



City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, March 17, 2026 ~ 9:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

Jeryl Hoover, Mayor
Emily Kirchner, Mayor Pro-Tem
Bobby Watson, Councilmember

Tony Klein, Councilmember
Todd Eidson, Councilmember
Clinton Bailey, City Manager

The City of Fredericksburg City Council will meet in a regular session on Tuesday, March 17, 2026, at 9:00 AM. The meeting will be live-streamed & available for re-watch on the City's website: fredericksburgtx.portal.civicclerk.com.

The City Council welcomes citizen participation and comments at all City Council Meetings on Agenda Items.

Comment Card for Written or Verbal Comments-submitted by 4 p.m. the day before the meeting.

- i. Complete the Comment Card online at FBGTX.org;
- ii. Make sure to check the appropriate box (verbal or written);
- iii. Only one agenda item per Comment Card.

Sign up in person between 8:30 a.m. and 9:00 a.m. at the meeting location.

- i. Only one agenda item per Comment Card;
- ii. Speakers will be limited to three minutes to speak. **Please Note:** The Mayor can reduce the number of minutes for any speaker during Public Comment on a single agenda item depending on the number of people who sign up for it.
- iii. Any citizen with handouts should provide them to the City Secretary before speaking. If you wish the City Council to receive your handouts for the meeting, please provide 10 copies; if not, the City Council will receive your handouts the following day.

NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for discussion. An announcement will be made on the basis of the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for the Executive Session.

Attendance By Other Elected or Appointed Officials: It is anticipated that the Planning & Zoning Commission, Historic Review Board, and Zoning Board of Adjustment members may attend the City Council Meeting at the date and time above in numbers that may constitute a quorum. Notice is hereby given that at the City Council Meeting at the date and time above, no Board or Commission action will be taken by such in attendance unless such item and action are specifically provided on a separate agenda posted subject to the Texas Open Meeting Act.

1. **CALL TO ORDER - Mayor Jeryl Hoover.**
2. **INVOCATION - Samuel Bell, with The Church of the Ascension.**
3. **PLEDGES OF ALLEGIANCE - Mayor Jeryl Hoover will lead the Pledges.**
4. **CEREMONIAL RECOGNITIONS**
 - A. Designation of "StormReady" from the National Weather Service (NWS) - Jason Runwen, NWS.
 - B. Recognition of Fredericksburg Rotary Members for their donation of AEDs to the Police Department.
5. **COUNCIL COMMENTS**
6. **CONSENT**

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF THE CITY COUNCIL.

 - A. Consider approval of City Council Minutes for the Regular Meeting of March 3, 2026. (Leticia Vacek, City Secretary)
7. **ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS**
 - A. Ordinance 2026-11 related to Atmos Mid TexRate Review Mechanism Tariff. (Kris Kneese, Director of Public Works/Utilities)
 - B. **Request Z-2603:** By Clayton Walvoord, Rebecca Rather & Brad Oehler to Consider the Following:
(Cliff Cross, Director of Development Services)
 - A. A Zoning Change from Single-Family Residential (R1) to Central Business District (CBD) for Properties Located at 408, 412 & 414 East Austin Street. *The Planning & Zoning Commission recommended Denial with a vote of 9-0.*
 - i Presentation by the Applicant
 - ii Presentation by the Staff
 - iii Hold Public Hearing
 - iv Take Action - Approve Ordinance 2026-12 for the Zoning Change
 - C. Consideration and approval of Ordinance 2026-13 amending Appendix A, Article 5.000 and Article 5.500 of the Municipal Code related to the construction permit and application Fee Schedule. (Cliff Cross, Director of Development Services)
 - D. Consider adoption of a 2026 Ordinance previously tabled as Ordinance 2025-54 to approve new fees for Leaf and Brush Collection services. (Kris Kneese, Director of Public Works/Utilities)

- E. **Request Z-2601:** Proposed text amendments regarding sexually oriented businesses, vape shops, game of skill parlors and tattoo studios. The proposed text amendments are for Section 2.100 (Definitions), Section 3.210 (C-2: Commercial), Section 3.320 (M-2: Medium Manufacturing) and Section 4.500 (General Description of Commercial Use Types). **This item was tabled at the Planning & Zoning Commission March 4th meeting. It will be re-noticed for the Planning & Zoning Commission meeting of April 1st and City Council meeting of April 7th.**
- F. **Request Z-2604:** Proposed text amendment regarding Multiple Family Residential Uses within the C-1 Neighborhood Commercial District. The proposed text amendments are for Section 3.200 (C-1: Neighborhood Commercial) district. **This item was tabled at the Planning & Zoning Commission March 4th meeting. It will be re-noticed for the Planning & Zoning Commission meeting of April 1st and City Council meeting of April 7th.**

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider and take action on appeal of Director of Development Services denial of a STR-Unoccupied permit for Acre Project LLC (Dane Leach) at 804 Henrietta Street. (Cliff Cross, Director of Development Services)
- B. Consider Contract Renewal for JM Pipeline LLC in the amount not to exceed \$500,000.00. (Kris Kneese, Director of PW and Utilities)
- C. Accept Historic Review Board Member Resignation from Cyd Donnell. (Leticia Vacek, City Secretary)

9. ITEMS FOR FUTURE AGENDA

- A. City Manager Bailey will review the Future Agenda Items with the City Council.

10. ADJOURN

CERTIFICATION

This is to certify that I, Leticia Vacek, posted this Agenda at 3:30 pm on March 11, 2026, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas

Leticia Vacek

Leticia Vacek, TRMC/CMC/MMC
City Secretary



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: March 17, 2026

CATEGORY: CEREMONIAL RECOGNITIONS

CAPTION: Designation of "StormReady" from the National Weather Service (NWS) - Jason Runwen, NWS.

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

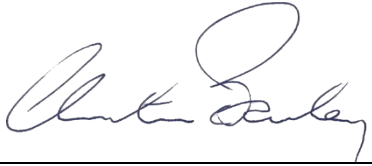
ATTACHMENTS:

None

APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: March 10, 2026



Clinton Bailey, City Manager

Date: March 11, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: March 17, 2026

CATEGORY: CEREMONIAL RECOGNITIONS

CAPTION: Recognition of Fredericksburg Rotary Members for their donation of AEDs to the Police Department.

SUMMARY:

The Fredericksburg Police Department would like to thank the Nimitz Rotary Club of Fredericksburg, Create Healthy, and The 100 Club of Gillespie County for their generous donation of 36 automated external defibrillators (AEDs). This donation allows every patrol unit to be equipped with an AED, enhancing the department's ability to respond quickly to medical emergencies. Additional AEDs were also provided to a Texas Game Warden and a Texas Cattle Ranger, expanding access to lifesaving equipment in the community. Special thanks to Catherine Kuhlmann for her assistance in coordinating this effort.

BACKGROUND:

FUNDING SOURCE: AEDs were donated by the Nimitz Rotary Club, Create Healthy, and the 100 Club of Gillespie County.

FINANCIAL IMPACT:

The City will not be financially impacted by this donation.

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Tourism
City Center
Mobility
Governance

ATTACHMENTS:

None

APPROVAL/REVIEW:

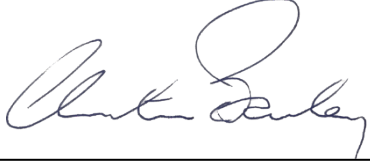


Leticia Vacek, City Secretary

Date: March 10, 2026

Date: March 11, 2026

Brian Vorauer, Police Chief



Clinton Bailey, City Manager

Date: March 11, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: Leticia Vacek, City Secretary
MEETING DATE: March 17, 2026

CATEGORY: CONSENT

CAPTION: Consider approval of City Council Minutes for the Regular Meeting of March 3, 2026.
(Leticia Vacek, City Secretary)

SUMMARY:

The meeting minutes are typically approved at the following Regular Meeting per Robert's Rule of Order.

BACKGROUND:

The approval of the Council Minutes is a standing item on each agenda provided that the minutes are ready for Council consideration.

FUNDING SOURCE: n/a

FINANCIAL IMPACT:
n/a

STAFF RECOMMENDATION:

City Secretary Vacek recommends approval.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:

1. Regular Council Meeting Minutes 03-03-2026

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: March 10, 2026



William McKamie, City Attorney

Date: March 10, 2026



Clinton Bailey, City Manager

Date: March 11, 2026



City of Fredericksburg

City Council Regular Meeting Minutes
Tuesday, March 3, 2026 ~ 9:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

City Council:

Jeryl Hoover, Mayor
Emily Kirchner, Mayor Pro-Tem
Bobby Watson, Councilmember
Tony Klein, Councilmember
Todd Eidson, Councilmember

City Staff:

Clinton Bailey, City Manager
Garret Bonn, Asst. City Manager
Leticia Vacek, City Secretary
Mick McKamie, City Attorney
Cliff Cross, Director, Development Services
Kris Kneese, Public Works/Utilities Director
Krista Wareham, Finance Director
Brian Vorauer, Police Chief
Lynn Bizzell, Chief Fire/EMS
Andrea Schmidt, Parks/Recreation Director
Sean Doerre, Public Information Officer
Aaron Anderegg, IT Director
Maria Garcia, Asst. City Attorney
Laurie Cassidy, Deputy City Secretary
Tyler Hooper, Asst. Director of Finance
Brandon Gold, Asst. IT Director
Cody Oris, IT Specialist
Alyssa Rivera, PD Outreach Specialist

1. CALL TO ORDER

Mayor Hoover called the meeting to order and noted a quorum was present.

2. INVOCATION

Michael Bell, Pastor of Christ the King Church delivered the invocation.

3. PLEDGES OF ALLEGIANCE

Mayor Hoover led the Pledges.

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

- A. Garret Bonn, Assistant City Manager, presented a slide show on the before and after of the construction development of the New City Council Chambers. Mayor Hoover thanked all who have participated in the management of the project. Clinton Bailey, City Manager thanked Garret Bonn for his work on the project.
- B. Mayor Hoover presented a Proclamation to Debbie Zabica, honoring the Hill Country American Red Cross.
- C. Clinton Bailey, City Manager, recognized Leticia Vacek, City Secretary for the completion of her seventh recertification through the Texas Municipal Clerks Certification Program at the University of North Texas (35 years in the program). She is one of only two Municipal Clerks who have received their seventh recertification. In addition, she received her 35-year membership certificate with IIMC.
- D. Lynn Bizzell, Chief Fire/EMS, Glenn Priess, President of the Fredericksburg Volunteer Fire Department, and Amy Burrier each shared kind words about Frank Stead and his dedication to the City of Fredericksburg for the past 23 years. Many members of the Fire Department as well as County Commissioners were present for Frank's recognition. Frank introduced his wife, Carol, and expressed his gratitude to everyone in attendance. Chief Bizzell presented Frank Stead with his helmet which will be engraved with his number.

5. COUNCIL COMMENTS

Councilmember Eidson reported that students from Fredericksburg High School were recently awarded the Judges Special Award for House 8.0 at the Best in American Living Awards. He also noted the CVB conducted four Zoom interviews in February and narrowed the top candidates to three. March 2, two in-person interviews were conducted, and the final in-person interview is scheduled for March 9.

Councilmember Klein shared that County Commissioners are working to update security at the Law Enforcement Center to provide a separate entrance to the meeting chambers. He also noted that today is Election Day (Primaries), and reminded everyone to please go vote.

Mayor Pro-Tem Kirchner thanked all the First Responders for keeping everyone safe over the past couple of weeks with the fires and suspicious package. She shared that she visited Washington DC last week and everyone she met expressed that Fredericksburg is a great city to be from. She reminded all that in order to vote in the May 2nd Joint General Election for the City and Fredericksburg ISD you must be registered to vote by April 2, 2026.

Councilmember Watson reported he attended the EDC meeting on February 20th. He welcomed everyone to the new Council Chambers and congratulated Frank Stead on his Retirement from serving the Fire Department.

6. CONSENT

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF THE CITY COUNCIL.

- A. Consider approval of Minutes for the Regular City Council Meeting of February 17, 2026. (Leticia Vacek, City Secretary/RMO)

Councilmember Klein moved to approve Consent Agenda Item 6A as presented. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

- A. Consider an Ordinance amending Chapter 5, "Buildings and Building Regulations" and Chapter 17 "Fire Protection" of the City Code to adopt the International Code Council (ICC) Codes. (Cliff Cross, Director of Development Services)

i Presentation by the Staff

ii Take Action - Approve Ordinance 2026-10 for the Amendment.

Cliff Cross noted that the staff is proposing Ordinance 2026-10 to adopt the 2021 ICC Code Amendments to Chapter 5 Buildings and Building Regulations and Chapter 17, Fire Protection.

Councilmember Watson moved to approve Ordinance 2026-10 as presented. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

- A. Re-consideration and discussion for possible action of the 2026 HOT Funding Applications for the National Museum of the Pacific War and Oktoberfest. (Mayor Jeryl Hoover).

Mayor Hoover stated that he is the one that brought this item forward and not the applicants. He noted that these two events have created HOT receipts. He added that his recommendation is that they be funded as follows: an additional \$5,000 to Oktoberfest and \$10,000 to the National Museum of the Pacific War.

Councilmember Watson moved to approve the Mayor's request for additional funding that the two applicants qualified for in the amount of \$10,000 to the National Museum of the Pacific War and an additional \$5,000 to Oktoberfest. Councilmember Eidson seconded the motion. The motion carried unanimously.

- B. Consider the approval of a street closure request for an event to be called "Warehouse Row Makers Market" on S. Lincoln Street from the north side of the Barons Creek bridge to E. Creek Street from 7:00 a.m. until 7:00 p.m. on Saturday, May 9, 2026, as well as the potential for a second event in the Fall (Garret Bonn, Assistant City Manager).

Jill Elliott presented a proposed street closure request for the Lincoln Street Market Event to be held on May 9, 2026. This Event would consist of approximately 75-100 vendors. Garret Bonn mentioned that he would work with Engineering, the Police Department, and Parks. He noted that the Fall Event would come back at a future date dependent upon the May Event.

Councilmember Klein moved to approve the street closure request for the May 9, 2025 Event, "Warehouse Row Makers Market". Councilmember Eidson seconded the motion. The motion carried unanimously.

9. CITY MANAGER'S REPORT

- A. Economic Development Commission Quarterly Update by Tim Lehmborg, EDC Director.

Tim Lehmborg presented the quarterly Economic Development Update including sales tax receipts data through the end of 2025. He started with the Gillespie County Economic Development Commission 2026 Work Plan that included Business Retention, Expansion, and Optimization. He covered the Labor Force Issues and noted that they have added Airport Development.

Tim also covered the estimated number of rooms and lodging data from the Comptroller's Office. Mayor Hoover referenced the City's 2025 vs 2024 drop of 4.16%. Tim responded that everyone is more judicious about how they spend money.

Mayor Hoover asked Carol Bolton and Jill Elliott to update the Council on their businesses. Carol stated that her business has mirrored the same. She added that January/February this year has been great. Jill noted that last year was rough, but she added that this year has shifted in a positive way. She felt that Wine Tastings have shifted that dynamic.

Anna Hudson, with Landmark Planning & Development Advisors spoke to various items such as the TIRZ and made mention of the possible HEB relocation.

10. ITEMS FOR FUTURE AGENDA

- A. City Manager Bailey reviewed the Future Agenda Item List with the City Council denoting the requested Joint Meeting with HRB on April 21st at 9:00 am followed by the Strategic Planning/Budget Kick-Off Meeting. Councilmember Klein questioned why have the latter meeting if it will have to be repeated after the election. A brief discussion followed and City Manager Bailey stated he would get back with the Council on that meeting.

11. EXECUTIVE SESSION

The City Council will recess its open meeting and convene in Executive Session pursuant to Texas Government Code Sections - 551.071 (Attorney Client Privilege) and 551.074 (Personnel).

- A. Legal Matters Update - Texas Government Code Section 551.071. (Mick McKamie, City Attorney)
- B. Consider and Discuss the position of City Attorney for appointment, reappointment, or reassignment pursuant to Texas Government Code, Section 551.074 (Personnel).

Mayor Hoover announced the Council would recess into Executive Session at 10:45 am to discuss Items 11A and 11B.

Mayor Hoover reconvened the meeting from Executive Session at 11:10 am and stated that no action was necessary.

12. ADJOURN

There being no further discussion, Mayor Hoover adjourned the meeting at 11:10 am.

Jeryl Hoover, Mayor

Attest:

Leticia Vacek, TRMC, CMC, MMC
City Secretary/RMO



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities
TO: Mayor & City Council Members
FROM: Kris Kneese, Director of Public Works,
Utilities, and Engineer
MEETING DATE: March 17, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider and approve Ordinance 2026-11 related to Atmos Mid TexRate Review Mechanism Tariff. (Kris Kneese, Director of Public Works/Utilities)

SUMMARY:

Consider Ordinance related to the Atmos Med TexRate Review Mechanism Tariff

BACKGROUND:

The City, along with 188 other Mid-Texas Cities Served by Atmos Energy Corporation, Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Steering Committee of Cities Served by Atmos (“Cities”). In 2007, the Cities and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute. Since 2007, there have been several modifications to the original RRM Tariff.

Cities strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues and rewarding the Company for increasing capital investment. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission’s review of annual GRIP filings or recover their rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In the Steering Committee’s view, the GRIP process unfairly raises customers’ rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

Atmos generated rate tariffs attached to the Ordinance that will generate \$205.6 million in additional revenues over the previous year. Atmos also prepared a Proof of Revenues supporting the figures. ACSC consultants have agreed that Atmos’ Proof of Revenues is accurate. The attached rates were approved last summer by ACSC members and went into effect on October 1, 2025.

Currently, Atmos customers within the City pay GRIP rates. These rates are higher than RRM rates.

By joining ACSC all ratepayers in the City will pay lower gas rates than under GRIP.

The average bill for a residential customer paying GRIP rates is currently \$55.96 per month. Under the attached RRM rates an average bill is \$54.68 or \$1.28 less on average per month.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

City Staff recommends approving Ordinance 2026-11, changing city Atmos customers from the GRIP rates to the RRM rates, as noted.

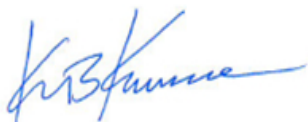
COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
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Small Town Sensitive Growth
Governance

ATTACHMENTS:

1. Attachment 1_CY24 MTX RRM - Tariffs
2. Attachment 2_CY24 MTX RRM - Pension Benchmark
3. 2026 ORDINANCE Approving Atmos Mid TexRRM Tariff

APPROVAL/REVIEW:



Kris Kneese, Director of Public Works, Utilities, and Engineer

Date: March 10, 2026



Garret Bonn, Assistant City Manager

Date: March 10, 2026



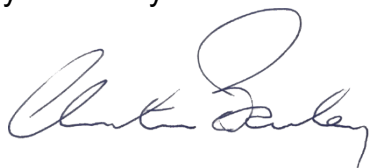
William McKamie, City Attorney

Date: March 10, 2026



Date: March 11, 2026

Leticia Vacek, City Secretary



Clinton Bailey, City Manager

Date: March 11, 2026

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 23.65 per month
Rider CEE Surcharge	\$ 0.03 per month ¹
Total Customer Charge	\$ 23.68 per month
Commodity Charge – All <u>Ccf</u>	\$ 0.74748 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2025.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 94.00 per month
Rider CEE Surcharge	\$ 0.01 per month ¹
Total Customer Charge	\$ 94.01 per month
Commodity Charge – All Ccf	\$ 0.22261 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Presumption of Plant Protection Level

For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at mdtx-div-plantprotection@atmosenergy.com.

¹ Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2025.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 200 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 200 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 1,848.75 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.7678 per MMBtu
Next 3,500 MMBtu	\$ 0.5623 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.1206 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailement Overpull Fee

Upon notification by Company of an event of curtailement or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailement or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

Presumption of Plant Protection Level

For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at mdtx-div-plantprotection@atmosenergy.com.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

This tariff is not available to customers with a maximum daily demand of 1,000 MMBtu or greater and a daily/annual load factor of 10% or less. Load factor is calculated as follows: annual usage / (maximum daily connected demand X 365). Load factors will be recalculated once each year to determine appropriate eligibility for Rate T.

Type of Service

Company's receipt and delivery of all gas quantities under the applicable Transportation Agreement will be on a wholly interruptible basis subject to the Terms and Conditions incorporated in the Transportation Agreement. If Customer is an Industrial Customer, then Customer may elect, at the reasonable discretion of Company, to contract for Plant Protection transportation quantities defined as the minimum natural gas required to prevent physical harm and/or protect critical safety to the plant facilities, plant personnel, or the public when such protection cannot be achieved through the use of an alternate fuel. Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 1,848.75 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.7678 per MMBtu
Next 3,500 MMBtu	\$ 0.5623 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.1206 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest “midpoint” price for the Katy point listed in *Platts Gas Daily* in the table entitled “Daily Price Survey” during such month, for the MMBtu of Customer’s monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer’s receipt quantities for the month.

Overpull Fee

Upon notification by Company of an event of interruption of Customer’s deliveries, Customer will, for each MMBtu delivered in excess of the stated level of interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled “Daily Price Survey.”

Replacement Index

In the event the “midpoint” or “common” price for the Katy point listed in *Platts Gas Daily* in the table entitled “Daily Price Survey” is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company’s Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	SUR – SURCHARGES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	

Application

This Rider is applicable to customer classes in the incorporated areas under the RRM tariff as authorized by the state or any governmental entity, a municipality, or a regulatory authority pursuant to any statute, ordinance, order, rule, contract, or agreement.

Monthly Calculation

Surcharges will be calculated in accordance with the applicable statute, ordinance, order, rule, contract, or agreement.

FASB ASC 740-10 (Fin48) Refund

Applicable to Customers taking service under Rate Schedules R – Residential, C – Commercial, I – Industrial and T – Transportation.

To ensure that gas utility customers receive the benefit associated with the changes in the Company’s Uncertain Tax Positions (“UTPs”) arising from recognition of Texas Margin Tax returns.

The decrease shall be calculated as follows:

Beginning with implementation of rates from the negotiated RRM Tariff, and annually thereafter, the portion of UTP liabilities identified in Schedule FIN48-1.1 for the prior fiscal year shall be allocated based on the final class allocations of GUD No. 10170 as per the RRM Tariff, divided by the annual bill count to derive rates to be refunded through Rider SUR in the subsequent fiscal year. Each year’s calculation will include a true-up (+ or -) due to account for over/under collections. Amounts identified in Schedule FIN48-1 shall be adjusted to reflect any audit adjustments received from the Texas Comptroller of Public Accounts.

No action on the part of the Regulatory Authority is required to give effect to the amount to be refunded to customers. However, any amount refunded to customers shall be fully subject to review for reasonableness and accuracy in the gas utility’s next statement of intent proceeding with the Railroad Commission of Texas, and if applicable, the gas utility shall be required to reconcile any discrepancies.

The following refund as authorized in the most recent negotiated RRM Tariff shall be refunded to each Rate Schedules R – Residential, C – Commercial, I – Industrial and T – Transportation customer’s monthly bill in each month for a 12-month period. The refund amount by month by Rate Schedule is shown in the table below:

Rate Schedules	Rate
Rate R – Residential Sales	\$ (0.12)
Rate C – Commercial Sales	\$ (0.41)
Rate I – Industrial Sales	\$ (8.68)
Rate T – Transportation	\$ (8.68)

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	TAX – TAX ADJUSTMENT	
APPLICABLE TO:	Entire Division as Set Forth Below	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	PAGE:

Application

Applicable to Customers taking service under Rate R, Rate C, Rate I, and Rate T, except for exempt State Agency Customers, to the extent of state gross receipts taxes only.

1. State Gross Receipts Taxes

Applicability - Entire Division except for Unincorporated Areas

Each monthly bill shall be adjusted for Miscellaneous state gross receipts taxes imposed by Sections 182-021 - 182-025 of the Texas Tax Code.

Entire Division

Each monthly bill shall also be adjusted by an amount equivalent to the amount of all applicable taxes and any other governmental impositions, rentals, fees, or charges (except state, county, city, and special district ad valorem taxes and taxes on net income) levied, assessed, or imposed upon or allocated to Company with respect to the Gas Service provided to Customer by Company, and any associated facilities involved in the performance of such Gas Service. Each monthly bill shall also be adjusted by an amount equivalent to the proportionate part of any increase or decrease of any tax and any other governmental imposition, rental, fee, or charge (except state, county, city, and special district ad valorem taxes and taxes on net income) levied, assessed, or imposed subsequent to the effective date of this tariff, upon or allocated to Company's operations, by any new or amended law, ordinance, or contract.

2. Federal or State Tax Law or Rate Changes:

Applicability – All Customers in the Mid-Tex Division (“MTX”) Under the RRM Tariff

Applicable to Customers taking service under Rate R, Rate C, Rate I, and Rate T.

To ensure that gas utility customers receive the benefits or costs associated with the changes in tax rates at a federal or state level, MTX shall establish and accrue on its books and records, as of the effective date of the federal or state tax law or rate change: 1) regulatory liabilities to reflect the impact of a decrease in federal corporate income tax rates or state margin tax rates; or, 2) regulatory assets to reflect the impact of an increase in federal corporate income tax rates or state margin tax rates.

The gas utility may not change rates to give effect to a change in Federal or State Tax law or rates through the Rider TAX unless and until the city issues final authorization, an Accounting Order, or other express guidance authorizing such recovery through the RRM process.

Company may also not change rates to capture the impacts associated with the effects of Public Law 117-169, 136 STAT. 1818 of August 16, 2022 (“Tax Act 2022”) and certain other tax-related costs that will change from the amounts included in the most recent base revenue requirement established through an RRM filing unless and until the city issues a final authorization, an Accounting Order, or other express guidance authorizing such recovery.

Upon receipt of authorization from the city through an Accounting Order, final authorization or other express guidance, the calculation applicable to the aforementioned federal or state tax rate or law changes are as follows; however, to the extent there is a conflict between the calculation or methodology

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	TAX – TAX ADJUSTMENT	
APPLICABLE TO:	Entire Division as Set Forth Below	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	PAGE:

prescribed by an Accounting Order, final authorization, or other express guidance, and those contained in this rate schedule, the Accounting Order, final authorization, or other express guidance controls:

Calculations

1. With regard to changes in the tax rates at a federal or state level, the increase or decrease shall be calculated as follows:
 - a. A portion of the gas utility’s revenue representing the difference between: 1) the cost of service as approved by the Commission or the applicable regulatory authority in the gas utility’s most recent statement of intent or other rate proceeding, and 2) the cost of service that would have resulted had the rates been based on the new federal income tax rate (increase or decrease) or state margin taxes (increase or decrease), as of the effective date of the change;
 - b. If applicable, the portion of the gas utility’s revenue representing the difference between: 1) each Interim Rate Adjustment surcharge approved by the regulatory authority since the gas utility’s most recent statement of intent or other rate proceeding, and 2) each Interim Rate Adjustment surcharge that would have resulted had the surcharges been based on the new federal income tax rate (increase or decrease) or state margin taxes (increase or decrease), as of the effective date of the change; and
 - c. The excess or deficient deferred tax reserve, including any associated gross up in taxes, caused by the reduction or increase in the federal corporate income tax rate or state related tax increases, as of the effective date of the change.

Upon the receipt of authorization from the Commission or applicable regulatory authority, the gas utility shall separately refund to customers based on a decrease in federal or state tax rates or separately collect from customers based on an increase in federal or state tax rates within twelve (12) months or, pursuant to applicable Internal Revenue Code (“IRC”) rules and regulations, as follows:

- d. The amount collected/refunded by the gas utility that reflects the difference in base rates between: 1) the cost of service approved by the regulatory authority in the gas utility’s most recent statement of intent rate proceeding, and 2) the cost of service that would have resulted had the rates been based upon the new federal or state tax rates, between the effective date of this order and the effective date of the changes.
- e. If applicable, the amount collected/refunded by the gas utility that reflects the difference between: 1) each Interim Rate Adjustment surcharge approved by the Commission or the regulatory authority since the gas utility’s most recent statement of intent rate proceeding, and 2) each Interim Rate Adjustment surcharge that would have resulted had the rates been based upon the new federal or state tax rates, between the effective date of this order and the effective date of the changes.
- f. The amount collected/refunded by the gas utility that reflects the difference in the excess or deficient deferred tax reserve included in base rates between: 1) the cost of service approved by the Commission or the regulatory authority in the gas utility’s most recent statement of intent rate proceeding, and 2) the cost of service that would have resulted had the rates been based upon the new federal or state tax rates, between the effective date of this order and the effective date of the changes. These amounts shall be refunded or collected from customers based upon IRC rules and regulations if applicable.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	TAX – TAX ADJUSTMENT	
APPLICABLE TO:	Entire Division as Set Forth Below	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	PAGE:

2. With regard to the Tax Act 2022 and certain other tax-related costs that will change from the amounts included in the base revenue requirement established through an RRM filing, any change in rates shall be calculated as follows:

- (a) The amount shall be calculated as the product of Company’s grossed-up rate of return authorized in the cost of service as approved by the Commission or the applicable regulatory authority in the gas utility’s most recent statement of intent or other rate proceeding times the Corporate Alternative Minimum Tax deferred tax asset (“CAMT DTA”) estimated at September 30 of the fiscal year or applicable quarter-end within a fiscal year prior to the annual change in the rates pursuant to this tariff, less the income tax credits received in accordance with IRC requirements applicable to the Tax Act 2022 grossed-up for income taxes to a revenue equivalent.
- (b) The estimated CAMT DTA and the related effects on the rider revenue requirements shall be trued up to the actual effects in the following year and the over/under recovery amortized over the twelve months that each year’s recalculated tariff rates are in effect. The over/under recovery shall include a grossed-up rate of return as authorized in Company’s most recent statement of intent or other rate proceeding.
- (c) The methodology for computing Company's CAMT is as follows:
 - i. Confirm when Atmos Energy Corporation and its affiliates are subject to CAMT as an “applicable corporation” as defined the Tax Act 2022, then there will be MTX’s CAMT DTA in the tariff.
 - ii. Calculate the Mid-Tex Division’s (MTX) contribution to Adjusted Financial Statement Income (“AFSI”) on a stand-alone basis. MTX’s AFSI is calculated by adjusting MTX’s applicable financial statement income by adjustments to depreciation, pension costs and federal income tax to arrive at AFSI. AFSI is intended to be computed consistent with applicable IRC requirements.
 - iii. Compare MTX’s CAMT stand-alone amount with MTX’s regular stand-alone tax liability. If the stand alone CAMT is in excess of the stand-alone regular tax, the CAMT DTA is recorded to MTX.

If the Internal Revenue Service issues new guidance related to the Tax Act 2022, Company shall have the right to make additional filings to recognize such adjustments.

Any Commission filing made to give effect to Federal or State Tax Law or Rate Changes shall be filed within 12-months following the enactment of a tax rate change with the Commission’s Oversight and Safety Division or as part of a Statement of Intent.

Any city filing made to give effect to Federal or State Tax Law or Rate Changes shall be filed within 12-months following the enactment of a tax rate change and addressed to the city official at the address of record with the Mid-Tex Division.

With the exception of the authorization required from the Commission to allow the gas utility to recognize the new federal income tax rate (increase or decrease) or state taxes (increase or decrease) or the impacts associated with the effects of the Tax Act 2022 and certain other tax-related costs that will change from the amounts included in the base revenue requirement in the last approved RRM Tariff filing, no action on the part of the regulatory authority is required to give effect to the amount to be refunded or

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	TAX – TAX ADJUSTMENT	
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collected from customers. However, any amount refunded or collected from customers shall be fully subject to review for reasonableness and accuracy in the gas utility's next statement of intent proceeding, and if applicable, the gas utility shall be required to reconcile any discrepancies.

Regulatory orders issued pursuant to this mechanism are ratemaking orders and shall be subject to appeal under Sections 102.001(b) and 103.021, et seq., of the Texas Utilities Code (Vernon 2007). Rate changes subject to the provisions of this tariff may be implemented upon the filing of an appeal to the relevant authority.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
- R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.
- HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
- NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- ADD = billing cycle actual heating degree days.
- BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	9.61	0.1476	91.65	0.7406
Austin	8.19	0.1394	183.99	1.1581
Dallas	12.74	0.2017	193.53	1.1001
Waco	9.23	0.1277	148.26	0.7631
Wichita Falls	10.43	0.1387	122.94	0.7038

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at www.atmosenergy.com/MTXtariffs, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

**ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2024**

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Post-Employment Benefit Plan	Supplemental Executive Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Benefits Benchmark -						
	Fiscal Year 2025 Willis Towers Watson Report as adjusted	\$ 572,372	\$ (649,253)	\$ 882,931	\$ (3,920,499)	\$ 65,943	
2	Allocation Factor	46.27%	46.27%	84.14%	84.14%	100.00%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	\$ 264,856	\$ (300,432)	\$ 742,888	\$ (3,298,664)	\$ 65,943	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4)	\$ 264,856	\$ (300,432)	\$ 742,888	\$ (3,298,664)	\$ 65,943	\$ (2,525,408)
6							
7	O&M Expense Factor	76.41%	76.41%	39.54%	39.54%	10.97%	
8							
9	Summary of Costs to Approve:						
10	Total Pension Account Plan	\$ 202,374		\$ 293,727			\$ 496,101
11	Total Post-Employment Benefit Plan		\$ (229,557)		\$ (1,304,242)		(1,533,799)
12	Total Supplemental Executive Benefit Plan					\$ 7,231	7,231
13	Total (Ln 10 + Ln 11 + Ln 12)	\$ 202,374	\$ (229,557)	\$ 293,727	\$ (1,304,242)	\$ 7,231	\$ (1,030,467)

ORDINANCE 2026-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, APPROVING A TARIFF AUTHORIZING AN ANNUAL RATE REVIEW MECHANISM (“RRM”) AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF THE TEXAS UTILITIES CODE, AND AS NEGOTIATED BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX” OR “COMPANY”) AND THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE.

WHEREAS, the City of Fredericksburg, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City and similarly-situated Mid-Tex municipalities created the Steering Committee of Cities Served by Atmos (“ACSC Cities” or “Cities”) to efficiently address all rate and service matters associated with delivery of natural gas; and

WHEREAS, the Steering Committee recommends certain specific actions to all aligned ACSC Cities through resolution or ordinance; and

WHEREAS, pursuant to the terms of a November 2007 agreement between the Steering Committee and Atmos Mid-Tex that settled the Company's interim rate filing under Section 104.301 of the Texas Utilities Code (a "GRIP" rate case), the Steering Committee and the Company collaboratively developed a Rate Review Mechanism ("RRM") Tariff that allows for an expedited rate review process as a substitute for the GRIP process; and

WHEREAS, ACSC's counsel and consultants, recommend that the City approves base rates for Atmos Mid-Tex with an Effective Date beginning on the date this Ordinance is executed; and

WHEREAS, ACSC agrees that Atmos plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs implementing new rates are consistent with the recommendation of the ACSC, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, approval of the RRM Tariff sets a new benchmark for pensions and retiree medical benefits; and

WHEREAS, the RRM Tariff contemplates reimbursement of Cities' reasonable expenses associated with RRM Tariff applications; and

WHEREAS, the Steering Committee recommends that all Steering Committee member cities adopt this ordinance and the attached RRM Tariff; and

WHEREAS, the attached RRM Tariff is just, reasonable and in the public interest

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

Section 1. That the findings set forth in this Ordinance are hereby in all things approved.

Section 2. That, without prejudice to future litigation of any issue identified by ACSC in its previous RRM filing, the City Council finds that a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex’s 2025 RRM filing, is in the public interest, and is consistent with the City’s authority under Section 103.001 of the Texas Utilities Code.

Section 3. That despite finding Atmos Mid-Tex’s plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

Section 4. That the new tariffs attached hereto and incorporated herein are just and reasonable. Such tariffs are hereby adopted.

Section 5. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex’s next RRM filing shall be as set forth as attached hereto and incorporated herein.

Section 6. That the attached RRM Tariff establishing a form of Rate Review Mechanism is just and reasonable and in the public interest, and is hereby adopted.

Section 7. That Atmos Mid-Tex shall reimburse the Cities’ reasonable expenses associated with adoption of this Ordinance and the attached RRM Tariff and in processing future RRM Tariff applications filed pursuant to the attached tariff.

Section 8. That to the extent any resolution or ordinance previously adopted by the City is inconsistent with this Ordinance, it is hereby repealed.

Section 9. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 10. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance , and the remaining provisions of this Ordinance shall be interpreted as if the offending section or clause never existed.

Section 11. That this Ordinance shall become effective from and after its passage.

Section 12. That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs, Atmos Energy Corporation, Mid-Tex Division, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this 17th day of March, 2026.

Jeryl Hoover, Mayor

ATTEST:

APPROVED AS TO FORM:

Leticia Vacek, City Secretary

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: March 17, 2026

CATEGORY: ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

CAPTION: Request Z-2603: By Clayton Walvoord, Rebecca Rather & Brad Oehler to Consider the Following:
 (Cliff Cross, Director of Development Services)

A. A Zoning Change from Single-Family Residential (R1) to Central Business District (CBD) for Properties Located at 408, 412 & 414 East Austin Street. *The Planning & Zoning Commission recommended Denial with a vote of 9-0.*

- i Presentation by the Applicant
- ii Presentation by the Staff
- iii Hold Public Hearing
- iv Take Action - Approve Ordinance 2026-12 for the Zoning Change

SUMMARY:

The applicants have submitted a Zoning Change request for three individual lots totaling approximately .75 acres (32,670 sq. ft) and commonly known as 408, 412 & 414 E. Austin. The applicants are requesting a zoning change from R1, Single-Family Residential to CBD, Central Business District.

BACKGROUND: The surrounding properties include R1- Single Family Residential to the north, east and west and CDB, Central Business District to the south. There is also a mixture of PF, Public Facilities, OS, Open Space and C2, Commercial throughout the area.

The property is currently zoned R1, Single-Family Residential and permits uses by right and upon the issuance of a conditional use permit, some of the mixture and intensity of use types include the following:

Single Family Residential (Detached)	Local Utility Service
Short-term Rental, Accessory: (With a STR permit and adherence to Chapter 20, Article VII)	Short-term Rental, B & B: (With a STR permit and adherence to Chapter 20, Article VII)

Uses Permitted Subject To Conditional Use Permit
 The following uses may be permitted subject to a Conditional Use Permit as provided in Section 5.400.

Community Recreation	Private Secondary Educational Facilities
----------------------	--

Day Care Services	Private Secondary Educational Facilities
Guidance Services	Religious Assembly

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, width and depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard unit until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

Site Development Regulations

Each site in the R-1 district shall be subject to the following site development regulations:

Feature	Regulation
Lot Size	Minimum Lot Area, 7500 Square feet; or 10,000 square feet for guest houses and short-term rental, accessory uses
Lot Width	Minimum Lot Width, 70 feet
Height	Maximum Building Height, 2½ stories, 28 feet
Front Yard	Minimum Required Setback, 25 feet
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 5 feet
Rear Yard	Minimum Required Setback, 10 feet
Residential Density	Maximum Dwelling Units per Lot, 1 per Lot Minimum Dwelling Areas
(Living Area Only)	750 Square feet
Maximum Building Coverage	Percent of Lot Area, 40%
Impervious Cover	Percent of Lot Area, 55%
Nonconforming Uses	Section 6.100
Special Yard Regulations	Section 7.300
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Temporary/Accessory Building	Section 8.000
Home Occupations	Section 8.300

It is the desire of the applicant to obtain a CBD, Central Business District Zoning classification and Sec. 3.220 - CBD, Central Business District speaks to the development standards allowed below:

This zone is intended to provide for the intense commercial activities of the central business district or central trading area of the City. This district establishes the character of the City by serving the tourist as well as the residents of the City.

Principal Permitted Uses

Buildings, structures and lands shall be used, and buildings and structures shall hereinafter be erected, altered or enlarged only for the following uses, plus such other uses as the City Council, by resolution, may deem to be similar to those uses listed and not obnoxious or detrimental to the public health, safety and welfare:

Administrative and Business Office
Arts and Crafts
Club or Lodge
Cocktail Lounge
Consumer Convenience Services
Consumer Repair Services
Cultural Services
Day Care Services
Financial Services
General Retail Sales
Guidance Services
Liquor Sales
Local Utility Services
Mobile Food Establishments, but not in any right-of-way, public easement or in the Historic Overlay District, except that Mobile Food Vendor's in the Historic District Overlay shall be allowed on school property, museum property, church property, and public property subject to section 8-117(h).
Multiple Family Residential (Section 3.120)
Personal Improvement Services
Personal Services
Pet Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Professional Offices
Religious Assembly
Restaurant
Single Family Residential (detached) if structure was not used as other than residential in its most recent use
Short-term Rental Unoccupied: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, Accessory: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, B & B: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, Facility: (With a STR permit and adherence to Chapter 20, Article VII)
Corporate Housing (Chapter 20, Article VII)

Uses Permitted Subject to Conditional Use Permit

The following uses may be permitted subject to a Conditional Use Permit as provided for in section 5.400.

Business or Trade School
Business Support Services
Commercial Off-Street Parking
Communications Services
Condominium Residential (section 7.610)
Custom Manufacturing
Drive through Facilities associated with any use
Duplex Residential
Food Sales
Funeral Services
Horticulture
Hospital Services (Limited)
Hotel/Motel
Indoor Entertainment
Indoor Sports and Recreation
Medical Offices
Outdoor Entertainment
Outdoor Sports and Recreation
Single Family Residential (Detached)
Townhouse Residential (section 7.610)
Transportation Terminals
Single Family Residential (detached)- new construction or after cessation of use other than residential Group Residential

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered, or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, lot width, lot depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

Site Development Regulations

Each site in the CBD District shall be subject to the following site development regulations.

Feature	Regulation
Lot Size	Minimum Lot Area, 5000 Square feet
Lot Width	Minimum Lot Width, 50 feet
Height	Maximum Building Height, 3 stories, 38 feet

Front Yard	Minimum Required Setback, 0 feet
Street Side Yard	Minimum Required Setback, 0 feet
Interior Side Yard	Minimum Required Setback, 0 feet; or 10 feet when abutting R1, R1A, or R5 zoning districts
Rear Yard	Minimum Required Setback, 0 feet; or 10 feet when abutting R1, R1A, or R5 zoning districts
Maximum Impervious Coverage	90%
Maximum Building Coverage	
Residential Density	Section 3.120
Nonconforming Uses	Section 6.100
Site Development Regulations	Section 7.000
Special Yard Regulation	Section 7.300
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Landscaping and Screening Regulations	Section 7.900
Accessory Building Regulations	Section 8.200
Signs	Sign Ordinance
Outdoor Amplified Sound	Prohibited when abutting R-1, R-1-A, or R5

During the March 4, 2026 Planning and Zoning Commission meeting there was discussion to consider an alternative C1, Central Business District zoning classification. The C1 permits uses by right and upon the issuance of a conditional use permit, some of the mixture and intensity of use types include the following:

Sec. 3.200. C-1: NEIGHBORHOOD COMMERCIAL.

Intent

This zone is intended to provide for the establishment of restricted commercial facilities, to serve the conveniences and needs of the immediate neighborhood and must be compatible with the residential character and environment of the neighborhood. These uses generally result in limited traffic generation.

Principal Permitted Uses

Building, structures and lands shall be used, and buildings and structures shall hereinafter be erected, altered or enlarged only for the following uses as the City Council, by resolution, may deem to be similar to those uses listed and not obnoxious or detrimental to the public health, safety and welfare:

Administrative and Business Office
Convalescent Services
Cultural Services
Day Care Services
Group Residential
Local Utility Services

Medical Services
Multiple Family Residential (Section 3.110)
Personal Services
Private Primary Educational Services
Private Secondary Educational Facilities
Professional Office
Religious Assembly
Single Family Residential (detached) if structure was not used as other than residential in its most recent use
Short-term Rental, Unoccupied: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, Accessory: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, B&B: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, Facility: (With a STR permit and adherence to Chapter 20, Article VII)
Corporate Housing: (With a STR permit and adherence to Chapter 20, Article VII)

Uses Permitted Subject to Conditional Use Permit

The following uses may be permitted subject to a Conditional Use Permit as provided for in section 5.400.

Arts and Crafts
Automotive Washing
Building Maintenance Services
Business School
Business Support Services
Club or Lodge
Communication Services
Condominium Residential (section 7.610)
Consumer Repair Services
Convenience Storage
Convenience Store/Self Serve Gasoline
Duplex Residential
Food Sales
Guidance Services
Laundry Services
Limited Retail Sales
Liquor Sales
Personal Improvement Services
Pet Services

Restaurant - Limited
Single Family Residential (detached)- new construction or after cessation of use other than residential
Townhouse Residential Drive through Facilities Associated with any use

Property Development Standards

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, lot width, lot depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

Site Development Regulations

Each site in the C-1 District shall be subject to the following site development regulations:

Feature	Regulation
Lot Size	Minimum Lot Area, 7500 Square feet
Lot Width	Minimum Lot Width, 70 feet
Height	Maximum Building Height, 3 stories, 38 feet
Front Yard	Minimum Required Setback, 25 feet
Street Side Yard	Minimum Required Setback, 25 feet
Interior Side Yard	Minimum Required Setback, 5 feet; or 10 feet when abutting residential zoning districts; or 15 feet for 2 story structures, when abutting residential zoning districts
Rear Yard	Minimum Required Setback, 10 feet; or 15 feet when abutting residential zoning districts; or 25 feet for 2 or more stories, when abutting residential zoning districts
Maximum Impervious Coverage	70%
Maximum Building Coverage	Percent of Lot Area, 50%
Residential Density	Section 3.110
Nonconforming Uses	Section 6.100
Site Development Regulations	Section 7.000
Special Yard Regulations	Section 7.300
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Landscaping and Screening Regulations	Section 7.900
Temporary/Accessory Building	Section 8.000
Signs	Sign Ordinance

Outdoor Amplified Sound	Prohibited when abutting R-1, R-1-A, or R5
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* 10 feet when adjacent to R-1 or R-5

[The 2024 Comprehensive Plan](#) identifies the subject property as a future Place Type of Historic Shopping District which is intended as a walkable place with a mix of residential and non-residential uses. House-scaled commercial and lodging uses are encouraged in neighborhoods adjacent to Main Street.

Appropriate existing zoning districts would include CBD, C, R2, R5

Notice of Public Hearing Response: As part of the Public Hearing process, staff must notify property owners that own property within 200 ft of the subject property. As of the March 4, 2026 the Planning and Zoning Commission received approximately 25 protest with 3 of those protest being within the 200' notification radius.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:

Staff reviewed the request and the proposed application requesting the zoning change. In reviewing the request, the Comprehensive Plan has classified the subject property as a Historic Shopping District place type and, per the "Intent And Character section of the plan the following was identified:

The Historic Shopping District place type is intended as a walkable place with a mix of residential and non-residential uses. Historic Shopping District uses should serve visitors from the region, broader community, and local residents.

New development and redevelopment within the Historic Shopping District place type should respect the historic patterns of development with compatible building placement, scale, and architectural features. As West Main Street expands, development should be thoughtful and replicate, where possible, the character of the traditional Historic Shopping District.

House-scaled commercial and lodging uses are encouraged in neighborhoods adjacent to Main Street. Accessory Dwelling Units should be allowed on a case-by-case basis. Residential infill is encouraged in the Historic Shopping District place type to fill in larger lots and unused areas with new opportunities for housing and downtown living.

Furthermore, the properties to the north are primarily located within the Neighborhood Residential place type which identifies the appropriate existing zoning districts a R1, R1-A, R5, NC. When considering any request the proximity and uses of those properties should also be considered. When evaluating this request the place type designation would accommodate the CBD underlying district in compliance with the Comprehensive Plan. However, when considering the request staff recommended consideration of all factors such as traffic, surrounding uses, intensity, etc as part of the findings of fact. Based upon the transitional nature of the neighborhood, staff would only recommend approval of the rezoning request from Single-Family Residential (R1) to Central Business District (CBD) if the overall findings support the new zoning would not contribute to negative impacts on the neighborhood.

There was discussion, during the meeting, if an alternate C1, Neighborhood Commercial classification could be considered but the Planning and Zoning Commission ultimately recommended denial of the rezoning based upon concerns of spot zoning and neighborhood compatibility. Action of the City Council would require a 3/4 favorable vote for approval.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Small Town Sensitive Growth
Governance

ATTACHMENTS:

1. 400 Blk Austin Notification Map
2. 400 Blk Austin Land Use Map
3. 400 Blk Austin Place Type
4. 400 Blk Austin Zoning
5. Combined Protest For CC_Redacted
6. Ordinance 2026-12 Zoning for 400 BLK Austin

APPROVAL/REVIEW:



Date: March 09, 2026

Cliff Cross, Director of Development Services



Date: March 09, 2026

Garret Bonn, Assistant City Manager



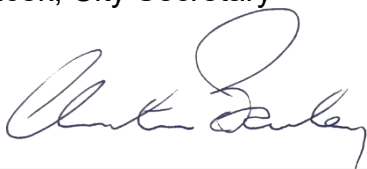
Date: March 09, 2026

William McKamie, City Attorney



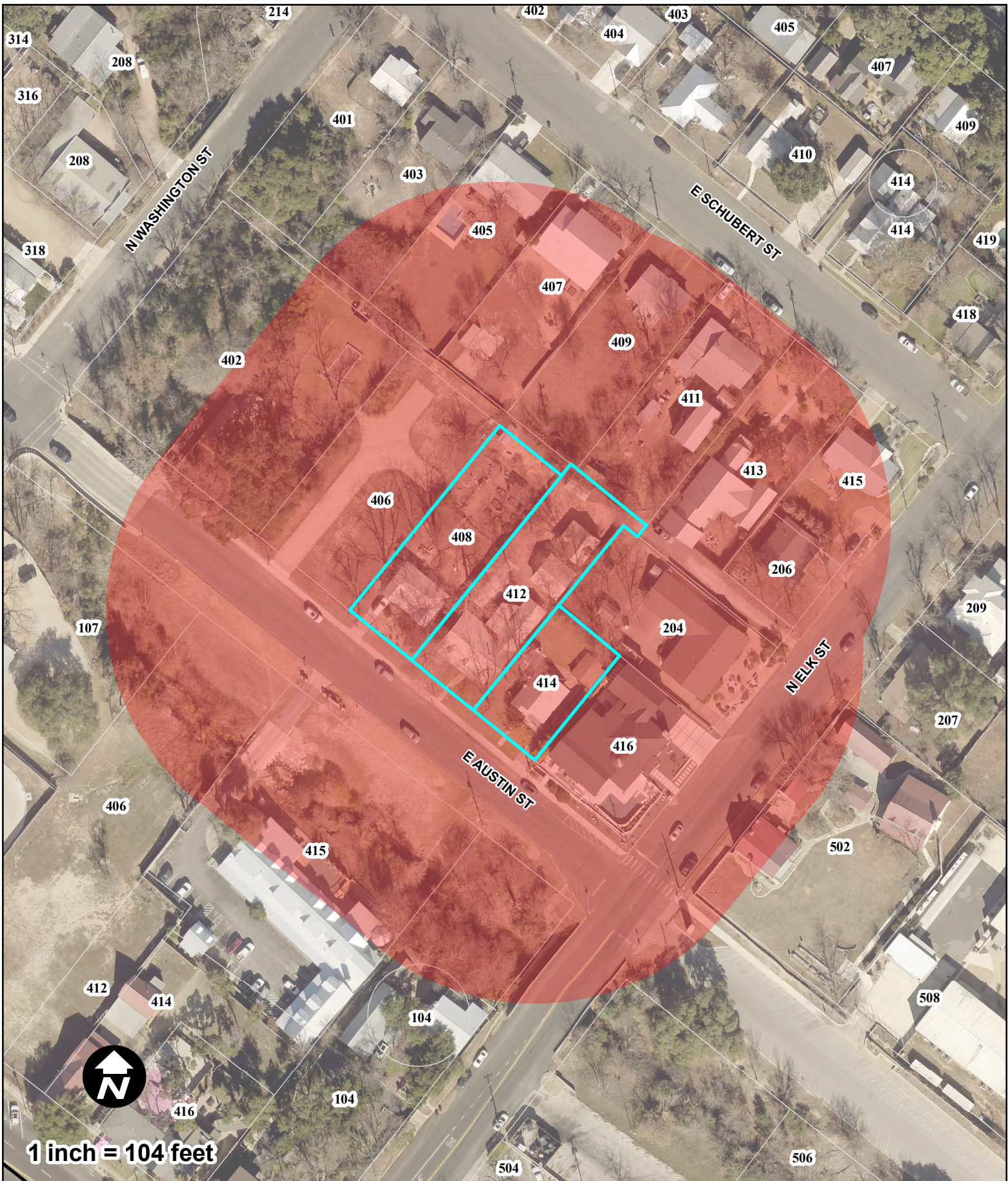
Date: March 10, 2026

Leticia Vacek, City Secretary



Date: March 11, 2026

Clinton Bailey, City Manager



1 inch = 104 feet

City of Fredericksburg
 Z-2603 - 408, 412 & 414 E. Austin

LEGEND

- 200' Notification Buffer
- GCAD Parcels

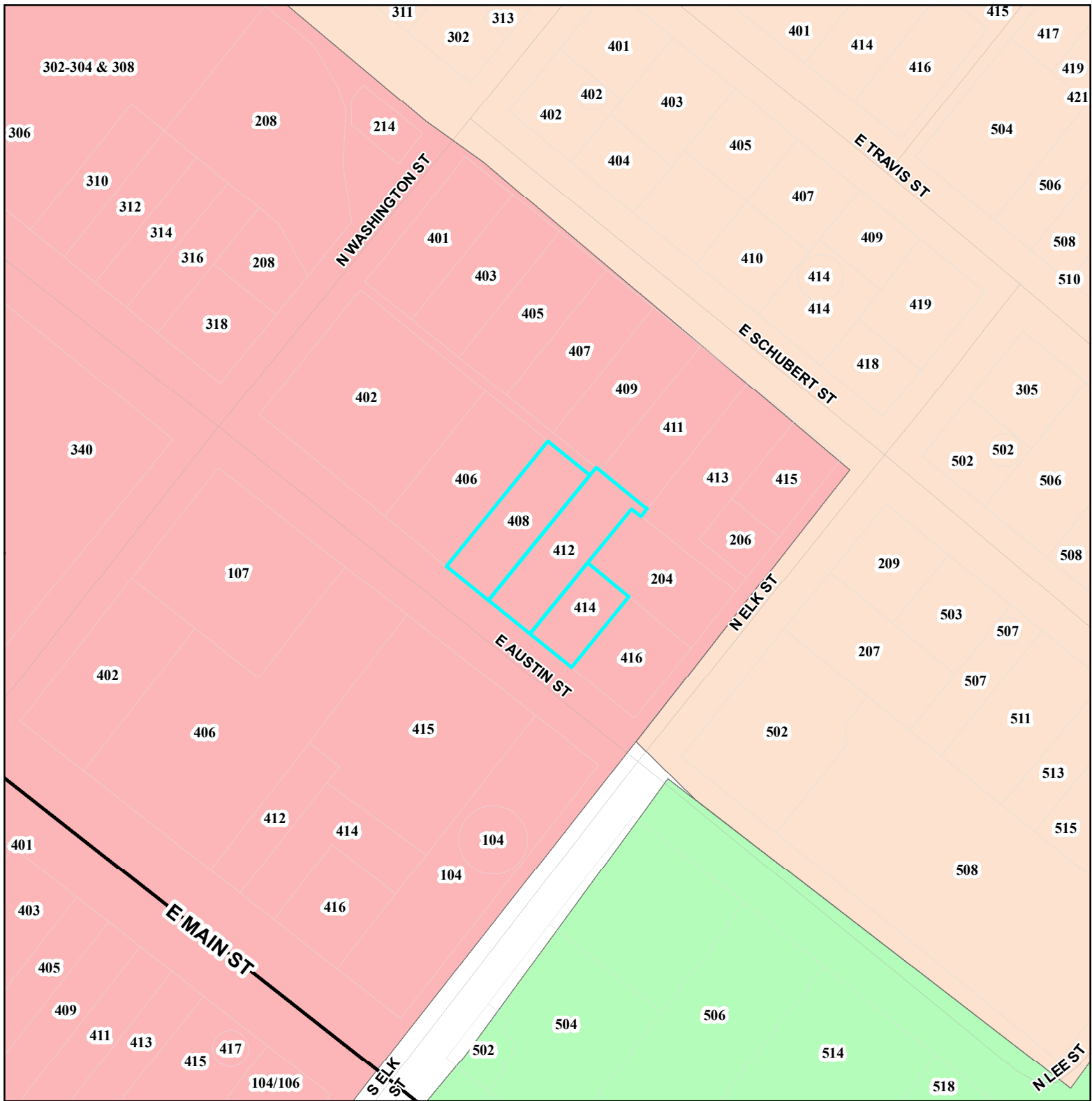


LEGEND

- | | |
|------------------------------------|----------------------------|
| GCAD Parcels | Low Density Residential |
| Landuse | Medium Density Residential |
| LANDUSE | Mixed Use Corridor |
| Downtown Central Business District | Parks & Open Space |
| Uptown Central Business District | Public / Semi-Public |
| Commercial Center | Rural |
| Commercial | |
| Employment Center | |
| FUTURE ROW | |
| High Density Residential | |
| Industrial | |



City of Fredericksburg
Z-2603 - 408, 412 & 414 E. Austin



LEGEND

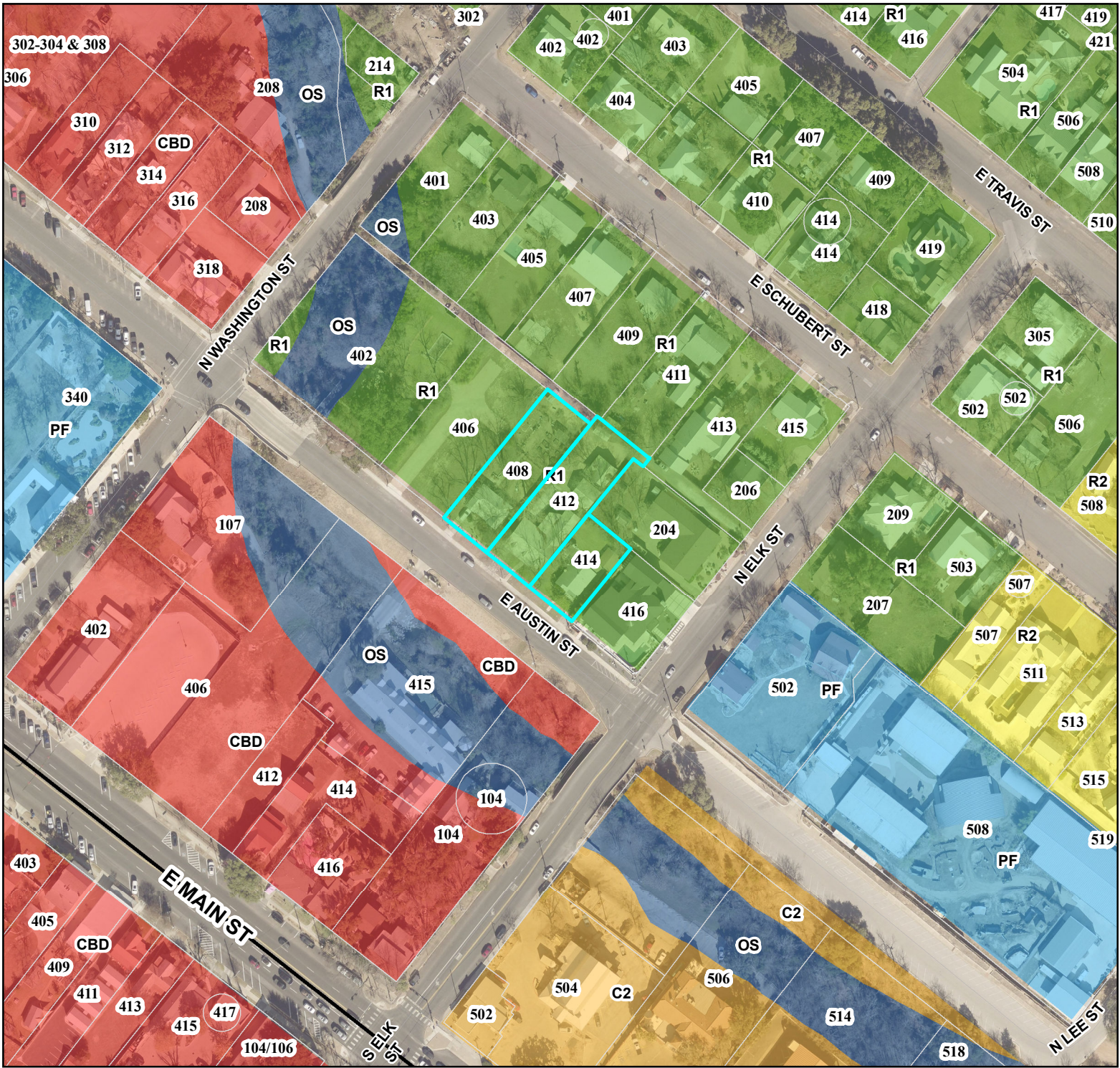
GCAD Parcels

Place_Type

- MU
- GC
- HSD
- IND
- MDR
- MU
- NR
- PARK
- RR



City of Fredericksburg
 Z-2603 - 408, 412 & 414 E. Austin



LEGEND

- | | |
|---------------------------------|---|
| GCAD Parcels | PF - Public Facilities |
| Zoning | PUD - Planned Unit Development |
| ZONED | R1 - Single Family Residential |
| C1 - Neighborhood Commercial | R1A - Single Family Residential - Small Lot |
| C1.5 - Medium Commercial | R2 - Mixed Residential |
| C2 - Commercial | R3 - Multi-Family Residential |
| CBD - Central Business District | R4 - Manufactured Home Residential |
| M1 - Light Manufacturing | R5 - Patio Home Residential |
| M2 - Medium Manufacturing | |
| M3 - Industrial Park | |
| OS - Open Space | |



City of Fredericksburg
Z-2603 - 408, 412 & 414 E. Austin
 Page 48 of 127

Public Comment Form

Please return this form to:

jmusgrove@fbgtx.org

OR

Development Services – Zoning

126 W. Main Street

Fredericksburg, TX 78624

830-997-7521



REQUEST NO. Z-2603

As an interested property owner, I (PROTEST) / (APPROVE) the requested Land Use and Zoning Change, represented by the above file number because:

THIS IS A RESIDENTIAL AREA AND NOT CONDUCTIVE FOR COMMERCIAL DEVELOPMENT. THIS IS ALSO "SPOT" ZONING IN THE MIDDLE OF A RESIDENTIAL DISTRICT. WE JUST WENT THROUGH THIS LESS THAN 2 YEARS AGO! THE ODOR, GARBAGE, AND TRAFFIC THAT WILL BE GENERATED WILL DESTROY THE QUALITY RESIDENTIAL FEE!

[Redacted Signature]

Signature

Date

Mark Messer

Printed Name

[Redacted Address]

Address

not on 200 ft mailing list

Jan Musgrove

From: [REDACTED]
Sent: Monday, March 2, 2026 1:11 PM
To: Cliff Cross; Jan Musgrove
Cc: Clinton Bailey
Subject: Opposition to Zoning Change Application — 400 Block E. San Antonio

Dear Cliff & Jan -

Writing from a what once was a vibrant neighborhood (with actual great neighbors) before the overwhelming assault of STRs, I ask that you please note my comments made in lieu of attending the Wednesday, 3/4 P&Z meeting. I plead with P&Z members to deny the CBD zoning change application for E. Austin Street lots #408, #412, and #414.

As I see a swimming pool being dug a few feet(!) from the back of the STR at 106 S. Cherry, and maybe 25' from my south bedroom windows at 102 S. Cherry and the same from John & Janet Hext's east bedroom windows at 804 W. San Antonio, with the pool equipment pad set up inches from the fence that divides the property from mine, I hate to think about more people in town having their quality of life and entire neighborhood(s) ruined with even more drastic incursions.

The overabundant numbers of STRs in town are bad enough commercial operations with too often excessive lights/noise/drunks/traffic/water usage involved; bringing what's allowed under CBD rules into residential areas should be strictly prohibited if we're to have any semblance of quality of life left here in Fredericksburg.

Thanks for all you and other City staff and P&Z handle so well, and thanks for considering my plea and the plight of other neighborhoods at risk for QofL obliteration.

With aloha & gratitude —

Mary

Mary Gallagher

[REDACTED]

iPad

Not on 200 ft mailing list

Jan Musgrove

From: [REDACTED]
Sent: Sunday, March 1, 2026 1:58 AM
To: Jan Musgrove; tommusselman@gmail.com; Emily Kirchner; Bobby Watson; Todd Eidson; Tony Klein; Jeryl Hoover
Subject: LETTER TO EXPRESS DENYING A ZONING CHANGE REQUEST

LETTER TO EXPRESS THE NECESSITY FOR THE DENIAL OF A ZONING CHANGE REQUEST

IN REFERENCE TO:

A Zoning Change from Single-Family Residential (R1) to Central Business District (CBD) for Properties Located at 408, 412 & 414 East Austin Street

Take Action on the Zoning Change

C. Request Z-2604: Proposed text amendment regarding Multiple Family Residential Uses within the C-1 Neighborhood Commercial District. The proposed text amendments are for Section 3.200 (C-1: Neighborhood Commercial) district.

PLEASE DENY THIS REZONING REQUEST FOR 408,412, AND 414 E. AUSTIN RESIDENTIAL 1 (R1) PROPERTIES REQUESTING TO CHANGE TO C-1 COMMERCIAL ZONING.

first:

In reference to the comprehensive plan which shows this area as yellow/neighborhood residential...approving anything but residential DOES NOT IMPROVE RESIDENT'S QUALITY OF LIFE, but rather "CONTINUES THE CREEP" OF SHORT TERM RENTALS/COMMERCIAL BUSINESS IN PLANNED AND DESIGNATED RESIDENTIAL COMMUNITIES. ALLOWING THIS SINGLE FAMILY RESIDENTIAL LOCATION/BLOCK TO CHANGE TO COMMERCIAL DOES NOT SUPPORT OUR COMMUNITY CHARACTER AND NATURAL RESOURCES, BUT RATHER REMOVES ANOTHER SINGLE FAMILY COMMUNITY FROM EXISTENCE IN FREDERICKSBURG.

second:

These 3 properties (408,412,AND 414 E AUSTIN) are in fact, all single family homes, even though 2 are currently operating as STR's. They COULD and DO HAVE THE POTENTIAL TO REVERT BACK TO SINGLE FAMILY RESIDENTIAL USE AS HAVE OTHER SIMILAR STR'S.

Third: 408, 412, and 414 E AUSTIN SHARE IMMEDIATE LOT LINES WITH E. SCHUBERT, WHICH IS ALL RESIDENTIAL/R-1 ZONING. WE DO NOT WANT 408, 412, AND 414 TO BE ANYTHING BUT HOW IT IS CURRENTLY ZONED AS R-1/SINGLE FAMILY RESIDENTIAL. 408 E AUSTIN SHARES A LOT LINE WITH A RESIDENCE ON ONE SIDE, AND AN STR ON THE OTHER. THESE ALL BACK UP TO R-1/SINGLE FAMILY RESIDENTIAL ON E SCHUBERT.

Fourth: THERE ARE NOW 3 PERMITTED STR'S BETWEEN E. SCHUBERT AND ELK (PLUS ONE ADDITIONAL NEW PERMIT ON THE CORNER OF ELK AND E SCHUBERT) THAT ARE CURRENTLY FOR SALE AND/OR NO LONGER OPERATING, EXPRESSING NO NEED FOR THIS MANY STR'S IN RESIDENTIAL SINGLE FAMILY ZONING.

**THE COMPREHENSIVE PLAN STATES:
SMALL-TOWN SENSITIVE GROWTH**

Fredericksburg will implement land use patterns and related policies to support its unique community character and natural resources, improve residents' quality of life,

IF THIS BLOCK IS ALLOWED TO REZONE AND THE REQUEST IS APPROVED, CONTINUED, MASSIVE, IRREVERSIBLE DAMAGE AND DISAPPEARANCE OF OUR R1/SINGLE FAMILY RESIDENTIAL STREETS/NEIGHBORHOODS/COMMUNITIES WILL CONTINUE THROUGHOUT AND OUR RESIDENTIAL ZONING WILL ALL BUT BE OBSOLETE IN THE VERY NEAR FUTURE. THERE ARE ALL READY TOO MANY UNOCCUPIED STR'S AND RECENT CONTINUED STR PERMITS GRANTED/ALLOWED THAT HAVE COMPLETELY TAKEN OVER BLOCKS OF WHAT WERE ONCE AND RECENTLY RESIDENTIAL SINGLE FAMILY HOMES.

THIS REQUEST BY THE APPLICANT HAS COME BEFORE PLANNING AND ZONING, CITY COUNCIL, AND ZONING BOARD OF ADJUSTMENT. THE REQUEST WAS DENIED BY ALL 3 BOARDS.

WE ARE ASKING YOU TO AGAIN DENY THIS REQUEST BASED ON THE FACT THAT NOTHING HAS CHANGED WITH THE SURROUNDING PROPERTIES TO WARRANT A NEW REQUEST. THIS REQUEST IS SOLELY A DISGUISE FOR ONE MORE PROPERTY TO ATTEMPT TO APPLY FOR A STR PERMIT IN R1 THROUGH A "BACK DOOR" OR ROUNDABOUT WAY TO NAVIGATE THE CITY ORDINANCE.

THE OTHER 2 PROPERTIES (412, AND 413) ARE SINGLE FAMILY RESIDENTIAL PERMITTED FOR STR'S IN R1 SO THERE IS NO REASON FOR THOSE 2 PROPERTIES TO NEED COMMERCIAL ZONING.

Sent from [Outlook](#)

Jan Musgrove

From: [REDACTED]
Sent: Wednesday, March 4, 2026 1:52 PM
To: Jan Musgrove
Cc: charlotte Riley
Subject: Austin Street Rezoning Case Z-2603

Hello Jan,

I am Mrs. Charlotte Riley who resides on 408 East Schubert Street...right behind Austin Street.

I found out today that at 5:30 night there is a meeting to vote on rezoning those properties from residential to commercial uses...

I moved here from Dallas 13 years ago with my granddaughter and have worked as a teacher have enjoyed living in this calm, beautiful area...close to Main Streetbut far enough away that it is just a fun walk.

Even as it is....I do hear the Main Street music often...but it is not disturbing....I strongly oppose having any commercial properties zones any closer to this neighbourhood because this would then bring on more traffic and more noise along with types of people that may or may not be safe.

Please continue to say NO to using this property for commercial property. I know these people who want it commercial want the money...they don't have to live here. Let them rent somewhere else.

Thank you.

Charlotte Ellis Riley
[REDACTED]

Public Comment Form

Please return this form to:

jmusgrove@fbgtx.org

OR

Development Services – Zoning

126 W. Main Street

Fredericksburg, TX 78624

830-997-7521



REQUEST NO. Z-2603

See Map →

As an interested property owner, I (PROTEST) (APPROVE) the requested Land Use and Zoning Change, represented by the above file number because:

There is very little "neighborhood" left in this area.
Between a local, cut-through street, multiple STRs AND a
World War reenactment center, what can be preserved here?
There are similarly placed, commercial lots down the street:
Emis, Ottos, Nimitz offices.

d lochte

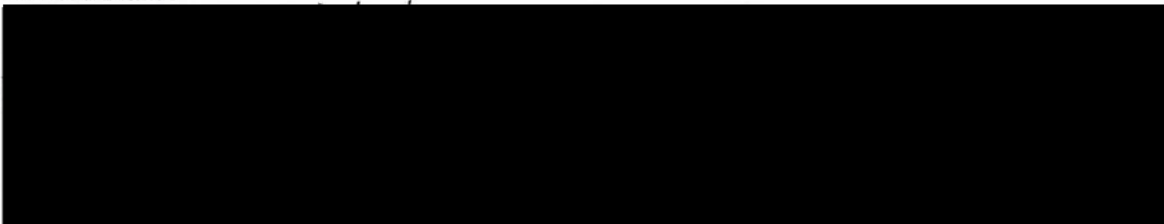
2/24/26

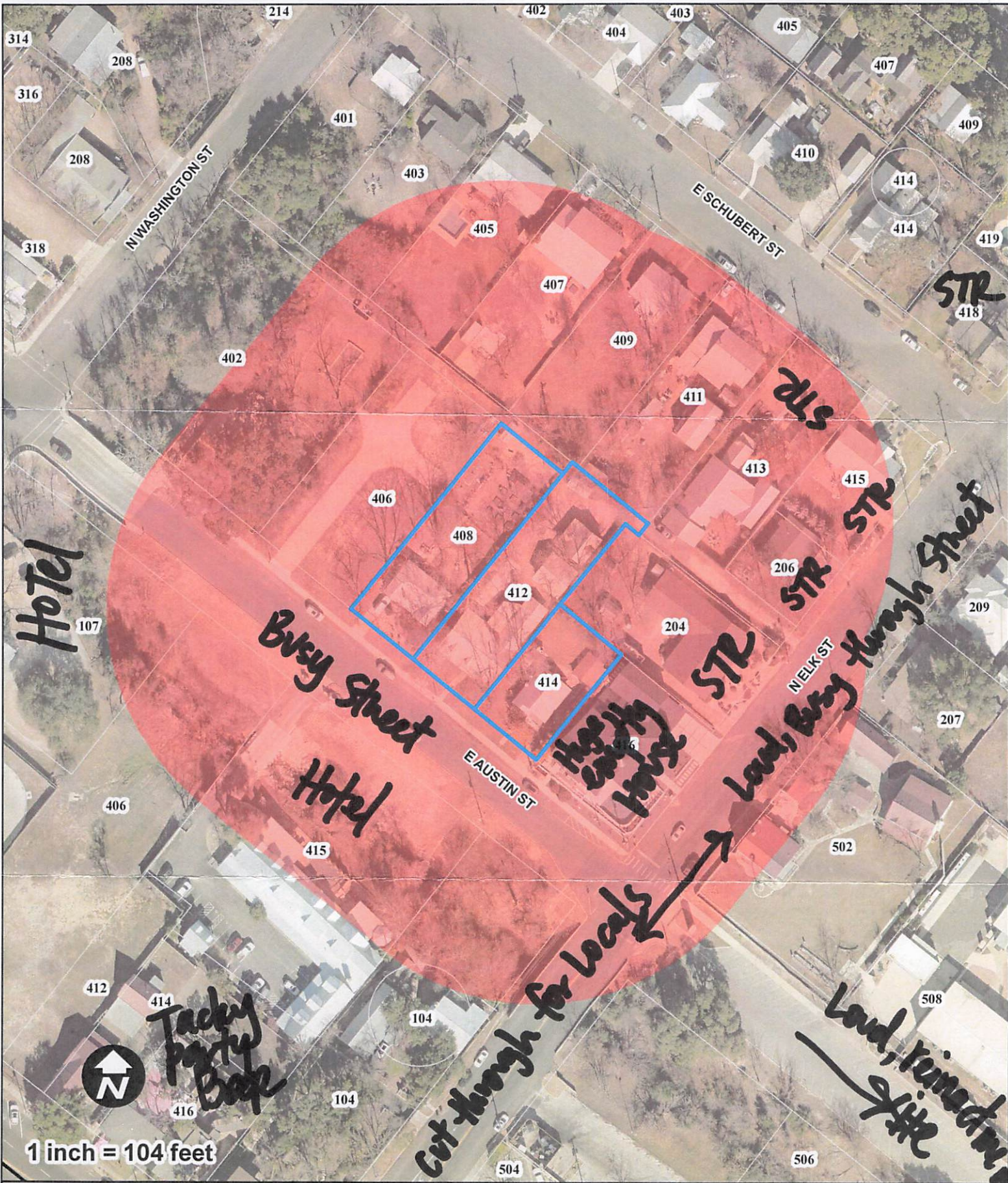
Signature

Date

Danielle Lochte

Printed Name





City of Fredericksburg
 Z-2603 - 408, 412 & 414 E. Austin

LEGEND

- 200' Notification Buffer
- GCAD Parcels

not on 200 ft mailing list

Jan Musgrove

From: [REDACTED]
Sent: Sunday, March 1, 2026 10:31 AM
To: Jan Musgrove

LETTER TO EXPRESS DENYING A ZONING CHANGE REQUEST

TO:
jmusgrove@fbgtx.org
tommusselman@gmail.com
ekirchner@fbgtx.org
bwatson@fbgtx.org
teidson@fbgtx.org
tklein@fbgtx.org
jhoover@fbgtx.org

IN REFERENCE TO:

A Zoning Change from Single-Family Residential (R1) to Central Business District (CBD)
for Properties Located at 408, 412 & 414 East Austin Street

Take Action on the Zoning Change

C. Request Z-2604: Proposed text amendment regarding Multiple Family Residential Uses
within the C-1 Neighborhood Commercial District. The proposed text amendments are for
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PLEASE DENY THIS REZONING REQUEST FOR 408,412, AND 414 E. AUSTIN RESIDENTIAL 1 (R1)
PROPERTIES REQUESTING TO CHANGE TO C-1 COMMERCIAL ZONING.

first:
In reference to the comprehensive plan which shows this area as yellow/neighborhood
residential...approving anything but residential DOES NOT IMPROVE RESIDENT'S QUALITY OF LIFE, but
rather "CONTINUES THE CREEP" OF SHORT TERM RENTALS/COMMERCIAL BUSINESS IN PLANNED AND
DESIGNATED RESIDENTIAL COMMUNITIES. ALLOWING THIS SINGLE FAMILY RESIDENTIAL
LOCATION/BLOCK TO CHANGE TO COMMERCIAL DOES NOT SUPPORT OUR COMMUNITY CHARACTER
AND NATURAL RESOURCES, BUT RATHER REMOVES ANOTHER SINGLE FAMILY COMMUNITY FROM
EXISTENCE IN FREDERICKSBURG.

second:
These 3 properties (408,412,AND 414 E AUSTIN) are in fact, all single family homes, even though 2 are
currently operating as STR's. They COULD and DO HAVE THE POTENTIAL TO REVERT BACK TO SINGLE
FAMILY RESIDENTIAL USE AS HAVE OTHER SIMILAR STR'S.

Third: 408, 412, and 414 E AUSTIN SHARE IMMEDIATE LOT LINES WITH E. SCHUBERT, WHICH IS ALL RESIDENTIAL/R-1 ZONING. WE DO NOT WANT 408, 412, AND 414 TO BE ANYTHING BUT HOW IT IS CURRENTLY ZONED AS R-1/SINGLE FAMILY RESIDENTIAL. 408 E AUSTIN SHARES A LOT LINE WITH A RESIDENCE ON ONE SIDE, AND AN STR ON THE OTHER. THESE ALL BACK UP TO R-1/SINGLE FAMILY RESIDENTIAL ON E SCHUBERT.

Fourth: THERE ARE NOW 3 PERMITTED STR'S BETWEEN E. SCHUBERT AND ELK (PLUS ONE ADDITIONAL NEW PERMIT ON THE CORNER OF ELK AND E SCHUBERT) THAT ARE CURRENTLY FOR SALE AND/OR NO LONGER OPERATING, EXPRESSING NO NEED FOR THIS MANY STR'S IN RESIDENTIAL SINGLE FAMILY ZONING.

THE COMPREHENSIVE PLAN STATES:
SMALL-TOWN SENSITIVE GROWTH

- Fredericksburg will implement land use patterns and related policies to support its unique community character and natural resources, improve residents' quality of life,

IF THIS BLOCK IS ALLOWED TO REZONE AND THE REQUEST IS APPROVED, CONTINUED, MASSIVE, IRREVERSIBLE DAMAGE AND DISAPPEARANCE OF OUR R1/SINGLE FAMILY RESIDENTIAL STREETS/NEIGHBORHOODS/COMMUNITIES WILL CONTINUE THROUGHOUT AND OUR RESIDENTIAL ZONING WILL ALL BUT BE OBSOLETE IN THE VERY NEAR FUTURE.
THERE ARE ALL READY TOO MANY UNOCCUPIED STR'S AND RECENT CONTINUED STR PERMITS GRANTED/ALLOWED THAT HAVE COMPLETELY TAKEN OVER BLOCKS OF WHAT WERE ONCE AND RECENTLY RESIDENTIAL SINGLE FAMILY HOMES.

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THE OTHER 2 PROPERTIES (412, AND 413) ARE SINGLE FAMILY RESIDENTIAL PERMITTED FOR STR'S IN R1 SO THERE IS NO REASON FOR THOSE 2 PROPERTIES TO NEED COMMERCIAL ZONING.

Jan Musgrove

From: [REDACTED]
Sent: Wednesday, March 4, 2026 1:52 PM
To: Jan Musgrove
Subject: Proposed Zoning Austin St.

As a resident of Schubert St. I am opposed to the proposed zoning change for the 400 Block of E. Austin. I believe this change would have a detrimental effect on our neighborhood as well as a negative impact on property values.

Jay S. Brady
[REDACTED]

--
Texas law requires real estate licensees to provide the following information: [Texas Real Estate Commission Information About Brokerage Services](#)

Jay S. Brady
[REDACTED]
[REDACTED]

not on 200 ft mailing list

Jan Musgrove

From: [REDACTED]
Sent: Sunday, March 1, 2026 3:13 PM
To: Jan Musgrove; tommusselman@gmail.com; ekirchner@fbg.org; Bobby Watson; Todd Eidson; Tony Klein; Jeryl Hoover
Subject: Comments: Opposing zoning change request

We understand that there has been a request for commercial zoning from 408, 412, and 414 E. Austin... but 406 E. Austin is strongly against rezoning. We owned 413 E. Schubert (right behind those houses) and that house privately owns the alleyway behind them. Some of those addresses have an easement over the private alleyway for residential use. It would be a big concern to have commercial vehicles use that alleyway since 413 E. Schubert is solely responsible for its maintenance and usage. And, having commercial establishments directly behind the houses on E. Schubert would not be desirable. It's noisy enough from E. Main St. as it is.

Since the city does not (and should not) "spot-zone", it would not be fair to allow 408, 412, and 414 E. Austin to be rezoned commercial when the long-standing historical home at 406 E. Austin does not wish it. We understand that 408, 412, and 414 E. Austin were previously denied a change to R2, so changing to commercial zoning would not be warranted, in our opinion. Since 412 and 414 E. Austin are STR's anyway and can continue such usage without any rezoning, we recommend denial of their request for commercial re-zoning.

Please confirm that you received our comments on this matter. Thank you very much,

Sharon & Gary Brunner (currently living on E. College)
Fredericksburg

nd on 200ft mailing list

Jan Musgrove

From: [REDACTED]
Sent: Monday, March 2, 2026 10:52 AM
To: Jan Musgrove
Subject: Objection to R2 zoning

I am objecting to R2 zoning in or close to R1 neighborhoods. Please stop selling out our neighborhoods. There are Plenty of areas for commercial businesses, without butchering our neighborhoods even more than you already have with the STR explosion. Please deny these over reaches for good. We "regular" people need somewhere to live that is Not commercial zoned. Please close the door on CBD zoning in R1 neighborhoods, and support the residents of Fredericksburg.

Thank you for your cooperation.

Pat Cantwell
[REDACTED]

To: Citizen Comments <CitizenComments@fbgtx.org>

Subject: P&Z matter related to R1 lots 408, 412 and 414 on W Austin

I strongly oppose this rezoning application which will allow CBD zoning into R1 neighborhoods. There is no justification for bringing this type of intense commercial operations into a R1 neighborhood. This will not only impact adjacent neighbors on E Austin but also properties of E Shubert, one block north.

Please do not allow this encroachment. We've already seen neighborhoods torn apart by careless prior Planning & Zoning past decisions.

Brenda Cole



[Yahoo Mail: Search, Organize, Conquer](#)

NOT IN 200 FT MAILING

Jan Musgrove

From: [REDACTED]
Sent: Tuesday, March 3, 2026 12:21 PM
To: Jan Musgrove
Subject: zoning

My name is Buddy Frost and I live and own at 511 East Schubert. It has just come to my attention that there is an attempt to change the zoning for 408, 412, and 414 East Austin St. I am strongly against that being allowed. My property abuts the Nemitz "Combat Zone", and I already deal with cannons, machine gun fire and the street parking when they have a performance. Thankfully that is not everyday. I'm sure an argument is being made that in that block of Austin, that there is already commercial property across the street. The only thing is the Winchester Lodge. It is across the creek and has its own parking on site and off the street. The remainder of property on that side is the creek. Our neighborhoods are slowly being absorbed into business ventures. There must be barriers somewhere. Please let this one remain.

Sincerely

Buddy Frost

not on 200 ft mailing list

Jan Musgrove

From: [REDACTED]
Sent: Sunday, March 1, 2026 1:24 PM
To: Jan Musgrove
Cc: tommusselman@gmail.com; Emily Kirchner; Todd Eidson; Tony Klein; Jeryl Hoover
Subject: Rezoning Austin Street

LETTER TO EXPRESS DENYING A ZONING CHANGE REQUEST

TO:
jmusgrove@fbgtx.org
tommusselman@gmail.com
ekirchner@fbgtx.org
bwatson@fbgtx.org
teidson@fbgtx.org
tklein@fbgtx.org
jhoover@fbgtx.org

IN REFERENCE TO:

A Zoning Change from Single-Family Residential (R1) to Central Business District (CBD) for Properties Located at 408, 412 & 414 East Austin Street

Take Action on the Zoning Change

C. Request Z-2604: Proposed text amendment regarding Multiple Family Residential Uses within the C-1 Neighborhood Commercial District. The proposed text amendments are for Section 3.200 (C-1: Neighborhood Commercial) district.

PLEASE DENY THIS REZONING REQUEST FOR 408,412, AND 414 E. AUSTIN RESIDENTIAL 1 (R1) PROPERTIES REQUESTING TO CHANGE TO C-1 COMMERCIAL ZONING.

first:

In reference to the comprehensive plan which shows this area as yellow/neighborhood residential...approving anything but residential does nothing to improve residents of the surrounding areas. Having been a resident in close proximity to this area for 27 years we have already lost enough neighbors & the charm of the neighborhood that brought us here.

second:

These 3 properties (408,412,AND 414 E AUSTIN) are in fact, all single family homes, even though 2 are currently operating as STR's. They could & do have the potential to return to single family residences.

Third: 408, 412, and 414 E Austin share lot lines with E Schubert. Please take into the consideration of the impact to these neighbors.

Fourth: There are now 3 STR's permitted between E Schubert & Elk in addition to 1 new permit on the corner of Elk & Schubert. There are at least two & probably more that I am not aware of between Elk & Washington on E Schubert. Our "historical" district is being taken away & the long time residents are being to feel pushed out.

If this block is allowed to rezone & the request is approved, it could lead to the disappearance of single family residences in our neighborhood.

Jan Musgrove

not on 200 ft mailing list

From: [REDACTED]
Sent: Monday, March 2, 2026 1:34 PM
To: MG888
Cc: Cliff Cross; Jan Musgrove; Clinton Bailey
Subject: Re: Opposition to Zoning Change Application — 400 Block E. San Antonio

Everything Mary is saying is true. We are infiltrated with STR's and STR occupants. Please consider the citizens of Fredericksburg when making your decision. Sincerely, John & Janet Hext
The new neighbor's pool is right in line with our 2 bedroom windows.

On Mon, Mar 2, 2026 at 1:10 PM MG888 <marygallagher888@gmail.com> wrote:

Dear Cliff & Jan -

Writing from a what once was a vibrant neighborhood (with actual great neighbors) before the overwhelming assault of STRs, I ask that you please note my comments made in lieu of attending the Wednesday, 3/4 P&Z meeting. I plead with P&Z members to deny the CBD zoning change application for E. Austin Street lots #408, #412, and #414.

As I see a swimming pool being dug a few feet(!) from the back of the STR at 106 S. Cherry, and maybe 25' from my south bedroom windows at 102 S. Cherry and the same from John & Janet Hext's east bedroom windows at 804 W. San Antonio, with the pool equipment pad set up inches from the fence that divides the property from mine, I hate to think about more people in town having their quality of life and entire neighborhood(s) ruined with even more drastic incursions.

The overabundant numbers of STRs in town are bad enough commercial operations with too often excessive lights/noise/drunks/traffic/water usage involved; bringing what's allowed under CBD rules into residential areas should be strictly prohibited if we're to have any semblance of quality of life left here in Fredericksburg.

Thanks for all you and other City staff and P&Z handle so well, and thanks for considering my plea and the plight of other neighborhoods at risk for QofL obliteration.

With aloha & gratitude —

Mary

Mary Gallagher
[REDACTED]

Jan Musgrove

From: [REDACTED]
Sent: Saturday, February 28, 2026 3:02 PM
To: Jan Musgrove
Subject: Request for rezoning

Mr. Musgrove and members of P&Z:

Please consider this request to deny the application to change zoning of the 400 block of East Austin from R-1 to commercial. I believe the city council or P&Z denied this request previously and nothing has changed there that would warrant a zoning change now. I have observed many current residential STRs in town are underperforming and are for sale. I don't think changing zoning to C to allow for non-owner occupied STRs any longer makes homes more sellable or benefits the city in any way. That block is currently single family homes and the ones that are currently STRs could revert back to long term rentals or owner- occupied homes.

Thank you for considering this request to deny the application.
Sincerely,
Kathy O'Neill

Sent from my iPhone

Not on 200ft mailing list

not on 200 ft mailing list

Jan Musgrove

From: [REDACTED]
Sent: Monday, March 2, 2026 6:32 AM
To: Jan Musgrove
Cc: Cliff Cross
Subject: RE: Rezoning Objection

I plan to attend this Wednesday's Planning and Zoning meeting to object to the rezoning of the 400 block of East Austin Street from R-1 to Commercial.

This block is adjacent to R-1 properties in the 400 block of East Schubert Street and the 400 block of East Austin Street is an R-1 buffer from commercial properties on the south side of this block on Austin Street.

If this rezoning is approved, there are many uses of such a rezone that are incompatible with the surrounding residential properties.

I urge you to deny this rezoning application.
Sincerely,
Graham Pearson

[REDACTED]

Not on 200 ft mailing list

Jan Musgrove

From: [REDACTED]
Sent: Sunday, March 1, 2026 7:58 AM
To: Jan Musgrove; tommusselman@gmail.com; Emily Kirchner; Bobby Watson; Todd Eidson; Tony Klein; Jeryl Hoover
Subject: Letter to express denying a zoning change request: 408, 412 & 414 East Austin St.

Please deny Request Z-2604 for 408, 412, AND 414 E. AUSTIN RESIDENTIAL 1 (R1) PROPERTIES REQUESTING TO CHANGE TO C-1 COMMERCIAL ZONING.

First:

In reference to the comprehensive plan which shows this area as yellow/neighborhood residential...approving anything but residential DOES NOT IMPROVE RESIDENT'S QUALITY OF LIFE, but rather "CONTINUES THE CREEP" OF SHORT TERM RENTALS/COMMERCIAL BUSINESS IN PLANNED AND DESIGNATED RESIDENTIAL COMMUNITIES. ALLOWING THIS SINGLE FAMILY RESIDENTIAL LOCATION/BLOCK TO CHANGE TO COMMERCIAL DOES NOT SUPPORT OUR COMMUNITY CHARACTER AND NATURAL RESOURCES, BUT RATHER REMOVES ANOTHER SINGLE FAMILY COMMUNITY FROM EXISTENCE IN FREDERICKSBURG.

Second:

These 3 properties (408,412,AND 414 E AUSTIN) are in fact, all single family homes, even though 2 are currently operating as STR's. They COULD and DO HAVE THE POTENTIAL TO REVERT BACK TO SINGLE FAMILY RESIDENTIAL USE AS HAVE OTHER SIMILAR STR'S.

Third:

408, 412, and 414 E AUSTIN SHARE IMMEDIATE LOT LINES WITH E. SCHUBERT, WHICH IS ALL RESIDENTIAL/R-1 ZONING. WE DO NOT WANT 408, 412, AND 414 TO BE ANYTHING BUT HOW IT IS CURRENTLY ZONED AS R-1/SINGLE FAMILY RESIDENTIAL. 408 E AUSTIN SHARES A LOT LINE WITH A RESIDENCE ON ONE SIDE, AND AN STR ON THE OTHER. THESE ALL BACK UP TO R-1/SINGLE FAMILY RESIDENTIAL ON E SCHUBERT.

Fourth:

THERE ARE NOW 4 PERMITTED STR'S BETWEEN E. SCHUBERT AND ELK THAT ARE CURRENTLY FOR SALE AND/OR NO LONGER OPERATING, EXPRESSING NO NEED FOR THIS MANY STR'S IN RESIDENTIAL SINGLE FAMILY ZONING.

THE COMPREHENSIVE PLAN STATES:SMALL-TOWN SENSITIVE GROWTH

- Fredericksburg will implement land use patterns and related policies to support its unique community character and natural resources, improve residents' quality of life,

IF THIS BLOCK IS ALLOWED TO REZONE AND THE REQUEST IS APPROVED, CONTINUED, MASSIVE, IRREVERSIBLE DAMAGE AND DISAPPEARANCE OF OUR R1/SINGLE FAMILY RESIDENTIAL

STREETS/NEIGHBORHOODS/COMMUNITIES WILL CONTINUE THROUGHOUT AND OUR RESIDENTIAL ZONING WILL ALL BUT BE OBSOLETE IN THE VERY NEAR FUTURE.

THERE ARE TOO MANY UNOCCUPIED STR'S AND RECENT CONTINUED STR PERMITS GRANTED/ALLOWED THAT HAVE COMPLETELY TAKEN OVER BLOCKS OF WHAT WERE ONCE AND RECENTLY RESIDENTIAL SINGLE FAMILY HOMES.

THIS REQUEST BY THE APPLICANT HAS COME BEFORE PLANNING AND ZONING, CITY COUNCIL, AND ZONING BOARD OF ADJUSTMENT. THE REQUEST WAS DENIED BY ALL 3 BOARDS.


WE ARE ASKING YOU TO AGAIN DENY THIS REQUEST BASED ON THE FACT THAT NOTHING HAS CHANGED WITH THE SURROUNDING PROPERTIES TO WARRANT A NEW REQUEST. THIS REQUEST IS SOLELY A DISGUISE FOR ONE MORE PROPERTY TO ATTEMPT TO APPLY FOR A STR PERMIT IN R1 THROUGH A "BACK DOOR" OR ROUNDABOUT WAY TO NAVIGATE THE CITY ORDINANCE.

THE OTHER 2 PROPERTIES (412, AND 413) ARE SINGLE FAMILY RESIDENTIAL PERMITTED FOR STR'S IN R1 SO THERE IS NO REASON FOR THOSE 2 PROPERTIES TO NEED COMMERCIAL ZONING.

Thank you for your time and consideration.

Sincerely,

Leslie Sukaly


01/18/2026

Jan Musgrove

From: [REDACTED]
Sent: Tuesday, March 3, 2026 12:23 PM
To: Cliff Cross; Jan Musgrove
Cc: Michael Tatsch
Subject: Please deny the CBD rezoning application

Hello—

I'm writing to ask that you deny the request to rezone properties from R1 to CBD. I understand that these owners previously asked for an R2 rezoning, which thankfully was denied. Rezoning these properties as CBD would be even worse.

Please continue to act in the best interest of our neighborhoods and our neighbors by denying this request.

Thank you for serving and helping to protect our community,
Mike Tatsch

[REDACTED]

not on 200 ft mailing list

Jan Musgrove

From: [REDACTED]
Sent: Sunday, March 1, 2026 6:25 PM
To: Jan Musgrove; Cliff Cross; tommusselman@gmail.com; Emily Kirchner; Bobby Watson; Todd Eidson; Tony Klein; Jeryl Hoover
Cc: Kim Terry
Subject: Notice of Opposition

To: Fredericksburg City Council
From: Tim and Kim Terry, Local Residents

NOTICE OF OPPOSITION:

Denial of Zoning Change Request.

We respectfully request that the zoning change request for properties located at 408, 412, and 414 East Austin Street, which seeks to transition from R-1 to C-1 Commercial zoning, BE DENIED.

By supporting this request, we can protect our local full-time residents and preserve the residential character of our community. This will also help mitigate the challenges associated with overcrowded street parking and traffic congestion. Additionally, it will prevent the adverse effects of noise pollution from commercial businesses and the subsequent increase in property taxes.

Thank you,
Tim & Kim Terry

not on 200 ft mailing list

Jan Musgrove

From: Cliff Cross
Sent: Tuesday, March 3, 2026 7:44 AM
To: Jan Musgrove
Subject: Fw: object to zoning change request

Just an FYI for the packet

Sent: Sunday, March 1, 2026 3:23 PM
To: Cliff Cross <ccross@fbgtx.org>
Subject: object to zoning change request

I do not support the request for a zoning change for 408,412, and 414 E Austin.

This request does not support the comprehensive plan and does not add to the quality of life for residential zoning and those who live in single family R-1.

This request was denied previously when the applicant requested to change from single family residential R1 to R2 and nothing has changed in the surrounding area of those properties requesting a zoning change to warrant yet another zoning change request. their previous request was denied by all boards.

E. Schubert will be directly and negatively affected as it is zoned single family residential. Actually, E. Schubert back through multiple blocks, it is all zoned single family residential R-1 and we do not want a commercial zone change at this location.

As a resident who has lived on the block of E Schubert for more than 27 years, we have had enough. We are residential. There are fewer and fewer of us left and quite frankly, we feel completely defeated with every single change to residential zoning. We were once ALL true neighbors in R-1. We all talked in our yards, looked after one another, took someone's pet home when they got out by accident, brought each others trash cans up, chatted at our mailboxes, and so much more. Currently residents who actually live in R-1 are becoming few and far between. We are lucky if there are 3 of us scattered amongst three blocks of now full of party houses. Please help us preserve that love for our neighbor. Please help us continue strong residential neighborhoods...neighborhoods that are vibrant with residents. One neighbor recently shared that she never even goes in her front yard anymore. What a shame is that when a resident in single family residential zoning cannot enjoy their front yard anymore?

Please help us to keep what is zoned as residential in our community. We support our town, we support our schools, we support our local businesses, and we live here in Fredericksburg.

We volunteer, we contribute, we vote in the elections.

We, as residents, participate and in as much as we can to better our local community, and in return we want to feel secure that our single family residential zoning will continue and protect us as residents here.

We want to enjoy our quality of life as residents in single family residential zoning...what is left of it.

thank you,
Jennifer Eggleston

Not in 200 ft mailing

Jan Musgrove

From: [REDACTED]
Sent: Tuesday, March 3, 2026 10:35 AM
To: Jan Musgrove; Cliff Cross
Subject: Comments for Public Hearing on Request Z-2603 - P&Z 3/4/26 Meeting

Importance: High

Good morning,

I would like to state my opposition to Request Z-2603 and wish that the P&Z Members unanimously deny this application. We have seen enough of the negative impacts of commercial creep into residential (R1) neighborhoods. I have multiple B&Bs adjacent to my home here in town; having them in our neighborhoods is not pleasant and continually presents issues to us. We've been told by city leadership that the intent is to slow this down and give our neighborhoods back to the local people. I ask that you stay true to this promise and not continue to create issues for residents by having businesses in their backyards. Approving this request would be contrary to the city's goals and general public's wishes, and would set a bad precedent going forward. Please protect our neighborhoods, community matters!

Warmly,

Eric Morin
[REDACTED]

Jan Musgrove

Not on 200 ft mailing list

From: [REDACTED]
Sent: Sunday, March 1, 2026 5:39 PM
To: Jan Musgrove
Subject: Fwd: Request for rezoning

I failed to leave my address in the email below.
I am a resident of Fredericksburg living at 211 West Creek St.

Sent from my iPhone

Begin forwarded message:

[REDACTED]
Date: February 28, 2026 at 3:02:39 PM CST
To: jmusgrove@fbgtx.org
Subject: Request for rezoning

Mr. Musgrove and members of P&Z:

Please consider this request to deny the application to change zoning of the 400 block of East Austin from R-1 to commercial. I believe the city council or P&Z denied this request previously and nothing has changed there that would warrant a zoning change now. I have observed many current residential STRs in town are underperforming and are for sale. I don't think changing zoning to C to allow for non-owner occupied STRs any longer makes homes more sellable or benefits the city in any way. That block is currently single family homes and the ones that are currently STRs could revert back to long term rentals or owner-occupied homes.

Thank you for considering this request to deny the application.
Sincerely,
Kathy O'Neill

Sent from my iPhone

on mailing list

Jan Musgrove

From: [REDACTED]
Sent: Monday, March 2, 2026 6:47 PM
To: Jan Musgrove
Subject: Protest re Zoning Request by Estate of Kathryn N. Harrison, Christina Harrison Pittman, Executor
Attachments: Protest re Zoning Request by Estate of Kathryn N. Harrison, Christina Harrison Pittman, Executor.pdf

Hello,
Please see attached Protest and Objections to Zoning Request Change Z-2603 regarding 408, 412, and 414 E. Austin properties set for meeting March 4, 2026.
Please submit for review by the Commission and let me know if you have any questions or concerns.
Best regards,
Christina H. Pittman,
Executor of the Estate of Kathryn N. Harrison

CHRISTINA H. PITTMAN
Of Counsel



GORDON REES SCULLY MANSUKHANI
YOUR 50 STATE LAW FIRM™

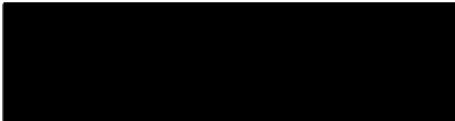


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on mailing list

CHRISTINA HARRISON PITTMAN, INDEPENDENT EXECUTOR OF THE ESTATE OF
KATHRYN NELL HARRISON



March 2, 2026

Via Email: jmusgrove@fbgtx.org

CITY OF FREDERICKSBURG PLANNING AND ZONING COMMISSION

JAN MUSGROVE, PLANNER 1

JANICE MENKING, CHAIR

TIM DOOLEY, MEMBER

GEORGE HAGER, MEMBER

JIM JARREAU, MEMBER

BELINDA MCDONNELL, MEMBER

TOM MUSSELMAN, MEMBER

TYLER PANSING, MEMBER

TODD PETERS, MEMBER

SONDRA SULTEMEIER, MEMBER

New City Hall at East Campus

2818 E. U.S. Hwy 290

FREDERICKSBURG, TX 78624

Re: PROTEST by Nearby Property Owner of 402 and 406 E. Austin protest regarding Request Z-2603 Zoning Change from Single Family Residential to Central Business District for properties at 408, 412 & 414 E. Austin Street

Dear Honorable Members of the City of Fredericksburg Planning and Zoning Commission,

The Estate of Kathryn Nell Harrison ("Estate") hereby submits its written protest regarding Request Z-2603 Zoning Change from Single Family Residential to Central Business District for properties at 408, 412 & 414 E. Austin Street.

The owner of 402 and 406 E. Austin St., longtime Fredericksburg cheerleader, Kathy Harrison, recently passed away after many years' dedication to the City of Fredericksburg and conservation of its unique historic character. The area subject to the Zoning Change Request is residential. For the continued well-being and benefit to the City of Fredericksburg, it should remain residential. Only a very short time has passed following her untimely death. It is unconscionable that a change should

Protest re Zoning Request by Estate of Kathryn N. Harrison, Christina Harrison Pittman,
Executor - 3/2/2026 6:39 PM

occur, as Ms. Harrison was strongly opposed to any such Zoning change on this peaceful, safe, uncongested residential block. The Estate would submit that is extraordinarily unfortunate that shortly following Ms. Harrison's passing, a request would be made to subvert her well-known and well-reasoned wishes. The subject block of East Austin Street must remain residential, and not be converted into yet more commercial space, leaving less quiet enjoyment of Fredericksburg residents.

Ms. Harrison loved and supported the City of Fredericksburg for decades. It was Ms. Harrison's strong wish that it would remain safe from overzealous commercial development. Any such conversion of the subject lots would serve to diminish not only the value of the Estate's homes and land, but also, other homeowners' properties nearby. Any change would destroy the very character of this block of Fredericksburg, a Texas gem that is squarely in step with modern culture, but strikes a proper balance to retain its historic dignity.

There must be a limit to commercial development. The intolerable increase in traffic, congestion, the loss of quiet enjoyment, and the decrease in safety for homeowners and tourists, is substantial and highly reasonable cause to reject the request for a zoning change. Ms. Harrison believed wholeheartedly in the conservation of Fredericksburg. The Estate respectfully seeks to communicate and support her mission to conserve and contribute to the peaceful beauty, historic safe, non-congested streets, of the wonderful City of Fredericksburg. To make a Zoning change on Austin Street would be a decision that diminishes the City's overall goals. The Estate of Kathryn Nell Harrison hereby objects and protests entirely to the Zoning Change for properties at 408, 412 & 414 E. Austin Street.

With kindest personal regards, I remain,

Very Truly Yours,

/s/ Christina Harrison Pittman, Executor of
the Estate of Kathryn Nell Harrison

CHRISTINA HARRISON PITTMAN, EXECUTOR OF
THE ESTATE OF KATHRYN NELL HARRISON

Jan Musgrove

Not in 200 ft mailing

From: [REDACTED]
Sent: Tuesday, March 3, 2026 11:04 AM
To: Jan Musgrove; Cliff Cross
Cc: [REDACTED]
Subject: PLEASE deny CBD application

Good day--

I'm writing to ask that you unanimously reject the application for CBD zoning in an R1 neighborhood. With our new STR rules, we are finally starting to stem the bleeding in our Fredericksburg neighborhoods. This CBD zoning change would be a big step backwards. Over the last several years, I have lost almost all of my neighbors to these rental properties, destroying the neighborhood I had enjoyed living in for almost 50 years.

Thank you for considering my concerns,
Marilyn Tatsch

[REDACTED]

ORDINANCE NO. 2026 - 12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY AND CHANGING THE ZONING DISTRICT AS TO .75 ACRES LOCATED AT 408, 412 & 414 EAST AUSTIN STREET AND MORE FULLY DESCRIBED AS BEING TRACTS OF LAND SITUATED IN THE CITY OF FREDERICKSBURG AND LEGALLY DESCRIBED AS FBG ADD BLK 59 LOT 478- PT, FBG ADDN BLK 59 LOT 478-PT & 479-PT INCLUDES 12' STRIP BETWEEN TOWNLOTS AND FBG ADDN BLK 59 LOT 479R, - B&B, (FCCE) CITY CENTRAL EAST SITUATED IN THE CITY OF FEDERICKSBURG, GILLESPIE COUNTY, TEXAS, FROM SINGLE FAMILY RESIDENTIAL (R1) TO CENTRAL BUSINESS DISTRICT (CBD); PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg, Texas (the "City"), is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City heretofore adopted the Zoning Ordinance of the City, as amended, which ordinance regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and,

WHEREAS, in accordance with the Zoning Ordinance an application for rezoning has been submitted for the lots REFERRED TO AS BEING TRACTS OF LAND SITUATED IN THE CITY OF FREDERICKSBURG AND LEGALLY DESCRIBED AS FBG ADD BLK 59 LOT 478- PT, FBG ADDN BLK 59 LOT 478-PT & 479-PT INCLUDES 12' STRIP BETWEEN TOWNLOTS AND FBG ADDN BLK 59 LOT 479R, - B&B, (FCCE) CITY CENTRAL EAST SITUATED IN THE CITY OF FEDERICKSBURG, GILLESPIE COUNTY, TEXAS;; to change the zoning district of said lot from SINGLE FAMILY RESIDENTIAL (R1) to CENTRAL BUSINESS DISTRICT (CBD); and

WHEREAS, public hearings before the Planning and Zoning Commission and the City Council of the City of Fredericksburg have been duly noticed and held regarding such application, as required by the City of Fredericksburg Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has determined that such zoning change is in conformity with the uses established by the Comprehensive Land Use Plan of the City of Fredericksburg and is consistent with the objectives of the City of Fredericksburg Zoning Ordinance, and has recommended to the City Council of the City of Fredericksburg, based upon positive findings under the review and evaluation criteria established by such ordinance, that the rezoning be enacted; and

WHEREAS, the City Council has specifically found, following public hearing, that such change is consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg and there has not been a protest against rezoning signed by owners of twenty per cent (20%) or more either of the area of the property included in the zoning request, or of the area of the property immediately adjoining the same and extending two hundred feet (200') therefrom.

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

Section 1.

Appendix B, "Zoning Ordinance," of the City of Fredericksburg Code of Ordinances is hereby amended on the hereinafter described property and area to incorporate the certain change in zoning district as follows:

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said lots REFERRED TO AS BEING TRACTS OF LAND SITUATED IN THE CITY OF FREDERICKSBURG AND LEGALLY DESCRIBED AS FBG ADD BLK 59 LOT 478- PT, FBG ADDN BLK 59 LOT 478-PT & 479-PT INCLUDES 12' STRIP BETWEEN TOWNLOTS AND FBG ADDN BLK 59 LOT 479R, - B&B, (FCCE) CITY CENTRAL EAST SITUATED IN THE CITY OF FEDERICKSBURG, GILLESPIE COUNTY, TEXAS;, and as additionally described by the legal description attached hereto as Exhibit A, to be and are hereby zoned and designated CENTRAL BUSINESS DISTRICT (CBD).

Section 2.

All references in City of Fredericksburg Code of Ordinances to the Zoning Ordinance shall henceforth refer to such as is amended hereby.

Section 3.

The City Secretary is hereby directed to amend the official zoning map of the to reflect the changes in use approved herein.

Section 4.

This Ordinance shall be cumulative of all other ordinances of the City of Fredericksburg affecting zoning and land use, as amended, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

Section 5.

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. In addition, any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance may be subjected to such civil penalties as authorized by law.

Section 6.

All rights or remedies of the City are expressly saved as to any and all violations of Appendix B of the Fredericksburg Municipal Code, as amended, or any other ordinance affecting zoning and land use that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

Section 7.

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

Section 8.

The City Secretary of the City of Fredericksburg is hereby directed to publish in the official newspaper of the City the caption and penalty clause of this Ordinance as required by law.

Section 9.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED on this the 17th day of March, 2026.

Jeryl Hoover, Mayor

ATTEST:

Letty Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: March 17, 2026

CATEGORY: ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

CAPTION: Consideration and approval of Ordinance 2026-13 amending Appendix A, Article 5.000 and Article 5.500 of the Municipal Code related to the construction permit and application Fee Schedule. (Cliff Cross, Director of Development Services)

SUMMARY: Staff is proposing text amendments to Article 5.000 "Construction Permits and Fees" based upon the following schedule:

The proposed amendments pertain to **section 5.270** for rezoning requests and section **5.470** for conditional use permit requests and are as follows:

Sec. 5.100. - Fees for Building Permits.

No building shall be in any manner constructed, altered, repaired, remodeled, or moved within the city limits unless a building permit is obtained. The following fees shall be paid for building permits prior to the issuance thereof:

(Red Denotes Current Fee)

- Residential building new construction: \$0.40 per square foot. (~~\$0.35~~)
- Residential building addition and/or remodel: \$0.50 per square foot. (~~\$0.45~~)
- Residential demolition of buildings or structures: \$150.00.
- Residential building plan review fee: \$75.00. (~~\$50.00~~)
- Residential building Certificate of Occupancy: \$150.00. (~~\$25.00~~)
- Commercial building new construction: \$0.55 (~~\$0.50~~) per square foot for the first 5,000 square feet, plus \$0.30 (~~\$0.30~~) per square foot over 5,000 square feet. Third party plan review fee to be determined by the third-party reviewer.
- Commercial building remodel: \$0.30 per square foot. (~~\$0.30~~)
- Commercial building plan review fee: 50% of permit fee for in house permit review. Third party plan review fee to be determined by the third-party reviewer.
- Commercial demolition of buildings or structures: \$250.00. (~~\$100.00~~)
- Commercial building Certificate of Occupancy: \$250.00. (~~\$50.00~~)
- Moving buildings or structures: \$100.00. (~~\$75.00~~)
- Fence construction: \$50.00.
- Roof Permit: \$100.00.
- Technology fee: \$6.00.
- Early pour: \$100.00. (~~\$50.00~~)
- Tree removal: \$100.00
- Landscape plan review \$100.00 per quarter-acre up to \$1,000.00 maximum.
- Reinspection: \$75.00.

- Work Started Without a Permit: Double the Building Permit Fee
- Extension of Permit: 50% of Original Permit Fee
- Swimming pools and hot tubs: the permit fees set forth in the table below shall apply:

Effective Drought Response Stage for the City of Fredericksburg at the time of permit application, per Sec. 47-47 of this code of Ordinances.	Permit Fee
Drought Response Stages 1,2 or 3	\$300.00
Drought Response Stage 4	\$400.00
Drought Response Stage 5	No permits issued

Section 5.150, "Fees for Sign Permits," of Article 5.000, "Constructions Permits and Fees," of Appendix A, "Fee Schedule," of the Fredericksburg Municipal Code, is hereby amended to read as follows:

Sec. 5.150. – Fees for Sign Permits. New Signs or repair to existing: \$100.00 plus 2.25 per sq. ft. of sign face

- New Signs or repair to existing: \$100.00 plus 2.25 per sq. ft. of sign face.
- Temporary Signs:
- Banners or Temporary Signs: \$50.00
- Over Street or other Banners to be erected by the City

Civic Use (non-profit) \$150.00
 Other (for profit): \$300.00

Section 5.200, "Electrical Permit Fees," of Article 5.000, "Constructions Permits and Fees," of Appendix A, Fee Schedule, of the Fredericksburg Municipal Code is hereby amended to read as follows:

Sec. 5.200. – Electrical, Mechanical, and Plumbing Permit Fees.

- Each permit application shall be remitted to the Building Official with the appropriate fee, identified herein, which fees shall be inclusive of normal inspection fees. Residential Electrical Permit: \$150.00 (~~\$100.00~~) up to 2,500 sq ft plus \$100.00 for each additional 2,500 sq ft
- Commercial Electrical Permit: \$250.00 (~~\$200.00~~) up to 2,500 sq ft plus \$200.00 for each additional 2,500 sq ft
- Residential Mechanical Permit: \$150.00 (~~\$100.00~~) up to 2,500 sq ft plus \$100.00 for each additional 2,500 sq ft
- Commercial Mechanical Permit: \$250.00 (~~\$200.00~~) up to 2,500 sq ft plus \$200.00 for each additional 2,500 sq ft
- Residential Plumbing: \$150.00 (~~\$100.00~~) up to 2,500 sq ft plus \$100.00 for each additional 2,500 sq ft
- Commercial Plumbing: \$250.00 (~~\$200.00~~) up to 2,500 sq ft plus \$200.00 for each additional 2,500 sq ft
- Irrigation: \$100.00
- Reinspection: \$75.00"

Staff also has included a newly created section 5.425 "Engineering and Public Works Development Review and Inspection Fees" which is proposed as follows:

Sec. 5.425. – Engineering and Public Works Development Review and Inspection Fees.

Subdivision Construction

Review	Unit	Fee
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Subdivision Construction Plans	Base	\$1,500
	+ the greater of per acre or per lot	\$10

Includes all public improvements and supporting documentation except traffic impact analysis, floodplain development permits, CLOMRs, LOMRs.

Commercial Site Development

Review	Unit	Fee
Site Development Construction plans*	Per 0-50,000 sf of impervious cover	\$0.03
	Per 50,000-100,000 sf of impervious cover	\$0.02
	Per 100,000-200,000 sf of impervious cover	\$0.01
	Per over 200,000 sf of impervious cover	\$0.002

Includes all public and private improvements and supporting documentation except traffic impact analysis, floodplain development permits, CLOMRs, LOMRs.

*Fee calculation is prorated and cumulative. For example, a site with 135,000 square feet of impervious cover is calculated as follows: (50,000x\$0.03) + (50,000x\$0.02) + (35,000x\$0.01) = \$2,850.

Drainage

Review	Unit	Fee
Drainage Reports	Each	\$150

Traffic

Review	Unit	Fee
Traffic Impact Analysis	Each	\$200

Floodplain

Review	Unit	Fee
Floodplain Development Permit (Individual Residential Lot)	Each	\$50
Floodplain Development Permit (Development, Commercial, Other)	Each	\$100
Letter of Map Amendment (LOMA)	Each	\$300
Letter of Map Revision (LOMR, CLOMR, CLOMR-F)	Each	\$500

Right of Way Permitting

Review	Unit	Fee
Right of Way Use Permit	Each	\$300
Pavement Cut	Each	\$100

Any additional direct costs to the City for processing the applications may be recovered from the applicant prior to issuance of the permit.

Inspection

Review	Unit	Fee
Subdivision	Base	\$1000
	+ per linear foot of public improvement inspected	\$2.00
Site Development	Per square foot of impervious cover	\$0.02
	+ per linear foot of public improvement inspected	\$2.00
ROW Use Construction	Per linear foot of street or alley in the limit of construction	\$0.50
Curb, Driveway, Sidewalk	Each	\$25
Reinspection Fee	Each	\$80
No Show Fee	Each	\$100

Other Review Items

Review	Unit	Fee
Performance Agreement	Each	\$250
Request of Right-of-way (street) / Easement Abandonment / Encroachment	Each	\$100
Third Party Review or inspection*		Actual Cost

*Any activity performed by a third party to review or inspect subdivision or site development construction shall be the actual of charged to the City.

Staff is further proposing an amendment to the Certificate of Appropriateness application fee which reads the following:

Sec. 5.501. Historic Review.

An application fee of \$50.00 shall be paid for all applications. An additional \$100.00 shall be paid for applications requiring Historic Review Board review and consideration for Certificate of Appropriateness or General Review of Appropriateness-Advisory Function of the Board.

Further amendments to the Planning and Zoning Fees are the following:

Sec. 5.502. - Fees for Development Application Fees.

- Preliminary plats: \$750.00, plus \$100.00 (~~\$50.00~~) per lot.
- Final plats: \$750.00, (~~\$850.00~~) plus \$100.00 (~~\$50.00~~) per lot.
- Plat vacations: \$300.00 per lot. (~~\$200.00~~)
- Administrative changes or corrections: \$300.00 per plat. (~~\$200.00~~)
- Replat: \$750.00, plus \$100.00 (~~\$50.00~~) per lot.
- Minor Plat or Minor Plat amendment: \$400.00, plus \$50.00 per lot.
- Application for variance to Subdivision Ordinance, to be paid at the time of original plat application: \$500.00. (~~\$200.00~~)
- In addition to the filing fee for the application for subdivision approval, replats, or any other documents that are to be recorded in the plat or deed records of Gillespie County, the applicant shall also pay to the city the amount of the recording fee for necessary recording as is then being charged by the clerk of Gillespie County for the recording prior to the filing of any of such plats or other documents. No plat or other document will be filed without the payment of the recording fee.

- Public Works & Engineering Construction Plan Review per Section 5.425 “Engineering and Public Works Development Review and Inspection Fees” and in compliance with state and local requirements.
- Public Works & Engineering Inspection fees per Section 5.425 “Engineering and Public Works Development Review and Inspection Fees” and in compliance with state and local requirements.
- Voluntary annexation: \$750.00.
- Short-Term Rental permit denial Appeal to City Council: \$500.00.
- Development Agreement: \$2,500 plus \$200/acre (max \$7,500), plus attorney fees.
- Development Agreement Amendment: \$2,000 plus \$100/acre (max \$5,000), plus attorney fees.

Sec. 5.503. - Zoning Application Fees.

- Rezoning application initiated by the property owner or other person seeking a zoning change: \$750.00. ~~(\$600.00)~~
- Land Use Plan change application initiated by the property owner or other person seeking a Land Use Plan change: \$300.00.
- Rezoning application initiated by city staff, the Planning and Zoning Commission, or the City Council: no fee.
- Conditional use permit: \$750.00. ~~(\$500.00)~~
- Site Plan Approval: Administrative approval \$400.00; Planning and Zoning Commission approval \$500.00.
- Creation of Planned Unit Development (PUD): \$750.00.
- Amendment to an existing PUD: \$750.00. ~~(\$500.00)~~
- Offsite Parking Agreement: \$200.00.
- Registration of a Nonconforming Use: \$200.00.
- Vesting Determination: \$1000.00, plus \$50.00 per each additional lot. ~~(\$250.00)~~
- Zoning Verification: \$100.00. ~~(\$50.00)~~
- Public Hearing newspaper notification: \$150.00
- Public Hearing 200-foot notification letter: \$100.00

BACKGROUND:

Building permit fees were last updated in 2024.

FUNDING SOURCE: NA

FINANCIAL IMPACT:

NA

STAFF RECOMMENDATION:

Staff recommends approval of the proposed changes, to associated permit and plan review fees, to be more consistent with neighboring communities and to cover expenses associated with plan review, permitting and inspections for development within the City.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

1. Ord 2026-00 Final Fee Ordinance for adoption March 2026 Newest Legal Edits

APPROVAL/REVIEW:



Cliff Cross, Director of Development Services

Date: March 09, 2026



Garret Bonn, Assistant City Manager

Date: March 09, 2026




William McKamie, City Attorney

Date: March 09, 2026



Leticia Vacek, City Secretary

Date: March 10, 2026



Clinton Bailey, City Manager

Date: March 11, 2026

ORDINANCE NO. 2026-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING ARTICLE 5.000, “CONSTRUCTIONS PERMITS AND FEES”, AND ARTICLE 5.500 “APPLICATION FEES”, OF THE FREDERICKSBURG MUNICIPAL CODE, BY REVISING AND FURTHER INCORPORATING FEES PERTAINING TO ASSOCIATED BUILDING TRADE PERMITS, APPLICATIONS AND REVIEW FEES RELATED TO DEVELOPMENT AND CONSTRUCTION WITHIN THE CITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg, Texas (the “City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council finds that the fees established herein are proportional to the administrative costs of development and planning application, review, and appeal processes; and

WHEREAS, the City Council has determined that the fees as outlined herein are in the best interest of the health, safety, and general welfare of the citizens of the City and the public; and

WHEREAS, the City Council held a public meeting on the adoption of the building permit fees adopted herein on March 17, 2026.

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

Section 1. The findings above are found to be true and correct and are incorporated herein.

Section 2. Section 5.100, “Fees for Building Permits” of Article 5.000, “Constructions Permits and Fees” of Appendix A, “Fee Schedule,” of the Fredericksburg Municipal Code is hereby amended to read as follows:

Sec. 5.100. - Fees for Building Permits.

No building shall be in any manner constructed, altered, repaired, remodeled, or moved within the city limits unless a building permit is obtained. The following fees shall be paid for building permits prior to the issuance thereof:

- (a) Residential building new construction: \$0.40 per square foot.
- (b) Residential building addition and/or remodel: \$0.50 per square foot.
- (c) Residential demolition of buildings or structures: \$150.00.

- (d) Residential building plan review fee: \$75.00.
- (e) Residential building Certificate of Occupancy: \$150.00.
- (f) Commercial building new construction: \$0.55 per square foot for the first 5,000 square feet, plus \$0.30 per square foot over 5,000 square feet. Third party plan review fee to be determined by the third-party reviewer.
- (g) Commercial building remodel: \$0.30 per square foot.
- (h) Commercial building plan review fee: 50% of permit fee for in house permit review. Third party plan review fee to be determined by the third-party reviewer.
- (i) Commercial demolition of buildings or structures: \$250.00.
- (j) Commercial building Certificate of Occupancy: \$250.00.
- (k) Moving buildings or structures: \$100.00.
- (l) Fence construction: \$50.00.
- (m) Roof Permit: \$100.00.
- (n) Technology fee: \$6.00.
- (o) Early pour: \$100.00.
- (p) Tree removal: \$100.00
- (q) Landscape plan review \$100.00 per quarter-acre up to \$1,000.00 maximum.
- (r) Reinspection: \$75.00.
- (s) Work Started Without a Permit: Double the Building Permit Fee
- (t) Extension of Permit: 50% of Original Permit Fee
- (u) Swimming pools and hot tubs: the permit fees set forth in the table below shall apply:

Effective Drought Response Stage for the City of Fredericksburg at the time of permit application, per Sec. 47-47 of this code of Ordinances.	Permit Fee
Drought Response Stages 1,2 or 3	\$300.00

Drought Response Stage 4	\$400.00
Drought Response Stage 5	No permits issued

Section 3. Section 5.150, “Fees for Sign Permits,” of Article 5.000, “Constructions Permits and Fees,” of Appendix A, "Fee Schedule," of the Fredericksburg Municipal Code, is hereby amended to read as follows:

Sec. 5.150. – Fees for Sign Permits.

- (a) New Signs or repair to existing: \$100.00 plus 2.25 per sq. ft. of sign face
- (b) Temporary Signs:
 - 1) Banners or Temporary Signs: \$50.00
 - 2) Over Street or other Banners to be erected by the City
 - a. Civic Use (non-profit) \$150.00
 - b. Other (for profit): \$300.00

Section 4. Section 5.200, “Electrical Permit Fees,” of Article 5.000, “Constructions Permits and Fees,” of Appendix A, Fee Schedule, of the Fredericksburg Municipal Code is hereby amended to read as follows:

Sec. 5.200. – Electrical, Mechanical, and Plumbing Permit Fees.

Each permit application shall be remitted to the Building Official with the appropriate fee, identified herein, which fees shall be inclusive of normal inspection fees.

- (a) Residential Electrical Permit: \$150.00 up to 2,500 sq ft plus \$100.00 for each additional 2,500 sq ft
- (b) Commercial Electrical Permit: \$250.00 up to 2,500 sq ft plus \$200.00 for each additional 2,500 sq ft
- (c) Residential Mechanical Permit: \$150.00 up to 2,500 sq ft plus \$100.00 for each additional 2,500 sq ft
- (d) Commercial Mechanical Permit: \$250.00 up to 2,500 sq ft plus \$200.00 for each additional 2,500 sq ft

- (e) Residential Plumbing: \$150.00 up to 2,500 sq ft plus \$100.00 for each additional 2,500 sq ft
- (f) Commercial Plumbing: \$250.00 up to 2,500 sq ft plus \$200.00 for each additional 2,500 sq ft
- (g) Irrigation: \$100.00
- (h) Reinspection: \$75.00”

Section 5. Article 5.000, “Constructions Permits and Fees,” of Appendix A, Fee Schedule, of the Fredericksburg Municipal Code is hereby amended by adding Section 5.425 “Engineering and Public Works Development Review and Inspection Fees” to read as follows:

Sec. 5.425. – Engineering and Public Works Development Review and Inspection Fees.

Subdivision Construction

Review	Unit	Fee
Subdivision Construction Plans	Base	\$1,500
	+ the greater of per acre or per lot	\$10

Includes all public improvements and supporting documentation except traffic impact analysis, floodplain development permits, CLOMRs, LOMRs.

Commercial Site Development

Review	Unit	Fee
Site Development Construction plans*	Per 0-50,000 sf of impervious cover	\$0.03
	Per 50,000-100,000 sf of impervious cover	\$0.02
	Per 100,000-200,000 sf of impervious cover	\$0.01
	Per over 200,000 sf of impervious cover	\$0.002

Includes all public and private improvements and supporting documentation except traffic impact analysis, floodplain development permits, CLOMRs, LOMRs.

*Fee calculation is prorated and cumulative. For example, a site with 135,000 square feet of impervious cover is calculated as follows: $(50,000 \times \$0.03) + (50,000 \times \$0.02) + (35,000 \times \$0.01) = \$2,850$.

Drainage

Review	Unit	Fee
Drainage Reports	Each	\$150

Traffic

Review	Unit	Fee
Traffic Impact Analysis	Each	\$200

Floodplain

Review	Unit	Fee
Floodplain Development Permit (Individual Residential Lot)	Each	\$50
Floodplain Development Permit (Development, Commercial, Other)	Each	\$100
Letter of Map Amendment (LOMA)	Each	\$300
Letter of Map Revision (LOMR, CLOMR, CLOMR-F)	Each	\$500

Right of Way Permitting

Review	Unit	Fee
Right of Way Use Permit	Each	\$300
Pavement Cut	Each	\$100

Any additional direct costs to the City for processing the applications may be recovered from the applicant prior to issuance of the permit.

Inspection

Review	Unit	Fee
Subdivision	Base	\$1000
	+ per linear foot of public improvement inspected	\$2.00
Site Development	Per square foot of impervious cover	\$0.02
	+ per linear foot of public improvement inspected	\$2.00
ROW Use Construction	Per linear foot of street or alley in the limit of construction	\$0.50
Curb, Driveway, Sidewalk	Each	\$25
Reinspection Fee	Each	\$80
No Show Fee	Each	\$100

Other Review Items

Review	Unit	Fee
Performance Agreement	Each	\$250
Request of Right-of-way (street) / Easement Abandonment / Encroachment	Each	\$100
Third Party Review or inspection*		Actual Cost

*Any activity performed by a third party to review or inspect subdivision or site development construction shall be the actual cost charged to the City.

Section 6. Section 5.501, “Historic Review,” of Article 5.500, “Application Fees,” of Appendix A, Fee Schedule, of the Fredericksburg Municipal Code is hereby amended to read as follows:

Sec. 5.501. Historic Review.

An application fee of \$50.00 shall be paid for all applications. An additional \$100.00 shall be paid for applications requiring Historic Review Board review and consideration for Certificate of Appropriateness or General Review of Appropriateness-Advisory Function of the Board.

Section 7. Section 5.502, “Development Application Fees,” of Article 5.500, “Application Fees,” of Appendix A, “Fee Schedule,” of the Fredericksburg Municipal Code is hereby amended to read as follows:

Sec. 5.502. - Fees for Development Application Fees.

- (a) Preliminary plats: \$750.00, plus \$100.00 per lot.
- (b) Final plats: \$750.00, plus \$100.00 per lot.
- (c) Plat vacations: \$300.00 per lot.
- (d) Administrative changes or corrections: \$300.00 per plat.
- (e) Replat: \$750.00, plus \$100.00 per lot.
- (f) Minor Plat or Minor Plat amendment: \$400.00, plus \$50.00 per lot.
- (g) Application for variance to Subdivision Ordinance, to be paid at the time of original plat application: \$500.00.
- (h) In addition to the filing fee for the application for subdivision approval, replats, or any other documents that are to be recorded in the plat or deed records of Gillespie County, the applicant shall also pay to the city the amount of the recording fee for necessary recording as is then being charged by the clerk of Gillespie County for the recording prior to the filing of any of such plats or other documents. No plat or other document will be filed without the payment of the recording fee.
- (i) Public Works & Engineering Construction Plan Review per Section 5.425 “Engineering and Public Works Development Review and Inspection Fees” and in compliance with state and local requirements.

- (j) Public Works & Engineering Inspection fees per Section 5.425 “Engineering and Public Works Development Review and Inspection Fees” and in compliance with state and local requirements.
- (k) Voluntary annexation: \$750.00.
- (l) Short-Term Rental permit denial Appeal to City Council: \$500.00.
- (m) Development Agreement: \$2,500 plus \$200/acre (max \$7,500), plus attorney fees.
- (n) Development Agreement Amendment: \$2,000 plus \$100/acre (max \$5,000), plus attorney fees.

Section 8. Section 5.503, “Zoning Application Fees,” of Article 5.500, “Application Fees,” of Appendix A, “Fee Schedule,” of the Fredericksburg Municipal Code is hereby amended to read as follows:

Sec. 5.503. - Zoning Application Fees.

- (a) Rezoning application initiated by the property owner or other person seeking a zoning change: \$750.00.
- (b) Land Use Plan change application initiated by the property owner or other person seeking a Land Use Plan change: \$300.00.
- (c) Rezoning application initiated by city staff, the Planning and Zoning Commission, or the City Council: no fee.
- (d) Conditional use permit: \$750.00.
- (e) Site Plan Approval: Administrative approval \$400.00; Planning and Zoning Commission approval \$500.00.
- (f) Creation of Planned Unit Development (PUD): \$750.00.
- (g) Amendment to an existing PUD: \$750.00.
- (h) Offsite Parking Agreement: \$200.00.
- (i) Registration of a Nonconforming Use: \$200.00.
- (j) Vesting Determination: \$1000.00, plus \$50.00 per each additional lot.
- (k) Zoning Verification: \$100.00.
- (l) Public Hearing newspaper notification: \$150.00
- (m) Public Hearing 200-foot notification letter: \$100.00

Section 9. Cumulative. This Ordinance shall be cumulative of all provisions of ordinances of the Fredericksburg Municipal Code as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

Section 10. Severability or Invalidity. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 11. Effective Date. This Ordinance shall be in full force and effective upon the publication of the caption and on and after April 1, 2026, as provided by the Fredericksburg City Charter and the laws of the State of Texas.

PASSED AND APPROVED on this the 17th day of March, 2026.

Jeryl Hoover, Mayor

ATTEST:

Leticia Vacek, City Secretary, TRMC, CMC, MMC

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities
TO: Mayor & City Council Members
FROM: Kris Kneese, Director of Public Works,
Utilities, and Engineer
MEETING DATE: March 17, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider adoption of a 2026 Ordinance previously tabled as Ordinance 2025-54 to approve new fees for Leaf and Brush Collection services. (Kris Kneese, Director of Public Works/Utilities)

SUMMARY:

Consider amendments to city ordinance adopting fees for leaf and brush collection services.

BACKGROUND:

During the FY 2026 budget discussion, City Council directed staff to determine the cost associated with leaf and brush collection. On November 18, 2025, City Staff presented the program details and expenses to City Council during the Special City Council meeting. On December 16, 2025, City Council discussed the proposed ordinance amendments, and decided to table the item until the end of March.

Here is a summary of the presentation from November 2025.

Brush collection is a year-round operation with weekly pick-up for city residential solid waste customers. There are approximately 5,900 residential solid waste customers. The annual labor and equipment cost for the brush collection service is around \$562,000 or around \$7.93 per customer per month.

The leaf collection operation occurs twice a year; typically 2 to 3 months in the fall and around 1 month in the spring. The annual labor and equipment cost for the leaf collection service is around \$176,000 or around \$2.50 per customer per month.

The attached amendment to the Solid Waste Ordinance charges \$10 per month per residential solid waste customer for leaf and brush collection services.

FUNDING SOURCE: General Fund

FINANCIAL IMPACT:

\$531,000 is included in FY 2026 general fund revenue for leaf and brush collection.

STAFF RECOMMENDATION:

Consider amendments to city ordinances adopting monthly fees for leaf and brush collection. Should adoption of the fee services be pursued, Ordinance 2026-14 will be enacted.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:

1. Leaf and Brush Collection

APPROVAL/REVIEW:



Date: March 10, 2026

Kris Kneese, Director of Public Works, Utilities, and Engineer



Date: March 10, 2026

Garret Bonn, Assistant City Manager



Date: March 10, 2026

William McKamie, City Attorney



Date: March 11, 2026

Leticia Vacek, City Secretary



Date: March 11, 2026

Clinton Bailey, City Manager

ORDINANCE 2025-52

AN ORDINANCE OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG, TEXAS, ENTITLED 'SOLID WASTE,' BY AMENDING ARTICLE I, SECTION 32-6 (BULK GARBAGE CONTAINER REQUIREMENT) TO REVISE TIMING FOR CONTAINER REMOVAL FOLLOWING COLLECTION; BY AMENDING ARTICLE I, SECTION 32-9 (BRUSH CHIPPING, LEAF COLLECTION, BULK WASTE PICK-UP, DROP-OFF AND SPECIAL YARD-WASTE REMOVAL SERVICES) TO ADD BULK WASTE PICK-UP SERVICES AND ESTABLISH A MONTHLY RESIDENTIAL FEE FOR LEAF AND BRUSH COLLECTION SERVICES; BY AMENDING APPENDIX A (FEE SCHEDULE) TO ADD A MONTHLY RESIDENTIAL FEE FOR LEAF AND BRUSH COLLECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR COMPLIANCE WITH THE OPEN MEETINGS ACT.

WHEREAS, the City Council of the City of Fredericksburg, Texas (the 'City') has the authority to regulate solid waste collection services within the City pursuant to Chapter 363 of the Texas Health and Safety Code and the City's home rule charter; and

WHEREAS, the City Council desires to amend Chapter 32 of the Code of Ordinances to clarify timing requirements for the removal of bulk garbage containers following collection; and

WHEREAS, the City Council desires to establish a new bulk waste pick-up service to provide additional options for residential solid waste customers; and

WHEREAS, the City Council finds that it is necessary and appropriate to establish a monthly residential fee for leaf and brush collection services to support the costs of providing such services; and

WHEREAS, the City Council finds that the amendments set forth herein are in the best interest of the health, safety, and welfare of the citizens of the City of Fredericksburg.

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

SECTION 1. FINDINGS INCORPORATED

The findings set forth above are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. AMENDMENT TO SECTION 32-6

Chapter 32, Article I, Section 32-6 (Bulk garbage container requirement) of the Code of Ordinances of the City of Fredericksburg, Texas, is hereby amended by amending subsection (k) to read as follows:

(k)Each bulk garbage container that is placed on the street curb or edge of the street pavement for garbage collection shall be placed there no later than 7:00 a.m. the morning of collection and shall be removed from the curbside by noon the following day of the collection.

SECTION 3. AMENDMENT TO SECTION 32-9

Chapter 32, Article I, Section 32-9 (Brush chipping, leaf collection, drop-off and special yard-waste removal services) of the Code of Ordinances of the City of Fredericksburg, Texas, is hereby amended in its entirety to read as follows:

Sec. 32-9. Brush chipping, leaf collection, bulk waste pick-up, drop-off and special yard-waste removal services.

(a)General Requirements. The following requirements apply to brush chipping, leaf collection, bulk waste pick-up, drop-off and special plant and tree pick-up services (the 'services') provided by the City of Fredericksburg:

1.The City will collect the material specified for each service below. Any material placed for collection which does not meet any of the specifications of this Section 32-9 will be considered non-compliant.

2.Brush chipping, leaf collection, bulk waste pick-up, drop-off and special yard-waste removal services shall not be used by, and are not available to any person who, or entity which, is not a residential garbage customer of the City of Fredericksburg in good standing. The following residential uses are also excluded: Apartments and bed and breakfast locations with more than two units.

3.No material generated at a location other than the residence from which it is collected shall be placed in any place or pile for pick up or disposal or be dropped off.

4.No material generated by a hired, commercial, or contracted person or service shall be placed in any place or pile for pick up or disposal or dropped off.

5.No thorny limbs, cacti, posts, boards, lumber, other building materials or their fragments or other foreign material shall be placed in any place or pile for pick up or disposal or dropped off.

6.All persons and entities utilizing the services must:

A. Place only non-contaminated, non-comingled material in the place specified on or adjacent to his or her property (or the property managed, rented or occupied by him or her) only.

B. Avoid the parking of vehicles near the piles, and

C. Avoid overhead obstructions, utility facilities, fences and other personal property, trees or other vegetation.

D. Place no bags in or near the collection piles or on the collection site.

E. Place no items in an alley except as may be allowable for the City's regular garbage disposal service.

7. The term Director means the City of Fredericksburg's Director of Public Works and Utilities or his or her designee.

8. Non-compliant vegetative materials may be collected at the discretion of the Director, however, the garbage collection utility customer in front of or adjacent to the premises of which the materials are placed will be charged a collection fee as set forth in Appendix A.

(b) Brush chipping. The following additional requirements apply to the brush chipping service:

1. The City will collect tree branches, woody vines, shrubs and other herbaceous and woody plants less than eight feet in length and less than eight inches in diameter. All limbs greater than one inch in diameter must be cut off from the main branch. No vines, shrubs with root systems, stumps or roots shall be placed in a chipping pile or place.

2. Brush for chipping shall be placed on the property of the garbage utility customer from which the material is generated adjacent to the curb or alley of the City's in a pile no larger than four feet high by eight feet wide, stacked reasonably untangled with cut ends toward the street or alley.

3. Brush will normally be collected on the regular trash collection day for the respective customers. However, compliant piles will be allowed to remain until picked up.

(c) Leaf pick up. The following additional requirements apply to the leaf pick-up service:

1. The City will collect leaves which shall not contain rocks, brush, limbs, sticks or grass clippings.

2. Leaves for pick-up shall be placed adjacent to the property of the garbage utility customer from which the leaves are generated in the street or alley of the City's approximately 12 inches from the curb (or edge of alley) in a pile no longer than the width of the lot from which the leaves were generated.

3. The Director shall post times designated for leaf collection, as well as the earliest date leaves may be placed for collection, on the City's official website. Other advertising may occur, however, the official dates are those that appear on the City's official website.

4. Leaves which are placed for collection other than during the times designated by the Director, or which remain more than ten days after the times designated by the Director for collection shall be considered non-compliant.

(d) Drop-off. The following additional requirements apply to the yard waste drop-off service:

1.The City will permit the dumping of leaves and grass clippings which shall not contain rocks, brush, limbs or sticks.

2.Leaves and grass clippings may be deposited for no additional charge any time of the day or night at the location designated by the City's Director on the City's official website. Other advertising may occur, however, the official location is that which appears on the City's official website.

3.Notwithstanding Section 32-9(a)2., any resident of the City of Fredericksburg or Gillespie County may utilize the drop-off service, however the other provisions of said Section 32-9(a) will still apply to this service.

(e)Special plant and tree pick-up service. The following additional requirements apply to the special plant and tree pick-up service:

1.Plant and tree material pick-up is available by prior arrangement with the City's Public Works Department for trees, limbs, brush, leaves or grass clippings during times of non-collection or which do not meet the specifications of the services described above (such as stumps, roots and the like).

2.Such service shall be at the City's discretion as to time and ability of workforce and machinery to manage the particular request. No material shall be placed for collection without prior consent and arrangement with the City's Public Works Department.

3.The cost for such service is set forth in Appendix A of this Code of Ordinances.

(f)Bulk waste pick-up service. The following additional requirements apply to the bulk waste pick-up service:

1.The Director shall post designated times and types of bulk materials allowed for bulk waste pick-up, as well as the earliest date bulk waste may be placed for collection, on the City's official website. Other advertising may occur, however, the official dates and types of bulk waste material are those that appear on the City's official website.

2.Bulk waste shall be placed on the property of the garbage utility customer from which the material is generated adjacent to the curb in a pile no more than 4 feet from face of curb. Material shall be stacked reasonably and in a safe manner.

3.Such service shall be at the City's discretion as to time and ability of workforce and machinery to handle. No material shall be placed for collection without prior consent and arrangement with the City's Public Works Department.

4.The cost for such service is set forth in Appendix A of this Code of Ordinances.

(g)Enforcement.

1.No person shall violate the terms of this Section and enforcement may be taken against any person who violates the terms of this section.

2. Additionally, failure to comply with the terms of this Section shall be deemed to be a public nuisance.

3. Any materials placed out for collection shall be presumed to belong to and be the responsibility of the utility customer, owner, manager, tenant or occupant of any dwelling, building or premises in front of which, or adjacent to which, the materials are placed.

4. The penalties set forth in the General Provisions of this Code of Ordinances apply to any violation of this Article.

5. In addition to any other remedy, the Director may, but is not required to:

A. Place a door-hanger on the property where the violation occurs, which gives the utility customer, owner, manager, tenant or occupant of the property a deadline for compliance.

B. If there is no compliance by the deadline, the Director may have the City remove the debris, pile or other material or violation and charge the utility customer or property owner for the cost of such removal in accordance with the fees set forth in Appendix A. Such charge will be added to the garbage collection fee.

C. Any person may appeal to the imposition of a fee to the Director, who may waive or adjust the fee in cases of hardship. Any appeal must be presented to the Director no later than 30 days following the day the monthly billing which includes the charge is sent to the customer. The appeal must be in writing and must clearly state the reasons for the appeal and hardship. The Director will rule on the appeal within 30 days following receipt of the written appeal, and will notify the appellant of his or her decision. The Director may require reasonable proof of any facts in making his or her decision. Such charge will not be considered delinquent until it is not paid within the billing cycle following the Director's determination.

SECTION 4. AMENDMENT TO APPENDIX A - FEE SCHEDULE

Appendix A (Fee Schedule) of the Code of Ordinances of the City of Fredericksburg, Texas, Article 14.000, Garbage and Trash Fees, is hereby amended by adding the following fee:

Leaf and Brush Collection Service Fee

Monthly residential fee per solid waste account: \$10.00.

SECTION 5. SEVERABILITY

If any section, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional, void, invalid, or unenforceable, such holding shall not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect.

SECTION 6. SAVINGS CLAUSE

All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

SECTION 7. PENALTY

Any person, firm, or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not exceeding Two Thousand and No/100 Dollars (\$2,000.00) for each offense. Each day such violation continues shall constitute a separate offense.

SECTION 8. EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and approval; provided, however, that the monthly residential fee for Leaf and Brush Collection Service established by Section 4 of this Ordinance shall become effective and shall be charged beginning _____.

PASSED AND APPROVED on this _____ day of March 2026.

CITY OF FREDERICKSBURG, TEXAS

Jeryl Hoover, Mayor

Leticia Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: March 17, 2026

CATEGORY: ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

CAPTION: Request Z-2601: Proposed text amendments regarding sexually oriented businesses, vape shops, game of skill parlors and tattoo studios. The proposed text amendments are for Section 2.100 (Definitions), Section 3.210 (C-2: Commercial), Section 3.320 (M-2: Medium Manufacturing) and Section 4.500 (General Description of Commercial Use Types). **This item was tabled at the Planning & Zoning Commission March 4th meeting. It will be re-noticed for the Planning & Zoning Commission meeting of April 1st and City Council meeting of April 7th.**

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

No Action to be taken. Ensure Announcement of the Re-notice and dates.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
City Center
Mobility
Small Town Sensitive Growth

ATTACHMENTS:

None

APPROVAL/REVIEW:

Evan Williamson

Evan Williamson, Assistant Director of Public Works & Utilities

Date: March 11, 2026

Garret Bonn

Garret Bonn, Assistant City Manager

Date: March 11, 2026

William McKamie

William McKamie, City Attorney

Date: March 11, 2026

Leticia Vacek

Leticia Vacek, City Secretary

Date: March 11, 2026

Clinton Bailey

Clinton Bailey, City Manager

Date: March 11, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: March 17, 2026

CATEGORY: ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

CAPTION: Request Z-2604: Proposed text amendment regarding Multiple Family Residential Uses within the C-1 Neighborhood Commercial District. The proposed text amendments are for Section 3.200 (C-1: Neighborhood Commercial) district. **This item was tabled at the Planning & Zoning Commission March 4th meeting. It will be re-noticed for the Planning & Zoning Commission meeting of April 1st and City Council meeting of April 7th.**

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

No Action to be taken - ensure Announcement of the re-notice and dates.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
City Center
Mobility
Small Town Sensitive Growth

ATTACHMENTS:

None

APPROVAL/REVIEW:

Ever Williamson

Date: March 11, 2026

Evan Williamson, Assistant Director of Public Works & Utilities



Date: March 11, 2026

Garret Bonn, Assistant City Manager



Date: March 11, 2026

William McKamie, City Attorney



Date: March 11, 2026

Leticia Vacek, City Secretary



Date: March 11, 2026

Clinton Bailey, City Manager



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: March 17, 2026

CATEGORY: OTHER ACTION ITEMS AND UPDATES

CAPTION: Consider and take action on appeal of Director of Development Services denial of a STR-Unoccupied permit for Acre Project LLC (Dane Leach) at 804 Henrietta Street. (Cliff Cross, Director of Development Services)

SUMMARY:

With the adoption of Ordinance No. 2023-18 (2024 STR Ordinance), an Appeal's process was created to allow a property owner to file an appeal in the event that a Short-Term Rental Application is denied. The appeal process is to be considered by City Council in accordance with Sec. 20-225 of the 2024 STR Ordinance.

The applicant must file an appeal within 20 days following the date of the denial and the appeal must identify each alleged point of error, facts or evidence supporting the appeal, and reasons why the action of the director should be modified or reversed. City Council shall then hear the appeal and may affirm, modify, or reverse the application denial.

Staff have determined that the appellant has submitted a complete application and is ready for consideration by City Council.

BACKGROUND:

Address: 804 Henrietta Street

Owners: Acre Project LLC (Dane Leach)

Management: NA

Zoning: R2

STR Permit Issue Date: 6/7/2023

STR Permit Expiration Date: 3/8/2026

STR 90 Day Nonconforming Expiration Date: 6/8/2026

HOT Compliance: Compliant - Current on HOT remittance

Code Violations: No Violations on record

It is important to note that with the adoption of Ordinance No. 2023-18 (2024 STR Ordinance) a 90-day grace period was provided for all nonconforming uses per Sec. 20-226(c). That section of code states that all legal nonconforming (STRs permitted BEFORE the 2024 STR Ordinance) short-term rental uses located in zoning districts where short-term rental uses are no longer permitted by right, shall be subject to the abandonment of nonconforming use provisions contained in Sec. 6.110 of the City Zoning Ordinance, which states that, in residential districts, termination of the nonconforming use occurs when the use is voluntarily discontinued for a period of 90 days.

In Summary the subject property is located within the R2, Mixed Residential zoning district and previously operated as a Short-Term Rental (STR) unoccupied, possessing a STR permit. This qualified the property as a legal nonconforming use in accordance with Section 6.110 of the Zoning Ordinance.

Historically, the property has held an STR-Unoccupied Permit which is active until 3/8/2026. Based on review it was determined that there was a transfer of ownership in March of 2025 and the new owner failed to transfer ownership in 2025. The new owner advised staff that there was a change ownership identifying that the transfer of ownership was not completed in 2025 therefore the transfer of ownership, and continuance of the legal non-conforming unoccupied use, was not completed in accordance with Sec. 20-221 (3) which states the following:

(3) *Transfers of ownership.*

a. For properties located in zoning districts where short-term rental uses are permitted by right, a short-term rental permit may be transferred to a new property owner upon submission of a complete short-term rental permit application prior to commencing short-term rental operations under new ownership. A permit transfer shall be required upon transfer of more than 50 percent of the ownership interest in any short-term rental, including any such transfer of interest in a legal entity owning a short-term rental.

b. For properties located in zoning districts where short-term rental uses are no longer permitted by right, a short-term rental permit may be transferred subject to the following regulations.

1. A permit transfer shall be required upon transfer of more than 50 percent of the ownership interest in any short-term rental, including any such transfer of interest in a legal entity owning a short-term rental.

2. The new owner must submit a new permit application in accordance with this section 20-220 within the time period for voluntary discontinuance of a nonconforming use identified in section 6.110, "Continuance of a Nonconforming Use," of the city zoning ordinance, beginning on the date of closing on the property or, in the absence of a closing date, other effective date of the transfer of interest.

3. In the event the new owner fails to submit a short-term rental permit application within the time period identified in section 6.110, the short-term rental use must be discontinued, and the short-term rental permit shall not be transferred or issued, pursuant to section 6.110 of the city zoning ordinance governing the abandonment of nonconforming uses.

4. Notwithstanding the foregoing, the owner of any short-term rental located in a zoning district where the short-term rental use is no longer permitted by right who, on the effective date of this article, has timely filed an appeal of a short-term rental permit application denial with the city manager, may obtain a vesting determination from the city manager allowing said owner to obtain a short-term rental permit without regard to such zoning prohibition but subject to all other regulations herein. The city manager may issue a formal vesting determination based on a short-term rental's prior lawful operations, relevant application dates, and any other mitigating factors.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:
NA

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility

ATTACHMENTS:

1. Acre_Project_LLC_STR_Appeal

APPROVAL/REVIEW:



Cliff Cross, Director of Development Services

Date: March 09, 2026



Garret Bonn, Assistant City Manager

Date: March 09, 2026



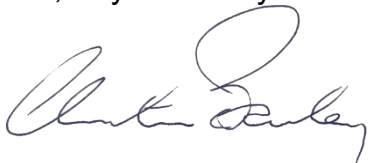
William McKamie, City Attorney

Date: March 09, 2026



Leticia Vacek, City Secretary

Date: March 10, 2026



Clinton Bailey, City Manager

Date: March 11, 2026

RE: STR Appeal/Renewal – 804 Henrietta St.

Dear Sir or Madam,

We are submitting this letter in support of the appeal/renewal of the short-term rental permit for the property located at 804 Henrietta Street, which has been continuously operated as a permitted short-term rental in compliance with City of Fredericksburg regulations.

The purpose of this letter is to clarify the current ownership and operating structure of the property and to confirm that there has been no change to the use, management, or operation of the short-term rental.

While legal title to the property is now held by Propes Trust, the short-term rental has continued to be operated without interruption by Acre Project LLC and publically, under the name TéHaus, the same operating entity responsible for management, maintenance, guest relations, and compliance since inception. Acre Project LLC (TéHaus) remains the party responsible for day-to-day operations, and adherence to all applicable short-term rental ordinances.

To formalize this arrangement, Propes Trust, as property owner, has entered into a lease agreement with Acre Project LLC (Attached) allowing Acre Project LLC (TéHaus) to continue operating the property as a short-term rental. This structure reflects an internal ownership and management arrangement and does not represent a change in use, occupancy, or operational control of the property.

The original owners remain involved in the oversight and operation of the property through Acre Project LLC (TéHaus), and the property continues to be maintained and managed in a manner consistent with prior years of permitted operation.

We respectfully submit this clarification to ensure transparency and to support the appeal process of the short-term rental permit. Please do not hesitate to contact us if any additional documentation or information is required.

Thank you for your time and consideration.

Sincerely,

Acre LLC
By: Dane Leach
Operating Manager

Email: acre.project.llc@gmail.com

STR PERMIT APPEAL APPLICATION FORM

Sec. 20-225 (b)

An appeal filed under this section must be filed with the director no later than the 20th day following the date on which the permit was denied. The appeal must be sworn and must identify each alleged point of error, facts and evidence supporting the appeal, and reason why the action of the director should be modified or reversed.

OWNER INFORMATION

Full Name: Dane Leach

Address: NE 2nd Street, #1609, McMinnville, Oregon, 97128

Phone: 503-432-7299

Email Address: acre.project.llc@gmail.com

STR PROPERTY INFORMATION

Address of the STR Property: 804 Henrietta Street, Fredericksburg, Texas

Zoning: R2

STR Permit Number (if previously permitted): 8056001141

STR Perit issue date: June 7, 2023

STR Permit expiration date: March 8, 2026

STR 90 Day nonconforming expiration date:

Reason For Appeal: Transfer of ownership without timely notice

If the property has been rented, has H.O.T. been remitted to the City of Fredericksburg? No

Date of Denial: 02/03/2026

Filing Date (within 20 days of denial): NA

DETAILS OF APPEAL

I am writing to formally appeal the cancellation of the short-term rental permit associated with 804 Henrietta Street (TéHaus) and to provide clarification regarding the circumstances that led to this action.

The sole reason cited for the cancellation was the failure to notify the City within the ninety (90) day window following a transfer of ownership. I would like to respectfully explain that this

omission was not an attempt to conceal information, operate outside of City regulations, or avoid compliance in any way.

Importantly, Acre Project LLC operating the short-term rental never changed. There was no interruption, alteration, or expansion of STR operations, no change in management, and no change in how the property was marketed, booked, or operated. The permit, in practice, has always been tied to the operating entity, not the underlying real property itself.

It was our understanding at the time that, because there had been no change in the operation of the STR, the ownership update would be disclosed during the normal renewal process at the beginning of the year. In hindsight, we recognize that this assumption created a technical compliance issue, and we acknowledge the City's interpretation of the ordinance.

At no point was there any intent to operate in secret, to circumvent the ordinance, or to engage in any activity that could be considered improper or noncompliant. On the contrary, it has always been our intent to comply fully with City of Fredericksburg STR rules and regulations and to operate well above the minimum standards — not only for our guests, but also for the surrounding neighborhood and the City as a whole.

Our track record should reflect this good-faith approach. TéHaus has been operated responsibly, professionally, and without incident. We have consistently taken compliance seriously and have worked to be a positive example of how short-term rentals can coexist respectfully within the community.

Given the continuity of operations, the absence of any bad faith, and the purely administrative nature of the oversight, we respectfully request that the City reconsider the cancellation of the permit or allow for its reinstatement through the appeal process.

We appreciate your time, consideration, and service to the City of Fredericksburg, and we welcome any additional guidance or documentation that may assist in resolving this matter.

SUPPORTING DOCUMENTATION

Please see attached relevant documentation that supporting our appeal:

Exhibit A: User Agreement

DECLARATION

I hereby declare that the information provided in this appeal application is true and accurate to the best of my knowledge. I understand that providing false information may result in the rejection of my appeal.

Dane Curtis Leach

Dane Curtis Leach, Manager, Acre Project LLC

02/06/2026

Date

ACKNOWLEDGMENTS

____ Nevada _____ State)
) subscribed and affirmed
County _____ Clark _____)

Before me, Skye Harris Notary Public, State of Nevada _____, on this day personally appeared Dane Leach, Manager, Acre Project LLC, known to me (or proved to me on the oath of or through (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

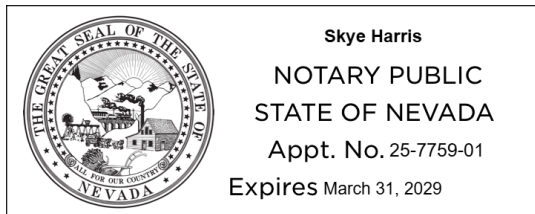
Given under my hand and seal of office this 6th day of February, 2026



Signature of Notary Public

02/06/2026

Date



03/31/2029

Notary Public Commission Expires (Stamp)

Notarized remotely using audio-video communication technology via Proof.

STAFF REVIEW

Date accepted as complete: _____

City Council Date: _____

Result: _____

Fee : \$300 **Check:** _____ **Date Received:** _____

SUBMISSION

Please submit this **completed application form along with any supporting documentation and the \$300 appeal fee** within the required 20 days (after the permit was denied) to Director of Development Services, str@fbgtx.org

The \$300 appeal fee may be mailed to City of Fredericksburg, 126 W Main Street, Fredericksburg, Texas, 78624. The application will not be considered complete without all documentation and fees.

The Director of Development Services has 14 days to review the appeal application, City council will hear the appeal at the next regularly scheduled City Council meeting, and may affirm, modify, or reverse an application denial. The City Council shall give written notice of a decision on an appeal to the appellant.

Note: The submission of an appeal does not guarantee a reversal of the decision regarding the short-term rental permit. Appeals will be reviewed in accordance with the relevant regulations and policies governing short term rental permits in Fredericksburg, Texas.

NON-NEGOTIABLE NOTICE OF PROPERTY LEASE AND OPERATING AGREEMENT

Notice Date: Day: Twenty-Six **Month:** Three **Year:** 2025CE

PLEASE TAKE NOTICE This Property Lease and Operating Agreement (“Agreement”) is entered into as of March 26, 2025, by and between:

Prosper Trust, a private irrevocable trust, by and through its Trustee, Sandra Kathleen Byers, (“Owner” or “Lessor”)

and

Acre Project LLC, a Texas limited liability company, (“Operator” or “Lessee”), with **Dane Leach** acting in his capacity as Operating Manager of Acre Project LLC.

1. PROPERTY

Lessor is the lawful owner of the real property commonly known as:

840 Henrietta St, Fredericksburg, Texas,
including all improvements thereon (“Property”).

2. LEASE GRANT

Lessor hereby leases the Property to Lessee, and Lessee hereby leases the Property from Lessor, for the sole purpose of operating a short-term rental business, consistent with:

- all applicable City of Fredericksburg ordinances,
- zoning requirements,
- and any existing or renewed short-term rental permits.

This Agreement does not constitute a change in use of the Property.

3. TERM

The term of this Agreement shall begin on March 26th, 2025 and shall continue for an initial term of one (5) years, with automatic annual renewals unless terminated by either party upon [30–60] days' written notice.

4. OPERATIONS AND COMPLIANCE

Lessee shall be solely responsible for:

- day-to-day short-term rental operations,
- guest management,
- booking platforms,
- collection and remittance of hotel occupancy taxes,
- compliance with all City of Fredericksburg short-term rental regulations.

Lessor shall have no involvement in daily operations.

5. MAINTENANCE AND CARE

Lessee shall maintain the Property in good order and condition, ordinary wear and tear excepted, and shall promptly notify Lessor of any material repairs required.

Structural repairs remain the responsibility of Lessor unless caused by Lessee's misuse or negligence.

6. INSURANCE

- Lessor shall maintain property insurance covering the structure.
- Lessee shall maintain commercial general liability insurance covering short-term rental operations.
- Each party shall name the other as an additional insured or additional interest, as applicable.

7. NO TRANSFER OF OWNERSHIP

Nothing in this Agreement shall be construed as transferring ownership, equitable title, or beneficial interest in the Property to Lessee.

Lessee holds no ownership interest and operates solely under lease rights granted herein.

8. NO CHANGE IN PERMIT STATUS

The parties acknowledge that:

- the Property previously held a valid, grandfathered short-term rental permit,
- this Agreement is intended to preserve continuity of operation, and
- the leasing of the Property to Lessee does not materially alter the nature of the short-term rental use.

9. INDEPENDENT PARTIES

The parties are independent entities. Nothing herein shall be deemed to create a partnership, joint venture, or agency relationship.

10. GOVERNING LAW

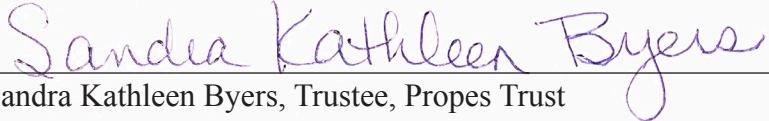
This Agreement shall be governed by and construed under the laws of the State of Texas.

11. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties with respect to the Property and supersedes all prior agreements or understandings.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date first above written.

LESSOR: PROPES TRUST



Sandra Kathleen Byers, Trustee, Propes Trust

March 26, 2025

Date

LEASEE: ACRE PROJECT LLC



Dane Curtis Leach, Manager, Acre Project LLC

March 26, 2025

Date



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities
TO: Mayor & City Council Members
FROM: Kris Kneese, Director of Public Works,
Utilities, and Engineer
MEETING DATE: March 17, 2026

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider Contract Renewal for JM Pipeline LLC in the amount not to exceed \$500,000.00. (Kris Kneese, Director of PW and Utilities)

SUMMARY:

Consider contract renewal with JM Pipeline LLC in the amount not to exceed \$500,000.00

BACKGROUND: The city's utility system includes undersized and aging water and sanitary sewer infrastructure throughout town. This infrastructure includes 2 inch water mains and 4 inch sanitary sewer mains, which are undersized to provide fire protection (water) and in many cases are the source of leaks (water) and sewer blockages.

To address the undersized and aging water and sanitary sewer infrastructure, City Staff created a project and developed a set of project bid documents. The bid documents were set up where the bid is based on unit price to construct a specific detail. With this type of bid, City Staff can select an area of town, usually a couple of blocks, and issue a work order to the contractor.

The order in which the mains will be replaced will be based on a number of factors including:

- Fire flow, fire hydrant spacing, and/or water pipe network connections
- The street paving project
- Areas with known water leaks
- Areas with known sewer issues, including broken clay piping, sewer blockages, etc

Over the last four years, this project has replaced approximately 5,500 feet of 2 inch water mains and 2,500 feet of 4 inch sewer main with larger diameter water and sewer infrastructure, while adding manholes, water isolation valves, and fire hydrants.

The construction contract documents were set up for an annual renewal for up to five years. This renewal is the last year of the contract. City Staff recommends extending the construction contract to JM Pipeline, LLC for an amount not to exceed \$500,000 for FY2026.

FUNDING SOURCE: Fiscal Year 2026 Budget -
Water Department

FINANCIAL IMPACT:
\$500,000

STAFF RECOMMENDATION:

City staff recommends extending the Water and Sanitary Sewer Main Replacement Project construction contract another year to JM Pipeline, LLC for an amount not to exceed \$500,000.00

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:

None

APPROVAL/REVIEW:



Kris Kneese, Director of Public Works, Utilities, and Engineer

Date: March 10, 2026



Garret Bonn, Assistant City Manager

Date: March 10, 2026



William McKamie, City Attorney

Date: March 10, 2026



Leticia Vacek, City Secretary

Date: March 11, 2026



Clinton Bailey, City Manager

Date: March 11, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: Leticia Vacek, City Secretary
MEETING DATE: March 17, 2026

CATEGORY: OTHER ACTION ITEMS AND UPDATES

CAPTION: Accept Historic Review Board Member Resignation from Cyd Donnell. (Leticia Vacek, City Secretary)

SUMMARY:

BACKGROUND:

FUNDING SOURCE: n/a

FINANCIAL IMPACT:
n/a

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:

1. Resignation Letter - Cyd Donnell (2)

APPROVAL/REVIEW:

Date: March 10, 2026

Leticia Vacek, City Secretary



Date: March 10, 2026

William McKamie, City Attorney



Date: March 11, 2026

Clinton Bailey, City Manager

From: Cyd
Sent: Monday, February 16, 2026 2:05:09 PM
To: David Bullion; Cliff Cross
Cc: Jan Musgrove; Susana Huerta
Subject: Resignation notice

Dear David,

I am very sorry but it is time to resign my position on the Historic Review Board.

I will be Chairman of Trinity University for the next 3 years and am afraid that the increased travel in my schedule will prevent me from properly representing the City of Fredericksburg. I believe in the importance of the Board's mission. Perhaps in 3 years I may be considered again as a member.

March shall be my last meeting and I am sorry I didn't give my official notice sooner to allow you time to find a replacement. Should you need me to resign sooner, I certainly understand.

Regards, Cydney Donnell
Sent from my iPad

Sent from my iPad



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: March 17, 2026

CATEGORY: ITEMS FOR FUTURE AGENDA

CAPTION: City Manager Bailey will review the Future Agenda Items with the City Council.

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

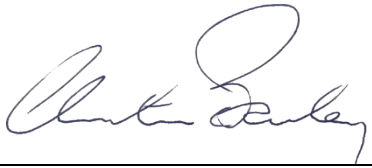
ATTACHMENTS:

1. Future Agenda Items List 03-17-26

APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: March 11, 2026



Clinton Bailey, City Manager

Date: March 11, 2026

City Council Future Agenda Items/Meetings

April 7, 2026 Regular Council Meeting

- April 7th Update from FISC on their May 2, 2026 Bond Election Proposition (Rachel Malinak, Communications Coord)
- April 7th Quarterly Update from the Fredericksburg Chamber of Commerce (Jim Mikula, Chamber President/CEO)
- April 7th Executive Session Item – Water Rights (Kris Kneese, Director of PW)
- April 7th Frederick Rd Alignment Evaluation Study (Kris Kneese, Director of PW)
- April 7th Ordinances on SOB, Vape, Tattoo Shops, Gaming Parlors, Multi-Family Dvlpmt (Cliff Cross, DSD Director)
- April 7th Ordinance on Development Services Fees (Cliff Cross, DSD Director)
- April 7th Ordinance Chapter 26 – Sexually Oriented Businesses (Mick McKamie, City Attorney)

Future Council Meetings

- May 5th Native Plant Society Presentation (Jonathan Watt/Alan Kirchoff)
- May 11th Ordinance Canvassing the City's General Election (Leticia Vacek, City Secretary)
- May 19th CVB Report/Quarterly Update (Garret Bonn)

Upcoming Meetings/Events

- March 24th Citizen University – 6 pm @ Fire Training Room (Fire/EMS/Emergency Management)
- April 7th Regular City Council Meeting – 9 am @ New Chambers
- April 8th Coffee with the City Manager – 8 am @ New Chambers (Speaker: Brandon Weinheimer, Architect)
- April 21st City Council Joint Meeting with Historic Review Board – 9 am @ New Chambers
- May 5th Regular City Council Meeting - 9 am @ New Chambers
- May 11th Special Meeting-Canvass City's General Election – 10:30 am @ New Chambers
- May 13th Coffee with the City Manager – 8 am @ Cardinal Room (Speaker: Tucker Ferguson, TxDOT DE)