

**Text Amendments  
CODE AMENDMENT**

**DATE:** October 2, 2019

**CODE AMENDMENT SECTIONS:** Part III – Zoning and Development Code: Approval Procedure Section 10-34; and Site Plan Review – Section 10-45

**STAFF REVIEW AND ANALYSIS:** Since the Zoning and Development Code was published on October 1, 2018, staff has identified changes which are intended to improve specific sections or to correct errors. In addition, recent changes have been made to the Texas Local Government Code which need to be reflected in the Zoning and Development Code.

Approval Procedure Section 10-34: This section is revised in order to comply with HB 3167, effective on September 1, 2019. The bill amends the Texas Local Government Code for the subdivision platting process, requiring action on concept plans or plats within 30 days from filing, unless the applicant provides a written request for a 30-day extension. The section is also revised to clarify that the Planning and Development Services Director has the authority to approve amended and minor plats, in addition to easement vacations.

Site Plan Review – Section 10-45: This section is revised in order to improve the Code by including the requirements listed in the development packet by reference. This change is consistent with the other application processes, as this allows these technical requirements to be updated without requiring a revision to the Code.

**RECOMMENDED MOTION:**

Staff recommends approval of the Code amendments.

ORDINANCE NO. O-2019-\_\_\_\_\_

AN ORDINANCE AMENDING ZONING AND DEVELOPMENT CODE, CHAPTER 10, ARTICLE V, SECTION 10-34 REGARDING APPROVAL PROCEDURE AND ARTICLE VI, SECTION 10-45 REGARDING SITE PLAN REVIEW, 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 V, Section 10-34, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

CHAPTER 10. ZONING AND DEVELOPMENT REVIEW PROCEDURE AND BODIES

Sec. 10-34. Approval procedure.

- (a) *Distribution and review.* The PDS director shall distribute a copy of each application to the reviewing agencies and the reviewing agencies shall review the application in accordance with the Texas Local Government Code and this code. The PDS director shall prepare a report for each application and shall distribute the report to the planning and zoning commission, except for those applications approved administratively.
- (b) *Director approval of easement vacations.* After a review by the reviewing agencies, the PDS director may approve easement vacations. Upon a determination by the PDS director that all of the public utilities authorized to use the easement proposed for vacation approve of the vacation request, the PDS director shall then approve the respective easement vacation.
- (c) *Planning and zoning commission action.* The planning and zoning commission shall review the reports of the PDS director and shall either approve, approve with minor conditions, or disapprove concept plans or plats within 30 days after the filing of a completed application. ~~The planning and zoning commission may approve a written request submitted by the developer to table a concept plan or plat application to a specific future planning and zoning commission meeting when it is requested on a form provided by the city where the developer waives its right to having the plat acted upon within the required 30 days as set forth in V.T.C.A., Local Government Code § 212.009(a). The planning and zoning commission may not table action on a plat without the consent of the developer and a waiver of rights. The 30 days from filing may be extended for a period not to exceed an additional 30 days upon written request by the applicant and approval by the planning and zoning commission~~
- (d) Director approval of amendment to plats and minor plats. The PDS director shall review amendments to plats and minor plats and shall either approve, approve with minor conditions, or disapprove them within 30 days after filing a completed application. The 30 days may be extended

1 for a period not to exceed an additional 30 days upon written request by the applicant and approval  
2 by the PDS director.

- 3 (de) *Notification of action taken for plats.* Within ten working days after action taken by the planning and  
4 zoning commission pursuant to subsection (c) or the PDS director pursuant to subsection (d), the  
5 PDS director shall issue to the developer a certificate as required by V.T.C.A., Local Government  
6 Code § 212.0115, stating that the plat has been reviewed and approved by the planning and zoning  
7 commission.

## 10 II.

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12 That Zoning and Development Code, Chapter 10, Article VI, Section 10-45, Code  
13 of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as  
14 follows:

### 15 CHAPTER 10. ZONING AND DEVELOPMENT REVIEW PROCEDURE AND BODIES

#### 16 Sec. 10-45. Site plan review.

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19 (a) *Applicability.* Prior to any development other than single-family (attached or detached) an applicant  
20 must obtain site plan approval under this section. No such development shall be lawful or permitted  
21 to proceed without final site plan approval. All improvements reflected on approved site plans must  
22 be constructed at the time of development. All terms and conditions of site plan approval must be  
23 met at the time of development.
- 24 (b) *Approval process.* Site plan applications shall be processed in accordance with the following  
25 requirements:
- 26 (1) *Pre-submittal meeting.* Prior to the submission of an application for site plan approval, all  
27 potential applicants are strongly encouraged to request a pre-submittal meeting with the zoning  
28 administrator. The purpose of the meeting is to respond to any questions that the applicant may  
29 have regarding any application procedures, standards, or regulations required by this Code.  
30 Upon receipt of such request, the zoning administrator shall afford the potential applicant an  
31 opportunity for such a pre-submittal meeting at the earliest reasonable time.
- 32 (2) *Review and action by the zoning administrator.* All site plans shall be submitted to the DSO for  
33 review and approval, approval with conditions or disapproval. If the proposed site plan is  
34 determined to be consistent with all applicable provisions of this section and all other provisions  
35 of the Code, including all requirements listed in the development packet for site development,  
36 the zoning administrator shall approve the site plan and so advise the applicant in writing. A  
37 determination that all such requirements and provisions have not been satisfied shall result in  
38 disapproval of the site plan and notice of such disapproval shall be given to the applicant in  
39 writing.

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**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.

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.

## Alternative 2.

**READ, APPROVED and ADOPTED** on second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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CRAIG MORGAN, Mayor  
City of Round Rock, Texas

7 ATTEST:  
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SARA L. WHITE, City Clerk