

**ORDINANCE NO. O-2019-0205**

**AN ORDINANCE AMENDING ZONING AND DEVELOPMENT CODE, CHAPTER 2, ARTICLE VI, SECTION 2-71 (d)(4) AND SECTION 2-72 (d)(4), CODE OF ORDINANCES (2018 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING FENCING DESIGN STANDARDS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, the City of Round Rock, Texas desires to amend the text of the Zoning and Development Code, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the proposed amendment on the 3<sup>rd</sup> day of April, 2019, following lawful publication of the notice of said public hearing, and

**WHEREAS**, after considering public testimony received at such hearing, the Planning and Zoning Commission has recommended the Zoning and Development Code be amended as set forth herein, and

**WHEREAS**, on the 9<sup>th</sup> day of May, 2019, after proper notification, the City held a public hearing on the proposed amendment, and

**WHEREAS**, the City Council determines that the amendment provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and

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

I.

That Zoning and Development Code, Chapter 2, Article VI, Section 2-71 (d)(4), Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

**CHAPTER 2. ZONING AND DEVELOPMENT STANDARDS**

Sec. 2-71. - MU-1 (Mixed-Use Historic Commercial Core) district.

(d) *Supplementary development standards.* In addition to the applicable standards found in Chapter 8 of this code, the following regulations apply to the MU-1 district:

(4) *Fencing design standards.* The following standards apply to fencing in the MU-1 district, in addition to the applicable portions of Sec. 8-35:

- a. Lot fences shall be constructed of the following materials: brick, natural stone, simulated stone, or wrought iron. Other decorative masonry materials or wrought iron equivalents may be approved by the zoning administrator. Single family uses may install new wood fencing or replace existing wood fencing with the same or similar material in accordance with subsection (d)(4)e, below.
- b. A wrought-iron or equivalent fence in the street yard shall be permitted to reach a height of six (6) feet.
- c. Opaque fencing shall be permitted in the street yard for the purpose of screening service areas containing supplies, equipment and restrooms, subject to the approval of the zoning administrator.
- d. Fences in all other yards shall not exceed six (6) feet.
- e. All fences shall provide a finished face to the exterior of the property.
- f. Decorative fencing around patios and decks may be of a material other than one specified above, but shall be approved by the zoning administrator. Galvanized steel or similar welded wire materials shall be no smaller than 14-gauge, and shall be framed on all sides with wood or metal rails and posts.

II.

That Zoning and Development Code, Chapter 2, Article VI, Section 2-72 (d)(4), Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

**CHAPTER 2. ZONING AND DEVELOPMENT STANDARDS**

Sec. 2-72. - MU-2 (Mixed-Use Downtown Medium Density) district.

(d) *Supplementary development standards.* In addition to the applicable standards found in Chapter 8 of this code, the following regulations apply to the MU-2 district:

(4) *Lot fencing design standards.* The following standards apply to fencing in the MU-2 district, in addition to the applicable standards of Sec. 8-35:

- a. Fences shall be constructed of the following materials: brick, natural stone, simulated stone, or wrought iron. Other decorative masonry materials, reinforced concrete, or wrought iron equivalents may be approved by the zoning administrator. Wood fencing may be permitted if deemed appropriate by the zoning administrator based on the architecture and exterior materials of the principal building. Single-family uses may install new wood fencing or replace existing wood fencing with the same or a similar material and in accordance with subsection (d)(4)b, below.
- b. All fences shall provide a finished face to abutting single-family or townhouse uses.
- c. Fences outside the street yard may be eight (8) feet in height to accommodate topographical changes, as approved by the zoning administrator.
- d. A wrought iron or similar transparent fence in the street yard shall be permitted to reach a height of six (6) feet.
- e. Fences shall be eight (8) feet in height where outdoor rear or side dining or patio areas associated with eating establishments and indoor entertainment uses share a common lot line with a residential use, except for multi-story apartments and upper story residential.
- f. Decorative street yard fencing of a material other than one specified above may be approved by the zoning administrator, except that chain link fencing is prohibited.
- g. Opaque fencing of a maximum of six (6) feet in height shall be permitted in the street yard for the purpose of screening service areas containing supplies, equipment and restrooms, subject to the approval of the zoning administrator.

### III.

That the City Council has considered and hereby make the following findings regarding this amendment:

1. It is consistent with the general plan;
2. It advances the stated scope and purpose of the Zoning and Development Code as stated in Section 1-3 of the Code; and
3. It advances the stated purpose of any zoning district it may affect.

### IV.

**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**