

ORDINANCE NO. 2017-4289

AN ORDINANCE AMENDING CHAPTER 36, CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, BY AMENDING SECTION 36-116 AND AMENDING CHAPTER 46, BY AMENDING SECTION 46-200, REGARDING SUBDIVISION WALLS AND COMPATIBILITY BUFFERS; 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 Chapter 36, Section 36-116, Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

**Sec. 36-116. Subdivision walls.**

- (a) *Walls required.* Where subdivisions are platted so that the rear and/or side yards of residential lots are adjacent to a major collector or higher classification street, the developer shall construct, at his sole expense, walls between said rear and/or side yards and said street, in accordance with the standards set forth below. Where said lots are corner lots, the wall requirements of this section shall take precedence over corner lot fencing specifications regulated by chapter 46.
- (b) *Standards.* It is intended that all walls erected pursuant to this section be constructed in such a manner to last 30 years with minimal maintenance required during said period. All walls required by this section shall conform to the following minimum standards:
- (1) Where applicable, materials and installation of walls shall comply with the most recent edition of "Selected ASTM Standards for Fence Materials and Products," a copy of which shall be maintained by the PDS director. Structural plans and specifications for walls shall be approved by the PDS director. Such plans and specifications are to be submitted at the same time as other construction plans required by this chapter. In approving said plans and specifications, the PDS director shall consider the site's soil characteristics, wind loadings and other environmental considerations.
- (2) Walls shall be constructed of the following materials: brick, natural stone, simulated stone, split faced or architectural concrete masonry unit (CMU), decorative reinforced concrete, or other equivalent materials approved by the PDS director, ~~subject to the following:~~

~~a. Wall pillars shall be constructed of masonry of sound structural integrity.~~  
~~b. Wall panels shall be constructed of brick, stone, split-faced or decorative concrete masonry unit (CMU), decorative reinforced concrete or other equivalent materials approved by the PDS director. Panels shall be top capped as determined by the PDS director.~~

- (3) Walls shall be a minimum of six (6) feet and a maximum of eight (8) feet in height. The materials, color and design of walls shall be uniform within an approved preliminary plat, unless otherwise approved by the planning department. A finished side of all walls shall face the thoroughfare.
- (4) All walls shall be placed at least five (5) feet from any existing or proposed city water line, reuse water line or wastewater line.
- (5) All walls required herein shall be placed ~~on~~ along the property line between the right-of-way and the adjoining private property and outside any easements.

(c) *Miscellaneous provisions.*

- (1) A plat note describing the location of proposed wall and associated landscaping including irrigation shall be included on the preliminary plat and final plat.
- (2) Detail plans for walls and associated landscaping including irrigation shall be submitted with the construction plans for public improvements.
- (3) Walls shall conform to the requirements of this Code governing sight distance for traffic safety.
- (4) Prior to the city's acceptance of the public improvements the developer must complete all walls required herein.
- (5) It is not the intent of this section to regulate the design and/or construction of entrances to subdivisions.
- (6) The city, at its option, may maintain the wall. As a result, a five ~~-(5)~~ foot access easement shall be provided along the back and sides of the property abutting the wall for maintenance purposes.

## II.

That Chapter 46, Section 46-200, Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

**Sec. 46-200. Compatibility buffer.**

- (a) *Purpose and intent.* The purpose of this section is to set forth requirements regarding the design, installation, construction and maintenance of compatibility buffers for all property other than those specifically exempted below. A compatibility buffer shall be composed of a landscape buffer and

a compatibility fence as provided below. Compatibility buffering is intended to minimize the effects of SR (Senior), MF-1 (Multifamily - low density), MF-2 (Multifamily - medium density), MF-3 (Multifamily - urban), C-1 (General commercial), C-1a (General commercial-limited), C-2 (Local commercial), OF (Office), BP (Business park), LI (Light industrial), I (Industrial), PF-1 (Public facilities), PF-2 (Public facilities - medium intensity), and PF-3 (Public facilities - high intensity), and SR (Senior), land uses which are adjacent SF (Single Family) and TF (Two Family) share a common lot line with single-family or two-family uses, while maintaining the flexibility of allowing such more intense land uses in appropriate circumstances.

(b) *Applicability.* This section shall apply to all land within the city limits and in areas where this section is in effect by contractual agreement.

(1) Except as provided in subsection (c) below, the requirements of this section shall apply to:

- a. Any new development or construction requiring a permit;
- b. Any change of land use from a residential use to a nonresidential use; or
- c. Any change, conversion, or addition of commercial land uses that result in an increase in the parking requirements.

(c) *Exemptions.* The following shall be exempt from the requirements of this section:

(1) Restoration of a building or structure which has been damaged, destroyed or demolished to an extent less than 50 percent of its fair market value (as determined by the most recent appraisal of land value of the appraisal district in which the building or structure is located);

(2) Exterior or interior renovation of a structure; ~~or~~

(3) Land located within the central business district;

(4) Lots where the adjacent SF or TF zoned property is occupied by a place of worship, civic building such as fire or police station, park, pond, or designated open space; or

(d) *Special exceptions.* A landowner may apply for a special exception to be granted by the ZBA to exempt the proposed use from the requirements of this section based on one or more of the following factors: distance to existing residential structures on the abutting SF or TF property, likelihood that the abutting SF or TF property will be developed into single family dwelling units if presently vacant, change in elevation, or presence of natural features such as creeks or trees. In order for an exemption to be granted, the ZBA must conduct a public hearing and find that the presence of such factors substantially meets the intent of the compatibility buffer requirement by providing adequate separation or buffering between the proposed use and the SF or TF property.

~~(ee)~~ *Landscape buffer.* A landscape buffer at least eight (8) feet wide shall be provided for all sites subject to this section. (See article III of this chapter for district specific compatibility standards.) Based on the linear footage that extends along the length of the property line between higher and

lower intensity land uses, the minimum quantity of landscaping shall be determined by the following requirements:

- (1) One large tree per 50 linear feet with a minimum caliper of three (3) inches, selected from the list of approved evergreen tree species in Appendix B of the Tree Technical Manual; ~~or and~~
- (2) One medium tree per ~~2550~~ linear feet with a minimum caliper of two (2) inches, selected from the list of approved evergreen tree species in Appendix B of the Tree Technical Manual; and
- (3) ~~One hundred percent of All~~ trees utilized shall be of an evergreen species.

Other than the required landscaping and associated irrigation, nothing shall be placed within the landscape buffer, including without limitation, accessory buildings, parking lots, storage of materials and refuse containers. The landscape buffer may not be used as a utility easement.

- (f) *Compatibility fence.* In addition to the above landscaping requirement, a compatibility buffer shall also have a compatibility fence installed on the applicable property boundaries. Materials and installation of the compatibility fence shall comply with the most recent edition of "Selected ASTM Standards for Fence Materials and Products", a copy of which shall be maintained by the zoning administrator. Structural plans and specifications for fences shall be submitted at the same time as other construction plans required by this section. In approving said plans and specifications, the development services manager shall consider the site's soil characteristics, wind loadings, and other environmental considerations.

A landowner may select from two options for complying with the requirements for a compatibility fence required by this section. The options are set forth below:

- (1) *Pre-cast concrete panel or architectural concrete masonry units (CMU) fence option.*
  - a. ~~Pre-cast concrete panel f~~ Fence materials, construction standards, and miscellaneous requirements shall be as follows:
    1. Pre-cast concrete panels shall be installed per manufacturer's specifications;
    2. Construction details or shop drawings must be sealed by a civil engineer, structural engineer, or landscape architect and provided prior to the issuance of a building permit;
    3. Both sides of the fence shall have a finished face; and
    4. The fence shall have a minimum height of six (6) feet.
  - ~~b. The pre-cast concrete panel fence shall include accent columns installed at each end and/or corner. If the fence exceeds 200 feet in length, one or more additional columns shall be required. The additional column(s) shall be constructed so that no column is more than 110 feet from another column. The columns shall be at least 16 inches in width and shall be constructed of brick or stone with a top cap.~~
- (2) *Masonry fence option.*

- 1 a. For the purposes of this subsection (e)(2), "masonry fence" shall mean a fence  
2 constructed of brick or natural stone. The term shall not include cement-based  
3 siding such as HardiePlank, Fencecrete, or similar construction materials.
- 4 b. Masonry materials, construction standards, and miscellaneous requirements  
5 shall be as follows:
- 6 1. Brick or natural stone;
  - 7 2. A cast-in-place structural footing;
  - 8 3. Top capped;
  - 9 4. Both sides of the fence shall have a finished face;
  - 10 5. The fence shall have a minimum height of six (6) feet; and
  - 11 6. Construction details or shop drawings must be sealed by a civil engineer,  
12 structural engineer, or landscape architect, shall include wind load  
13 calculations certified by an engineer qualified by experience and/or  
14 training in structural evaluation in accordance with the most recently  
15 adopted International Building Code, and be provided prior to the  
16 issuance of a building permit.
- 17 c. If a landowner selects the masonry fence option, he shall be entitled to take  
18 advantage of reduced setback requirements as set forth in the density and  
19 development standards table for the applicable zoning district.  
20

### 21 III.

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

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

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

1        **READ** and **APPROVED** on first reading this the \_\_\_\_\_ day of  
2 \_\_\_\_\_, 2017.

3        **READ, APPROVED** and **ADOPTED** on second reading this the \_\_\_\_\_ day of  
4 \_\_\_\_\_, 2017.

5  
6 \_\_\_\_\_  
7 ALAN MCGRAW, Mayor  
8 City of Round Rock, Texas  
9

10 ATTEST:  
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12 \_\_\_\_\_  
13 SARA L. WHITE, City Clerk  
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