

**ORDINANCE NO. O-2018-5160**

**AN ORDINANCE AMENDING ORDINANCE NO. Z-99-08-12-9B6, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON AUGUST 12, 1999, BY ADDING EXHBIIT "A-3", REPLACING EXHIBITS "C-1" and "C-2", AND AMENDING EXHIBIT "D", SECTION III, OF THE DEVELOPMENT PLAN OF PUD NO. 42, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

**WHEREAS**, on August 12, 1999, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-99-08-12-9B6, which established PUD No. 42, and

**WHEREAS**, on June 13, 2002, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-02-06-13-13C1 to amend PUD No. 42 (Amendment No. 1), and

**WHEREAS**, on February 14, 2013, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-13-02-14-E3 to amend Sections 12, 13, and 14 of the Development Plan and Exhibits "C-1", "C-2", and "D", and by adding Exhibits "E", "F", and "G" of PUD No. 42 (Amendment No. 2), and

**WHEREAS**, an application has been made to the City Council of the City of Round Rock, Texas, to add Exhibit "A-3", replace Exhibits "C-1" and "C-2", and amend Exhibit "D", Section III, of the Development Plan of PUD No. 42, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-99-08-12-9B6 on the 10<sup>th</sup> day of January 2018, following lawful publication of said public hearing, and

**WHEREAS**, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that Ordinance No. Z-99-08-12-9B6 be amended, and

**WHEREAS**, on the 8th day of February, 2018, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-99-08-12-9B6, and

**WHEREAS**, the City Council determined that the requested amendment to Ordinance No. Z-99-08-12-9B6 promotes the health, safety, morals and general welfare of the community, and

**WHEREAS**, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Sections 46-92 and 46-106, Code of Ordinances, 2010 Edition, City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:**

**I.**

That the City Council hereby determines that the proposed amendment to Planned Unit Development (PUD) District #42 meets the following goals and objectives:

- (1) The amendment to P.U.D. #42 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #42 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #42 does not have an undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.

**II.**

That Exhibit "A-3", as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 42.

**III.**

That Exhibits "C-1" and "C-2" of the Development Plan of PUD No. 42 are hereby deleted and replaced with new Exhibits "C-1" and "C-2," attached hereto and incorporated herein.

**IV.**

That Exhibit "D", Section III, of the Development Plan of PUD No. 42 is hereby amended with a new Exhibit "D", Section III, attached hereto and incorporated herein.

**V.**

**A.** All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

**B.** The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

**C.** The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

**READ, PASSED, and ADOPTED** on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Alternative 2.

**READ** and **APPROVED** on first reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**READ, APPROVED and ADOPTED** on second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
CRAIG MORGAN, Mayor  
City of Round Rock, Texas

ATTEST:

\_\_\_\_\_  
SARA L. WHITE, City Clerk