

**Text Amendments
CODE AMENDMENT**

DATE: October 2, 2019

CODE AMENDMENT SECTIONS: Part III – Zoning and Development Code: Approval Procedure Section 10-34; and Site Plan Review – Section 10-45

STAFF REVIEW AND ANALYSIS: Since the Zoning and Development Code was published on October 1, 2018, staff has identified changes which are intended to improve specific sections or to correct errors. In addition, recent changes have been made to the Texas Local Government Code which need to be reflected in the Zoning and Development Code.

Approval Procedure Section 10-34: This section is revised in order to comply with HB 3167, effective on September 1, 2019. The bill amends the Texas Local Government Code for the subdivision platting process, requiring action on concept plans or plats within 30 days from filing, unless the applicant provides a written request for a 30-day extension. The section is also revised to clarify that the Planning and Development Services Director has the authority to approve amended and minor plats, in addition to easement vacations.

Site Plan Review – Section 10-45: This section is revised in order to improve the Code by including the requirements listed in the development packet by reference. This change is consistent with the other application processes, as this allows these technical requirements to be updated without requiring a revision to the Code.

RECOMMENDED MOTION:

Staff recommends approval of the Code amendments.

ORDINANCE NO. O-2019-_____

AN ORDINANCE AMENDING ZONING AND DEVELOPMENT CODE, CHAPTER 10, ARTICLE V, SECTION 10-34 REGARDING APPROVAL PROCEDURE AND ARTICLE VI, SECTION 10-45 REGARDING SITE PLAN REVIEW, CODE OF ORDINANCES (2018 EDITION), CITY OF ROUND ROCK, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK,

TEXAS:

I.

That Zoning and Development Code, Chapter 10, Article V, Section 10-34, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

CHAPTER 10. ZONING AND DEVELOPMENT REVIEW PROCEDURE AND BODIES

Sec. 10-34. Approval procedure.

- (a) *Distribution and review.* The PDS director shall distribute a copy of each application to the reviewing agencies and the reviewing agencies shall review the application in accordance with the Texas Local Government Code and this code. The PDS director shall prepare a report for each application and shall distribute the report to the planning and zoning commission, except for those applications approved administratively.
- (b) *Director approval of easement vacations.* After a review by the reviewing agencies, the PDS director may approve easement vacations. Upon a determination by the PDS director that all of the public utilities authorized to use the easement proposed for vacation approve of the vacation request, the PDS director shall then approve the respective easement vacation.
- (c) *Planning and zoning commission action.* The planning and zoning commission shall review the reports of the PDS director and shall either approve, approve with minor conditions, or disapprove concept plans or plats within 30 days after the filing of a completed application. ~~The planning and zoning commission may approve a written request submitted by the developer to table a concept plan or plat application to a specific future planning and zoning commission meeting when it is requested on a form provided by the city where the developer waives its right to having the plat acted upon within the required 30 days as set forth in V.T.C.A., Local Government Code § 212.009(a). The planning and zoning commission may not table action on a plat without the consent of the developer and a waiver of rights. The 30 days from filing may be extended for a period not to exceed an additional 30 days upon written request by the applicant and approval by the planning and zoning commission~~
- (d) Director approval of amendment to plats and minor plats. The PDS director shall review amendments to plats and minor plats and shall either approve, approve with minor conditions, or disapprove them within 30 days after filing a completed application. The 30 days may be extended

1 for a period not to exceed an additional 30 days upon written request by the applicant and approval
2 by the PDS director.

- 3 (de) *Notification of action taken for plats.* Within ten working days after action taken by the planning and
4 zoning commission pursuant to subsection (c) or the PDS director pursuant to subsection (d), the
5 PDS director shall issue to the developer a certificate as required by V.T.C.A., Local Government
6 Code § 212.0115, stating that the plat has been reviewed and approved by the planning and zoning
7 commission.

10 II.

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12 That Zoning and Development Code, Chapter 10, Article VI, Section 10-45, Code
13 of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as
14 follows:

15 CHAPTER 10. ZONING AND DEVELOPMENT REVIEW PROCEDURE AND BODIES

16 17 Sec. 10-45. Site plan review.

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19 (a) *Applicability.* Prior to any development other than single-family (attached or detached) an applicant
20 must obtain site plan approval under this section. No such development shall be lawful or permitted
21 to proceed without final site plan approval. All improvements reflected on approved site plans must
22 be constructed at the time of development. All terms and conditions of site plan approval must be
23 met at the time of development.
- 24 (b) *Approval process.* Site plan applications shall be processed in accordance with the following
25 requirements:
- 26 (1) *Pre-submittal meeting.* Prior to the submission of an application for site plan approval, all
27 potential applicants are strongly encouraged to request a pre-submittal meeting with the zoning
28 administrator. The purpose of the meeting is to respond to any questions that the applicant may
29 have regarding any application procedures, standards, or regulations required by this Code.
30 Upon receipt of such request, the zoning administrator shall afford the potential applicant an
31 opportunity for such a pre-submittal meeting at the earliest reasonable time.
- 32 (2) *Review and action by the zoning administrator.* All site plans shall be submitted to the DSO for
33 review and approval, approval with conditions or disapproval. If the proposed site plan is
34 determined to be consistent with all applicable provisions of this section and all other provisions
35 of the Code, including all requirements listed in the development packet for site development,
36 the zoning administrator shall approve the site plan and so advise the applicant in writing. A
37 determination that all such requirements and provisions have not been satisfied shall result in
38 disapproval of the site plan and notice of such disapproval shall be given to the applicant in
39 writing.

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

Alternative 1.

READ, PASSED, and ADOPTED on first reading this _____ day of _____, 2019.

Alternative 2.

READ and **APPROVED** on first reading this the _____ day of _____, 2019.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2019.

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CRAIG MORGAN, Mayor
City of Round Rock, Texas

7 ATTEST:
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SARA L. WHITE, City Clerk