

ORDINANCE NO. O-2024-168

AN ORDINANCE AMENDING ZONING AND DEVELOPMENT CODE, CHAPTERS 1, 4, 6, 8, AND 10, CODE OF ORDINANCES (2018 EDITION), REGARDING DELEGATION OF PLAT APPROVAL, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the Texas Legislature passed HB 3699, effective September 01, 2023, related to municipal regulation of subdivisions and approval of subdivision plans or plats, and

WHEREAS, HB 3699 amended Section 212.0065 of the Texas Local Government Code regarding delegation of plat approval responsibility, and

WHEREAS, on May 04, 2024, the voters of the City of Round Rock, Texas (“City”) voted to approve Proposition B which amended the Home Rule Charter of the City to reflect the changes now permitted by Section 212.0065 of the Texas Local Government Code (“Charter Amendment”), and

WHEREAS, on May 23, 2024, the City Council passed a resolution to adopt the Charter Amendment and amend Section 12.04 of the City’s Charter, and

WHEREAS, the City Council now desires to delegate to the PDS Director the ability to approve, approve with conditions, or disapprove plats as allowed by State law and the City’s Charter, and

WHEREAS, the City of Round Rock, Texas desires to now amend the text of the Zoning and Development Code related to said delegation, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the proposed amendments on the 26th day of June, 2024, following lawful publication of the notice of said public hearing, and

	<u>delegated to them from time to time by the City Council, the PDS director, or as required by law.</u> For the purposes of zoning and subdivisions, also referred to as commission.
Plat, final	The plat that is presented <u>submitted</u> to the planning and zoning commission <u>or the PDS director</u> for final approval.
Plat, preliminary	The plat indicating the proposed layout of the subdivision or addition that is presented <u>submitted</u> to the planning and zoning commission <u>or the PDS director</u> for preliminary approval.
Tree protection plan	A plan submitted by the owner in a form or manner specified by the forestry manager, or zoning administrator or planning and zoning commission , whichever is applicable, providing the method of protecting trees during construction that may or may not include protection details, standards, notes and construction plans in accordance with generally accepted methods such as those provided in the Tree Technical Manual.
Tree replacement plan	A plan submitted by the owner in a form and manner specified by the forestry manager, or zoning administrator or planning and zoning commission , whichever is applicable, providing the method of replacement for the proposed protected trees to be removed that identifies the location, size, and species of all new trees proposed as replacement for the protected trees being removed and fees in lieu of replacement trees.

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2 **II.**

3 That Zoning and Development Code, Chapter 4, Article I, Section 4-6, Code of
4 Ordinances (2018 Edition), City of Round Rock, Texas, is hereby repealed in its entirety.

5 The effective date of this repeal is immediate.

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III.

7 That Zoning and Development Code, Chapter 4, Article I, Section 4-7(a), Code of
8 Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

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Sec. 4-7. - Standards for approval.

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(a) The ~~planning and zoning commission~~ PDS director shall approve a plat if it conforms to the general
11 plan and to the requirements of this Code while taking into account access to and extension of the city
12 water system, reuse water system (if applicable), wastewater system, and stormwater drainage
13 facilities. In rendering its decision, the ~~planning and zoning commission~~ PDS director shall also
14 consider the location of current and future streets, alleys, parks, easements, and other required public
15 facilities within the city and its ETJ.

1 IV.

2 That Zoning and Development Code, Chapter 4, Article I, Section 4-12(b), Code
3 of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

4 Sec. 4-12. - Certification regarding compliance with plat requirements.

- 5 (b) If the PDS director determines that a plat is not required, a written certification of that determination
6 shall be issued to the requesting party. If the PDS director determines that a plat is required ~~and that~~
7 ~~the plat has been prepared and has been reviewed and approved by the planning and zoning~~
8 ~~commission, or PDS director where administrative approval is authorized,~~ the PDS director shall issue
9 to the requesting party a written certification of that determination.

10 V.

11
12 That Zoning and Development Code, Chapter 4, Article III, Sections 4-46 and 4-
13 47, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended
14 as follows:

15 ARTICLE III. - LOT AND BLOCK DESIGN STANDARDS

16 Sec. 4-46. - Lots.

- 17 (a) *Special purpose lots.* Special purpose lots established for private streets, parkland dedication,
18 landscaping, postal boxes, floodplain, drainage conveyance, storage, or sedimentation and filtration,
19 lift stations, or water storage, electrical substations, switching stations and other similar facilities
20 needed for transmission and supply of public utilities, may be approved as exceptions to the lot
21 requirements provided in chapter 2 of this Code. In addition, except for private streets, a special
22 purpose lot does not require street frontage but must be provided vehicular access approved by the
23 PDS director. A special purpose lot established for a private street must connect to either a public
24 street or another private street that connects to a public street. A special purpose lot that is to serve
25 as a common area, open space, or recreational field for a new subdivision in the SF-2 (Single-Family
26 - Standard Lot) or SF-3 (Single-Family - Mixed Lot) zoning districts shall be irrigated by reuse water
27 where available.
- 28 (b) *Double frontage lots.* Double frontage lots are prohibited for all single-family, two-family and single-lot
29 townhouse lots unless no other lot configuration is practical as determined by the PDS director.
- 30 (c) *Flag lots.* Flag lots shall be permitted at the discretion of the ~~Planning and Zoning Commission~~ PDS
31 director at the time of subdivision platting. In order for a flag lot to be considered for approval, it must
32 meet the following conditions:
- 33 (1) The lot is intended for nonresidential use, except as provided for in Sec. 4-34(b)(4);
 - 34 (2) The lot has a minimum width of 50 feet at the street;
 - 35 (3) The length of the projection to the street does not exceed 500 feet or the depth of the abutting lot,
36 whichever is less; and
 - 37 (4) There is a minimum distance of 400 feet from the nearest flag lot as measured along the street
38 frontage.

1 Additionally, in cases where driveways cannot meet separation requirements, a plat note indicating
2 how shared access to adjoining lots has been secured shall be included on the plat.

3 The ~~Planning and Zoning Commission~~ PDS director may deny an application for a flag lot if the location
4 creates site specific traffic safety concerns or conflicts with access to abutting lots or driveway
5 separation standards.

6 (d) *Lot size.* Except for special purpose lots and lots in the ETJ, the size of the lots shall conform to the
7 requirements of chapter 2.

8 (e) *Lot width.* Lot widths shall be determined according to the requirements of chapter 2.

9 (f) *Lot numbering.* All lots shall be numbered consecutively within each block unless an alternative lot
10 numbering arrangement is approved by the PDS director.

11 (g) *Lot street frontage.*

12 (1) The lot street frontage for a single-family residential lot shall be no less than 25 feet.

13 (2) The lot street frontage for a nonresidential or residential lot other than a single-family lot shall be
14 no less than 50 feet.

15 Sec. 4-47. - Blocks.

16 (a) *Block configuration.* The configuration of blocks shall promote convenient and safe traffic and
17 pedestrian circulation throughout the subdivision, create aesthetically pleasing neighborhoods, foster
18 a desirable living environment, and provide fire and police access to ensure public safety.

19 (b) *Restriction.* Blocks of single-family, two-family or single-lot townhouse lots shall not contain more than
20 two tiers of lots.

21 (c) *Block length.* Residential blocks within new residential subdivisions shall meet the following standards:

22 (1) The block length shall not exceed 1,000 feet ~~without approval of the Planning and Zoning~~
23 ~~Commission.~~ The city encourages block lengths to be limited to 600 feet, but the length may be
24 varied according to circulation, topography, and provisions of the General Comprehensive Plan.

25 ~~(2) If the Planning and Zoning Commission approves a block length that exceeds 1,000 feet, a~~
26 ~~pedestrian access easement, greenbelt, or similar interrupting feature shall be provided within~~
27 ~~100 feet of the mid-point of the block.~~
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29 VI.

30 That Zoning and Development Code, Chapter 4, Article VI, Section 4-77, Code of
31 Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

32 Sec. 4-77. - Wastewater system.

33 (a) *Sewer service to each lot inside city limits; connection with wastewater system required.*

34 (1) Connection to the city's wastewater system shall be required except where the director of utilities
35 determines that such connection would require unreasonable expenditure of funds when
36 compared with alternate methods of sewage disposal. Where alternative sewage disposal is
37 permitted, the plans for such system must meet the requirements of the TCEQ and be approved
38 by the county health department, prior to approval of the final plat by the ~~planning and zoning~~
39 commission PDS director.

1 (2) The developer shall install all wastewater mains and lines necessary to serve each lot. The
2 developer shall install necessary on-site and off-site wastewater mains and shall extend service
3 to all lots, terminating each service with a cap. For the orderly extension of wastewater lines as
4 established in the water and wastewater master plan, the developer shall install wastewater mains
5 to the boundaries of his final plat for future connection by the development of the abutting land.
6 For multifamily and nonresidential plats, services to the lots shall connect at manholes.

7 (b) *Sewer service to property in the city's extraterritorial jurisdiction; connection to approved wastewater*
8 *system required.* Connection to either the city's wastewater system or a TCEQ approved wastewater
9 system shall be required. If the city's wastewater system is not utilized, the alternative sewage disposal
10 system must meet the requirements of the TCEQ and be approved by the county health department
11 prior to approval of the final plat by the ~~planning and zoning commission~~ PDS director.

12 (c) *Developer to submit certificate.* The developer's engineer shall include a statement with the
13 wastewater system plans that the wastewater system meets the requirements of this section and
14 complies with the rules and regulations established by the TCEQ.

15 (d) *Design and construction criteria.* All wastewater systems shall be designed and constructed in
16 accordance with the Design and Construction Standards and conform to the TCEQ design criteria in
17 the Texas Administrative Code, as amended. Privately maintained wastewater facilities located
18 between the publicly maintained portion of the wastewater system and up to the point five (5) feet
19 away from the building foundation shall follow all requirements of the Utilities Design and Construction
20 Standards and shall not violate the International Plumbing Code, with local amendments.

21 VII.

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23 That Zoning and Development Code, Chapter 4, Article VII, Section 4-88(g), Code
24 of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

25 Sec. 4-88. - Subdivision and addition plats.

26 (g) For final plats that have been approved by the Planning and Zoning Commission (P&Z) prior to October
27 1, 2020, re-delineation of floodplain limits and MFFE on the approved final plat, due to adoption of
28 Atlas 14 rainfall data, shall not be required as long as the final plat does not expire prior to recordation
29 with the county. ~~P&Z a~~ Approval of a preliminary plat shall not vest floodplain or MFFE delineation for
30 a subsequent final plat application.

31 VIII.

32
33 That Zoning and Development Code, Chapter 6, Article II, Section 6-11(f), Code
34 of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

35 Sec. 6-11. - Streets.

36 (f) *Culs-de-sac.*

37 (1) Local streets may terminate in a cul-de-sac. Collectors and arterial streets may not terminate in
38 a cul-de-sac.

39 (2) Except as provided herein, the maximum length of a cul-de-sac street shall be 600 feet, measured
40 from the centerline of the nearest intersecting outlet street to the centerpoint of the turnaround;

1 except that a longer length may be allowed upon a recommendation by the fire department and
2 if the ~~planning and zoning commission~~ PDS director determines any of the following:

- 3 a. That no secondary access can be reasonably provided to the portion of the subdivision which
4 is to be served by the cul-de-sac;
- 5 b. That limited access to the subdivision is due to a topographical condition on the property or
6 a particular physical surrounding; or
- 7 c. That the cul-de-sac is temporary and the street is planned to extend to the adjacent property.

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9 **IX.**

10 That Zoning and Development Code, Chapter 6, Article II, Section 6-12, Code of
11 Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

12 Sec. 6-12 - Connectivity.

13 (d) A subdivision may have a roadway connectivity index of less than 1.35, provide fewer connections to
14 public roads, or provide fewer stub streets than required by the above where specific features or
15 constraints of the land being subdivided make strict compliance impossible or impractical. Such
16 features include the following:

- 17 (1) Natural features such as bodies of water, severe elevation changes, karst features, or monarch
18 trees;
- 19 (2) Important cultural or archeological features such as historic landmarks or burial grounds;
- 20 (3) Incompatible land uses adjacent to the proposed subdivision;
- 21 (4) Adjacent subdivisions which do not provide stub streets or other opportunities to connect to the
22 proposed subdivision; and
- 23 (5) Situations where intersection and driveway separation requirements prevent the ability to provide
24 additional connections to a public road.

25 The applicant shall attach to the plat application an explanation of how the connectivity of the proposed
26 subdivision is hindered by the presence of any noted features. Under no circumstance shall the desire for
27 an increased lot yield or financial constrains serve as a justification for a reduced connectivity index. The
28 ~~Planning and Zoning Commission~~ PDS director shall approve the application if it determines the
29 connectivity of the proposed subdivision cannot meet the requirements of this section due to the site
30 constraints. Alternately, the ~~Planning and Zoning Commission~~ PDS director may deny the application if it
31 determines the proposed subdivision's connectivity can be reasonably improved in spite of the presence of
32 said features.

33 **X.**

34 That Zoning and Development Code, Chapter 6, Article II, Section 6-14(a), Code
35 of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as
36 follows:

1 Sec. 6-14. - Intersections.

2 (a) Proposed intersections shall be designed to meet the minimum spacing requirements, curb radii, and
3 corner sight distances required in the Design and Construction Standards, and based on the following
4 design specifications:

5 (1) Streets shall intersect at right angles. In the event of physical constraints that prevent right angles,
6 a modification of up to 20 degrees may be permitted ~~by the planning and zoning commission~~
7 upon recommendation by the transportation director.

8 (2) The right-of-way line at street intersections shall be in accordance with the Design and
9 Construction Standards.

10 (3) The centerline of intersecting streets shall be a minimum of 200 feet from other street
11 intersections. This offset shall not apply to streets intersecting a street if a raised median is
12 provided and no median opening is aligned with either of the offset streets. Future median
13 openings are prohibited where two streets offset and intersect an arterial street at a distance of
14 less than 200 feet; provided, however, median openings may be allowed for one-way traffic
15 circulation subject to the approval of the transportation director.

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XI.

18 That Zoning and Development Code, Chapter 8, Article III, Section 8-24(a), Code

19 of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as

20 follows:

21 Sec. 8-24. - Administration and enforcement.

22 This article will be administered and enforced by the forestry manager and the zoning administrator.

23 (a) *Administration.*

24 (1) The role of the forestry manager is to:

25 a. Provide technical advice to the zoning administrator regarding trees;

26 b. Provide technical advice regarding protected trees and tree replacement plans to the
27 ~~planning and zoning commission~~ PDS director through the plat review process;

28 c. Approve or disapprove of the removal of protected trees unrelated to the site plan or
29 subdivision processes; and

30 d. Review and recommend updates to this tree protection and preservation ordinance and
31 the Tree Technical Manual.

32 (2) The role of the zoning administrator is to approve or disapprove protected trees to be
33 preserved, removed, or replaced as part of the site plan and subdivision process.

34 ~~(3) The role of the planning and zoning commission is to approve or disapprove protected trees~~
35 ~~to be preserved, removed, or replaced as part of the subdivision process.~~

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XII.

That Zoning and Development Code, Chapter 8, Article III, Section 8-27(b), Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

Sec. 8-27. - Appeals.

- (b) *Denial of tree removal request through the subdivision process.* If a protected tree removal request is denied, the applicant may appeal such action to the city council by filing written notice of such appeal with the city clerk within ten days of notice of the denial of the application by the ~~planning and zoning commission~~ PDS director. The city council shall have 30 days from the date of the appeal to review said denial. The city council may affirm or reverse the determination of the ~~planning and zoning commission~~ PDS director. If the city council fails to act within 30 days, the appeal shall be automatically granted and a protected tree removal request approved.

XIII.

That Zoning and Development Code, Chapter 10, Article V, Section 10-25(c), Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

Sec. 10-25. - In general.

- (c) *Withdrawal of an application.* A developer may withdraw an application for approval of a concept plan or any plat prior to the review of the respective concept plan or plat by the PDS director ~~or plat by the planning and zoning commission~~, by notifying the PDS director in writing.

XIV.

That Zoning and Development Code, Chapter 10, Article V, Section 10-27, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

Sec. 10-27. - Preliminary plat.

- (a) *Purpose and intent.* The purpose of the preliminary plat is to present a detailed layout of the proposed subdivision in order to facilitate a review by the planning and zoning commission of the proposed subdivision's street and drainage system, easements, utilities, building lots, and other lots including parkland.
- (b) *Pre-submittal meeting.* The developer must attend a pre-submittal meeting prior to the filing of an application for approval of a preliminary plat, unless waived by the PDS director.

- 1 (c) *Required.* The developer shall submit to the ~~planning and zoning commission~~ PDS director for
2 approval a preliminary plat of the subdivision. The preliminary plat shall conform to the concept plan,
3 where one was required. If the PDS director determines the preliminary plat does not conform to the
4 approved concept plan, a new concept plan shall be submitted and approved by the PDS Director prior
5 to review of the preliminary plat ~~by the planning and zoning commission~~.
- 6 (d) *Application requirements.* The developer shall submit a preliminary plat application that contains all
7 the materials listed in the development packet.
- 8 (e) *City staff review.* After the city staff review and comment period, the developer shall submit to the
9 planning department the number of corrected copies of the preliminary plat as specified in the
10 development packet, along with one reproducible drawing with all required information and an
11 electronic plat in the format described in the development packet. A phase II environmental
12 assessment may be required if the phase I environmental assessment indicates that a potential
13 environmental hazard may exist.
- 14 (f) *Revisions to approved preliminary plats.*
- 15 (1) *Minor revisions to approved preliminary plats.* The PDS director may administratively approve
16 minor revisions to approved preliminary plats. The developer shall submit a preliminary plat
17 application that contains all the materials listed in the development packet. A minor revision is
18 one that:
- 19 a. Changes the lot size or configuration provided that the total number of lots does not increase;
20 b. Changes a local street width or alignment; or
21 c. Changes a utility or access easement.
- 22 (2) *Major revisions to approved preliminary plats.* The ~~planning and zoning commission~~ PDS director
23 may approve major revisions to approved preliminary plats. Proposed major revisions to an
24 approved preliminary plat shall trigger the submittal of a new concept plan in conjunction with the
25 major revision requested and trigger notice requirements provided for in Sec. 10-10(f), with the
26 exception that concept plans contained within a Planned Unit Development are not required to
27 be re-submitted. The developer shall submit a preliminary plat application that contains all the
28 materials listed in the development packet. A major revision may include, but is not limited to the
29 following:
- 30 a. An increase in the number of lots;
31 b. A change to the collector or arterial street layout; or
32 c. A modification of the parkland.

34 XV.

35 That Zoning and Development Code, Chapter 10, Article V, Section 10-28, Code
36 of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

37 Sec. 10-28. - Final plat.

- 38 (a) *Purpose and intent.* The purpose of the final plat is to allow for a review ~~by the planning and zoning~~
39 ~~commission~~ of the proposed subdivision's street and drainage system, easements, utilities, building
40 lots, and other lots including parkland, and to establish an approved, legally recordable plat of the
41 proposed subdivision.
- 42 (b) *Corresponding final plat.* If a final plat does not include the entire parcel of land included in the
43 preliminary plat, the final plat must correspond to the phasing approved in the preliminary plat.

- 1 (c) *Required.* The developer shall submit to the ~~planning and zoning commission~~ PDS director for
2 approval a final plat of the subdivision in conformance with the approved preliminary plat.
- 3 (d) *Application requirements.* The developer shall submit a final plat application that contains all the
4 materials listed in the development packet.
- 5 (e) *City staff review.* After the city staff review and comment period, the developer shall submit to the
6 planning department the number of corrected copies of the final plat as specified in the development
7 packet, along with one reproducible drawing with all required information in a format specified in the
8 development packet. A phase II environmental assessment may be required if the phase I
9 environmental assessment indicates that a potential environmental hazard may exist.

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11 **XVI.**

12 That Zoning and Development Code, Chapter 10, Article V, Section 10-29(c),
13 Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as
14 follows:

15 Sec. 10-29. - Minor subdivision final plat.

- 16 (c) *When permitted.* The developer shall submit a minor subdivision final plat to the PDS director for
17 approval without the submission of a concept plan or a preliminary plat. ~~If the PDS director denies the~~
18 ~~minor subdivision final plat application, the application shall be referred to the planning and zoning~~
19 ~~commission for approval.~~

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21 **XVII.**

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

25 Sec. 10-30. - Replat.

- 26 (a) *Purpose and intent.* The purpose of a replat is to resubdivide all or part of a recorded plat, without the
27 vacation of the preceding plat, and to allow for a review by the ~~planning and zoning commission~~ PDS
28 director. A replat is not required when the city or other governmental entity acquires part of a developed
29 property for right-of-way expansion.
- 30 (b) *Pre-submittal meeting.* The developer must attend a pre-submittal meeting prior to the filing of an
31 application for approval of a replat.
- 32 (c) *When permitted.* The developer shall submit to the ~~planning and zoning commission~~ PDS director for
33 approval of a replat in compliance with the Texas Local Government Code as amended.
- 34 (d) *Application requirements.* The developer shall submit a replat application that contains all the materials
35 listed in the development packet.
- 36 (e) *Notice requirement for replats.* If a replat of residential property, as described by V.T.C.A Local
37 Government Code § 212.015(a), requires a variance or exception, a public hearing must be held.
38 Notice of a replat public hearing shall be given in accordance with Sec. 10-2. If a proposed replat
39 described by V.T.C.A Local Government Code § 212.015(a) does not require a variance or exception,

1 not later than the fifteenth day after the date the replat is approved, written notice shall be provided by
2 mail of the approval of the replat to each owner of a lot in the original subdivision that is within 300 feet
3 of the lots to be replatted according to the most recent municipality or tax roll. The notice must include
4 the zoning designation of the property and a telephone number and e-mail address an owner of a lot
5 may use to contact the city about the replat. This requirement does not apply to a proposed replat if
6 the City holds a public hearing and gives notice of the hearing pursuant to V.T.C.A Local Government
7 Code § 212.015(b).

8 (f) *Constructive notice.* Minor defects in notice or if an on-site public hearing notification sign is damaged
9 or removed shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide
10 attempt has been made to comply with applicable notice requirements. Defects in notice provisions
11 which exceed the requirements of V.T.C.A., Local Government Code ch. 211, shall not invalidate any
12 action or proceedings pursuant thereto.

13 (g) *City staff review.* After the city staff review and comment period, the developer shall submit to the
14 planning department the number of corrected copies specified in the development packet, along with
15 one reproducible drawing with all required information in a format specified in the development packet.
16

17 **XVIII.**

18 That Zoning and Development Code, Chapter 10, Article V, Section 10-31(c),
19 Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as
20 follows:

21 Sec. 10-31. - Amending plat.

22 (c) *When permitted.* The developer shall submit to the PDS director for approval an amending plat
23 application in lieu of a preliminary and final plat when the proposed amending plat is filed for one or
24 more of the purposes listed in V.T.C.A., Local Government Code § 212.016. ~~If the PDS director denies~~
25 ~~the amending plat application, the application shall be referred to the planning and zoning commission~~
26 ~~for approval.~~

27 **XIX.**

28 That Zoning and Development Code, Chapter 10, Article V, Section 10-32, Code
29 of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as
30 follows:

31 Sec. 10-32. - Plat vacation.

32 (a) *Purpose and intent.* The purpose of a plat vacation is to nullify all or part of a previously recorded plat.

33 (b) *When permitted.* The developer shall submit to the ~~planning and zoning commission~~ PDS director for
34 approval a plat vacation as permitted under and in compliance with V.T.C.A., Local Government Code
35 § 212.013:

36 (1) *No lots sold.* The owner of the land covered by a plat may vacate the plat at any time before any
37 lot in the plat is sold. After approval ~~by the planning and zoning commission~~, the plat is vacated
38 when a signed, acknowledged instrument declaring the plat vacated is recorded in the manner
39 prescribed for the original plat.

- 1 (2) *Lots sold.* If one or more lots in the plat have been sold, the plat, or any part of the plat, may be
2 vacated on the application of all the owners of lots in the plat with approval obtained in the manner
3 prescribed for the original plat. After approval ~~by the planning and zoning commission~~, the plat is
4 vacated when all owners record a signed, acknowledged instrument declaring the plat vacated.
- 5 (c) *Application requirements.* The developer shall submit a plat vacation application that contains all the
6 materials listed in the development packet.
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8 **XX.**

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

12 Sec. 10-34. - Approval procedure.

- 13 (a) *Distribution and review.* The PDS director shall distribute a copy of each application to the reviewing
14 agencies and the reviewing agencies shall review the application in accordance with the Texas Local
15 Government Code and this code. ~~The PDS director shall prepare a report for each application and~~
16 ~~shall distribute the report to the planning and zoning commission, except for those applications~~
17 ~~approved administratively.~~
- 18 (b) *Director approval of easement vacations.* After a review by the reviewing agencies, the PDS director
19 may approve easement vacations. Upon a determination by the PDS director that all of the public
20 utilities authorized to use the easement proposed for vacation approve of the vacation request, the
21 PDS director shall then approve the respective easement vacation.
- 22 ~~(c) *Planning and zoning commission action.* The planning and zoning commission shall review the reports~~
23 ~~of the PDS director and shall either approve, approve with minor conditions, or disapprove plats within~~
24 ~~30 days after the filing of a completed application. The 30 days from filing may be extended for a period~~
25 ~~not to exceed an additional 30 days upon written request by the applicant and approval by the planning~~
26 ~~and zoning commission.~~
- 27 ~~(d) *Director approval of amendment to plats and minor plats.* The PDS director shall review amendments~~
28 ~~to plats and minor plats plat applications and shall either approve, approve with minor conditions, or~~
29 ~~disapprove them within 30 days after filing a completed application. The 30 days may be extended for~~
30 ~~a period not to exceed an additional 30 days upon written request by the applicant and approval by~~
31 ~~the PDS director. The PDS director may, for any reason, elect to present the plat for approval to the~~
32 ~~planning and zoning commission.~~
- 33 ~~(d) *Right to appeal.* If the PDS director disapproves a plat, the applicant has the right to appeal to the City~~
34 ~~Council or the planning and zoning commission.~~
- 35 (e) *Notification of action taken for plats.* Within ten working days after action taken by the PDS director or
36 the planning and zoning commission pursuant to subsection (c) ~~or the PDS director pursuant to~~
37 ~~subsection (d)~~, the PDS director shall issue to the developer a certificate as required by V.T.C.A.,
38 Local Government Code § 212.0115, stating that the plat has been reviewed and approved.
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1 **XXI.**

2 That Zoning and Development Code, Chapter 10, Article IX, Section 10-68(b),
3 Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as
4 follows:

5 Sec. 10-68. - Planning and zoning commission (PZ).

6 (b) *Powers and duties.* The P&Z shall have the following powers and duties pursuant to the provisions of
7 applicable statutory requirements for a P&Z:

8 (1) *General plan.* The P&Z shall prepare and modify the general plan for the city, for approval and
9 adoption by the city council.

10 (2) *Text amendments.* The P&Z shall review and make recommendations to the city council in regard
11 to amendments to the text of this code.

12 (3) *Application for original zoning.* The P&Z shall review and make recommendations to the city
13 council in regard to applications for original zoning.

14 (4) *Zoning map amendments.* The P&Z shall review and make recommendations to the city council
15 in regard to amendments to the official zoning map.

16 (5) *Planned unit development (PUD).* The P&Z shall review and make recommendations to the city
17 council in regard to applications for planned unit developments.

18 (6) *Historic (H) overlay designation.* The P&Z shall review and make recommendations to the city
19 council in regard to applications for designation of Historic (H) overlay districts.

20 ~~(7) *Subdivision and plat review.* The P&Z shall study plans and plats of proposed subdivisions,
21 determine whether such subdivisions meet all the standards and requirements as required by
22 Chapters 4 and 6 of this zoning and development code, and shall be responsible for rendering
23 decisions on proposed subdivisions.~~

24 (8) *Other duties as assigned by the city council.* The P&Z shall perform such other functions as may
25 be duly delegated to them from time to time by the city council or the PDS director or as required
26 by law.

27
28 **XXII.**

29 That Zoning and Development Code, Chapter 10, Article IX, Section 10-70(a),
30 Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as
31 follows:

32 **CHAPTER 10. ZONING AND DEVELOPMENT REVIEW PROCEDURES AND BODIES**

33 **Sec. 10-70. – Summary of review authority.**
34

35 (a) The following table summarizes the city procedural review structure by review body:
36
37
38

Procedure	Zoning Administrator	Historic Preservation Committee	Zoning Board of Adjustment	Planning and Zoning Commission	City Council
Platting					
Concept plan	Decision				
Preliminary plat	Review Decision			Decision	
Final plat	Review Decision			Decision	
Replat	Review Decision*			Decision*	
Amending and minor plats	Decision				

1

2

XXIII.

3

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

5

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

7

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.

13

Alternative one.

14

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.

16

1 **READ, PASSED, and ADOPTED** on first reading this ____ day of
2 _____, 2024.

3 Alternative 2.

4 **READ** and **APPROVED** on first reading this the ____ day of
5 _____, 2024.

6 **READ, APPROVED and ADOPTED** on second reading this the ____ day of
7 _____, 2024.

8
9

CRAIG MORGAN, Mayor
City of Round Rock, Texas

10
11
12
13 ATTEST:

14
15 _____
16 MEAGAN SPINKS, City Clerk