec. 50-20. Definitions.**

As used in this Article, the following words and phrases shall have the meanings indicated:

*Damage* – any injury to or destruction of a tree, including but not limited to: uprooting; severance of all or part the root system or main trunk; storage of material on or compaction of surrounding soil; a substantial change in the natural grade above a root system or around a trunk; surrounding the tree with impervious paving materials; or any trauma caused by accident or collision.

*Nuisance* – any tree, or limb thereof, that has an infectious disease or insect; is dead or dying; obstructs the view of traffic signs or the free passage of pedestrians or vehicles; or threatens public health, safety and welfare.



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*Parkway* – the area along a public street between the curb and the sidewalk; or if there is no curb or sidewalk, the unpaved portion of the area between the street right-of-way line and the paved portion of the street or alley.

*Public property* – all grounds and rights-of-way (ROWs) owned or maintained by the City.

*Public tree* – any tree or woody vegetation on city-owned or city-maintained property or rights-of-way.

*Top or Topping* – the non-standard practice of cutting back of limbs to stubs within a tree’s crown to such a degree so as to remove the normal canopy and disfigure the tree.

## **Sec. 50-21. Authority and power.**

(a) *Delegation of authority and responsibility.* The Public Works Director and/or his designee, hereinafter referred to as the “Director,” shall have the authority and responsibility to plant, prune, maintain and remove trees and woody plants growing in or upon all city streets, rights-of-ways, city parks, and other public property. This shall include the removal of trees that may threaten electrical, telephone, gas, or any municipal water or sewer line, or any tree that is affected by fungus, insect, or other pest disease.

(b) *Coordination among city departments.* All city departments will coordinate as necessary with the Director and will provide services as required to ensure compliance with this Ordinance as it relates to streets, alleys, rights-of-way, drainage, easements and other public properties not under direct jurisdiction of the Director.

(c) *Interference.* No person shall hinder, prevent, delay, or interfere with the Director or his agents while engaged in carrying out the execution or enforcement of this Ordinance.

## **Sec. 50-22. Tree planting and care standards.**

(a) *Standards.* All planting and maintenance of public trees shall conform to the American National Standards Institute (ANSI) A-300 "Standards for Tree Care Operations" and shall follow all tree care Best Management Practices (BMPs) published by the International Society of Arboriculture.

(b) *Requirements of franchise utility companies.* Franchise utility companies shall provide advance notice to the City of their intended non-emergency tree pruning schedule and location of impacted area. The maintenance of public trees for utility clearance shall conform to all applicable utility industry standards.

(c) *Tree species list.* The Director shall develop and maintain an official list of desirable tree species for planting on public property in two size classes: Ornamental (20 feet or less in height at maturity) and Shade (greater than 20 feet at maturity). Only trees from this approved list may be planted without written approval from the Director.

(d) *Planting distances.* The Director shall develop and maintain an official set of spacing requirements for the planting of trees on public property. No tree may be planted within the visibility triangle of a street intersection or within ten (10) feet of a fire hydrant.

(e) *Planting trees under electric utility lines.* Only trees listed as Ornamental trees on the official city tree species list may be planted under or within fifteen (15) lateral feet of any overhead utility wire.

(f) *Protection of public trees during construction.* Any person, firm, corporation, or city department performing construction in the area of any public tree must employ appropriate measures to protect the tree, including, but not limited to, placing barriers around the tree to prevent any damage.



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### **Sec. 50-23. Adjacent owner responsibility.**

(a) The owner of land adjacent to any city street or highway, when acting within the provisions of this Ordinance, may plant and maintain trees in the adjacent parkway area. Property owners are responsible for the reasonable and routine maintenance of trees and other landscaping in the adjacent parkway area.

(b) No property owner shall allow a tree, or other plant growing on his or her property or within the adjacent parkway to obstruct or interfere with pedestrians or the view of drivers, thereby creating a hazard. If an obstruction persists, the Director shall notify the property owner to prune or remove the tree or plant. If the owner fails to comply with the notice, the City may undertake the necessary work and charge the cost to the property owner.

### **Sec. 50-24. Prohibition against harming public trees.**

(a) It shall be unlawful for any person, firm or corporation to damage, remove, or cause the damage or removal of a tree on public property without written permission from the Director.

(b) It shall be unlawful for any person, firm or corporation to attach any cable, wire or signs or any other object to any street, park, or public tree.

(c) It shall be unlawful for any person, firm or corporation to “top” any public tree. Trees severely damaged by storms or other causes, where best pruning practices are impractical may be exempted from this provision at the determination of the Director.

### **Sec. 50-25. Certain trees declared a nuisance.**

Any tree, or limb thereof, on private property determined by the Director to have contracted a lethal, communicable disease or insect; to be dead or dying; to obstruct the view of traffic signs or the free passage of pedestrians or vehicles; or that threatens public health, safety, and welfare is declared a nuisance and the City may require its treatment or removal. Private property owners have the duty, at their own expense, to remove or treat nuisance trees on their property. The City may remove such trees at the owner's expense if the owner does not comply with treatment and/or removal as specified by the Director within the written notification period.



# PARK POLICIES + STANDARDS

As the Parks Board, Planning Commission and City Council coordinate future development standards, the following policies are recommended for improving the cohesiveness and the equity for access to public parks.



### ALL PARKS WILL BE ACCESSIBLE

Prioritize non-motorized trail connections to, through and from all parks, including appropriate access under ADA design guidelines.



### ALL PARKS WILL BE SUSTAINABLE

Utilizing native grasses and species that promote drought tolerant, low maintenance and habitat programming is a priority for landscaping.



### ALL PARKS WILL HAVE A COMMON IDENTITY

Branded trash bins, benches, shade structures, signage and lighting to signify the relationship to the greater Justin park system.



### TRAILS WILL SUPPORT CITY-WIDE MOBILITY

From street-side multi-use trails to off-street natural trails, a successful system will be connections throughout the City and between neighborhoods.



### TRAILS WILL HELP TO EDUCATE THE PUBLIC

Signage on history, bio-sciences and protection of habitats and native species will support education for all ages.

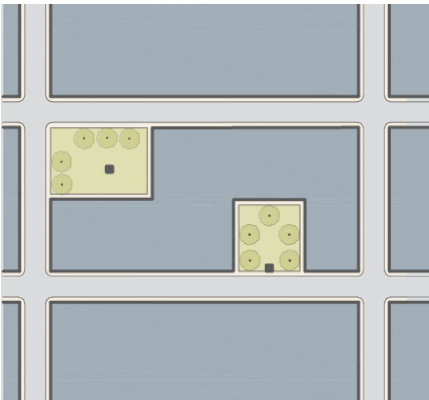


### FLOODPLAINS WILL BE PROTECTED

Preserved floodplain areas will be protected with riparian buffers to support runoff filtration and maintain a rural environment within Justin.

# NEW PARK + FACILITY CLASSIFICATIONS

The following park and facility classifications support alternative design approaches from the typical Community and Neighborhood Park classes. The use of these will be important as developments choose to design and manage their own parks within neighborhoods, or as new public spaces are proposed as infill developments in the Old Town or other constrained development areas.



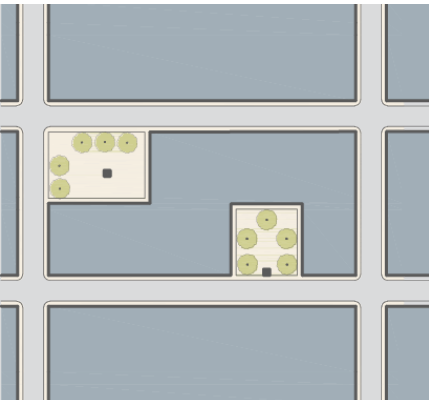
## Pocket Park

An Open Space, available for unstructured recreation. A pocket park is spatially defined by building edges. Its landscape shall consist of lawn and trees, naturally disposed. No minimum size and the maximum shall be 1/4 acres.



## Pocket Plaza

An Open Space, available for unstructured recreation. A pocket plaza is spatially defined by building edges. Its hardscape shall consist of formal arrangement of paving and seating, with some trees for shade. No minimum size and the maximum shall be 1/4 acres.



## Green

An Open Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than building edges. Its landscape shall consist of lawn and trees, naturally disposed. The minimum size shall be 1/2 acre and the maximum shall be 8 acres.





ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF JUSTIN, TEXAS, ADOPTING ARTICLE \_\_\_\_ "PUBLIC TREE CARE" AS AN AMENDMENT TO CHAPTER 50 VEGETATION OF THE CODE OF ORDINANCES; TO PROVIDE FOR THE CARE OF PUBLIC TREES; TO ESTABLISH PRACTICES GOVERNING THE PLANTING, CARE AND REMOVAL OF TREES ON PUBLIC PROPERTY; TO MAKE PROVISION FOR THE REMOVAL OF DISEASED TREES ON PRIVATE PROPERTY UNDER CERTAIN CONDITIONS; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of JUSTIN, Texas, recognizes that trees generally protect and enhance the quality of life and general welfare of the town; and

**WHEREAS**, the citizens of JUSTIN have long valued trees as a natural and often irreplaceable community resource and recognize them as assets for their beauty and service; and

**WHEREAS**, the City Council of JUSTIN, Texas, has further determined that the protection and care of trees located on city property is essential to the present and future health, safety, and welfare of all citizens, and accordingly, have determined that the adoption and implementation of this "Public Tree Care" ordinance is meritorious and necessary.

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

**PART 1:** Chapter 50 of the Code of Ordinances of the City of JUSTIN, Texas, is hereby amended to add Article II "Public Tree Care" to read as follows:

**"Article II . PUBLIC TREE CARE**

**Sec. 50-19. Purpose.**

To enhance the quality of life and the present and future health, safety, and welfare of all citizens, to enhance property values, and to ensure proper planting and care of trees on public property, the City Council herein delegates the authority and responsibility for managing public trees, creates a establishes practices governing the planting and care of trees on public property, and makes provision for the emergency removal of trees on private property under certain conditions.

**Sec. 50-20. Definitions.**

As used in this Article, the following words and phrases shall have the meanings indicated:

*Damage* – any injury to or destruction of a tree, including but not limited to: uprooting; severance of all or part the root system or main trunk; storage of material on or compaction of surrounding soil; a substantial change in the natural grade above a root system or around a trunk; surrounding the tree with impervious paving materials; or any trauma caused by accident or collision.

*Nuisance* – any tree, or limb thereof, that has an infectious disease or insect; is dead or dying; obstructs the view of traffic signs or the free passage of pedestrians or vehicles; or threatens public health, safety and welfare.

*Parkway* – the area along a public street between the curb and the sidewalk; or if there is no curb or sidewalk, the unpaved portion of the area between the street right-of-way line and the paved portion of the street or alley.



*Public property* – all grounds and rights-of-way (ROWs) owned or maintained by the City.

*Public tree* – any tree or woody vegetation on city-owned or city-maintained property or rights-of-way.

*Top or Topping* – the non-standard practice of cutting back of limbs to stubs within a tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

#### **Sec. 50-21. Authority and power.**

(a) *Delegation of authority and responsibility.* The Public Works Director and/or his designee, hereinafter referred to as the "Director," shall have the authority and responsibility to plant, prune, maintain and remove trees and woody plants growing in or upon all city streets, rights-of-ways, city parks, and other public property. This shall include the removal of trees that may threaten electrical, telephone, gas, or any municipal water or sewer line, or any tree that is affected by fungus, insect, or other pest disease.

(b) *Coordination among city departments.* All city departments will coordinate as necessary with the Director and will provide services as required to ensure compliance with this Ordinance as it relates to streets, alleys, rights-of-way, drainage, easements and other public properties not under direct jurisdiction of the Director.

(c) *Interference.* No person shall hinder, prevent, delay, or interfere with the Director or his agents while engaged in carrying out the execution or enforcement of this Ordinance.

#### **Sec. 50-22. Tree planting and care standards.**

(a) *Standards.* All planting and maintenance of public trees shall conform to the American National Standards Institute (ANSI) A-300 "Standards for Tree Care Operations" and shall follow all tree care Best Management Practices (BMPs) published by the International Society of Arboriculture.

(b) *Requirements of franchise utility companies.* Franchise utility companies shall provide advance notice to the City of their intended non-emergency tree pruning schedule and location of impacted area. The maintenance of public trees for utility clearance shall conform to all applicable utility industry standards.

(c) *Tree species list.* The Director shall develop and maintain an official list of desirable tree species for planting on public property in two size classes: Ornamental (20 feet or less in height at maturity) and Shade (greater than 20 feet at maturity). Only trees from this approved list may be planted without written approval from the Director.

(d) *Planting distances.* The Director shall develop and maintain an official set of spacing requirements for the planting of trees on public property. No tree may be planted within the visibility triangle of a street intersection or within ten (10) feet of a fire hydrant.

(e) *Planting trees under electric utility lines.* Only trees listed as Ornamental trees on the official city tree species list may be planted under or within fifteen (15) lateral feet of any overhead utility wire.

(f) *Protection of public trees during construction.* Any person, firm, corporation, or city department performing construction in the area of any public tree must employ appropriate measures to protect the tree, including, but not limited to, placing barriers around the tree to prevent any damage.

#### **Sec. 50-23. Adjacent owner responsibility.**

(a) The owner of land adjacent to any city street or highway, when acting within the provisions of this Ordinance, may plant and maintain trees in the adjacent parkway area. Property owners are responsible for the reasonable and routine maintenance of trees and other landscaping in the adjacent parkway area.



(b) No property owner shall allow a tree, or other plant growing on his or her property or within the adjacent parkway to obstruct or interfere with pedestrians or the view of drivers, thereby creating a hazard. If an obstruction persists, the Director shall notify the property owner to prune or remove the tree or plant. If the owner fails to comply with the notice, the City may undertake the necessary work and charge the cost to the property owner.

**Sec. 50-24. Prohibition against harming public trees.**

(a) It shall be unlawful for any person, firm or corporation to damage, remove, or cause the damage or removal of a tree on public property without written permission from the Director.

(b) It shall be unlawful for any person, firm or corporation to attach any cable, wire or signs or any other object to any street, park, or public tree.

(c) It shall be unlawful for any person, firm or corporation to "top" any public tree. Trees severely damaged by storms or other causes, where best pruning practices are impractical may be exempted from this provision at the determination of the Director.

**Sec. 50-25. Certain trees declared a nuisance.**

Any tree, or limb thereof, on private property determined by the Director to have contracted a lethal, communicable disease or insect; to be dead or dying; to obstruct the view of traffic signs or the free passage of pedestrians or vehicles; or that threatens public health, safety, and welfare is declared a nuisance and the City may require its treatment or removal. Private property owners have the duty, at their own expense, to remove or treat nuisance trees on their property. The City may remove such trees at the owner's expense if the owner does not comply with treatment and/or removal as specified by the Director within the written notification period.

**Sec. 50-26. Violations and penalty.**

Any person, firm or corporation violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each offense.

**Sec. 50-27. Appeals.**

All appeals to a violation shall be heard by City Council.

**PART 2. Savings/repeal.**

That all ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

**PART 3. Severability.**

That should any word, sentence, clause, paragraph or provision of this Ordinance be held to be invalid or unconstitutional the remaining provisions of this Ordinance shall remain in full force and effect.

**PART 4. Effective date.**

That this Ordinance shall become effective after its passage and publication according to law.

**PASSED, APPROVED and ADOPTED** by the City Council of JUSTIN, Texas, on this 28<sup>th</sup> day of February, 2023.



\_\_\_\_\_  
Mayor, Elizabeth Woodall

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Secretary, Brittany Andrews

\_\_\_\_\_  
City Attorney, Matthew Butler