

ORDINANCE NO. O-2023-179

AN ORDINANCE AMENDING ZONING AND DEVELOPMENT CODE, CHAPTER 10, ARTICLE 1, SECTION 10-2 AND ARTICLE V, SECTION 10-30, REGARDING REPLAT NOTICE REQUIREMENTS, 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 I, Section 10-2(b)(5) of the Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

CHAPTER 10. ZONING AND DEVELOPMENT REVIEW PROCEDURES AND BODIES

Sec. 10-2. – Review procedures.

(b) Public notice requirements. The purpose of this section is to establish the minimum requirements for notice where required in this chapter. Unless otherwise specified, when notice is required in this chapter pursuant to Sec. 10-2, the notice required is as set forth in subsections (b)(1) and (2) of this section.

(5) Summary of notice required. Published, mailed, or signed notice shall be required for development review as shown in the following table:

Procedure	Published	Mailed	On-site public hearing notification signs placed
Platting			
Concept plan			
Preliminary plat			
Final plat			

Replat - single-family or two-family	X	X <u>(after approval)</u>	X
<u>Replat - single-family or two-family (requiring variance or exception)</u>	<u>X</u>	<u>X</u>	<u>X</u>
Replat - all other	X	X	X
Amending or minor plat			

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II.

That Zoning and Development Code, Chapter 10, Article V, Section 10-30(e) of the Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

CHAPTER 10. ZONING AND DEVELOPMENT REVIEW PROCEDURES AND BODIES

Sec. 10-30. – Replat.

~~(e) Notice requirement for replats. Pursuant to V.T.C.A Local Government Code ch. 212.015, a public hearing is required for replats containing lots which during the preceding five (5) years were limited by zoning or deed restriction to residential use for not more than two residential units per lot. If a replat of residential property, as described by § 212.015(a) of the Tex. Loc. Gov't. Code, requires a variance or exception, a public hearing must be held. A public hearing is not required for replats containing only lots zoned or restricted for all other uses. Notice of a replat public hearing shall be given, not less than 15 days before the date set for the hearing, by publication and by written notice forwarded by the PDS director to the owners of property lying outside of the replat boundaries and within 300 feet of those boundaries as indicated on the most recently approved municipal tax roll or, in the case of a subdivision within the ETJ regulated by the city, the most recently approved county tax roll of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the municipal boundaries. Additionally, one on-site public hearing notification sign shall be placed by city staff on each property requiring a public hearing not less than ten days prior to the planning and zoning commission public hearing date. The sign shall be placed perpendicular to and no further than 15 feet from the roadway, or as deemed suitable by staff, in accordance with Sec. 10-2. If a proposed replat described by § 212.015(a) of the Tex. Loc. Gov't. Code does not require a variance or exception, not later than the fifteenth day after the date the replat is approved, written notice shall be provided by mail of the approval of the replat to each owner of a lot in the original subdivision that is within 300 feet of the lots to be replatted according to the most recent municipality or tax roll. The notice must include the zoning designation of the property and a telephone number and e-mail address an owner of a lot may use to contact the city about the replat. This requirement does not apply to a proposed replat if the City holds a public hearing and gives notice of the hearing pursuant to Tex. Loc. Gov't Code § 212.015(b).~~

1 III.

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

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

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

12
13 Alternative 1.

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

17 **READ, PASSED, and ADOPTED** on first reading this _____ day of
18 _____, 2023.

1 Alternative 2.

2 **READ** and **APPROVED** on first reading this the _____ day of
3 _____, 2023.

4 **READ, APPROVED** and **ADOPTED** on second reading this the _____ day of
5 _____, 2023.

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7 Redline only - No signature
8 CRAIG MORGAN, Mayor
9 City of Round Rock, Texas

10
11 ATTEST:

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13 Redline only - No signature
14 MEAGAN SPINKS, City Clerk