

ORDINANCE NO. O-2020-0012

AN ORDINANCE AMENDING ZONING AND DEVELOPMENT CODE, CHAPTER 1, ARTICLE III, SECTION 1-50 AND CHAPTER 8, ARTICLE X, DIVISION 12, SECTIONS 8-160(b), 8-161(a) AND 8-161(b)(1)(f) REGARDING FLOOD DAMAGE PREVENTION, 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 1, Article III, Section 1-50, Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

CHAPTER 1. INTRODUCTORY PROVISIONS

Sec. 1-50. - Definitions.

The purpose of this section is to define words, terms and phrases contained within this code, unless otherwise specifically defined elsewhere herein. Definitions for words not defined below may be defined elsewhere in the City of Round Rock Code of Ordinances or found in Webster's Dictionary of the English language, unabridged, subject to interpretation by the PDS director.

Term	Definition
Development	The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings; any use or change in use of any buildings or land; any extension of any use of land or any clearing, grading, excavation or other movement of land, for which permission may be required pursuant to this Code. Includes reconstruction, alteration of the size, or material change in the external appearance of a structure; changes in intensity of land use; alteration of shores or banks of ponds, lakes, creeks or streams; and excavation for the construction, the moving, alteration, or repair, except ordinary repairs, of any building or other structure, including an accessory structure, exceeding 100 square feet in area. <u>For the purposes of Part III, Chapter 8, Article X, Division 12 of this Code, development shall also include any man-made change in improved and unimproved real estate, including but not limited to mining, dredging, filling, paving or drilling operations or storage of equipment or materials.</u>

1 II.

2 That Zoning and Development Code, Chapter 8, Article X, Division 12, Section 8-
3 160(b), Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby
4 amended as follows:

5 CHAPTER 8. ZONING AND DEVELOPMENT STANDARDS

6
7 Sec. 8-160. - General provisions.

- 8 (b) *Basis for establishing the areas of special flood hazard.* The areas of special flood hazard identified
9 by the Federal Emergency Management Agency in a scientific and engineering report entitled "~~the~~
10 "Flood Insurance Study for Williamson County, Texas and Incorporated Areas," dated ~~September 26,~~
11 ~~2008~~ December 20, 2019, and the "Flood Insurance Study for Travis County, Texas, and
12 Incorporated Areas," dated ~~September 26, 2008~~ August 18, 2014, with accompanying flood
13 insurance rate maps, and any revisions thereto are hereby adopted by reference and declared to be
14 a part of this section.

15
16 III.

17 That Zoning and Development Code, Chapter 8, Article X, Division 12, Sections
18 8-161(a) and 8-161(b)(1)(f), Code of Ordinances (2018 Edition), City of Round Rock,
19 Texas, is hereby amended as follows:

20 CHAPTER 8. ZONING AND DEVELOPMENT STANDARDS

21
22 Sec. 8-161. - Administration.

- 23 (a) *Designation of the floodplain administrator.* The ~~city engineer-director of utilities and environmental~~
24 ~~services or the director's designee~~ is hereby appointed the floodplain administrator to administer and
25 implement the provisions of this article and other appropriate sections of 44 CFR (National Flood
26 Insurance Program regulations) pertaining to floodplain management.
- 27 (b) *Duties and responsibilities of the floodplain administrator.*
- 28 (1) Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the
29 following:
- 30 a. Maintain and hold open for public inspection all records pertaining to the provisions of this
31 article.
- 32 b. Review permit application to determine whether proposed building site, including the
33 placement of manufactured homes, will be reasonably safe from flooding.
- 34 c. Review, approve or deny all applications from development permits required by adoption of
35 this article.
- 36 d. Review permits for proposed development to assure that all necessary permits have been
37 obtained from those federal, state or local governmental agencies (including section 404 of

1 the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1344) from which
2 prior approval is required.

- 3 e. Make the necessary interpretation where interpretation is needed as to the exact location
4 of the boundaries of the areas of special flood hazards (for example, where there appears
5 to be a conflict between a mapped boundary and actual field conditions).
- 6 f. Notify, in riverine situations, adjacent communities, ~~and~~ the state coordinating agency,
7 which is the Texas Water Development Board (TWDB), and the Texas Commission on
8 Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and
9 submit evidence of such notification to the Federal Emergency Management Agency.
- 10 g. Ensure that the flood-carrying capacity within the altered or relocated portion of any
11 watercourse is maintained.
- 12 h. When base flood elevation data has not been provided in accordance with Sec. 8-160(b),
13 obtain, review and reasonably utilize any base flood elevation data and floodway data
14 available from a federal, state or other source, in order to administer the provisions of Sec.
15 8-162.
- 16 i. Must require that no new construction, substantial improvements, or other development
17 (including fill) shall be permitted within zones AI-30 and AE on the community's FIRM when
18 a regulatory floodway has not been designated, unless it is demonstrated that the
19 cumulative effect of the proposed development, when combined with all other existing and
20 anticipated development, will not increase the water surface elevation of the base flood

21 22 IV.

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

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

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

1 Alternative 1.

2 By motion duly made, seconded and passed with an affirmative vote of all the
3 Council members present, the requirement for reading this ordinance on two separate
4 days was dispensed with.

5 **READ, PASSED, and ADOPTED** on first reading this _____ day of
6 _____, 2020.

7 Alternative 2.

8 **READ and APPROVED** on first reading this the _____ day of
9 _____, 2020.

10 **READ, APPROVED and ADOPTED** on second reading this the _____ day of
11 _____, 2020.

12
13
14 _____
15 CRAIG MORGAN, Mayor
16 City of Round Rock, Texas
17

18 ATTEST:
19

20 _____
21 SARA L. WHITE, City Clerk