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

S:

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

Sec. 10-2. Review procedures.

- 0112.1902: 00417682/ss2

3. The substance of the application, including the magnitude of proposed development and the current zoning district;
4. The time, date and location of the public hearing;
5. A phone number to contact the city; and
6. A statement that interested parties may appear at the public hearing.

(2) *Mailed notice.*

- a. Mailed notices shall be mailed according to the following deadlines:
 1. *Zoning board of adjustment*: Ten days prior to public hearing.
 2. *Planning and zoning commission – zoning*: Ten days prior to public hearing.
 3. *Planning and zoning commission – replat*: Fifteen days prior to public hearing.
 34. *City council*: ~~15~~ Fifteen days prior to public hearing.
- b. Mailed notices shall contain at least the following specific information:
 1. The general location of land that is the subject of the application and/or a location map;
 2. The legal description or street address;
 3. The substance of the application, including the magnitude of proposed development and the current zoning district;
 4. The time, date and location of the public hearing;
 5. A phone number to contact the city; and
 6. A statement that interested parties may appear at the public hearing.
- c. For proposed changes to zoning classifications or boundaries, excluding applications for original zoning, in addition to published notice as set forth in subsection (e)(1) of this section, written notice shall be mailed to each owner within the corporate limits within the city, as indicated by the most recently approved city tax roll, of real property within 300 feet of the property on which a change in zoning classification or boundary is proposed before the tenth day before the hearing date. Notice may be served by its deposit in the U.S. Mail in the city, properly addressed with postage paid.

(3) *On-site public hearing notification sign.*

- a. *Property owner initiated proceedings.* For all proceedings initiated by or on behalf of the property owner, at least one on-site public hearing notification sign shall be provided by the city and placed by city staff the property owner on each property requiring a public hearing not less than ten days prior to the planning and zoning commission public hearing date, in accordance with the public notice requirements in Section (1) above and not less than 15 days prior to the city council 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. At least one sign shall be posted per 500 linear feet of all property located along a public right-of-way, with a minimum of one sign per frontage, placed parallel to and visible from, the roadway. In the event of unique circumstances affecting a property, the location of the sign(s) may be determined by city staff. The property owner shall provide an affidavit, including photographs, attesting to the date of installation and the number of signs installed. This affidavit shall be provided to the city at least five days prior to the required public hearing. If the proceeding requires a public hearing before both the planning and zoning commission and the city council, separate photographs and affidavits shall be required for each public hearing.
- b. *City initiated proceedings.* For proceedings initiated by the city, it may not be possible or practical to place a sign on the private property subject to the proposed proceedings. In

addition, in some situations, city initiated proceedings may involve multiple tracts of land that make it impractical to place a sign on every tract. Therefore, in city initiated proceedings, the zoning administrator shall determine in his sole discretion the most effective and practical manner in which to provide reasonable on-site notification of public hearings.

- (4) *Constructive notice.* Minor defects in notice or if an on-site public hearing notification sign is damaged or removed shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. Defects in notice provisions which exceed the requirements of V.T.C.A., Local Government Code ch. 211 shall not invalidate any action or proceedings pursuant thereto.
- (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
Planning Policy			
General Plan text amendment	X		
General Plan map amendment	X		X
Code amendment (other than zoning)			
Annexation			
Voluntary	X	X	
Involuntary	X	X	X
Zoning			
Zoning text amendment	X		
Application for original zoning	X	X	X
Zoning map amendment	X	X	X
PUD development plan/rezoning	X	X	X
Platting			
Concept plan	<u>X</u>	X	X
Preliminary plat			
Final plat			
Replat - single-family or two-family ⁽¹⁾	<u>X</u>	X	X
Replat - all other	<u>X</u>	<u>X</u>	<u>X</u>
Amending or minor plat			
Exceptions and Variances			
Variance		X	X
Special exception		X	X
Sign exception			
Compatibility buffer exception			X
Historic Preservation			

Certificate of appropriateness			
Historic overlay designation	X	X	X
Partial historic tax exemption		X	

II.

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 _____, 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.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk